

Summit Township Planning Commission

March 20, 2018

**Members Present:** Raymond McQuillan; Chairman, George Gancsos Jr., Laurie Cunningham, Richard Erhardt, Allan Hooper, Thomas Biela, Mark Cesarz, Jack Shelby; Secretary, Todd Emmons; Township Board Liaison, and John Worden; Summit Township Zoning Administrator.

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The Meeting was called to order by Raymond McQuillan; Chairman, on March 20, 2018 at 7:00 pm in the Summit Township Hall, 2121 Ferguson Rd.

A motion was made by G. Gancsos Jr. supported by A. Hooper to approve the minutes of the December 19, 2017 Planning Commission meeting as presented. The motion carried unanimously.

Also Present: Jerry Deluca.

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Election of Officers: Chairman R. McQuillan noted he will be resigning and also Richard Erhardt. Nomination were made for Jack Shelby as Chairman, Allan Hooper as Vice Chairman, and Laurie Cunningham as Secretary. Motion was made by Richard Erhardt supported by Mark Cesarz to accept the nominations of Chairman, Vice Chairman and Secretary as noted. The Motion carried unanimously.

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Case # 18-03-0003; 1908 Horton Rd., Poison Frog. Conditional Use Permit Outside Patio-Amended Site plan and Artwork signage. Phil Wilcox, Owner present.

Conditional Use Permit and Amended Site plan, not all of the required material for the Conditional Use Permit and amended Site Plan have not been submitted by applicant Phil Wilcox. Mr. Wilcox gave a brief description of what the site plan will contain and will submit the documents and required letters when he receives them.

J. Shelby stated will need an updated letter from Geoff Snyder Jackson County Drain Commissioner, for approval of storm water.

J. Worden stated Jackson County Department of Transportation also needs to address ingress and egress issues.

T. Biela stated there will need to be an engineered drawing for the decks, and original site plan did not show crushed concrete for the lower parking area this will need to be include in amended site plan.

Also outdoor seating, parking, and hours of operation, will need to be included.

Mr. Wilcox stated he will have these changes noted and Ripstra and Scheppelman are working on the plans.

R. McQuillan stated Board will not be taking action tonight on Conditional Use Permit or the Amended Site Plan. Notices will go out to Neighbors for the Meeting when the required information is submitted to the Board. The only issue Board can discuss tonight is concerning the paintings on the building and if considered a sign.

Worden received letter from Township Attorney with the interpretation language of sign ordinance.

R. McQuillan mentioned he admires the artwork, but according to Township Attorney Bill Thompson opinion letter it does constitute as a sign. He gave three options; Paint over the frogs, or the Planning Commission can make the decision, and lastly the owner could go to the Zoning Board of Appeals for an interpretation of the definition of a sign, have them determine if in compliance or grant a variance.

Mr. Wilcox stated he did not intend to have the paintings as an advertising sign. He has had wonderful comments on the paintings.

Joan Feldvay, 232 Pat's Way, present in audience stated she and other neighbors think the Artwork is Fun makes community happy and is fine with the paintings.

J. Worden has had comments from township residents that they like the paintings because the art tones down the yellow building.

J. Shelby stated the zoning ordinance not really clear about paintings as signs.

A majority of Board members spoke in favor of the paintings and they do not think of the paintings as a sign but as art.

R. McQuillan requested a motion to constitute if a sign or Art. The issue will be resolved here and no further action is required.

A motion was made T. Emmons, supported by A. Hooper that the Artwork on the building is not a sign. The motion carried unanimously.

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A motion to adjourn meeting at 8:00 pm was made by A. Hooper, supported M. Cesarz. The motion carried unanimously.

Respectfully submitted,

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Jack Shelby, Secretary

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