

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION  
PUBLIC HEARING & REGULAR MEETING  
NOVEMBER 10, 2003**

**PRESENT:** Batchelor, Blough, Cornish, Sanford, Simmonds

**ABSENT:** None

**SUDENT REP:** Absent

**PUBLIC HEARING**

The Public Hearing for the Victorian Oaks Final Site Plan Review and request for a Special Use Permit (on-site septic in R-2) was called to order by Chairman Cornish at 7:00 P.M.

The Chairman introduced the members of the Planning Commission. The Secretary read the two notices for the Public Hearings.

Tim Cox and Paul Henderson were present to represent the development. Mr. Karp was also present.

The developer presented a site plan from Roosien & Associates dated November 6, 2003. This site plan and the presentation from the developer displayed another change to the development and site plan. The November 6, 2003 site plan shows two additional lots being included in this development (identified as lots 23 and 24). These two additional lots are on the far east portion of the development and are on the east side of Victorian Oaks Drive. They are in the middle of what was previously labeled as a twelve acre "Phase II – Future Expansion".

The November 6, 2003 site plan now shows 34 lots. The future expansion areas are now:

- 6.48 acres north of the two new lots
- 4.26 acres south of the two new lots

The site plan reflects that the road servicing the development will be a public road. Since this is now a public road, one of the previously planned cul-de-sacs has been eliminated. The developers are proceeding with plans to build the public road to County specifications, which must be approved by the Kent County Road Commission.

The developers reviewed the project related to the Main Street Planning report of October 8, 2003. The project is progressing and coming into compliance.

The developers reviewed the project related to the Township Clerk check list of 11/06/03. Various items included the following:

- H. The storm drain management plan must be submitted later.
- J. Since this is now a public road, no paving and maintenance agreement/plan is needed. A construction plan will be submitted.

K. They must get this designed and approved before they can submit an estimate of costs.

3.9.5.B They need Kent County Road Commission approval.

3.9.6 The utilities easement will come with the master deed. They are having the Public Hearing on the Special Use Permit (on-site septic in R-2) tonight.

3.9.7 They will file master deed contents once all is approved.

3.9.7 Master Deed Contents

The reference to “dry sewer” should be removed. This condition no longer applies and was relieved by the Planning Commission in May 2001.

3.9.9.C Final reviews will be done and submitted.

This concluded the developers presentation.

M. Batchelor requested that the developers add a notation to the site plan which indicates that the two shared drives have a width of 16 feet. They will do so.

The Public Hearing was then opened for public comment and input.

M. Courter – Cumberland

Why need a Special Use Permit for on-site septic in R-2?

\*This is the ordinance for all R-2 Zoning. The Kent County Health Department has indicated that this area has very good soil for drain fields. There should not be any problems with them obtaining approval for the septic.

S. Wagner – Foreman

Who controls the size of the houses in this development?

\*The Township Ordinances set a minimum size. The Site Condo master deed also controls the size of the buildings in the development. This development now consists of 34 homes on 42 acres.

M. McDaniel – Cumberland

What are the sizes/values of the homes in this development?

\*Minimum of 1360 square feet, with prices of \$160,000 and above.

This concluded public input.

Simmonds moved to close the Public Hearing on the Victorian Oaks Final Site Plan and Special Use Permit request. Seconded by Batchelor. All in favor and the Public Hearing was closed at 7:40 P.M.

### **REGULAR MEETING**

The regular meeting of the Lowell Charter Township Planning Commission was called to order by Chairman Cornish at 7:41 P.M.

#### **APPROVAL OF PRIOR MEETING MINUTES:**

The minutes of the October 13, 2003 Public Hearing and Regular Meeting were considered. Batchelor moved to approve. Seconded by Simmonds. All in favor and the minutes were approved as presented.

#### **VICTORIAN OAKS:**

The Planning Commission discussed the Victorian Oaks project.

The developers are pursuing the public road to service this development. They are moving to get approval of the public road from the Kent County Road Commission. They expect to get approval in the next few weeks.

The Planning Commission wants the Township Planner and Engineer to approve the site plan before they give final site plan approval. Due to the situation at the Kent County Road Commission (vacations), the Planning Commission may have to approve the final site plan with the condition of approval from the Kent County Road Commission.

The Planning Commission will have the Site Plan sent to the Township Planner and Engineers for review. The Planning Commission will consider a decision on the site plan and Special Use Permit for Victorian Oaks at its November 24, 2003 meeting.

The developers requested approval to start construction on some homes in the development before the full/final public road has been completed. The Planning Commission discussed this issue. The developers will check with the building inspector related to this matter. Dennis Sanford will also check with the Township Building Inspector on this matter. This will be discussed further at the next meeting.

#### **WILLIAM VANSTEE – MINING – SPECIAL USE PERMIT:**

Mr. VanStee lives on Grand River Drive in R-1 Zoning. The Kent County Road Commission has contracted with Mr. VanStee to remove (mine) sand from his property to be used on the road construction being done on Grand River Drive.

In discussion with Mr. Van Stee, the Planning Commission advised that mining requires a Special Use Permit. This situation is covered by Ordinance Section 5.3 and the Site Plan Review section.

Mr. VanStee advised that the sand extraction from his property will be completed this week for the current construction season. The County may wish to do more extraction next spring to continue the construction of Grand River Drive.

The Planning Commission gave Mr. VanStee the appropriate ordinance sections to pursue if he wished to continue the sand mining operation next spring.

The Planning Commission will wait for his reply.

**LIGHTING ORDINANCE:**

The Planning Commission is ready to present the revised lighting ordinance at public hearing. We will request that the Township Clerk set this for a public hearing.

**MOSHER – M-21/BOWES ROAD:**

Chairman Cornish reported that there may be issues related to the parcel of property at the immediate southwest corner of M-21 and Bowes. This parcel contains a private residence. The developers of the Mosher property may wish to develop (bank and restaurant) around this residence. They will separate the properties by a fence. The Planning Commission will wait to hear of further developments on this property.

**OTHER:**

The Planning Commission meeting of November 24, 2003 will be designated as a Special Meeting to conduct such business on Victorian Oaks as appropriate.

The Planning Commission will plan to elect officers for 2004 at the December 2003 Planning Commission regular meeting.

**CONCLUSION:**

Simmonds moved to adjourn. Seconded by Cornish. All in favor and the regular meeting of the Lowell Charter Township Planning Commission was adjourned at 9:00 P.M.

Submitte by D. Simmonds - Secretary