

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING AND PUBLIC HEARINGS  
January 14, 2019**

**PRESENT:** Blough, Batchelor, Simmonds, Clements

**ABSENT:** Edwards

**TOWNSHIP PLANNER:** Tim Johnson

**CITIZENS IN ATTENDANCE:** 8

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 and Public Hearing of December 10, 2018 were presented for approval. Mr. Batchelor moved to approve the Minutes as presented. Motion seconded by Chairperson Simmonds. All in favor and the Minutes of December 10, 2018 are approved.

**CHANGES OR ADDITIONS TO THE AGENDA:**

There were no changes or additions to the Agenda.

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

The meeting was opened to public comment at 7:04 pm. One person spoke. Public comment was closed at 7:05 pm.

**PUBLIC HEARINGS:**

**Tentative Preliminary Plat for Stony Bluff No. 3**

Chairperson Simmonds opened the Public Hearing at 7:06 pm. He explained the hearing process to those present. Mr. Clements read the Notice of Hearing into the record.

Michael Berg presented for Stony Bluff LLC. The initial plans for all of the Stony Bluff Planned Unit Development were previously approved. Homes are being constructed in Stony Bluff Phase No. 2. Public sanitary sewer services are in place, with public water installation in progress. Permits for water flow from Phase No. 3 across the prior two phases are in progress.

Mr. Blough asked about the turnaround for the road at the South end of Phase No. 2. It was also noted that Phases No. 4 and No. 5 will be along the West side of the development.

Chairperson Simmonds confirmed with Mr. Berg that Wales Road will extend to the South line of the development where it will connect to Whispering Hills.

Planner Johnson summarized Phase No. 3, and asked where streetlights would be located. Mr. Berg indicated that Consumers Power would specify the streetlights and their locations, then subcontract the actual installation. A Special Assessment District for the entire Stony Bluff Planned Unit Development will be created to cover the cost of the lighting, and it is expected that the lighting will be installed in Phase No. 2 in the Summer of 2019, with lighting installed in Phase No. 3 once the street is constructed.

There being no further questions or comments from members of the Planning Commission, the hearing was opened for public comment at 7:14 pm.

Marjorie Mayhew – pass

Autumn Aldridge – asked about the timing for connection of Wales Road to Whispering Hills, and was advised that this work should be completed by Fall 2019. There will be green space along much of the South side of the Stony Bluff Planned Unit Development, but this may not be true behind Ms. Aldridge's home. There was some discussion about trees currently behind her house and whether these trees were on her property.

Carl Anderson – asked if Wales Road would meet public street requirements. He was advised that they would.

There being no further comments or questions from members of the public, the public comment portion of the public hearing was closed at 7:18 pm.

Mr. Batchelor pointed out that along the South side of the Stony Bluff Planned Unit Development, only Lots 63 and 64, together representing about 300 feet, and another 66 feet for Wales Road, will not be designated open space.

Mr. Blough asked that the Wales Road connection to Whispering Hills be made no later than construction of 50 houses in the Planned Unit Development. Mr. Berg advised that the road will be connected before the last of the Phase No. 2 houses are sold, and the road will be paved before winter of next year.

There being no further questions or comments from members of the Planning Commission, the Public Hearing was closed at 7:21 pm.

Mr. Batchelor moved that the Planning Commission recommend to the Township Board approval of Phase No. 3 of Stony Bluff Planned Unit Development. Motion seconded by Mr. Blough. All in favor and approval is recommended to the Township Board.

**An Amendment to Section 8.03 to permit Adult Foster Care Large Group Homes, Homes for the Aged and Nursing Homes in the R-2 Zoning district as a Special Land Use and an amendment to Section 22.03(k) to delete the requirements for housing for the elderly and replace this language with specific regulations for Adult Foster Care Large Group Homes, Homes for the Aged and Nursing Homes**

Chairperson Simmonds opened the second Public Hearing at 7:25 pm. Mr. Clements read the Notice of Hearing into the record.

Howard Barriger presented. He had nothing to add to the prior discussions.

Planner Johnson summarized the proposed amendments by referencing the language in the Notice of Hearing. This will be a recommendation by the Planning Commission to the Township Board.

Mr. Batchelor felt that the proposed amendments matched the discussions of the Planning Commission from the December 10, 2018 meeting. Mr. Blough asked if only a single resident would be allowed per room, and was advised that this is controlled by the State. It was believed that Adult Foster Care allowed only one person per room, while a Home For the Aged could be a couple allowed to share the room. Mr. Batchelor further noted that the Planning Commission could only address matters such as outside appearance of a facility, and that operations within the building would be controlled by the State Licensing Board.

