

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
PUBLIC HEARING AND REGULAR MEETING
January 8, 2007**

PRESENT: Blumm, Batchelor, Simmonds, Clements and Sanford

ABSENT: None

TOWNSHIP PLANNER: Tim Johnson

CITIZENS IN ATTENDANCE: 5

PUBLIC HEARING

The public hearing before of the Lowell Charter Township Planning Commission was commenced by Chairperson Simmonds at 7:00 p.m. Mr. Simmonds explained the procedures for public hearing to those present.

PUBLIC HEARING ON REQUEST FOR PRIVATE STREET:

The Planning Commission secretary read the published notice for the public hearing.

Joice Smith presented the Application. This is a request for a 1500 foot private road off of Pratt Lake Road, to service 9 lots of about 4 acres each with the ninth, back lot being 10 acres in size. The proposal is to develop the front four lots first with a gravel surfaced road, with the rest of the road to be completed thereafter. Applicant has established a clear vision point with the County, and is ready to submit her plan for approval to the Kent County Road Commission.

Tim Johnson then reviewed his written report of January 3, 2007, and the January 4, 2006 (2007 in fact) report from VTEK. In particular he noted that a gravel road can only serve three lots. Therefore, the overall road proposal can be approved, but only three lots can receive building permits while the road is gravel. Before issuance of a fourth building permit, the entire road must be paved. Applicant indicated that she understood and agreed to those requirements.

Joice Smith further indicated that the drainage requirements of VTEK will be handled promptly, as will the requirements set out in Tim Johnson's report.

Applicant submitted a basic map of the surrounding area, and Tim Johnson indicated he had access to aerial photographs for locating the houses in the area. Applicant re-iterated the rest of the required items would be provided immediately, and that the application for a permit from the Kent County Road Commission was ready to be submitted.

Mr. Simmonds asked members of the Planning Commission if they had comments or questions. None were forthcoming.

The hearing was opened to public comment at 7:10 pm. No comments were offered. The public comment portion of the hearing was closed at 7:11 pm.

There being no further questions or discussion offered, the public hearing was closed at 7:12 pm.

REGULAR MEETING

The regular meeting of the Lowell Charter Township Planning Commission was called to order by Chairperson Simmonds at 7:12 p.m.

APPROVAL OF AGENDA:

Ms. Blumm moved to approve the Agenda as presented. Seconded by Mr. Batchelor. All in favor and the Agenda as presented was approved .

APPROVAL OF MINUTES:

The Minutes of the Regular Meeting of December 11, 2006 were presented for approval. Mr. Batchelor moved that the minutes be approved as presented. Seconded by Mr. Sanford. All in favor and the Minutes as presented were approved.

DISCUSSION OF REQUEST OF JOICE SMITH FOR A PRIVATE STREET:

Mr. Simmonds noted that the Site Plan looked good, and that just a few requirements remained to be met. He further stated that this would be the issuance of a construction permit, and that no final approval would be given until the work was reviewed and certified.

Mr. Batchelor asked if the County requires blacktop on the approach to the private road. Joice Smith indicated that her engineer felt that just gravel would be required. He also asked if the frontage requirements for a cul-de-sac had been met, and Tim Johnson indicated that they had been.

Ms. Blumm noted that the plan offered was well done and in compliance, but that open items should be conditions on issuance of a permit. Ms. Blumm further confirmed with Joice Smith that the entire road was to be paved after three houses had been built, to avoid any intermediary cul-de-sac requirements, and Ms. Smith confirmed such paving.

There being no further questions or discussion offered, Mr. Sanford moved that the Lowell Charter Township Planning Commission approve the issuance of a Construction Permit for Hill Country Road, a private street, as per the December 15, 2006 Site Plan, with the following conditions:

- Items 1 through 5 in the MainStreet Planning Report of January 3, 2007 must be satisfied and approved by the Township Planner.
- Items 1 through 7 in the Vista Technical Report of January 4, 2007 must be satisfied and approved by the Township Engineer and/or the Township Planner.

Motion seconded by Ms. Blumm. All in favor and the motion to approve the private roadway request of Joice Smith with the stated conditions on issuance was approved.

PUBLIC COMMENT:

Public comment began at 7:24 p.m. No member of the public spoke. Public comment ended at 7:24 p.m.

