

**ALPINE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
Thursday, November 16, 2006**

06-62 CALL TO ORDER/ APPROVAL OF MINUTES: October 19, 2006 Regular Meeting

The Alpine Township Planning Commission held its regular meeting on Thursday, November 16, 2006, at 7:30 PM at the Alpine Township Center, 5255 Alpine Ave., NW, Comstock Park, MI 49321, with due notice. Present were Chair Jason Rosenzweig, Vice-Chair Jim Townsend, Secretary Nelda Johnson, and members Kris Cassady-Gall, Max Dunneback, Greg Madura, Jim May, and Dick Sedlecky. Also in attendance were Township Planning Consultant Tim Johnson, of MainStreet Planning, and Recording Secretary Patricia Kolkman.

Rosenzweig called the meeting to order at 7:35 PM with the Pledge of Allegiance.

Madura moved, with support from Sedlecky, to approve the minutes for the Regular Meeting of October 19, 2006, as presented.

Ayes: 8

Nays: 0

Motion carried.

06-63 PUBLIC HEARING: SPECIAL LAND USE-- Pvt. Road -- Gillette Ridge

Request for a private road at approximately 4321 Hendershot Ave NW, to serve three parcels (41-09-32-176-010, 41-09-32-200-013, and 41-09-032-200-014) and two future lots.

Applicants: Mark and Maria Gillette

In response to direction from Rosenzweig, Greg Raap of Nederveld and Associates presented the applicants' request. He said the approximately 480 foot private road requested will serve 5 total residential sites. The applicants' home at 4321 Hendershot, will retain its existing driveway onto Hendershot Dr. The two recently approved and the two future lots meet the standards for the RA district of at least one and one half acres with 165 feet of road frontage, and the new private road will be 26 feet wide, with 3-foot shoulders and ditches on each side to direct storm water.

Planner Johnson said that the plan provided by Nederveld is well done and the future land divisions will be handled administratively by the Township Planner. Additional information to consider includes the following:

- A private road in the RA district is a Special Land Use, subject to Planning Commission review and approval. Standards outlined in the Ordinance must also be met, requiring that the new use will not negatively impact the area, nor change the character of the neighborhood.
- The increase in traffic is estimated to be 40 vehicle trips per day assuming 10 vehicle trips per day per home.
- The Commission can also consider whether the Gillette home may retain its driveway on Hendershot or be required to build a new drive on the private road.

- A letter about traffic concerns was received this afternoon from Kenowa Hills Public Schools and given to commissioners, who should also consider that information.

Johnson also added that when the future land division request is submitted for the proposed two lots, the garage noted on this plan must remain on the same lot as the applicants' home, or it must be removed.

- Prein & Newhof has asked for a wetlands assessment to be performed, with the plan also reflecting the building envelope for a new home.
- The Kent County Road Commission has issued a driveway permit for the private road, which remains valid until 2007.

Discussion regarding the school districts' concerns about clear vision in the vicinity also took place. Gillette said he had personally removed some surface soil from his estimated location of the proposed road so he could visualize the location of the road in relation to his home. He said if the school had used his estimate of the road location, it may not have been accurate.

Cassady-Gall moved to open the public hearing, with support from May.

Ayes: 8

Nays: 0

Motion carried.

With no comment offered by the public, **Cassady-Gall moved to close the public hearing, with May's support.**

Ayes: 8

Nays: 0

Motion carried.

Rosenzweig asked that the letter from Rob Zeitter, of Kenowa Hills Public Schools, be received and then asked commissioners for their comments. May, Sedlecky, and Cassady-Gall indicated they could see no problem with the private road. Dunneback said he was quite familiar with this area and its traffic, and he had no objections to the road, but wondered if Gillette had any other plans for an extension. Gillette said the remaining land to the west (42 acres) does not perk, so he doesn't expect to pursue further development unless public sewer becomes available.

Commissioner Johnson said she lives adjacent to the site and also has no problem with the new road.

Madura expressed concern about the possibility of additional future development, but he has none for the private road as currently presented.

Townsend said he wants the school system to be comfortable with the road, or he won't be comfortable with it. Rosenzweig said that he had verified the sight distance shown on the plan and it appears to be closer to 300 feet than the 200 feet noted in Zeitter's letter. Cassady-Gall said schools don't dictate where a private road can be built, but they could move the bus stop for safety concerns. Commissioner Johnson added that the Kent County Road Commission has already issued a driveway permit approving the location specified on the site plan.