There being no further questions or comments from members of the Planning Commission, the hearing was opened for public comment at 7:34 pm.

Marjorie Mayhew – has spoken to many people who feel having such facilities in Lowell Township was a good idea.

Al Mathews – stated that the need for these facilities was there.

There being no further comments or questions from members of the public present, the public comment portion of the public hearing was closed at 7:35 pm.

Mr. Clements stated that his prior objection to these amendments had been the allowance of septic systems for these facilities, and that this objection has now been resolved in favor of requiring a sanitary sewer connection.

There being no further questions or comments from members of the Planning Commission, the Public Hearing was closed at 7:36 pm.

Mr. Clements moved that the Planning Commission recommend to the Township Board approval of an Amendment to Section 8.03 to permit Adult Foster Care Large Group Homes, Homes for the Aged and Nursing Homes in the R-2 Zoning district as a Special Land Use and an amendment to Section 22.03(k) to delete the requirements for housing for the elderly and replace this language with specific regulations for Adult Foster Care Large Group Homes, Homes for the Aged and Nursing Homes. Motion seconded by Mr. Batchelor. All in favor and approval is recommended to the Township Board.

Mr. Barriger requested a public hearing in February 2019 for his proposed project. Planner Johnson advised that the Application has been on file but that a Site Plan was needed. He also

noted that the February hearing would depend on whether the Township Board approved the recommended change to the R-2 zoning district at their January 21, 2019 meeting. Mr. Clements agreed that he would have draft Minutes from the current meeting available to Township Board members before their meeting on January 21, 2019. Planner Johnson also pointed out that if the Township Board does not approve the R-2 zoning change at their upcoming meeting, or if the Site Plans are not available for review by the public at the time of public notice, or if public notice could not be published in time for the public hearing, then the February hearing could not go forward.

There was discussion as to whether the granting of a Special Land Use request should allow Applicant to build any of the three newly added options (Adult Foster Care, Home For the Aged or Nursing Home) or if the Applicant must elect only one of those options for his Application. It was decided that Applicant could choose only one of those options in his Application. Applicant requested a Home For the Aged and will amend his original Application accordingly.

There being no further questions or comments, Chairperson Simmonds moved to set a public hearing for February 11, 2019 on the Application of Mr. Barriger for a Special Land Use for a Home For the Aged in the R-2 Zoning District. The public hearing will only proceed if the recommended Zoning Ordinance Amendment for the R-2 zoning district is approved by the Township Board at its January 21, 2019 meeting, if Applicant provides a copy of the Site Plan for review by the public prior to the time of public notice, and if public notice can be published in time for the public hearing. Motion seconded by Mr. Clements. All in favor and the public hearing will be set for February 11, 2019 only if the above requirements are met.

## **OLD BUSINESS**

There is no old business.

## **NEW BUSINESS**

### **Annual Review of Special Use Permit for Tip Top Gravel**

Al Mathews presented for Tip Top Gravel. Photos were presented to the Planning Commission, showing that the South and East boundaries of the property have been marked. No Trespassing signs have been posted. The required Liability Insurance is in place. A current soil erosion permit is pending. Approximately 1800 feet of fencing has been installed. The 150 foot setback from property lines has been staked. No changes are planned for the next twelve months.

Chairperson Simmonds led a review of the thirteen conditions to the original Special Land Use granted to Tip Top gravel. The most current Site Plan submitted to the Township will need to be sealed, and a note regarding dust control will need to be added to the Site Plan. In other respects the conditions are being met.

There being no further questions or comments from members of the Planning Commission, Mr. Batchelor moved to confirm that the Lowell Charter Township Planning Commission has

reviewed the Tip Top Gravel Special Use Permit and finds that it is in compliance with the Special Use Permit and its conditions granted in January 2018 and that the next annual review will be held in January 2020. Motion seconded by Chairperson Simmonds. All in favor and the Special Land Use is found to be in compliance.

**Comments**

Mr. Blough asked for an update on the Special Land Use granted to RRR Lawn and Landscaping, and was advised that the required documentation has not yet been submitted to the Township. A reminder will be sent by Township Supervisor Hale.

Chairperson Simmonds will prepare and submit a summary of work performed by the Planning Commission in 2018 to the Township Board.

The Planning Commission will develop an annual work plan for 2019 at the February 2019 meeting.

There will be no workshop on January 28, 2019.

**Adjournment**

Mr. Clements moved to adjourn. Motion seconded by Mr. Blough. All in favor and the Regular Meeting of the Lowell Charter Township Planning Commission was adjourned at 8:23 pm.

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

Timothy Clements

Approved \_\_\_\_\_