

## CHARTER TOWNSHIP OF FLUSHING

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### ***PLANNING COMMISSION MEETING***

DATE: DECEMBER 14, 2009

TIME: 7:00 P.M.

WEB ADDRESS <http://www.flushingtowship.com>

### **MEMBERS OF PLANNING COMMISSION**

Mark J. Newman, Chair

Richard Buell

Jerome Doyle, Vice Chair

Ronald Flowers

Eric Swanson, Secretary

David Gibbs

Mark Purkey, Board of Trustee Representative

Julia A. Morford, Recording Secretary

**PRESENT:** Newman, Doyle, Swanson, Buell, Flowers, Gibbs, Purkey, and Morford

**ABSENT:** None

**OTHERS PRESENT:** Three (3) other individuals

**I. MEETING CALLED TO ORDER** at 7:00 p.m. by Planning Commission Chair

**MARK NEWMAN** with Roll Call and the Pledge to the American Flag.

**II. ADOPTION OF AGENDA: BUELL MOVED**, seconded by Flowers to adopt the Agenda as submitted. **MOTION CARRIED.**

**III. APPROVAL OF MINUTES OF NOVEMBER 9, 2009: DOYLE MOVED**, seconded by Purkey to approve the Minutes of November 9, 2009 as amended. **MOTION CARRIED**

**IV. UNFINISHED BUSINESS:**

None

**V. NEW BUSINESS:**

**1. First Baptist Church of Flushing, 5105 N. McKinley Road, Flushing, MI 48433**

Formal Hearing regarding a lighted sign in the front of the Church (Ed Goodrow  
Chairman of the Deacon Board of First Baptist)

Mr. Ed Goodrow and Mr. Tom Wurtz were present representing First Baptist Church of Flushing. As required by State Statute, Notices were sent out on November 25, 2009 to property

owners within three hundred (300) feet of the Church or anyone that had signed up to receive all Notices per law, such as utility companies, etc. regarding the formal hearing.

**CORRESPONDENCE:**

The only correspondence was a letter received from Buckeye Pipeline who didn't have any objection to the proposed sign.

**NEWMAN** inquired from Mr. Goodrow if there had been any changes or consideration of changes, such as lighting, size, etc. since the informal hearing had been held. Mr. Goodrow stated everything has remained the same except the church hasn't decided where to purchase the sign.

**QUESTIONS FROM THE PLANNING COMMISSION**

**ANSWERS FROM CHURCH REPRESENTATIVES:**

1. **DOYLE** wanted to know if the Commission was being asked to pass something that definitely has a possibility, as far as the existing ordinance was concerned, of not following the ordinance. Because of a couple of issues, it could signal that the issue had not been approved in the first place. The request could be for a new special use permit, changing the site plan, or a variance. It would be a new approval for the request for a special use. If the Commission would approve the request in the particular form, the Commission would be going against the sign ordinance. Should the Commission think about approving with a condition because the sign is capable of making the movements in such a manner there would be a flashing sign? Should the Commission put a condition or wait until a new sign ordinance was written in order to give the approval? The sign could possibly go against the existing ordinance.
2. **PURKEY** wanted to know how often the message would be changed on the sign? **GOODROW** stated the church did not want the sign to be flashy. A sign ordinance from another city stated the message could not change more than every twenty (20) seconds. **GOODROW** stated that perhaps eight (8) times a day. **WURTZ** stated the sign might change every ten (10) minutes for upcoming events but it would not be a scrolling sign. **GOODROW** stated the intention was not to aggravate people as the church would not be selling a product to get attention; he (Goodrow) did not have the authority to commit how often the message would be changed. **WURTZ** stated "what if" the church had the sign for ten (10) years and the church was sold? The intention was to have an outside lighted sign that could be changed from the inside. The message on the sign would be appropriate. **PURKEY** felt if the sign was not going to be changed any quicker than if changing the sign by hand, it would not be a flashing sign. If a special use permit was given with the provision of not changing the sign any faster than walking out to the sign and changing it, there wasn't any problem. No one wants to see a flashing sign. **PURKEY** felt changing the sign eight (8) to ten (10) times per day would be acceptable.
3. **BUELL** felt the changing of the wording would be different.

