

WALES TOWNSHIP ZONING BOARD OF APPEALS
PUBLIC HEARING FOR VARIANCE FROM THE SIGN ORDINANCE
JUNE 10, 2009

Hearing opened by Chairman John Minor at 7:00 P.M. Present: John Minor, Terry Maki, Ron Lepak, Richard Hart, and Larry Zalut. Also present: Twp. Super. Larry Thomson, Twp. Planner Dick Smith, Rec. Sec. Marie J. Muller and 5 persons.

Chairman J. Minor noted that notices were mailed and notice was published in local paper. J. Minor gave brief explanation of procedures that would be followed in conducting hearing.

Applicant representative Mark Brochu, from St. Clair County Parks and Recreation Advisory Commission, gave presentation of request for the variance. Stating that the commission had been talking about a sign since 1996, identifying the property and events taking place there. The property is unique because it contains 372 acres with a huge frontage on Lapeer Road. Since Lapeer Road is a main thoroughfare this is best location for sign. The entrance from Lapeer has always been designated as temporary, only to be used on occasions of high volume of attendance at park. The actual entrance is coming in from Castor Road onto County Park Drive. Sharon Haggerty, Parks Commission member also stated that the size would help with safety issues of people being able to see signage. Those present reviewed pictures of drawings and plans. Q. J. Minor, "Are we dealing with an addendum to site plan?" A. M. Brochu, "The concept for a sign was always a part of plan, just not exact location or type of sign." J. Minor asked ZBA members to note that the property existed for over 100 years prior to zoning. All of the previous uses, poor farm, medical center, farm museum existed before zoning. M. Brochu also noted this year marks the 100th year since County bought the property. Resident Lowell Marlar, 2936 Castor Rd. asked, Q. "If safety issues were approved by MDOT and County Road Commission?" A. M. Brochu, "When plans are made up they are required to meet all state, county and township guidelines. This is reason for hearing tonight since they do not meet township zoning." Q. L. Marlar, "Why so close to Castor and not off the Lapeer entrance?" A. M. Brochu, "The Lapeer Road entrance was previously only granted a seasonal use. The majority of the people are coming from the East and come to Castor Road first." Q. L. Marlar, "Wouldn't this new sign make for more traffic?" A. M. Brochu, "Generally people now drive in from Castor." Q. L. Zalut, "Are you planning to upgrade Castor?" A. M. Brochu, "No plans are being discussed just now but that is a possibility as use increases." Mary Jane Marlar, 2936 Castor Rd., Q. "If we have more traffic then can speed limit signs be put up to limit the speeding on Castor?" A. J. Minor, "As a Court we do not deal with that." L. Thomson Twp. Supr. "I think you have to exhibit a need for this to be looked at and if there is a problem it would go to County Road Comm. Twp. Planner, Dick Smith, gave presentation of his report and recommendation. Noting that townships zoning did not consider future possible use of larger signs. Although there are some provisions for non profit and government signs with digital. From his knowledge Port Huron Northern High School has a similar sign displaying events like this being proposed. It does move rather quickly so your not stopping to read all info.

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7:35 ZBA member D. Shannon arrived, had previously made contact regarding possible tardiness.

Q. R. Lepak, "What are they going to display?" A. M. Brochu, "My vision is that members advertise current events, and general information. Q. R. Lepak, "Can it run one minute or one and half minutes?" A. D. Smith, "In my opinion 30 seconds would do the job and animation is prohibited. This is what I recommended in the report." Q. J. Minor, "How bright is this going to be?" A. D. Smith, "None of your current ordinances addresses this. But generally bulbs are shielded or directed down." Q. R. Lepak, "Mark how bright is a digital screen?" A. M. Brochu, "I couldn't tell you that." D. Shannon, "It is going to be like Lenox Townships out in front of their building." Q. D. Smith, "Are there adjustments that can be made?" A. M. Brochu, "I'm sure there is." D. Smith, "Intensity of lights generally not a problem in what I've seen." Q. L. Marlar, "Is this going to interfere with driving and depth perception?" A. D. Smith, "I don't believe it is unlike any existing signs that you see anywhere now." Q. Autumn Tuss, 8025 Lapeer Road, "Can they attach a requirement for the sign to be turned off at certain hours?" A. J. Minor, "We are only dealing with the variance request of set back and size. Any other issue you would have to take up with planning commission and reviewing their site plan for this property." A. D. Smith, "this would have to be re-addressed at another time with the ZBA to attach a condition of the brightness of the lighting issue." Q. J. Minor, "Do we have to approve the size?" A. D. Smith, "This is what they have presented to meet their needs." Q. J. Minor, "Is this reasonable?" A. D. Smith, "Yes in proportion to the size of property." L. Thomson, "Illumination is not considered in our ordinance, but any thing that is they have addressed." D. Smith, "What you don't want is a running movie. By driving by at posted speeds, you would have passed the viewing area in a 30-second time frame. This would allow for you to get a message but not be to the point of distracting the driver." L. Thomson, "The ordinance. 20.07 does address lighting, just not digital lighting." With no further questions board went into deliberation. J. Minor read his memo regarding the variance request meeting the practical difficulty and hardship. L. Zalut, "It appears that our ordinance needs to be reviewed. This is the size of a billboard. I am concerned the might set a precedence." J. Minor, "Because of its uniqueness it does not set a precedence." **Motion** by R. Hart to approve with the two conditions stated in the Township planners recommendation, support D. Shannon. Discussion followed. Q. J. Minor, "Do we feel sign is reasonable?" A. D. Shannon, "Yes, we need to have some way of letting public know what is going on at park." R. Lepak, "It looks like, by the drawing that the actual sign is only about 13 feet high." J. Minor, "Planner says it is reasonable for size of land. My position is I do feel it is unique and meets most of our ordinance." Roll call vote: R. Hart, yes, D. Shannon, yes, R. Lepak, abstain, reason being, I own a business in township and may want to put up a

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larger sign someday than is allowed by ordinance. So I feel that my be a conflict of interest. L. Zalut, no, T. Maki, yes, J. Minor, yes. Motion carried. Q. M. Brochu, "So the set back is what is in the plan? It can't be changed?" A. J. Minor, "Are you asking that we re-consider the recommendation for the variance?" A. Mark, "If it can be done, yes." R. Lepak, "The planners recommendation was approved and I don't see how we can go back now." J. Minor, "I need a motion to re-consider the approval as stated. Do I have a motion, do I have a motion, do I have a motion. No motion made. **Motion** to adjourn, R. Lepak, second, T. Maki. Hearing adjourned 8:20 P. M.

Respectfully submitted,



Marie J. Muller
Recording Secretary

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DOCUMENTATION

1. Colored picture with dimensions
2. Night time picture
3. Site drawings
4. Township planners report
5. Memo from John Minor

6-10-09

Sharon Haggerty

Mark Brochu

Mary Jane Harlan

Lowell D. Martin

Richard C. Smith

Autumn Tress