Minutes of a meeting held on May 2, 2011

A regular meeting of the Charter Township of Caledonia Planning Commission held at 7:00 p.m., on Monday, May 2, 2011, at the Township Office, 8196 Broadmoor Ave. SE, Caledonia, Michigan

1. CALL TO ORDER / ROLL CALL

Chairman Warner called the meeting to order at 7:00 p.m. with a quorum present.


Members Absent:    None

Staff Present:     Lynee Wells, AICP, Williams & Works

Others Present:    Members of the media, Representative from AT & T Mobility, citizens of the township

2. CONSIDERATION OF THE MEETING AGENDA

Agenda accepted as presented.

3. PUBLIC COMMENTS (BRIEF – UP TO 2 MINUTES)

A. Warner opened the floor to public comment at 7:02, and closed it at the same time, finding no public comment.

4. CONSIDERATION OF MEETING MINUTES

A. Minutes of the April 18, 2011 meeting.

T. Morris stated he wanted to be sure that the correction to the minutes from March 21, 2011 read that Director Becky Reed Missad indicated the camp would be coming in the future for approval of a total of 110 campers.

R. Parent made a motion to approve the minutes of April 18, 2011. Motion was supported by M. Kelly.

VOICE VOTE: All ayes. Minutes of the April 18, 2011 meeting approved.
5. **INQUIRY OF CONFLICT OF INTEREST**

6. **UNFINISHED BUSINESS**

None.

7. **NEW BUSINESS**

A. **Public Hearing: Special Use Permit** - Applications submitted by AT&T Mobility for special land use permits to install new equipment on three existing cell towers, on lands commonly known as 9475 Sanborn Ave. SE, 5770 76th St. SE, and 8337 Prairieview Lane SE.

Anthony Amine from Amine & Assoc., representative for AT&T Mobility gave a brief overview of the project. Amine stated the three were nearly identical applications, found they could be treated as one; proceeded to explain AT&T was upgrading to 3-G, no changes to frequency or licensing with FCC. At Site 1 they propose adding 3 new antennas with 3 Tower Mounted Amplifiers (TMA’s) which boost signal and would be virtually unseen, and 6 additional transmission lines run up inside the tower to the new antennas. AT&T would also be installing a new cabinet on a new platform, a pre-fabricated, non-earth penetrating steel platform, no disturbing of soil. At Site 2 they propose adding 6 antennas, 3 TMA’s, 6 lines, a new cabinet & platform; at Site 3 adding 3 antennas, 3 TMA’s, 6 lines, and a new cabinet & platform. A. Warner asked if the height of structure would increase, applicant responded overall heights would not change.

A. Warner opened public comment at 7:08, finding no public comment, he closed it at the same time.

A. Warner asked about the height of cabinet - 6 ft in height, 2-3 feet wide, standard color, gray, comparable to existing cabinets. A. Warner asked if any additional lighting would be added, applicant responded no additional lighting.

R. Parent asked about Wilcox letter dated April 26, 2011; letter reports that the site plans submitted refer to “Detail 3/A1” for new antenna layout, but that detail does not appear to be included in the plans. Applicant directed them to page 4 or C-2, left side shows existing antennas, right side shows proposed antenna detail.

R. Parent asked about the Prairieview site, asked if anyone had seen the landscaping recently, had been problems in the past that approved landscaping had not been planted or well maintained; no one has inspected it lately; applicant indicated that Verizon is the tower owner and responsible for maintenance, will mention it to their representative; L. Wells also indicated she could follow up on that.

T. Morris asked about the new equipment, new footprint larger than previous, applicant indicated the addition of the new cabinet and platform would increase it 6x6 ft., still within the premises of the lease compound; the increase in lease space will be handled with tower owner.
D. Koopmans asked if there were leasing fees paid to tower owners, applicant replied yes. A. Warner clarified that the township was not paid leasing fees; applicant replied not on every site, but one of the applications is for antennas located on the Township water tower, and fees are paid to the township. An amended lease agreement is going to the township water department for review and approval, reflecting an increase in rent for the new antennas.

**ARCHIE WARNER ENTERTAINS A MOTION:**

K. Cavanaugh motioned to approve the request by AT&T Mobility for special land use permits to co-locate the proposed additional antennas on the existing towers at 9475 Sanborn Ave. SE, 5770 76th St. SE, and 8337 Prairieview Lane SE, contingent on the applicant receiving and maintaining all applicable approvals and permits from all applicable government agencies, including the Caledonia Township Utility Committee.

Motion was supported by D. Koopmans.


**B. Public Hearing:** Regarding proposed amendments to Chapter 19 of the Charter Township of Caledonia Zoning Ordinance regarding signage, including but not limited to regulations for digital signs, billboard, and temporary signs.

