

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
JANUARY 9, 2006**

PRESENT: Batchelor, Blough, Clements, Sanford, Simmonds

ABSENT: None

CITIZENS: 4

PLANNER: Tim Johnson – MainStreet Planning

The regular meeting of the Lowell Charter Township Planning Commission was called to order by Chairman Simmonds at 7:00 P.M.

AGENDA:

Blough moved to approve the Agenda as presented. Seconded by Sanford. All in favor and the Agenda was approved.

PRIOR MEETING MINUTES:

The Minutes of the December 12, 2005 Public Hearing and Regular Meeting were considered. Sanford moved to approve. Seconded by Batchelor. All in favor and the Minutes were approved as written.

PRIVATE ROAD ORDINANCE:

Draft #3 of the proposed Private Road Ordinance was presented by Tim Johnson, along with a one page letter and two road profiles from Larry Wilson, P.E., received by the Township via fax on January 5, 2006.

In the course of extended discussions the following changes and issues were addressed:

On page 1 the phrase “EXISTING LANGUAGE SHOWN IN BOLD” was corrected to “PROPOSED LANGUAGE SHOWN IN BOLD”.

The definition of ‘Driveway’ is to be revised by Tim Johnson to address the situation of several users of a driveway, each with their own road frontage.

Section 4.5.2 Alternatives – Alternative I was favored by the Commission. Tim Johnson will draft the specific provision based on that decision. This provision will state that private roads must be improved to the owner’s far property line, not just to the owner’s driveway.

Section 4.5.3.A.1 – Replace ‘and any other parties’ with ‘of record according to assessment rolls’

Section 4.5.3.A.3.i – After the word ‘streets’ add ‘and dwellings’.

It was noted generally that the term ‘private street’ should be used consistently throughout the Ordinance, rather than alternating with use of the term ‘private road’.

Section 4.5.3.C.4.(v) – add ‘an approved’ before the phrase ‘electronic format’.

Section 4.5.3.C.6.(i) – Remove the word ‘Construction’.

Section 4.5.4.A – Rather than referencing Section 4.2.12, insert the language of that section in place of the reference.

Section 4.5.4.G – It was agreed by the Commission to allow a maximum grade of up to 8 percent.

Section 4.5.4.K – It was agreed by the Commission to allow a private street driving surface no closer than 50 feet from an existing dwelling unit.

Section 4.5.4.L – add ‘or such private streets can align on either side of a public street’ at the end of this section.

Section 4.5.5 Alternatives were addressed by the Commission. With reference to the letter and road profiles from Larry Wilson, P.E. it was agreed that private streets serving one to three dwelling units shall follow the recommendations proposed in the letter for 3-6 lots, private streets serving four to twelve dwelling units shall follow the recommendations proposed in the letter for 7-12 lots, and private streets serving more than twelve dwelling units shall follow the recommendations proposed in the letter for streets with access to more than 12 lots.

Section 4.5.6 (1) – replace the phrase ‘reasonably good’ with ‘safe’.

Section 4.5.8 – precede references to ‘Planned Unit Development’ (PUD) with ‘Open Space’ (OS-).

ZBA AMENDMENTS:

At 8:30pm the Commission addressed Draft #4A of proposed revised Sections 6.2.2 through 6.7.3 of the Ordinance pertaining to the Zoning Board of Appeals. After reviewing minor changes, it was concluded that this version of the proposed ordinance was not substantially different from Draft #4 which was the subject of a prior public hearing.

Chairman Simmonds moved that the Lowell Charter Township Planning Commission recommend to the Lowell Charter Township Board of Trustees that the existing Zoning Board of Appeals section of the Ordinance, identified as Sections 6.6.2 through 6.7.3, be amended with the revised ordinance sections identified as Draft #4A dated January 9, 2006. Seconded by Batchelor. All in favor and the motion was approved.

PUBLIC COMMENT/OTHER:

The meeting was opened to public comment at 8:39pm.

Scott Rissi of Cascade Road inquired about excessive light from upward pointing lighting units illuminating a flag flying at the Mobil Service Station near the corner of Alden Nash and Cascade Roads. Some members of the Planning Commission were already aware of this situation and felt it was a lighting ordinance violation. Tim Johnson indicated that the matter was being pursued by the Township as a zoning violation.

Gerald Persha, a Township resident, indicated that he had checked the lighting at the Mobil Service Station and that he felt it was not in compliance with the Township ordinance. He also noted that Pauli's located on M-21 also appeared to be over-lighted and to have non-conforming unshielded wall lights.

COMMISSIONER COMMENTS:

Blough indicated that Debbie Rashid would like direction on whether to include or exclude rights of way on land when determining lot areas. Tim Johnson agreed to follow up with her on this question.

Blough next advised the Commission that complaints about horse farms and manure runoff are addressed by the Michigan Department of Agriculture and Department of Environmental Quality.

Simmonds announced that Bowne Township was revising its Master Plan and would hold a meeting January 12, 2006 at 7:30pm. Batchelor indicated that he would try to attend that meeting.

Simmonds asked if a Planning Commission Workshop should be held January 23rd; it was determined that a meeting would be held, to plan projects for 2006.

Tim Johnson asked for input on location of a fence and gate surrounding a dumpster at the Appletree Learning Center currently under construction on M-21. The Planning Commission determined that the gate opening cannot face M-21.

Tim Johnson also suggested that the Planning Commission review billboards located on Agricultural property for ordinance compliance, and further suggested reviewing the Ordinance as it pertains to the location of billboards along Cascade Road in the Industrial PUD section. He indicated that a request for such a billboard was already underway.

This being the last meeting of the Planning Commission for Carlton Blough as the representative of the Township Board of Trustees, he thanked the members of the Planning Commission for the years of working together. Simmonds in turn thanked

Blough for his contributions to the Planning Commission and in particular the agricultural perspective he provided.

ADJOURNMENT:

Bachelor moved to adjourn. Seconded by Blough. All in favor and the regular meeting of the Lowell Charter Township Planning Commission was adjourned at 9:10 P.M.

Submitted _____ Secretary
Timothy Clements