

LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
April 9, 2007

PRESENT: Blough, Batchelor, Simmonds, Clements and Sanford

ABSENT: None

TOWNSHIP PLANNER: Tim Johnson

CITIZENS IN ATTENDANCE: 11

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

APPROVAL OF MINUTES:

The Minutes of the Public Hearings and Regular Meeting of March 12, 2007 were presented for approval. Mr. Batchelor moved that the minutes be approved as presented. Seconded by Mr. Blough. All in favor and the Minutes as presented were approved.

PUBLIC COMMENT:

Public comment began at 7:01 p.m. Two members of the public spoke. Public comment ended at 7:03 p.m.

APPROVAL OF AGENDA:

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

DISCUSSION OF ACCESSORY BUILDING ORDINANCE, DRAFT #4:

Tim Johnson reviewed Draft #4 of the Accessory Building Amendments dated April 9, 2007, which now includes a figure 4-2 to help explain section 4.2.4.F.a.3 covering location of an accessory building on a corner lot.

There being no further changes or discussion, Mr. Sanford moved that Draft # 4 of the Accessory Building Amendments dated April 9, 2007 be recommended to the Lowell Charter Township Board for approval. Seconded by Mr. Batchelor. All in favor and the motion to recommend was approved.

VENDOR'S ORDINANCE:

Mr. Simmonds noted that this proposed Ordinance was being reviewed by the Planning Commission for the benefit of the Township Board, at their request.

Tim Johnson summarized the changes made in Draft #3 of the Outdoor Vendor's License Ordinance.

Mr. Batchelor inquired into the applicability of this Ordinance to products not allowed under the farm market ordinance. Tim Johnson indicated that it would apply (the example being the sale of oranges grown in Florida which are brought to Lowell Township for sale).

Mr. Simmonds asked how fees would be charged. Tim Johnson indicated that this would be determined by the Township Board.

Mr. Clements expressed a preference for not requiring a vendor license on occupied commercial property, as he felt the owner of a business would have sufficient interest in keeping vendor operations safe.

Mr. Blough noted that industrial property would also be exempted from licensing, which would include property on Alden Nash near I-96.

Mr. Sanford agreed that occupied commercial and industrial properties should not be licensed, but these properties should be regulated as to vendor signs and lighting.

After discussion it was determined that a vendor permit should not be required for outdoor sales by the occupied commercial or industrial property owner, but would be required for other vendors on these properties.

Mr. Simmonds felt that Section 7A, limiting signs to 20 square feet, was too restrictive. After discussion it was agreed that up to two signs of 24 square foot size each, of no particular dimensions, and with lettering on one or both sides, be allowed.

There being no further questions or discussion, Mr. Sanford moved that the Lowell Charter Township Planning Commission recommend Draft #3 of the Outdoor Vendor's License Ordinance to the Lowell Charter Township Board with the following changes:

1. Section 4 should have verbiage added to indicate that business-owners of the occupied property are exempt from the Ordinance except as to sign and lighting restrictions.
2. Non business-owner vendors must obtain a vendor's license.
3. Section 7A should be amended to allow a maximum of two signs, each to have a maximum size of 24 square feet.
4. Section 7D should contain a reference to the lighting provisions of the Ordinance.

Seconded by Mr. Clements. All in favor and the motion to recommend with amendments specified was approved.

MASTER PLAN WORKSHOP DATES:

The Planning Commission reviewed Tim Johnson's memorandum regarding the Master Plan Update dated April 9, 2007. After discussion it was determined that specific questions would be presented at each of two workshops with provision for a final open-ended question, with the specific questions based on the written survey previously developed. Tim Johnson will begin developing those questions for the workshops. It was also agreed that the workshops should be held on Monday, June 11th, and

Tuesday, June 12th. After further discussion it was agreed that property owners, residents and non-residents of Lowell Charter Township could participate in the workshops.

SIGN ORDINANCE:

Mr. Sanford has agreed to take the lead on discussions with Jim Hall from the City of Lowell regarding coordinated sign ordinances.

SPECIAL USE PERMIT REVIEWS:

DenHouter Sand Mining – A brief written report was received from Kathryn DenHouter by fax on March 27, 2007. Mr. Sanford noted that no complaints had been received on the operation. Mr. Batchelor observed we had not been provided with current photos showing fences and signs still in place and in good condition. Mr. Batchelor then moved that the request for a one year extension of the DenHouter Sand Mining Special Use Permit be tabled until receipt of current photos of perimeter fencing, the entrance and signs. Seconded by Mr. Blough. All in favor and the request for extension of the Special Use Permit was tabled.

Mr. Blough excused himself from the Township Planning Commission due to a conflict of interest with the next Special Use Permit review.

Blough Farms – Lauren ~~Cabe~~-Kaeb and Martin Blough appeared for Blough Farms. It was determined that none of the State or Federal reports previously presented at permit reviews had been updated in the past 12 months, as there had been no change to the operation. A prior containment issue had been resolved by sealing a floor. It was stated that operations were primarily for the benefit of Blough Farms with incidental sales to some neighbors. A prior disaster plan was no longer in place as the chemical which had required it was no longer stored on the premises. Mr. Sanford suggested that, if Blough Farms was not doing anything different from other farms in the area, then there was no longer a need to regulate them. After further discussion, it was determined that the Planning Commission would need a letter from Blough Farms telling what had been done in 2006, and what the plans were for 2007.

Mr. Simmonds then moved that the request for a one year extension of the Blough Farms Special Use Permit be tabled until the Planning Commission received documentation from Blough Farms with specifics of their 2006 and planned 2007 chemical fertilizer sales. Seconded by Mr. Clements. All in favor and the request for extension of the Special Use Permit was tabled.

Mr. Batchelor also asked for a list of the chemicals stored at the Blough Farm facilities, which may be provided to the local fire departments.

The Blough Farm review being concluded for the evening, Mr. Blough resumed his seat on the Township Planning Commission.

CIVIL INFRACTIONS AMENDMENT:

Tim Johnson summarized the Municipal Civil Infraction Penalties amendment to the Ordinance, which is being added on the advice of legal counsel for the Township.

Mr. Simmonds moved that the amendment be set for public hearing on May 14, 2007 at 7:00 pm. Seconded by Mr. Sanford. All in favor and the motion was approved.

Mr. Sanford suggested that the Township Board be asked if the Township Attorney could attend that public hearing, to answer any questions which may arise.

NEXTEL APPLICATION TO CO-LOCATE AN ANTENNA:

Nextel has applied to co-locate an antenna on an existing tower near Timpson Avenue and 40th Street.

Mr. Simmonds moved that the application be set for public hearing on May 14, 2007 at 7:00 pm. Seconded by Mr. Batchelor. All in favor and the motion was approved.

COMMISSIONER COMMENTS:

It was determined that a workshop meeting on April 23 would not be required.

ADJOURNMENT:

Mr. Batchelor moved to adjourn. Seconded by Mr. Sanford. All in favor and the regular meeting of the Lowell Charter Township Planning Commission was adjourned at 8:45 p.m.

Submitted _____ Secretary
Timothy Clements

Approved _____