Proposed amendments to the ordinance were clarified on handout from L. Wells. A. Warner asked about concerns of commissioners. D. Koopmans asked about any wording against extending useful life of billboard signs. Billboard signs are addressed on page 18, “normal and usual” maintenance is allowed for, but D. Koopmans would like to see verbiage that does not allow for reinforcing signs and extending their life. K. Cavanaugh commented that Section 19-15 d #4 specifies that no repairs may be done in a 12-month period that would exceed 60% of the cost of the billboard. D. Koopmans would like to see something limiting the ability to do continued maintenance that would prolong the useful life of the sign. K. Cavanaugh suggested maybe 25% of the valuation instead; D. Koopmans said that could amount to a lot, A. Warner stated he wants verbiage to indicate no upgrading for signs that would extend the useful life. D. Koopmans agreed, can’t allow the signs be reframed or welded as normal maintenance. R. Parent clarified that Section 4 was addressing damage as a result of casualty, not normal maintenance. D. Gunnink commented sign owners will want to maintain their signs to get the maximum life out of it, don’t want signs to become unsafe. A. Warner wants to be careful not to disallow the sign owners to do normal maintenance to keep the signs safe and useful; directs L. Wells to add a phrase to Section 19-15 d#5 specifying no maintenance that would extend the useful life of the sign.

A. Warner opened the floor to public comment at 7:24; seeing none, he closed public comment at the same time.
R. Parent commented on page one, under definition of banner, cloth or other combustible material, remove combustible. A. Warner asked about any other issues; K. Cavanaugh commented on page one, Architectural Features/Artwork and also definition of accessory signs; commission had discussed using language to limit advertising material. A. Warner replied this was just a definition, K. Cavanaugh asked if they would allow advertising material, such as a mural on the side of a building depicting specific brands; if the word “trademark” in the definition encompassed this type of sign, that would be acceptable, but if not, suggests adding the phrase “advertising material” to this definition. M. Kelly commented that a mural on a wall of a restaurant in Kentwood had to be removed because the city determined it was advertising, even though it didn’t depict specific brands. L. Wells felt that this issue is already addressed under the definition for sign, and signage is limited under the ordinance. A. Warner asked L. Wells to research if the ordinance should specifically state prohibiting this. D. Gunnink suggested the option to take it out completely, all artwork portrays a message. D. Koopmans stated a mural containing advertising could be allowed, but it would count toward permitted signage; R. Parent reiterated M. Kelly’s point about advertising with murals; A. Warner stated we don’t allow murals anyway, this is just a definition. L. Wells explained Section 19.7, page 10 indicated under Architectural Features that a mural would be exempt from permit requirements, unless the owner chose to use it as a sign. A. Warner was under impression no murals were allowed. L. Wells indicated it’s been in the ordinance. T. Morris asked if mural should be defined. D. Gunnink commented a mural could be allowed if it was part of the architectural design of the building.

Cavanaugh suggested Section 19.7-g could say architectural features, scratch the “/Artwork”; also remove “or works of art” later in the sentence. A. Warner stated he doesn’t want to limit creativity in architecture, but limit what can be painted on the side of a building. A. Warner & D. Koopmans suggested requiring a special use permit for murals. D. Gunnink stated business should not be allowed to advertise through murals. Morris recommended striking “Artwork” and “or works of art” from Section 19.7-g; D. Koopmans supported that.

A. Warner asked for further comments; K. Cavanaugh addressed definition of portable sign on page three, M. Clark had recommended removing prohibitive language from definitions; suggested striking last sentence. K. Cavanaugh commented on page 4, Section 19.2 – Double-sided sign seemed more a definition than a provision?

K. Cavanaugh also commented on 19.2 e – location, should this indicate that signs can’t be in right of way? D. Gunnink stated that signs are not allowed in the right of way unless they are moved the same day. L. Wells stated that Section 19.2 g prohibits signs in the right of way; K. Cavanaugh suggested moving this paragraph to Section 19.2 e which speaks to location.

K. Cavanaugh commented on Section 19.4 b, page 8, she had previously suggested that a new sign face should require permit, has since learned that may violate the constitution. Suggested changing “sign face” in that paragraph to “altering the size or structure”.

Warner asked for other comments, asked if all concerns about residential signs had been addressed in proposed amendments, felt everything had been discussed. Seeing no further comments, A. Warner recommended tabling the proposed ordinance amendments for planning staff and legal counsel to review.
D. Koopmans supported the recommendation.

**VOICE VOTE:** All ayes.

A. Warner asked staff to look at the proposed amendments, and to have legal counsel review it. If there are major changes made, the Planning Commission would have to hold another public hearing. A. Warner feels it is wise to move forward slowly, make sure it’s done right.

8. **PUBLIC COMMENTS (EXTENDED – UP TO 5 MINUTES)**

None.

9. **COMMISSIONER’S COMMENTS**

A. Warner commented it’s nice to be here when it’s still daylight outside; thanked everyone for their time.

10. **ADJOURNMENT**

D. Koopmans made a motion to adjourn. Motion was supported by R. Parent.

**VOICE VOTE – all ayes – Meeting adjourned at 7:48 p.m.**

CALEDONIA TOWNSHIP PLANNING COMMISSION

Duane Gunnink, Secretary
Approved: 6/6/11

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Sincerely,

Angela Burnside
Recorder