

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
PUBLIC HEARINGS AND REGULAR MEETING
June 9, 2008**

PRESENT: Blough, Batchelor, Simmonds, Clements and Sanford
TOWNSHIP PLANNER: Tim Johnson
CITIZENS IN ATTENDANCE: 14

PUBLIC HEARING ON 2008 DRAFT MASTER PLAN

The public hearing before the Lowell Charter Township Planning Commission was commenced by Chairperson Simmonds at 7:00 p.m. Secretary Clements read the Notice of Hearing into the record. Mr. Simmonds outlined the public hearing process for those present.

Tim Johnson presented a PowerPoint summary of the proposed changes to the Master Plan dated June 9, 2008, a copy of which is made a part of this record.

The public hearing was opened to public comment at 7:32 pm

Joyce Smith felt larger parcels should be allowed more than one split.

Henry VanderZiel appreciated the workshops conducted as part of the Master Plan review, but also felt more splits should be allowed, and he does not like the 40 acre minimum for splits.

Chris Clark presented information on various soil types comprising his 33 acres along the boundary of Prime Agricultural and Rural Residential lands, and asked if at least some of his land could be included in the Rural Residential designation.

Sandi Miles felt the renaming of Rural Agricultural to Rural Residential would suggest to people that the keeping of farm animals would not be allowed in this area, contrary to current zoning.

Mike Seiloff expressed concern about the impact that the renaming of Rural Agricultural to Rural Residential would have under the Right to Farm Act. He felt this name change could affect categorization of the land and prevent keeping of farm animals in this district, effectively moving the township from two Agricultural districts to one.

Jerry Hale thought consideration should be given to allowing splits in areas which are not the best farmland.

Mr. Batchelor noted the problems encountered before in attempting to determine suitability of land to farming, and expressed the desire to not return to that situation. Mr. Clements asked Joyce Smith about her total acreage, and was told it was two parcels of 235 and 60 acres respectively.

There being no further public comment or questions, the public comment portion of the public hearing was closed at 8:19 pm, and the public hearing itself was closed at 8:19 pm as well. The Planning Commission then moved to a discussion of the draft Master Plan and the comments received.

Tim Johnson began by noting that the change from Rural Agricultural to Rural Residential was just a name change and that all prior uses would still be allowed. He felt the State of Michigan would look at

the defined uses, and not just the district name, in determining appropriate farming use. With respect to land splits, he noted that allowing an additional lot split for each parcel over 80 acres could result in 135 new parcels in the Prime Agricultural zone.

Mr. Simmonds summarized that the three issues raised concerned placement of Clark property in the Rural Residential district, the number of splits allowed in the Prime Agricultural district, and the impact of the name change from Rural Agricultural to Rural Residential.

With respect to the district name change, Mr. Batchelor felt that re-naming was not that important to him. Mr. Sanford wanted to check the impact of the use of the term 'residential' on GAAMP determinations. Tim Johnson will check on this.

With respect to the Clark property, Mr. Batchelor had concerns about moving the line for one person and the impact on others along the line, although he acknowledged Mr. Clark's presence at several meetings on the Master Plan. Mr. Clements confirmed that the Clark property had been Prime Agricultural before, and favored leaving the line as originally drawn. After further discussion, it was determined that a majority of Planning Commission members favored leaving the line along the Clark property where it had originally been drawn.

Concerning the number of allowed splits, Tim Johnson indicated there were 18 parcels in the Prime Agricultural district with more than 80 acres, and suggested allowing an additional split for parcels over 80 acres. It was agreed to stay with the original Formula 4 for determining land splits but with the addition of language allowing one additional split for parcels over 80 acres in size.

Tim Johnson presented a Future Road map for a service road South of M-21 mirroring a similar road on the North side of M-21, and this was added to the proposed Master Plan.

There being no further questions or comments, Mr. Simmonds moved to table a final decision on the Land Use Master Plan Amendments until the June 23, 2008 Planning Commission Special Meeting. Motion seconded by Mr. Batchelor. All in favor and the final decision was tabled.

