

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
SPECIAL MEETING AND PUBLIC HEARING
November 23, 2020**

Held by Teleconference

PRESENT: Blough (delayed by technical issues), Batchelor, Simmonds, Clements, Edwards
TOWNSHIP PLANNER: Tim Johnson
CITIZENS PARTICIPATING IN TELECONFERENCE: 15

The Special Meeting of the Lowell Charter Township Planning Commission was called to order by Chairperson Simmonds at 7:00 pm.

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. No one spoke. Public comment was closed at 7:02 pm.

PUBLIC HEARING:

Request from the Kent County Youth Agricultural Association to establish a county fairgrounds at 13995 Cascade Road

The public hearing was opened at 7:03 pm. Chairperson Simmonds explained the process to those present. Mr. Clements read the published notice.

Cory Davis presented on behalf of the Kent County Youth Agricultural Association (KCYAA). The site plan was shared on-screen. The property is 141.94 acres in size. The left turn lane from Cascade Road is complete. East and West drives off Cascade Road will be gravel. The location of buildings and the midway were reviewed. There will be 60 permanent camping sites and 269 campsites during the Core Fair. The sewer lagoon spray system will be at the back Northeast corner of the property. The land will be used year-round, with a seven day Core Fair.

Jeff Barber from Musco, which will be providing the lighting fixtures for the fairground, spoke next. After providing information about the company, he presented on-screen examples of their outdoor lighting at athletic fields. He explained how taller lighting poles allowed light to be directed downward. Images were presented including 'before' and 'after' photographs where they had replaced prior lighting units, showing how spillover lighting to neighboring land had been eliminated. A horse arena example was shown, as was a diagram of the fixtures to be used, from base to light source at the top of the pole.

Mr. Edwards asked why the light in the photos shown was so bright. He was informed that Class 3 fields were typically lit to 30 foot/candles, with other sporting fields being much brighter. Mr. Clements asked if the lighting units were fully shielded and was told that they were. Chairperson Simmonds asked about the light levels at the track, and was told those would also be 30 foot/candles.

Chairperson Simmonds asked for assurance that light will not reach nearby homes. Mr. Davis explained that light levels will be measured at the property lines, and once installed, Musco will continue to work with the KCYAA until the lighting requirements have been met. Mr. Blough asked about lighting for car parking areas. These will also be on 50 foot poles and will meet the lighting needs in these areas.

Nearby home owner Gary Ritsema ~~confirmed~~ was advised that the Site Plan correctly showed 0 foot/candles at the fairground property line, and that there would be no glare.

Mr. Batchelor was good with the lighting. Mr. Edwards reaffirmed that the lighting presentation had been helpful.

Planner Tim Johnson next presented his Report for Public Hearing prepared November 16, 2020. He confirmed that the Master Plan for the Township provided for a fairground in the Ag-1 Prime Agricultural zone, and was allowed as a Special Land Use.

This proposed plan has been under review since 2019. Outstanding issues include lighting, location of the track, height of the light poles, and the high level of overall lighting which the Planning Commission can approve based on standards set out in the Zoning Ordinance. Only during the Core Fair might all the lights be on at once. Sound levels would be limited to 55 dbA at the neighbors' property line. Sound monitoring would be needed to assure this. The track is located 800 feet from the nearest house on Cascade Road as well as the house near the Northeast corner of the property.

A list of uses which KCYAA would like allowed has been submitted by them. Future changes would require a return to the Planning Commission, which would determine if the change was minor or major. A public hearing is required when considering a major change. Special Land Use considerations are set out beginning at the bottom of Page 7 of the report. Mr. Johnson noted that a railroad right-of-way exists near the sewer waste lagoon and no fences can be placed across this right-of-way. The location of manure storage units should be shown on the Site Plan.

The Planning Commission should determine if this is an appropriate use of this land. Standards and conditions can be applied to any decision made on the requested Special Use Permit. A sample motion is provided at the end of the report.

Chairperson Simmonds asked if the maximum sound level applies to both the Core Fair and the year-round uses. Mr. Davis indicated that the 55 dbA limit would apply to both. Mr. Batchelor wanted to again confirm that the 55 dbA limit would apply to activities 365 days a year. He does not want that level exceeded, and KYCAA will be held to that standard.

