

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING  
February 13, 2017**

**PRESENT:** Blough, Batchelor, Simmonds, Clements, Edwards  
**TOWNSHIP PLANNER:** Bob Toland  
**CITIZENS IN ATTENDANCE:** 16

The regular meeting of the Lowell Charter Township Planning Commission was called to order by Chairperson Simmonds at 7:03 pm.

**APPROVAL OF MINUTES:**

The Minutes of the Public Hearing and Regular Meeting of January 9, 2017 were presented for approval. Mr. Edwards asked for correction of the Public Hearing Section, Paragraph 2, line 6, to replace the reference to '4-acre lots' with '4-acre or more lots'. With that change, Mr. Edwards moved to approve the Minutes as amended. Seconded by Mr. Batchelor. All in favor and the Minutes of January 9, 2017 as amended are approved.

The Minutes of the Special Meeting of January 23, 2017 were presented for approval. Mr. Edwards asked for correction of the Closed Session section, Paragraph 1, line 4, from 'Section 8' to 'Item 8'. With that change, Mr. Edwards moved to approve the Minutes as amended. Seconded by Mr. Blough. All in favor and the Minutes of January 23, 2017 as amended are approved.

**CHANGES OR ADDITIONS TO THE AGENDA:**

Mr. Simmonds moved to add the Timpson Driveway matter to the agenda, under Old Business, as Item 6a, with Draft 4 Home Based Business Ordinance becoming Item 6b. Motion seconded by Mr. Batchelor. All in favor and Item 6a is added to the Agenda.

Mr. Simmonds moved to add a Closed Session to the Agenda. There was no second to the motion. Motion failed. A Closed Session was not added to the Agenda.

**PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:**

The meeting was opened to public comment at 7:08 pm. Four people spoke. Public comment was closed at 7:30 pm.

**OLD BUSINESS**

**Timpson Driveway**

Mr. Timpson wishes to build a driveway from the location of his current sand mining operations to Alden Nash Drive. This will require amendment of one or more Special Use Permits on the property.

A final set of drawings is delayed due to changes requested by the Kent County Road Commission, where the driveway will meet Alden Nash. He indicated the section of the driveway nearest Alden Nash will be paved.

Mr. Timpson is being told that the driveway must be 42 feet in width; the basis for this requirement is uncertain. Similarly, he is planning a driveway slope of 3-1/2 degrees, but has been told the slope cannot exceed 1 degree; again, the statutory basis for this requirement is unknown at this time.

It was noted that the plans as they stand at this time have not been stamped by the engineer preparing the drawings, and that such a stamp will be required.

Construction of the driveway will need to meet Township Ordinance requirements.

There being no further comments or questions, Mr. Edwards moved that a Public Hearing on the Timpson Driveway be scheduled for the March 13, 2017 meeting of the Lowell Charter Township Planning Commission. Motion seconded by Mr. Blough. All in favor and the Public Hearing is to be scheduled for March 13, 2017.

### **Home Based Business Ordinances**

Draft #4 of the proposed Home-Based Business and Home Occupation Amendments to the Lowell Township Zoning Ordinance, dated January 23, 2017, was reviewed. The Township Planner led a review of the most recent changes.

Mr. Toland advised that the Home Occupation section was basically unchanged. In the Home-Based Business section, the biggest change was Section 4.46(c)(2), setting out the number of non-resident employees a Home-Based Business can have, based on acreage. Mr. Edwards asked that the table heading 'Maximum Number of Employees' be changed to 'Maximum Number of Non-Resident Employees', to match the rest of the Ordinance. This change will be made.

Mr. Edwards asked about some of the definitions no longer appearing in the draft Ordinance. Bob Toland advised that these were removed where the terms were already defined in other areas of the Ordinance, to avoid inconsistencies.

There being no further questions or comments, Mr. Edwards moved that a Public Hearing on Draft #4 of the proposed Home-Based Business and Home Occupation Amendments to the Lowell Charter Township Zoning Ordinance, with the noted change, be scheduled for the April 10, 2017 meeting of the Lowell Township Planning Commission. Motion seconded by Mr. Batchelor. All in favor and the Public Hearing is to be scheduled for April 10, 2017.

## **NEW BUSINESS**

### **2017 Work Plan**

PREPARE ZONING ORDINANCES FOR MIXED USE AREA AT I-96/ALDEN  
NASH/CASCADE  
ADOPT HOME OCCUPATION/HOME BASED BUSINESS ORDINANCES  
REVIEW ORDINANCE FOR LANDSCAPING/NURSERY BUSINESSES  
REVIEW NOISE ORDINANCE FOR FIREARMS USE  
REVIEW NEED FOR ORDINANCE GOVERNING FAIR GROUNDS  
REVIEW NEED FOR A SHARED DRIVEWAY ORDINANCE  
REVIEW NEED FOR AN OUTDOOR GATHERING ORDINANCE  
OTHER WORK AS REQUESTED

Mr. Edwards added to the list the need to review the current Planning Commission Bylaws and Rules of Procedure dated January 11, 2010. He also noted the legal case of Grand Rapids v Gasper with respect to explicit sound definitions for gun noise [, and our current noise ordinance]. /RTC

### **MASTER PLAN IMPLEMENTATION**

Bob Toland pointed out a need to review the Master Plan against the current Zoning Ordinance. He will prepare materials for Master Plan implementation.

### **COMMISSIONER COMMENTS:**

Township Planner Bob Toland asked for direction on when his report on the Timpson Driveway should be sent to members of the Planning Commission, and the logistics of sending large-format materials (engineering drawings) and last-minute information for a Meeting. It was noted that Township Planner reports were generally shared with Applicants in advance, to give them time to meet any outstanding requirements identified in the report.

Mr. Blough indicated that he will be requesting a vote of the Planning Commission regarding possible recusal from the matter of adding churches to the Commercial Zone, under the Planning Commission Bylaws.

Mr. Batchelor asked if there would be a closed meeting of the Planning Commission next month, and was told that such a meeting would be placed on the Agenda for the March Regular Meeting.

Mr. Simmonds indicated that there will not be a Workshop Meeting on February 27th.

### **ADJOURNMENT:**

Mr. Edwards moved to adjourn. Seconded by Mr. Batchelor. All in favor and the Regular Meeting of the Lowell Charter Township Planning Commission was adjourned at 8:26 p.m.

Submitted \_\_\_\_\_ Secretary

Timothy Clements

Approved \_\_\_\_\_