Commissioners then addressed concerns raised by the Township Engineer, asking for a wetlands assessment for the "pond- low area" noted on the plan at the south end of lots

4 and 5. A proposed drainage easement for storm water flow is also noted on the plan which could impact the buildable area for a new home.

Raap stated that the pond area in question is not considered a regulated wetlands. Several Commissioners then commented on whether or not the low spot meets that criteria, with one commissioner saying there are no cattails on the site, and that it had been recently farmed. Commissioners confirmed that a Building Permit would not be issued until wetlands issues had been identified and resolved to the Building Official's satisfaction.

Gillette stated that the land is not an active wetlands, but was created as a result of roadwork on Hendershot. He went on to say that the previous owner, a farmer, put in a drainage tile to redirect the water from the road so he could continue to farm the land. Dunneback said he is familiar with the site and also states this area does not regularly hold water. General discussion among commissioners was that if the normal building permitting process requires a DEQ permit to allow construction, then the wetlands concern would be addressed then. Commissioners also agreed that the storm water permitting process would also cover wetlands issues, but felt that the Special Land Use permit for the private road would not. Commissioners agreed to strike item number 4 from the November 8, 2006, letter from Prein and Newhof.

SPECIAL LAND USE MOTION

Sedlecky moved, with support from Cassidy-Gall, based upon representations made by the applicant, to approve the special land use request for the Gillette private road for the property described on the Gillette Ridge site plan dated 10-23-06, as this request does meet the standards set forth in Section 2.34 and Chapters 6, 18, and 21 of the Alpine Township Zoning Ordinance, with the following CONDITIONS OF APPROVAL:

- 1. Compliance with the Township Engineer's letter dated November 8, 2006, as amended by commissioners at this meeting, removing item number 4 from the list of concerns identified.**
- 2. Compliance with the Township Fire Chief's requirements.**
- 3. Compliance with the Township Planner's report dated November 13, 2006.**

And these Findings of Fact:

The proposed private road and the lots served by the road will not change the essential character of the area, as there are a number of single family houses nearby and the Township Master Plan anticipates this area being developed with houses close to active agricultural land.

Ayes: 7

Nays: 1 (Townsend)

Motion carried.

SITE PLAN MOTION

Sedlecky moved with Cassidy-Gall's support, based upon the representations made by the applicant, to approve the site plan dated 10/23/06 for the Gillette Ridge private road for the property described on the Gillette Ridge site plan as the site does meet the standards set forth in Section 2.34 and Chapters 6, 18, and 21 of the Alpine Township Zoning Ordinance, with the following

CONDITIONS OF APPROVAL:

1. **Compliance with the Township Engineer's letter dated November 8, 2006, as amended in Condition One of the Special Land Use motion.**
2. **Compliance with the Township Fire Chief's requirements.**
3. **Compliance with the Township Planner's report dated November 13, 2006, and the following**

FINDINGS OF FACT

The site plan as amended by the conditions of approval provides all information required by the Alpine Township Zoning Ordinance and satisfies the standards of Section 18.06.

Ayes: 7 Nays: 1 (Townsend) Motion carried.

06-64 DISCUSSION ITEM: Consideration of extension request for Site Plan Approval originally granted October 20, 2006 to Tim Kidder of K & K Manufacturing 951 9 Mile Rd. NW

Sedlecky requested that this item be addressed before the Sign Ordinance discussion, and commissioners agreed to do so.

Planner Johnson summarized the request from property owner Tim Kidder to extend his Site Plan approval, due to unforeseen difficulties related to both the effects of Hurricane Katrina and his local obligations. Johnson added that the PC has the authority to grant one 1-year extension of a Site Plan. He confirmed for commissioners that the previously identified Site Plan violations the PC had reviewed had all been corrected, based on inspections made recently by the Township's Code Enforcement Officer.

Commissioners agreed that the delay had been out of the applicant's control, and **May moved, with Sedlecky's support, to approve a one year extension of the previously approved Site Plan, to expire on October 20, 2007.**

Ayes: 8 Nays: 0 Motion carried.

**06-65 OLD BUSINESS: CONTINUATION OF DISCUSSION ON ZONING ORDINANCE AMENDMENTS
Chapter 20, SIGNS**

Planner Johnson provided a photo display of reader boards currently in use in several adjacent communities, to illustrate to commissioners how much space is generally allocated for changeable text. After the pictures were shown, Johnson shared the formula he developed which could be used to provide limits for changeable text on various signs in the Township in the future. The formula in general recommends that signs reserve no more than 50% of the overall sign space for a reader board. This formula could be further refined to provide specifics for each zoning district.

