

**MUSKEGON CHARTER TOWNSHIP
PLANNING COMMISSION MINUTES
PC-16-09
September 12, 2016**

CALL TO ORDER

Chairperson Nolan called the meeting to order at 7:00 PM.

ROLL

Present: Borushko, Bouwman, Wood, Singerling, Hower, Frein, Nolan

Absent:

Excused:

Also Present: Planning, Zoning and Development Director Lorraine Grabinski, Recording Secretary Robyn McKenna and thirty-eight (38) guests.

APPROVAL OF AGENDA

Motioned Hower, supported Singerling to approve the agenda.

Motion carried.

APPROVAL OF MINUTES

Motioned Borushko, supported Hower to approve the minutes of August 8, 2016 as presented.

Motion carried.

COMMUNICATIONS

Staff Report

Chairperson Nolan stated he feels this report is extremely helpful and thanked Ms. Grabinski for the report.

Township Board Minutes August 1, 2016 and August 15, 2016

MSU Edu Court Cases

Informational Flyer from Legal Counsel

Information only, no action taken.

OLD BUSINESS

SU16-03 – 3289 Apple

Request for Used Vehicle Sales

Eric Cunningham – All Pro Towing – 3289 Apple Avenue – This request was tabled at the June 13, 2016 meeting due to non-compliance with the towing Special Use Permit. Mr. Cunningham advised he would like to resolve the issues regarding his request for a Special Use and move on. For three (3) months there has been an argument on what is asphalt. He has applied recycled asphalt and he is in the process of adding more.

His plan is to add 2" of asphalt and then apply seal coating. Asphalt companies are busy and he is waiting for Asphalt Paving Inc... His Special Use requires him to have hard surface for thirty (30) vehicles and the question remains what is a solid surface.

Chairperson Nolan asked Ms. Grabinski if Mr. Cunningham was in compliance with the Special Use requirements. Ms. Grabinski advised as of September 9, 2016 the asphalt was not done, and the approval for All Pro Towing was contingent on "the holding area being concrete or asphalt surface." The holding area has "ground asphalt" which our Building Official states is not the same as asphalt. She also checked with John Hughes, Hughes Contractors, and he also stated that "ground asphalt" is not the same as asphalt. Discussion was held regarding containment of fluids and recycled asphalt. Chairperson Nolan advised Mr. Cunningham that he needs to be in compliance with the Special Use requirements and suggested that he meet with Building Official Ream to make sure he has approval to move forward.

Motioned Hower, supported Singerling to table until next meeting – October 10, 2016.

Motion Carried

7:20 PM – Commissioner Borushko was excused from the meeting.

Non-permanent Sign Ordinance

Ms. Grabinski provided a draft amendment to the Ordinance. Commission corrected Section 3 (B) numbering; Section 4 (M) – change Sunrise Provision to Sunset Provision.

A large group of business owners were present and addressed the Commission with concerns and suggestions. Comments included Muskegon Charter Township is not business friendly; concerns with having a "Grand Opening" without banners, balloons and flags; political signs, for sale signs, graduation party signs, garage sale signs/with balloons - can be anywhere; changes in the draft ordinance are minor and do not help businesses; need to allow flags, banners, balloons they are vital for a business; 50% drop in sales since signs were removed; money spent benefits community and creates more jobs; LED signs are distracting – but are allowed; visibility; meeting notices; enforcement; comparison to surrounding areas. Business owners presented the Commission a petition with sixty-six (66) signatures asking to change the ordinance.

Commission reviewed the process to amend an ordinance. Commission advised that the input from business owners is critical and a committee should be formed with business owners and members of the Township Board to work on the non-permanent sign ordinance.

Motioned Hower, supported Frein to recommend to the Township Board to form a committee with business owners, board members and planning commissioners to work on the non-permanent sign ordinance.

Motion Carried.

9:04 PM – Recess

9:09 PM – Reconvene

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NEW BUSINESS

Public Hearing 16-03

Private Roads and Private Driveways

Public Hearing opened at 9:09 PM

The Public Hearing was published in the Muskegon Chronicle on August 28, 2016. There were no responses. Notices were not applicable.

Ms. Grabinski advised this ordinance amendment distinguishes between private driveways and private roads. This will allow five (5) plus residential lots for private roads and still restricts a maximum of four (4) residential lots for private driveways. Township Legal Counsel has reviewed and their suggested changes are included. Commission corrected Section 2 (h) listed twice – remove one.

Motioned Bouwman, supported Hower to recommend to the Township Board adoption of Ordinance No. 16-08.

Motion Carried.

OTHER

Signs Ordinance – Draft amendment to “Ground Signs”

Ms. Grabinski advised that a definition for “Ground Signs” is in the ordinance, but nowhere in the zoning district regulations. Commission directed Ms. Grabinski to move forward with amendment to add “Ground Sign” to C-1 and Industrial Zones.

North Port Village

Ms. Grabinski advised that a Site Plan for North Port Villages will be on the Agenda for October.

PUBLIC COMMENT

Opened at 9:19 PM - None

NEXT MEETING

The next scheduled meeting for the Planning Commission is on October 10, 2016 at 7:00 PM in the Board Room at Town Hall.

ADJOURNMENT

Motioned Wood, supported Frein to adjourn at 9:19 PM.

Motion Carried.

Respectfully submitted,

Sandi Frein
Recording Secretary