

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
October 14, 2019**

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 7:01 pm.

APPROVAL OF MINUTES:

The Minutes of the Regular Meeting of September 9, 2019 were presented for approval. Mr. Edwards moved to approve the Minutes as presented. Motion seconded by Mr. Batchelor. All in favor and the Minutes of September 9, 2019 are approved.

CHANGES OR ADDITIONS TO THE AGENDA:

Chairperson Simmonds moved to add Item 7A for review of the most recent RRR Landscaping site plan. Motion seconded by Mr. Clements. All in favor and the Agenda as amended is approved.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

The meeting was opened to public comment at 7:03 pm. No one spoke. Public comment was closed at 7:04 pm.

UNFINISHED BUSINESS:

Annual Review of Special Use Permit for Ground Hawg Excavating Home Based Business

The Planning Commission was advised that the number of employees and general revenues had not changed since the last review. The number of employees allowed continues to meet Ordinance provisions. A dumpster has been moved South behind a berm, as requested at the last review.

Mr. Edwards confirmed that no complaints about operation of the home based business have been received. It was decided that future annual reviews would not be required.

There being no further questions or comments from members of the Planning Commission, Chairperson Simmonds moved to confirm that the Lowell Charter Township Planning Commission has reviewed the Ground Hawg Special Use Permit and finds that it is in compliance with the Special Use Permit and its conditions granted in September 2018, and that no further annual reviews will be needed. Motion seconded by Mr. Edwards. All in favor and Ground Hawg is found to be in compliance and that no further annual reviews will be required.

Timpson Question from Marc Larabel

The Planning Commission reviewed the request of Enforcement Officer Marc Larabel concerning several issues regarding property at 2975 Segwun Ave. SE, first presented at the August 12, 2019 meeting of the Planning Commission.

The first question was whether the property at 2975 Segwun Ave, on the East side of Segwun Ave., was part of a Special Land Use granted on land at 3175 Segwun Ave on the West side of Segwun Ave. Chairperson Simmonds reviewed material from the granting of the Special Land Use in 2004, showing that the Site Plan only covered land to the West of Segwun Ave. The Notice of Hearing used the address of 3175 Segwun Ave. Mr. Batchelor pointed out that the Special Land Use was only for sand mining, and that adding the land to the East of Segwun Ave would require a new public hearing.

After discussion, all members of the Planning Commission reached a consensus that the Special Land Use granted in 2004 only covers the land at 3175 Segwun Ave, which is on the West side of the road.

The second question asked whether any violations of Township Ordinances would be determined under the Zoning Ordinances or the Administrative Ordinances. Tim Johnson stated that only the Zoning Ordinances were relevant to determining any violations, and that there were no applicable Administrative Ordinances under the Police Powers of the Township. After discussion it was agreed by members of the Planning Commission that only the Zoning Ordinance controls.

The third question sought to have the DEQ and the Kent County Road Commission provide definitive answers on any violations of County or State regulations with respect to 2975 Segwun Ave. Chairperson Simmonds felt this request was out of the jurisdiction of the Planning Commission, and other members of the Planning Commission concurred.

NEW BUSINESS:

Preliminary review of Special Use Permit application from Kent County Youth Agricultural Association to construct Kent County Fairgrounds at 13995 Cascade Road

Primary presenters were Cory Davis and John Bedeman on behalf of the Association. A copy of Planner Johnson's report of October 8, 2019 has been received by the Association, and will be reviewed. They are currently seeking general feedback on their plans from the Planning Commission. Their current plans include sixty full service campground spaces, and another 239 spaces with water and a dump station. Parking will include about 5200 parking spaces on reinforced turf, and 40 handicap parking spaces on asphalt. The fairgrounds will be fenced. The current golf clubhouse will be retained.

Waste water will be handled onsite, using two lagoons and a spray system over a cover crop such as alfalfa, in the far Northeast corner of the fairgrounds. The current golf clubhouse will be added to this waste system.