Johnson then gave specific measurements he had found for various combination signs photographed. One option could be to limit the percent of space allowed for reader board, based on the overall square footage of the sign; e.g., if a sign is 50 square feet or

less up to 50% of the sign could be reader board, and if the sign exceeds 50 square feet, such as a pole sign, commissioners may want to limit the reader board portion to between 1/3 or 2/3 of the overall sign.

- Commissioners discussed what limits might be used for both the size and portion of reader board allowed per sign. After discussion, the majority of commissioners preferred using a “sliding” scale, based on the overall size of the sign.
- Planner Johnson stated that the formula should be simple to administer, such as:
 - Small or Ground signs (up to 50 square feet) -- 75% allowed
 - Wall Signs : 75% allowed
 - Pole signs (64 to 160 square feet) 50% allowed

One commissioner commented that since this type of sign is expensive, a business owner likely won't select more reader board than he/she can afford.

Following a discussion on the percentage of reader board area per sign Rosenzweig polled commissioners on their preference. A majority of commissioners decided that for ground signs an electronic reader board could be up to 75% of the total sign and for pole signs the electronic reader board could comprise a maximum of 50 % of the total sign area.

Dunneback left the meeting room at 9:15 PM.

There was considerable discussion among commissioners regarding whether “strings of lights” would be considered a sign if used only for illumination (but not for seasonal decorating). Several commissioners pointed out that lighting standards in the ordinance define acceptable outdoor lighting so strings of lights would not be allowed as lot lighting.

Dunneback returns at 9:20 PM, and steps out again at 9:21PM.

Planner Johnson continued to present other recommended amendments to the Ordinance, explaining additions and alterations in language.

Dunneback returns at 9:25 PM.

Considerable discussion focused on non-conforming signs, resulting in commissioners agreeing that pre-existing, non-conforming signs would continue to remain “legal”, but no replacements or repairs to preserve the non-conformity would be allowed, while repairs or replacements bringing the sign into compliance would be. These signs are considered “grandfathered” and not be subject to enforcement actions.

Enforcement actions have been added to the ordinance allowing the Code Enforcement Officer to notify owners of unsafe, newly non-conforming, or deteriorating condition of the sign, and require that the sign be removed if the specified conditions are not corrected within 72 hours of the notification. Townsend pointed out that language in the Ordinance must be clearly stated to allow the enforcement action and asked to be included in any discussion or meeting with the Township Attorney on revisions.

Rosenzweig asked Johnson if it is possible to regulate the **colors** of signs such as fluorescent lettering on black boards that is sometimes on temporary signs in this area. Johnson said that colors on signs could be regulated if viewed as a distraction, and then

asked the PC if they want another revision to the Ordinance before recommending amendments to the Township Board. Members agreed that they need to review and a final draft before making a recommendation to the Board.

Rosenzweig offered the audience the opportunity to provide their comments.

Lucas Hartger, manager of Oasis Hot Tubs at 5041 Alpine Ave., said that he thinks the proposed limits on temporary signs (7 days per permit, 30 day maximum per year) will be more difficult to monitor. He asked what will be necessary to obtain a temporary permit and how far in advance will be required. He asked if time changes allowed on changeable text will be clearly defined, and whether the "A-Frame" sidewalk signs would also be limited to a 30 day maximum per year. He also wondered if the PC could provide a timeline for adoption of the amendments.

Rosenzweig said that he thinks it will be fairly easy to obtain a permit, and there should be a nominal fee for it. He also thinks it will be easier to monitor than it is now.

06-66 COMMISSIONER COMMENT/ STAFF UPDATE/ ADJOURNMENT

May announced that the Township had selected a new Planning Director. Sue Thomas will begin her duties after Thanksgiving, and she has experience in planning with a number of communities, and is also very familiar with Ag Preservation practices.

Dunneback said he is hoping that now that a new Planning Director has been hired, and the multiple Wal-Mart considerations have been resolved, the PC will return to its previous work on the Master Plan. He stated that several decisions before the PC have been postponed in anticipation of finalizing the Master Plan, and it is time to complete that process.

Sedlecky agreed that it is time to return to the Master Plan and any text changes should be reviewed by the PC and then recommended to the Township Board. He said he is quite pleased to hear a new Planning Director had been hired, but he asked May to tell the Board that he thinks it should have notified commissioners of the person chosen, rather than having them learn about it in the newspapers.

Johnson reported that there was no ZBA meeting in the past month.

Cassady-Gall, Madura, Rosenzweig and Townsend had no comments.

Madura moved, with May's support, to adjourn the meeting at 10 PM.

Ayes: 8

Nays: 0

Motion carried.