PUBLIC HEARING ON WHISPERING HILLS PLAT 5 & 6

The public hearing before the Lowell Charter Township Planning Commission was commenced by Chairperson Simmonds at 8:55 p.m. Secretary Clements read the Notice of Hearing into the record.

Mike Berg presented the project. He noted the revisions made based on the requests of the Engineer and Township Planner.

Tim Johnson reviewed his Staff Report of June 5, 2008 with respect to the following comments in that Report:

Comment 1: All lots now comply with roadway frontage requirements except as to Lots 156 and 157, which are grandfathered in from a 2001 approval of the Plats.

Comment 2: Lots 149 and 150 have been reconfigured as requested.

Comment 3: Zoning has now been indicated on the plat map.

Comment 4: Street lighting is now shown and continues the layout begun in the earlier plats.

Comment 5: A turnaround for the dead end road is now shown.

Comment 6: The total number of lots indicated is now correct.

Comment 7: Reference to Phase 4 has been changed to Phase 5 and 6.

An updated report from Engineer Larry Wilson had not been received, but an earlier request to show drainage had been met. The Drain Commissioner will review proposed drainage plans before the preliminary plat is granted. Current drains are working fine.

Mr. Sanford asked about maintenance of the North retention easement and was advised only structural maintenance will be provided by the developer. Mr. Berg indicated they will mow the South side of the road for now, on a schedule similar to that of the County Road Commission, but could not promise perpetual maintenance; he will check on this issue with the Drain Commissioner.

Mr. Sanford also noted installation of a new sign and that the former sign was still on the property; Mr. Berg promised to have the old sign removed.

There being no further comments or questions, Mr. Simmonds moved to approve the June 4, 2008 version of the preliminary plat for Phases 5 and 6 of Whispering Hills development. Motion seconded by Mr. Sanford. All in favor and the preliminary plat was approved.

It was noted that formal public comment had not been taken, so the public hearing was opened to public comment at 9:13 pm. Secretary Clements read the names of those who had indicated a desire to speak, and found that only Mike Seiloff was still present. He suggested that the motion to approve the preliminary plat should be re-approved following public comment. No one else present indicated an interest in speaking. Public comment was closed at 9:14 pm, as was the public hearing.

The Planning Commission then moved to a consideration of the request for preliminary approval. There being no further comments or questions, Mr. Simmonds moved to approve the June 4, 2008 version of the preliminary plat for Phases 5 and 6 of Whispering Hills development. Motion seconded by Mr. Sanford. All in favor and the preliminary plat was approved.

REGULAR MEETING

The regular meeting of the Lowell Charter Township Planning Commission was called to order by Chairperson Simmonds at 9:15 pm.

APPROVAL OF MINUTES:

The Minutes of the Public Hearing and Regular Meeting of May 12, 2008 were presented for approval. Mr. Sanford moved to approve the Minutes as presented. Seconded by Mr. Blough. All in favor and the Minutes were approved.

APPROVAL OF AGENDA:

The agenda was approved without change.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Public comment began at 9:15 pm. Two people spoke. Public comment closed at 9:22 pm.

OLD BUSINESS

Mr. Simmonds had received communication regarding enforcement issues with the current temporary sign ordinance, and the need to review it in order to keep Lowell Township businesses competitive with City of Lowell businesses. Mr. Sanford offered a written proposal for revisions to the temporary sign section of the Ordinance, and Mr. Simmonds offered an anonymously provided proposal as well. Mr. Simmonds asked that Planning Commission members review these proposals and give priority to these sections of the sign ordinance.

NEW BUSINESS

There were no new business items to discuss.

COMMISSIONER COMMENTS:

Mr. Simmonds indicated that there would be a need for a Special Meeting on June 23, 2008.

Mr. Sanford had written comments on the wind generation ordinance dated June 8, 2008, which he distributed to members of the Planning Commission.

ADJOURNMENT:

Mr. Batchelor moved to adjourn. Seconded by Mr. Blough. All in favor and the regular meeting of the Lowell Charter Township Planning Commission was adjourned at 9:28 p.m.

Submitted _____ Secretary
Timothy Clements

Approved _____