4. **WURTZ** stated the purpose of the sign would be to make it more convenient to change the sign from the inside of the church and to have a more up-to-date sign.
5. **DOYLE** stated he looked at the capability of what could be done with the equipment since there were a lot of things that could be done. There needed to be a condition to cover items such as the sign could only be changed a certain number of times per day without being flashy. If the Planning Commission could come as close to the ordinance as it stood with the ability to change the sign by hand such as once per hour or once every ten (10) minutes, it would be acceptable. Who would say that the sign would not be a rolling sign?
6. **FLOWERS** wanted to know if the same message would be on every ten (10) minutes.
7. **WURTZ** stated there would be different messages all day; there would be one message and then fade out and then change to another message.
8. **GIBBS** stated there could be five (5) or six (6) messages per day.
9. **WURTZ** stated the intention of the Church was not to have a flashy sign.
10. **NEWMAN** has never been one who believed in putting a lot of restrictions on a particular use. Every project would still have to fall within the confines of the laws and statutes. He (Newman) was not inclined to approve the permit with a lot of restrictions because in the end, the Church still had to follow the sign ordinance. The idea of an electronic sign would be to get more information out to the public as long as it was without distractions. He (Newman) was in favor of voting for the request and voting affirmative for the message couldn't cycle more than once every twenty (20) seconds. If they only changed the message a couple of times a day, it would defeat the purpose when there were special services, etc.
11. **SWANSON** recently attended a seminar, sponsored by Rowe Inc that dealt with signs. It was recommended, for scrolling signs, to keep the message short in order to keep the driver's focus away from the sign. The messages should be at least twenty (20) minutes apart because some time in the future there could be a lot of signs and it would be considered a motion sign.
12. **BUELL** stated there wasn't anything in the current ordinance similar to the electronic signs. The new technology should be reviewed soon to update the ordinance. He (Buell) didn't feel the Church should be held up while the Planning Commission was updating the sign ordinance.
13. **FLOWERS** stated he didn't see anything wrong with giving out a permit that stated the sign went with the Baptist Church; but once the building was sold, the sign issue would have to return to the Planning Commission if it was changed to something different. He (Flowers) had no problem approving the sign request.
14. **BUELL** stated that if the use of the building changed, the ordinance already had the issue protected until a new ordinance was drafted. No one wanted to see the streets in Flushing Township like the strips of Las Vegas.
15. **SWANSON** stated the new signs were the fastest growing sign industry in the country today; it has been recommended to get a sign ordinance.
16. **NEWMAN** stated the new sign technology was getting cheaper and more people could afford the signs.

17. **FLOWERS** has no problem with a special use permit and recommended proceeding ahead with the matter.
18. **SWANSON** stated at the seminar (sponsored by Rowe), it was recommended to have a minimum of ten (10) inch letters for the message because anything else would be hard to read.
19. **DOYLE** stated if the approval was given for a special use permit, and nothing was done about any conditions that was put together, the Planning Commission would be approving it knowing there was a prohibition on a couple of items on the sign because the ordinance stated what it stated and if the special use permit was issued, it would be a violation of the ordinance. With a condition, it would be logical to accept what the request was. If passed without any limitations, the Planning Commission would be in violation of **Section 13. 533 2 and 6. which states:**  
**No. 2:** *Signs which incorporate flashing or moving lights.*  
**No. 6:** *Signs which have any visible moving part, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic or mechanical means, including intermittent electrical pulsations or by action of normal wind currents, other than for the conveyance of noncommercial information which requires periodic change.*
20. **NEWMAN** stated a Commission couldn't approve something which the ordinance prohibited. It would be the responsibility of the Church to make sure the signs were not flashing; the Church would have to be very careful with the programming. If the rules changed, the sign would have to be in compliance. If there was an update of the sign ordinance, it would be published in the newspaper. **NEWMAN** stated if the rules of the sign ordinance were broken, they would be charged.
21. **FLOWERS** stated it had been mentioned in the informal hearing that the sign area would be a 4 x 3 message area, lighted sign with LED, scrolling church activities, the sign wouldn't be bold and flashing, and the sign would be a two (2) sided sign.
22. **BUELL** stated there was a provision for temporary sign permits. There are three (3) possible restrictions: 1) Monogrammatic, 2) only text, no graphics, and 3) intervals between changes (it was recommended to be every twenty (20) seconds.)
23. **GOODROW** stated the Church wanted to go with amber lights which would be a combination of red and green.
24. **SWANSON** stated the brilliance of the sign was a new problem but could be controlled. The sign is not to be of such brilliance or intensity to impair the vision of any motor vehicle.
25. **GOODROW** stated a sign company had mentioned the sign was bright during the day and dim at night.
26. **DOYLE** wanted to know if **BUELL** felt a temporary sign permit was recommended until the sign ordinance was reviewed. **DOYLE** would like the intervals changed to minutes instead of seconds; sometimes the signs are so fast a person can't read the message.