DISCUSSION OF ACCESSORY BUILDING ZONING AMENDMENTS:

Tim Johnson reviewed Draft #2 dated January 8, 2007 of the Accessory Building Amendments to the Ordinance.

With respect to section F.a.4 insofar as it allows construction of a farm building on a lot before a principal building or use is established, after extensive discussion of farming use and the Right to Farm Act, it was decided to keep the first sentence, address the subject matter of the second sentence in another part of the Ordinance, and remove the third sentence entirely.

As to section F.b.5, concerning the setback requirements of farm buildings, it should be moved to another part of the Ordinance concerned with farm buildings.

With respect to the definitions offered at the end of Draft #2, 'Yard, Required', 'Yard' and 'Setback' definitions should be placed with the other definitions in the Ordinance. The rest of the definitions drawn from the Right to Farm Act should reference that Act, as those definitions may change from time to time, rather than a verbatim restatement of the definitions.

DISCUSSION OF SALE OF FARM PRODUCTS AMENDMENTS:

Tim Johnson reviewed Draft #1 dated January 8, 2007 of the Amendments to Regulate the Sale of Farm Products and Agricultural Tourism Uses in the Ag-1 and Ag-2 Districts.

Mr. Simmonds noted that these are primarily changes to the Table of General Bulk Regulations.

It was noted by Tim Johnson that Item 5.a concerned uses by right, and Item 5.b involved special use permits.

Item 5.c.(i), last sentence, should be amended to refer to off-street parking.

At this point there was extended input from the public present expressing concern about the more commercial stands which have been allowed in the Township. Mr. Sanford expressed his personal concern about the lack of enforcement of some sections of the Ordinance, given the time spent by the Planning Commission in developing these ordinances. Ms. Blumm felt we should continue to work on the ordinance in ways which will allow the farmers in the Township to use and live on their lands, but she too was concerned about the lack of enforcement of current ordinances. Mr. Batchelor supported continued discussion of these ordinance changes, which he felt benefit all residents of the Township. Discussion then returned to review of the proposed ordinance.

Item (12)(b), second paragraph, concerning approval of drawings of recreational activities in connection with farm operations, should reference consultation with township safety officials rather than a Township Fire Chief or Building Official.

Item (13) on wineries needs language on 'producing', and definitions added to the Ordinance.

Item (14) concerning landscaping establishments raised several questions, and will require more review. Reference should be to businesses rather than establishments.

DISCUSSION ON MASTER PLAN UPDATE:

After discussing various options for involving members of the Township in the Master Plan update, it was determined that:

- A written survey will be submitted to landowners in the Ag-1 district
- There will be two public workshops, to be held at the Lowell Charter Township Office meeting room
- Each workshop will have specific topics, reflecting the interests of those living South of the river at one workshop, those living North of the river at the other workshop
- An on-line survey reflecting these topics will also be offered on-line, with paper copies available at the Township offices
- Focus Groups will not be used
- A township-wide open house may be held to informally summarize the results from the workshops, before holding the formal public hearing.
- The High School Geography Department will be contacted to encourage student participation at the public workshops.

2007 WORK PLAN:

The January 8, 2007 Work Program Ideas report was reviewed, and it was concluded that the items listed were good projects, although not all of them were likely to be completed in 2007. Ms. Blumm added that wood boiler heating systems located outside of a home were becoming a potential source of conflict between neighbors and that there was a need to regulate them.

COMMISSIONER COMMENTS:

Ms. Blumm noted that she had Open Space Inventory Maps, which could be posted at the Township office.

It was determined that a Workshop Meeting of the Planning Commission would be required this month, to meet January 22, 2007.

Mr. Simmonds had a list of Training Sessions for Township Planning Commission members, and asked that other members see him if they were interested.

Mike Seilof , a member of the public, offered to see if someone from Michigan State University might be willing to make a presentation on the Right to Farm Act to members of the Planning Commission. Ms. Blumm noted that Kendra Willis might also be a resource in this regard.

ADJOURNMENT:

Mr. Sanford moved to adjourn. Seconded by Mr. Batchelor. All in favor and the regular meeting of the Lowell Charter Township Planning Commission was adjourned at 9:58 p.m.

Submitted _____ Secretary
Timothy Clements

Approved _____