

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
February 10, 2020**

PRESENT: Blough, Batchelor, Simmonds, Clements, Edwards

TOWNSHIP PLANNER: Tim Johnson

CITIZENS IN ATTENDANCE: 19

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 January 13, 2020 were presented for approval. Three changes were made. Mr. Edwards moved to approve the meeting minutes as amended. Motion seconded by Mr. Blough. All in favor and the minutes of the January 13, 2020 meeting as amended are approved.

CHANGES OR ADDITIONS TO THE AGENDA:

There were no changes to the Agenda.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

The meeting was opened to public comment at 7:02 pm. One person spoke. Public comment was closed at 7:03 pm.

UNFINISHED BUSINESS:

Fill Ordinance

The version of the proposed Ordinance dated January 29, 2020 was reviewed. Planner Johnson presented an overview of his report of February 10, 2020, including the history of this ordinance.

One person present requested a copy of the latest draft ordinance and it was provided.

Section 22.09 n), providing for application of the ordinance to existing operations one year after it is passed, or sooner if operations increase by more than 50% was discussed extensively. This appeared to be a last minute addition by the Township attorney with little discussion at the Township Board level and none in earlier meetings with members of the public. Planner Johnson confirmed that the attorney felt this type of limited 'grandfathering' of the proposed ordinance was defensible. Mr. Blough felt this would be a change from the common use of 'grandfathering' in the rest of the current Ordinance. Mr. Batchelor and Mr. Edwards discussed the impact of a partial filling, later followed by more filling. They agreed that continuation of the fill work would be subject to the rules in the proposed ordinance. Mr. Blough would put the

burden on the Applicant to document their fill operations if they wish to avoid application of the new rules.

After further discussion, it was agreed by a majority of the Planning Commission members to leave Section 22.09 o) in the draft ordinance for further consideration after input received at the public hearing.

Class C fill operations will allow members of the Planning Commission to make setback decisions based on the facts of each operation. It was agreed to leave this approach in the draft ordinance. Mer. [TC] Edwards also noted that this would be controlled by State law.

Class B fill operations will be subject to the review and approval of the Zoning Administrator. Some members of the public questioned if the decision of the Zoning Administrator could be appealed to the Planning Commission. It was clarified that such an appeal to the Planning Commission could only occur if the fill operations were denied, and not if neighbors objected to the terms of the approval.

Next discussed was Section 22.09 l) 9) pertaining to final slopes allowed on restored land. It was discussed whether a 1:2 slope was too steep and should instead should be 1:4. Mr. Timpson indicated that he had 1:2 slopes which allowed maintenance mowing. Earlier committee meetings also approved of 1:2 slopes. The 1:2 slope in the proposed ordinance was left unchanged.

There being no further questions or comments from members of the Planning Commission, Chairperson Simmonds moved to set the public hearing on the proposed Fill Ordinance for March 9, 2020. Motion seconded by Mr. Batchelor. All in favor and the proposed Fill Ordinance will be set for public hearing on March 9, 2020.

Fairgrounds Site Plan Review

Roger Marks presented the report from the engineers. He confirmed that new rules went into effect this year, and fairground and Township engineers were working to finalize the plans consistent with the new rules.

Planner Johnson then led a review of outstanding items using his Third Preliminary Review Report of February 10, 2020. Evergreen trees a minimum of four feet in height will be planted along Cascade Road as a part of Phase 1 of the fairgrounds project. Existing trees in the camping and lagoon areas will for the most part be left in place.

Planner Johnson advised that the Planning Commisison could allow the higher poles if the information provided meets the Ordinance standards. Taller lights would provide better light cut-off and more lumens on the ground in the horse warm-up and riding arenas. Reference to eight lights for the parking area was clarified as being eight poles, but with six lighting fixtures on each pole. This will be clarified on the Site Plan.

Mr. Batchelor asked for an update on the need to lower the total height of the barns to be constructed on the fairgrounds. The final height is not yet available but is likely to be taller than the maximum 35 feet currently allowed in the Township. If desired the Planning Commission could amend the Ordinance to allow the taller barns, but this would be subject to a public hearing and final approval by the Township Board.

Applicant still needs to provide detail on the requested campground, any requested modifications from Section 22.03 a) of the Ordinance, and provide evidence of receipt of necessary permits from the Michigan Department of Environment, Great Lakes and Energy.

As noted earlier, the engineer working with the Township engineer should provide approved plans shortly. State permits will also need to be provided.

Existing irrigation wells on the property are not shown on the Site Plan, and need to be added.

Discussion next focused on the Ordinance list of activities allowed outside of the Core Fair, in relation to the list provided by the Kent County Youth Fair Board of events which they would like but which the current fairgrounds will not accommodate. Many of the proposed events appeared to match those allowed by the Ordinance, but some raised questions.

Tractor Pulls would exclude superstock and modified tractors. Motorcycles and monster truck events would likely not be approved. Detail was requested on allowing carnivals outside of the Core Fair. There could be re-enactments and renaissance fairs. Grandstand Events is very broad, and could include demolition derbys and concerts. The challenge of only allowing specifically approved activities (which would require a public hearing to change) was contrasted with attempting to permit everything other than specified exclusions.

Setting a public hearing date was discussed. It was found that the Applicants do not plan on starting work on the site right away. The Planning Commission decided that given the remaining information which will need to be provided, another round of review would be appropriate before holding a public hearing.

There being no further questions or comments from members of the Planning Commission, Chairperson Simmonds moved that a Special Meeting be set for further fairgrounds review on March 23, 2020. Motion seconded by Mr. Edwards. All in favor and a Special Meeting for fairgrounds review will be set for March 23, 2020.

NEW BUSINESS:

2020 Planning Commission Work Program

The draft Work Program for 2020 prepared by Planner Johnson and dated February 10, 2020 was reviewed by members of the Planning Commission. Priority will be given to Item 1, Complete the update of the 2014 Master Plan.

Mr. Clements offered an item 12, review of criteria for private sewer and site lagoon systems.

There being no further questions or comments from members of the Planning Commission, Chairperson Simmonds moved to approve the 2020 Work Program dated February 10, 2020 as amended. Motion seconded by Mr. Edwards. All in favor and the 2020 Work Program is approved.

COMMISSIONER COMMENTS:

Chairperson Simmonds reminded Planning Commissioners that a Public Hearing was scheduled for February 24, 2020 on the Steve Hanson request for amendment of the Cumberland Ridge Planned Unit Development.

There will be a Joint Planning Commission meeting on October 26, 2020 to be hosted by the City of Lowell.

There will be multiple annual reviews of Special Use Permits.

Adjournment:

Motion to adjourn made by Mr. Batchelor. Motion seconded by Mr. Blough. All in favor and the meeting of the Lowell Charter Township Planning Commission was adjourned at 9:35 pm.

Submitted _____ Secretary

Timothy Clements

Approved _____