

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
May 8, 2017**

PRESENT: Blough, Batchelor, Simmonds, Clements, Edwards
TOWNSHIP PLANNER: Bob Toland
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 Public Hearings and Regular Meeting of April 10, 2017 were presented for approval. Mr. Edwards noted four corrections needed, then moved to approve the Minutes as amended. Seconded by Mr. Batchelor. All in favor and the Minutes of April 10, 2017 as amended are approved.

CHANGES OR ADDITIONS TO THE AGENDA:

Mr. Simmonds moved to indefinitely table the following items from the Agenda: Blough Property, Discussion – Conflict of Interest Issues – Bylaws, Master Plan Implementation, New Mixed Use Zoning District, Miscellaneous Zoning Amendments, and Fairgrounds Zoning Amendment, and to amend the Agenda to reflect the tabling of those matters. Motion seconded by Mr. Batchelor. Mr. Edwards requested that the Blough Property matter be left on the Agenda, but there was no support for doing so. Four in favor, one opposed, and the listed matters are tabled indefinitely, and the agenda with those items removed is approved.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

The meeting was opened to public comment at 7:13 pm. One person spoke. Public comment was closed at 7:27 pm. Mr. Simmonds suggested that a review of Section 4.31 of the Ordinance, regarding fences and walls, be made by the Planning Commission.

PUBLIC HEARINGS

There were no public hearings.

OLD BUSINESS

Special Land Use Permit – Annual Review – Heidi’s Farm Market & Corn Maze

Mr. Blough recused himself from discussion of these matters.

Aaron Caeb spoke on behalf of both Heidi’s Farm Market and the Corn Maze, providing the Planning Commission with a written summary of 2016 Results and 2017 Plans.

Heidi's Farm Market – Farm products continued to be the majority of Heidi's sales, and have increased at a faster rate than the bakery sales. There were no major changes to the non-farm products side of the business. Plans for 2017 primarily involve improving parking, and moving or closing roadway entrances with the involvement of the Kent County Road Commission. A covered porch may be added to the main entrance of the building.

There being no further questions or comments, Mr. Batchelor moved to confirm that the Lowell Charter Township Planning Commission has reviewed the Heidi's Farm Market Special Use Permit and finds that it is in compliance with the Special Use Permit and its conditions granted in September 2007, and that the next annual review will be held in April 2018. Motion seconded by Mr. Edwards. All in favor and the Special Use Permit and its conditions are approved for another year.

Corn Maze – The night maze continues to be popular with groups. Parking is becoming a challenge, as is housing participants in the greenhouse on rainy nights. Plans for 2017 involve having the corn maze east [actually west] of Heidi's along Cascade Road and putting the pumpkin patch north of Heidi's along Alden Nash. A permanent yard light will be placed near the corn maze entrance. There is a desire to open the corn maze to large groups during September evenings when the maze is not open to the general public. A change in closing times on weekends in September to 10:00 pm is also requested. The Planning Commission did not see a problem with these two requests. With parking for the corn maze becoming more of a problem, Mr. Clements suggested that eventually the graveled parking areas should be expanded.

There being no further questions or comments, Mr. Clements moved to confirm that the Lowell Charter Township Planning Commission has reviewed the Heidi's Corn Maze Special Use Permit and finds that it is in compliance with the Special Use Permit and its conditions granted in August 2007 and that the next annual review will be held in April 2018. Motion seconded by Mr. Edwards. All in favor and the Special Use Permit and its conditions are approved for another year.

Mr. Blough rejoined the other members of the Planning Commission.

Discussion – Home Based Businesses

It appears that there are three variations of the current draft Ordinance for discussion. It was decided to base changes on Draft #6 dated May 8, 2017. The following changes were made:

Page 2: A new paragraph is added as Section 4.46 b), with subsequent paragraphs through the original paragraph e) being re-lettered. **b) A Home-Based Business does not include activities allowed by right or by Special Use Permit in other sections of this Ordinance.**

Page 3: Former paragraph c) is now paragraph d), and d) 1) is changed to read **The operator of the business shall be the property owner and shall reside on the premises.**

Section d) 2) format is changed, such that the first entry in the table will now read **3 or more acres and less than 6 acres**, with the same format changes for the rest of the entries in the table.

Section d) 4) now incorporates the language from Section d) 3) regarding measures to screen material or equipment but with reference to commercial vehicles and trailers [but see discussion of Draft #7 below which deletes this entire paragraph].

Section d) 7) shall have the reference to Home Occupation in the second to last line, changed to **Home-Based Business**.

Former paragraph d) is now paragraph e), and e) 1) adds to the end of the sentence **including any conditions in the Special Use Permit**.

Page 4: Former paragraph e) is now paragraph f), and f) 2) iv) is changed to read **Number of resident and non-resident employees**.

Paragraph f) 2) vi) adds to the end of the paragraph **and vehicle or equipment pickups and drop-offs per week**.

Page 5: The last section of the Secretary's certification is changed to end at the phrase "on the date first stated above." The reference to certification of public notice is dropped.

Draft # 7 dated May 8, 2017 was next reviewed, and additional changes made to Draft #6 dated May 8, 2017. The re-lettered sections of Draft # 6 are used to identify further changes.

Page 2, Section 4.45 d) 4) replaces the phrase "under normal circumstances" with **except for the provisions of this section**. This item should be re-numbered d) 11), with the prior paragraphs after the former d) 4) re-numbered accordingly.

Paragraph d) 10) adds the phrase **or in the front yard** to the first sentence after "to the wall".

Section 4.46 a) 2) adds the phrase **solely related to the business within the a specified and screened location** at the end of the paragraph.

Paragraph a) 3) drops the language after the phrase "solely to the business".

With respect to Page 3, the table in section d) 2), regarding the number of non-resident employees allowed, there was extensive discussion as to whether businesses where the work is performed off the premises should be allowed more non-resident employees. It was agreed that some flexibility should be allowed, in the discretion of the Planning Commission, with specific language to be drafted by Mr. Clements and submitted to the Township Planner for incorporation into the next Draft.

Paragraph d) 4) was deleted in its entirety, and subsequent paragraphs re-numbered accordingly.

Bob Toland will produce a Draft # 8 reflecting the changes above.

NEW BUSINESS

Private Firearms Shooting Ordinance

Mr. Clements described circumstances which might require him to recuse himself from this matter. After discussion with other members of the Planning Commission, it was decided that Mr. Clements would participate in this matter next month, reserving the right to recuse himself depending on the direction taken by the proposed Ordinance.

Mr. Batchelor asked if the Sheriff would address complaints about shooting on private property, and was told that they would not do so without an Ordinance in the Township.

Commissioner Comments

Mr. Simmonds indicated that there would be no workshop meeting on May 22nd.

ADJOURNMENT:

Mr. Edwards moved to adjourn. Seconded by Mr. Blough. All in favor and the Regular Meeting of the Lowell Charter Township Planning Commission was adjourned at 9:57 p.m.

Submitted _____ Secretary
Timothy Clements

Approved _____