Runoff water for much of the fairgrounds will be directed to an enlarged pond in the Northeast portion of the property. A storm water detention area on the South side of the property along Cascade Road will handle runoff water from the parking area. This water will eventually pass through current drain tiles to Pratt Lake.

A member of the public asked about the current lighting plan, and a copy will be emailed to him.

Mr. Batchelor asked about input from the owners of neighboring homes, and was advised that input was sought from them when the project was first proposed, and that subsequent meetings have been attended by some of those residents.

Also addressed was the design of the West drive, with the Association indicating that it has been designed to handle the expected traffic.

Another question concerned smells from the property. The distance of the waste water lagoons from the roadway and the requirement to keep mist from spraying on the fairground property should address those concerns. Mr. Blough was not sure that 11 acres of spray area ~~would be sufficient~~ is available [RTC].

Tim Johnson then presented his report of October 8, 2019, highlighting questions which should be addressed by the Planning Commission to give overall direction to the Association. He noted that several working meetings will be required before the request is ready for a public hearing, and that the final decision will be made by the Planning Commission after the hearing.

The Applicants are following the requirements of the Zoning Ordinance. There will need to be further information provided, such as showing the location of wetlands on the Site Plan. Detailed information on the construction of retaining ponds and the reinforced turf parking will be needed. There will need to be a plan for removal of any soil from the property. Existing golf cart paths will be removed.

The Ordinance requires that lands within 50 feet of a road be preserved unless otherwise approved by the Planning Commission. Some changes in these lands are being proposed, and trees have already been removed in some places. Tim Johnson advised that this removal of trees was done before the Special Land Use application was filed, and so the removal did not violate the Ordinance. Trees and berms are proposed which are for the most part outside the restricted 50 foot strip of land along the road. A neighbor is concerned that current screening will not block lights from shining up his driveway. This will be reviewed by the Association.

Lighting poles in most areas of the fairgrounds will be 25 feet in height, but 55 foot poles are proposed to illuminate the horse arenas, where there are unique restrictions on pole placement. The appearance of these tall poles during the daytime as well as at night has been questioned.

Total lumens per acre are also higher than currently allowed in the Ag-1 zoning district. These issues will need further consideration by the Planning Commission. Light levels off of the property appear to meet Ordinance requirements.

The horse arenas were again discussed, with respect to any planned seating. Temporary seating will be used, and placed on an asphalt surface. It is asked that these surfaces be shown on the site plan.

Trees need to be shown more completely on the site plan, including shade trees on the fairgrounds. Trees in the parking areas were determined to be impractical. Smaller transplanted trees may be allowed, where the smaller size is more likely to survive transplant, and will still grow quickly. All current existing buildings on the property will need to be shown on the site plan.

Applicants will continue their work on developing final plans for the fairgrounds.

RRR Landscaping Site Plan Review

The port-a-jon on the property will be moved next year back near the house, as shown on the revised Site Plan. Enforcement Officer Larabel indicated that the new location is not visible from neighboring property. The revised Site Plan was not dated, so the submission date of October 5, 2019 will be used for identification purposes. There being no further questions or comments from members of the Planning Commission, Mr. Clements moved that the revised Site Plan of RRR Landscaping, received and dated October 5, 2019, now meets Ordinance requirements and should be approved. Motion seconded by Mr. Edwards. All in favor and the Site Plan from RRR Landscaping dated October 5, 2019 is approved.

COMMISSIONER COMMENTS:

Chairperson Simmonds summarized the Joint Planning Commission meeting of October 7th.

He also updated the Planning Commission on a letter the Township received about Cumberland Ridge. Jerry Hale advised that the Township attorney has reviewed the situation and that it is a private matter and does not involve the Township.

Mr. Batchelor asked about a possible antenna tower at Snow Avenue. He was told that this is being discussed but no application has been received.

There will be no workshop meeting on ~~September~~ October [RTC] 28, 2019.

ADJOURNMENT:

Mr. Edwards 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 9:24 pm.

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Submitted _____/s_____ Secretary

Timothy Clements

Approved 11/11/2019