

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
October 12, 2009**

PRESENT: Blough, Batchelor, Simmonds, Clements

ABSENT: Sanford

TOWNSHIP PLANNER: Tim Johnson

CITIZENS IN ATTENDANCE: 2

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

APPROVAL OF MINUTES:

The Minutes of the Public Hearings and Regular Meeting of September 14, 2009 were presented for approval. Mr. Blough moved to approve the Minutes as presented. Seconded by Mr. Batchelor. All in favor and the Minutes were approved.

APPROVAL OF AGENDA:

There were no changes to the agenda.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Public comment began at 7:05 pm. No one spoke. Public comment closed at 7:05 pm.

OLD BUSINESS

OVERBECK SPECIAL LAND USE:

Mr. Simmonds presented a copy of his letter of October 6, 2009 to Mr. Overbeck informing him of the need for an annual review and the possibility of a one year extension of the allowed special uses on his property at 11726 East Fulton Street.

Tim Johnson noted that the property had been on the market for sale, and that a new realtor now has the listing.

Mr. Batchelor asked how the letter had been sent, and was advised it was sent by regular mail. Mr. Batchelor also indicated he had spoken personally to Mr. Overbeck about the matter two weeks ago.

It was decided to wait and see if Mr. Overbeck would appear at the November 9th Planning Commission meeting as allowed in the letter. Tim Johnson suggested that if he didn't appear at that time, a notice of the loss of the special uses not commenced in a timely fashion be sent to Mr. Overbeck by certified mail.

NEW BUSINESS

FENCE ORDINANCE AMENDMENTS:

Mr. Sanford, who was not present at the meeting, is working on a draft of this Ordinance.

AG-1 ZONE TRANSFER OF BUILDING PERMITS:

Mr. Blough presented a written summary of ideas for discussion in connection with possibly allowing the transfer of building permits in the Ag-1 zone. Among the points raised were the need to carve out a new parcel for the building of a new home, or removal of an existing home from such a parcel; the Township not becoming involved in setting the value of a transferred building permit; a proposed limitation of 5 houses on an original parcel; no need for road frontage for such parcels (to allow placement on the least valuable farmland, possibly back from the road); and the allowing of shared drives or private roads in connection with homes built in the Ag-1 zone.

Mr. Clements expressed concern about purchasers being put on notice of the restrictions on issuance of building permits in the Ag-1 zone, and suggested an affidavit or other notice of the existence of these restrictions be recorded with the Kent County Register of Deeds. There was a general discussion of how best to keep track of the transfer of these building permits. Mr. Blough noted that not all locations would support septic systems. Tim Johnson asked if a legal opinion should be sought on this program; Mr. Simmonds suggested one more session of discussion be conducted before asking for a legal opinion.

COMMISSIONER COMMENTS:

It was determined that there would not be a workshop meeting this month.

Mr. Blough noted that at the last Planning Commission meeting, it had been determined that Heidi's Market should obtain a special event permit in connection with a musical performance to be offered at their location this Fall. When their existing Special Use Permit is reviewed next Spring, the Planning Commission will consider explicitly allowing live performances as part of their allowed special uses.

Mr. Simmonds advised other Planning Commissioners that there would be a joint meeting of the Lowell Charter Township Board and Planning Commission on Monday, November 2nd, at 7:00 pm to discuss the current RV Parking Ordinance, Industrial/Commercial Development and for General Discussion.

There will also be a joint meeting of the Vergennes Township, Lowell Township and City of Lowell Planning Commissions on Tuesday, November 10th, at 7:00 pm at the City of Lowell meeting room.

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 7:55 p.m.

Submitted _____ Secretary
Timothy Clements

Approved _____