

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING AND PUBLIC HEARING  
JULY 11, 2016**

**PRESENT:** Blough, Simmonds, Clements, Edwards

**ABSENT:** Batchelor

**TOWNSHIP PLANNER:** Not in attendance

**CITIZENS IN ATTENDANCE: 4**

The regular meeting of the Lowell Charter Township Planning Commission was called to order by Chairperson Simmonds at 7:02 pm.

**APPROVAL OF MINUTES:**

The Minutes of the Regular Meeting of June 13, 2016 were presented for approval. Mr. Edwards moved to approve the Minutes as presented. Seconded by Mr. Blough. All in favor and the Minutes of June 13, 2016 are approved.

**CHANGES OR ADDITIONS TO THE AGENDA:**

There were no changes to the agenda.

**PUBLIC COMMENT:**

The meeting was opened to public comment at 7:04 pm. Two people spoke. Public comment was closed at 7:13 pm.

**PUBLIC HEARING**

The Public Hearing to amend the Township Zoning Ordinance and the Mineral Licensing Ordinance, to change the current noise limitation requirement regarding mineral mining operations in each ordinance from "70 decibels" to "70 dbA" was begun at 7:14 pm. Mr. Simmonds explained the hearing process to those present. Mr. Clements read the notice of hearing into the record.

Mr. Edwards presented the proposed changes, explaining that decibel levels can be measured on different scales, but that the "A" scale was appropriate to noise ordinances as it is weighted to correspond to human hearing. This is a technical change to bring the Ordinances into alignment with general sound level measurement practices.

There being no further questions or comments, the public hearing was opened to public comment at 7:21 pm. No one spoke. Public comment was closed at 7:21 pm, and the public hearing was closed at 7:22 pm

Mr. Clements moved to recommend to the Township Board the change of text in Section 22.06(e)(6)(ii) of the Lowell Charter Township Zoning Ordinance, referring to emission of any

noise louder than 70 decibels, from 'decibels' to 'dbA', and that the corresponding reference in Section 19, Article 1 ("NOISE") of Ordinance 05-2011 be likewise changed from 'decibels' to 'dbA'. Motion seconded by Mr. Blough. All in favor and the recommendation for the two changes is approved.

## **OLD BUSINESS**

### **Sign Ordinance Amendments**

Due to the absence of the Township Planner, it was decided to postpone a detailed discussion of any changes, until a future meeting when he could be present.

### **Discussion Regarding Home Based Businesses**

The discussion focused on questions presented in the Township Planner's Paper #3 dated July 11, 2016. Reviewing the first question, as to whether home-based businesses addressed would be just (A) those where materials and equipment were stored on the premises but the work performed off-premise, or would also include also (B) businesses which perform work on the premises, Mr. Edwards favored (B) being made a part of (A) and that both types of businesses be addressed. There was general agreement with this approach.

Mr. Simmonds noted that the current Home Occupation section of the Ordinance should be retained, and here too there was general agreement.

In addressing which zoning districts should allow Home Based Businesses, Mr. Clements suggested that they be allowed in Ag-1, Ag-2 and R-1 zoning districts, as these are the districts which already allow agricultural activities, which are often a form of Home Based Business. He also noted that Home Occupations in these zones allowed for work in accessory buildings, on the premises, whereas in other zones (R-2 and higher densities) conducting work in accessory buildings was not allowed.

It was also suggested that regulation be based, as far as possible, on setbacks, screening, noise levels and similar restrictions which can be easily verified from adjoining lands and roads, rather than business operational details which might require extensive auditing of business records.

Particularly where there are nearby residences, Mr. Clements would favor preserving the residential neighborhood characteristics of an area over allowing those Home Based Business activities which are more likely to become disruptive.

Some examples of current home based businesses were provided, and much discussion revolved around small scale repair and fabrication operations.

Mr. Edwards discussed exit strategies for growing companies, and how to determine when they had 'outgrown' being a Home Based Business. This will often turn on the number of employees on the site and the space they need to perform their work. He also felt that, unlike Home Occupations, Home Based Businesses should be allowed at least one non-resident employee.

Mr. Blough suggested that the level of traffic into a business, and the size of the vehicles involved, should be determined by the grade of road serving the premises (paved highway v. dirt private drive, for example).

The final topic discussed was how best to permit Home Based Businesses. Mr. Simmonds felt that the current Special Use Permit system has been effective in the past, and might be used to initially determine the nature of the business to be conducted on a parcel of land. A separate license system could allow the Township to assure compliance with the Ordinance from year to year, rather than requiring annual reviews at the Planning Commission level. Mr. Blough suggested that some business growth could also be allowed through the licensing rather than requiring hearings and amendment to the original Special Use Permit. He also suggested that residential use of the property might be required for some time before an owner is allowed to use the property for a Home Based Business. Mr. Simmonds concluded by noting the need to proceed carefully with this type of change to the Ordinance.

The Home Based Business discussion will be continued in future meetings.

#### **NEW BUSINESS**

There is no New Business before the Planning Commission.

#### **COMMISSIONER COMMENTS:**

Mr. Blough noted that concrete crushing operations were continuing on the Timpson property.

There will be no workshop meeting on July 25.

#### **ADJOURNMENT:**

Mr. Clements moved to adjourn. Seconded by Mr. Edwards. All in favor and the Regular Meeting of the Lowell Charter Township Planning Commission was adjourned at 8:43 p.m.

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

Timothy Clements

Approved \_\_\_\_\_