

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
JUNE 13, 2016**

PRESENT: Blough, Batchelor, Simmonds, Clements, Edwards
TOWNSHIP PLANNER: Tim Johnson
CITIZENS IN ATTENDANCE: 5

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 Regular Meeting of May 9, 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 May 9, 2016 are approved.

CHANGES OR ADDITIONS TO THE AGENDA:

Mr. Clements moved to add discussion of the Den Houter Special Use Permit for sand mining as the third item under Old Business, and to add discussion of the allowed sound level limits set out in the Section 22.02 Mineral Mining section of the Ordinance as the fourth item under Old Business. Motion seconded by Mr. Batchelor. All in favor and the Agenda as amended is approved.

PUBLIC COMMENT:

The meeting was opened to public comment at 7:02 pm. Three people spoke. Public comment was closed at 7:24 pm.

OLD BUSINESS

Sign Ordinance Amendments

General discussion of proposed changes to the Sign Ordinance, driven by a recent Supreme Court decision, using materials previously provided by Township Planner Tim Johnson, was continued.

It was felt that permits for permanent signs in non-residential zoning districts could be issued at the same time as Special Use Permits were granted for those properties.

With respect to temporary signs, a total of 32 square feet of signage per parcel was felt to be adequate, with the R-2 and R-3 zones being limited to 16 square feet of signage per parcel. The Township Administrator would be responsible for determining when temporary signs were to be put up and taken down.

Current references to portable freestanding signs will be removed from the revised Ordinance, as will references to off-premise sign regulations.

Current sign definitions will be reworked for consistent use of the term 'temporary sign'.

Tim Johnson will take this input and prepare new draft sign ordinance language for further discussion at the next Planning Commission meeting.

Discussion Regarding Home Based Businesses

Tim Johnson reviewed his Memorandum of June 7, 2016 summarizing his discussions with the Township Attorney, and the best way to proceed with new Home Based Business regulations under discussion by the Planning Commission. He covered the option of issuing a Zoning Permit or License to allow the continuation of business operations by existing home businesses which can establish prior continuous operation for a number of years, and which can otherwise meet and remain compliant with the new regulations. New home based businesses would be required to obtain a Special Use Permit, in addition to obtaining and remaining compliant with a Zoning Permit or License.

This approach was discussed at some length, including the challenges of determining when issuance of a Special Use Permit was appropriate, and when to permit new Home Based Businesses going forward, particularly as Lowell Township becomes more residential. While there is a perceived need to 'grandfather' existing operations, it is also recognized that businesses will naturally grow in size, and that such operations will eventually need to re-locate to more appropriate locations. Mr. Batchelor suggested that some grandfathered businesses may only need to be licensed based on their current operations, but might later be required to seek a Special Use Permit as the business grows or changes.

Mr. Clements and Mr. Edwards both emphasized the need for some description of the types of home based businesses currently in operation in the Township and which would be seeking permission to continue operations under a grandfathering clause, as well as the zoning district of these businesses, before specific language can be considered. Mr. Clements also suggested that there may be some specific home based business types which have the greatest impact on the Township and so should be addressed first.

Mr. Blough suggested that public input be sought early in the draft language review process.

The Home Based Business discussion will be continued at the next meeting, along with a review of more detailed information about the nature of current home-based businesses.

Den Houter Sand Mining Special Use Permit

Mr. Simmonds explained that the Den Houter Sand Mining property has been inactive for over three years, that the property has been sold, and that it is now being developed for residential housing.

For those reasons, Mr. Simmonds moved that the Den Houter Sand Mining Special Use Permit be declared terminated and is no longer valid, effective immediately. Motion seconded by Mr. Edwards. All in favor and the former Den Houter Sand Mining Special Use Permit is found to be no longer valid and is terminated effective immediately.

Sound Level Limits of Section 22.02 Mineral Mining Section of the Ordinance

Mr. Edwards proposed that current language in Section 22.02 (e) (6) (ii) regarding the measurement of sound levels in mining activities be changed from the current '70 decibels' language to preferred and more specific 'A-weighted 70 dbA' language. This same change will be required in the Lowell Charter Township Mineral Mining Licensing Ordinance (05-2011) Article 19. Other members of the Planning Commission agreed with the proposed changes. Tim Johnson will prepare the amendment language.

Mr. Batchelor moved to set for public hearing on July 11, 2016 the amendments to Section 22.02(e)(6)(ii) of the Lowell Charter Township Zoning Ordinance, and Article 19 of the Lowell Charter Township Mineral Mining Licensing Ordinance (05-2011) to make the measurement of allowed sound levels more specific, as set forth by Mr. Edwards. Motion seconded by Mr. Blough. All in favor and the proposed amendments will be set for public hearing at the regular meeting of the Planning Commission on July 11, 2016.

NEW BUSINESS

There is no New Business before the Planning Commission.

COMMISSIONER COMMENTS:

Mr. Blough advised Planning Commission members that crusher operations had begun on Timpson property in accordance with an existing Special Use Permit, and that the operation was not as noisy as had been expected. He also advised that the State of Michigan has allocated \$2.5 million for relocation of the current Kent County fairgrounds in the City of Lowell, out to the formerly proposed location on Alden Nash Avenue in Lowell Township.

It was also announced that the State of Michigan has also allotted \$2.5 million to Lowell Township for the bridge needed to join land on both sides of the river to form the planned new park.

Mr. Edwards asked about notifying meeting attendees of any recordings being made during the meeting. Mr. Simmonds indicated that certain reasonable rules and regulations were allowed to be made by the Planning Commission, and that some form of notice to attendees would be given.

There will be no workshop meeting on June 27.

Lowell Township Planning Commission

June 13, 2016

Page 4

ADJOURNMENT:

Mr. Batchelor moved to adjourn. Seconded by Mr. Edwards. All in favor and the Regular Meeting of the Lowell Charter Township Planning Commission was adjourned at 9:03 p.m.

Submitted _____ Secretary
Timothy Clements

Approved _____