Mr. Edwards stated that the 55 dbA level would be on sustained sound and not a sound spike. Mr. Batchelor agreed. Mr. Edwards advised that sound monitoring equipment could give a notification if this sound level is exceeded. Mr. Edwards advised that a 'tilt-a-whirl' fair ride can produce 85 dbA at 15 feet but that sound level would drop by 6 dbA for every doubling of distance.

Chairperson Simmonds stated that all activities can be limited to 55 dbA, and felt there was no need to discuss this further. Mr. Blough agreed. Mr. Clements asked one last time for confirmation of the 55 dbA limit. Bill Zaske for KCYAA said they would stay within the 55 dbA limit.

Mr. Edwards noted the need to establish a sound sampling period in the draft Conditions of the sample motion, being item 4 on page 10. Mr. Blough asked him how the proposed 30 minute sample period was selected, and was advised this is the period at which the sound becomes irritating. Mr. Clements said sound spikes will need to be addressed separately from continuous sound. Mr. Batchelor was concerned about exceeding the 55 dbA level for a period of time during the 30 minute interval but still being below the limit for the entire 30 minute period.

Mr. Batchelor asked if equipment purchase was in the plan. Chairperson Simmonds stated that a sound monitor will need to be purchased by the fair. Mr. Zaske said he understood that equipment will be needed. Mr. Blough agreed that equipment would be needed to maintain sound levels and Mr. Zaske agreed it would help KCYAA be 'good neighbors'.

Mr. Ritsema asked about the reporting of multiple spikes of sound, and his concern about using a 30 minute sampling period. He asked about a 100 dbA sound for 29 minutes, and the accumulation of sound levels over a one hour period. Chairperson Simmonds read the language in the draft condition. Mr. Ritsema was still concerned about sound spikes and whether one or multiple spikes would be allowed. He feels multiple spikes should be reported.

Mr. Batchelor asked about sounds such as motorcycles passing on Cascade Road and whether they would be included in the level of sound detected. Mr. Edwards said that would be the case.

Jessica Marks does not want the KCYAA to be responsible for monitoring sound and that this is a policing issue. Mr. Batchelor questioned whether monitoring is in fact required. Mr. Ritsema said the at the last Planning Commission meeting it had been indicated that monitoring would be required. Ms. Marks indicated that other Lowell Township businesses are not required to monitor their sound levels, but was told that a fairground is a unique activity.

Mr. Johnson suggested that the method of monitoring sound be decided at a subsequent meeting. Mr. Edwards and Mr. Clements agreed.

There being no further questions or comments from members of the Planning Commission, the Hearing was opened to public comment at 8:30 pm.

Gary Ritsema – he read aloud the document entitled ‘Our issues – 11/23/20 – KCYAA Fairground (“the Fair”) Special Use Permit Application. This document had been previously shared with members of the Planning Commission. He and Cathy Neuman are strongly opposed to the fair being at this location.

Eric Essique – lives across Cascade Road from the proposed fairground. Presented with display of site plan for fairground. Concerned about a single entry point when parking supports 3,000 cars. When he was testing sound levels, a car horn in his driveway could be heard at the existing clubhouse on the fairground. Concerned whether correct lighting is being installed and how it will be maintained. Particularly concerned about light and sound if ‘monster truck’ events are allowed and will be letting out at 11:00 pm. Would like activity areas moved to the back of the property. Feels a better site plan could be developed.

John Schut – says example activities causing concern are not planned. No monster trucks or modified tractors. Has been on fair board 10 years, and sees this fair as an investment in the community and West Michigan. Will provide opportunities for youth and families. Feels opposition is stonewalling.

Eric Essique – doesn’t intend to prevent fair, just set limits. Wants activities to meet light and sound requirements. Feels lighting presenter would speak well of fairground. Wants track moved. Says Planning Commission needs to put limitations in place. Traffic will affect his work schedule. Has just purchased his property across the street. Does feel Planning Commission has allowed a lot of input.

Bruce Dall – normal conversation is 60 dbA. In quiet office would be 50 dbA. Track noise would be limited to 55 dbA.

Jon Bieneman – agrees with the value of the fair. Has worked on these plans for a number of years but is no longer on fair board. Lives in the area. Wants approval so project can keep moving forward.

Marsha and Courtney– live in Ionia near fairground, wish fair was located elsewhere. Asked if background check made on people running fair. Concerned about traffic. Doesn’t like noise or light of fairground. Says members of Planning Commission are not nearby residents.