27. **PURKEY** wanted to know if the special use permit was approved tonight, that with the idea that down the road the Church would have to be in compliant with a new sign ordinance.
28. **BUELL** stated the only thing with the existing ordinance is Section 13.533 (2) “flashing” or “moving” lights. If things are moved slowly enough, it ceases to be flashing.
29. **GOODROW** would prefer to have the approval for the special use permit and if the Planning Commission needed to change the ordinance later, it would not be changed to something that would be so bad that the Church lost out.
30. **WURTZ** wanted to know if there was a new sign ordinance in the future, would they (the Church) be advised of the change well enough in advance.
31. **PURKEY** stated First Baptist Church of Flushing would have the first electronic sign in Flushing Township.

**SWANSON MOVED**, seconded by Purkey to approve the special use permit as submitted with the condition they (the Church) will have to follow future amendments to the sign ordinance.

**ACTION OF THE MOTION:**

ROLL CALL VOTE:

AYES: Swanson, Buell, Flowers, Gibbs, Purkey, and Newman

NAYS: Doyle                      MOTION CARRIED.

**2. APPROVAL OF 2010 MEETING DATES:**

**FLOWERS MOVED**, seconded by Swanson to approve the 2010 Planning Commission Meeting Dates as the second Monday of each month with the exception of October due to the holiday conflict which will be October 4, 2010. MOTION CARRIED.

**3. REVIEW OF SIGN ORDINANCE CONCERNING NEW TECHNOLOGIES:**

Mr. Jim Beelan, representative from Michigan Township Association (MTA), had sent a Sign Ordinance that was being used in Allendale Township. The Ordinance had been updated August 12, 2008. Allendale is a college township.

**RECOMMENDATIONS:**

- **FLOWERS** recommended also getting a sign ordinance from Mundy Township.
- Rowe Inc will also be contacted for a sign ordinance. **SWANSON** stated a sign ordinance had been given out at the Seminar (sponsored by Rowe Inc) which several of the Planning Commission members recently attended.
- **PURKEY** stated the speed limit one is traveling is actually taken into consideration when signs are being considered.
- **SUPERVISOR SCHWIEMAN** had recommended that the “whole” sign ordinance be reviewed, not just sections.

- **NEWMAN** recommended getting sign ordinances from different townships and review to update the sign ordinance for Flushing Township.
- **PURKEY** wanted to know if there would be different sign ordinances for different areas of the township. Example: Mt. Morris Road, M-13, etc.

**VI. PUBLIC COMMENTS:**

**8:10 P.M. – OPENED TO THE PUBLIC FOR NON-AGENDA ITEMS**

None

**8:11 P.M. – CLOSED TO THE PUBLIC FOR NON-AGENDA ITEMS**

**VII. BOARD COMMENTS:**

1. **BUELL:** stunned that Mr. Gibbs will no longer be on the Planning Commission; thanked GIBBS for his knowledge concerning agriculture and positions on many of the issues that have come before the Commission.
2. **PURKEY:** did not think the situation would be handled the way it was; felt new people should be on the Commission.
3. **DOYLE:** it has been a pleasure working with GIBBS; has done a fantastic job; wished GIBBS wasn't leaving.
4. **FLOWERS:** has been friends many, many years; appreciates his advice on many items.
5. **SWANSON:** very disappointed because the Commission has worked very hard to get a diversification of people throughout the township representing everyone; farmers have a lot of property in the township and should be strongly represented on the Commission; disappointed GIBBS was removed before they talked with the Planning Commission.
6. **NEWMAN:** it has been a pleasure working with GIBBS; represents a rare quality because GIBBS stayed until the end of his term to make Flushing Township stay the wonderful community it has been; GIBBS always up to date on agriculture issues and spoke for that area of the community; very upset over the decision.
7. **GIBBS:** has enjoyed his stay on the Planning Commission and has learned a lot; perhaps in the future can lend his hand at something else.

**VIII. MEETING SCHEDULE: NEXT REGULAR SCHEDULED MEETING WILL BE HELD ON MONDAY, JANUARY 11, 2010 AT 7:00 P.M.**

**FUTURE MEETINGS:**

**REGULAR SCHEDULED MEETING – MONDAY, JANUARY 11, 2010 AT 7:00 P.M.**

**REGULAR SCHEDULED MEETING – MONDAY, FEBRUARY 8, 2010 AT 7:00 P.M.**

**REGULAR SCHEDULED MEETING – MONDAY, MARCH 8, 2010 AT 7:00 P.M.**

**IX. ADJOURNMENT:** Due to lack of business matters, **NEWMAN** adjourned the meeting at 8:20 p.m.

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MARK J. NEWMAN, Chair

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JULIA A. MORFORD, Recording Secretary

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ERIC SWANSON, Secretary

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Date of Approval

Planningminutes 12/14/09