Jessica Marks – has been a resident of Lowell Township over 20 years. Has been involved with fairs her whole life, and is experienced. Notes current fairground has existed since 1934. Whole county reviewed for other locations, but large properties are hard to find. Notes flooding on regular basis at current fair location. Those lands have been reduced from 67 acres to 19 acres and there is no longer room to grow. Important to keep fair going. Doesn’t want monster truck show, but they should be allowed to park on fair grounds.

Keera Schut – notes fairs are for benefit of youth. Has attended Louisville fair three or four times, feels there would be only a 1/10 mile backup at one entrance at 7:00 ~~am~~ pm but would not

have a backup for miles. fairground will bring in funds for Lowell. Doesn't like to be told what fair can do, but unlikely to have monster truck event.

Kathy Neuman – wants more detail on plan to spread manure on neighboring farmland. Would like midway and track areas limited to use only during certain times of the year. Appreciated her opportunity to walk around fairground. Doesn't like waiting to settle complaints about the fair until end of year, especially when new.

Gary Ritsema – asked if Section 20.03 standards will be reviewed, and was advised they would. He would like a response to issues raised in a written document. Especially concerned about berm.

John Schut – there will be manure management with a limited quantity produced.

There being no further questions or comments, the public input portion of the public hearing was closed at 9:22 pm.

There being no further questions or comments from members of the Planning Commission, Chairperson Simmonds moved to close the public hearing. Motion seconded by Mr. Edwards. Roll call vote: Blough yes, Batchelor yes, Simmonds yes, Clements yes, Edwards yes. Motion approved and the public hearing was closed at 9:22 pm.

Discussion of the request from the Kent County Youth Agricultural Association to establish a county fairgrounds at 13995 Cascade Road was begun at 9:23 pm.

Tim Johnson suggested starting with the Review Comments beginning on Page 4 of his Report.

With respect to lighting, Mr. Edwards thought the presentation of Mr. Barber ~~for~~ from Musco was good. He thinks the lighting requested should be allowed for track and horse arena. Mr. Bachelor felt the lighting question was simple as there would be zero foot/candles of light at the South property line. Glare will be minimal even if neighbors can see the lights out their window. He is fine with the 50-foot lighting poles. Mr. Edwards noted that the absence of glare has been guaranteed.

With respect to noise, it has been agreed by the fair that sound levels at neighboring properties will not exceed 55 dbA year round. Mr. Batchelor is good with this, as are Mr. Edwards and Mr. Clements. The measurement of the sound level is to be determined at a later time.

With respect to location of the track, the fair indicated that the waste lagoon would be at the back, and that there were wet areas and ponds they were working around. They would like to keep all camping together at the back of the property. Mr. Zaske stated the desire to keep the midway, parking, and food services together, with animals being located in a separate area. Chairperson Simmonds stated that this area is at least 800 feet from Cascade Road. With light and sound limited he does not think this will be a problem.

Ms. Marks said the current plan will put the events using the property the most at the back of the fairground. The track would be used two times during the fair, and more often outside of the fair. Mr. Batchelor said light and noise limits make this a non-issue. Tim Johnson suggested the number of days the track would be used could be limited. Ms. Marks would prefer the usage be limited by events as some are quiet. Mr. Clements noted that lighting and sound would be monitored on an ongoing basis.

With respect to permitted uses, Chairperson Simmonds said the list of uses requested by the fair could be accepted, rejected, or specific uses could be allowed or denied. A public hearing for each new use added was suggested. Mr. Edwards felt these uses would be self-governing. Mr. Clements was not sure individual uses were one-size-fits-all in nature.

Chairperson Simmonds suggested going through the list from the fair. He would approve most uses, but not tractor pulls with modified or stock tractors, preferring a limit to antique tractors. He would also reject motorcycle events, monster truck events, and carnivals. Mr. Edwards agreed with the first three listed, but felt carnivals should be allowed as they are like a midway event. Chairperson Simmonds responded that he was concerned about the size of a carnival. Mr. Batchelor felt this is all controlled by light and sound limits, and that there were more disturbing things which can be done in the Ag-1 zone than a carnival.

Ms. Marks does not want limits imposed on the fair and said they will follow the Ordinance. Ms. Neuman thought carnivals were the loudest of events and wants that kept in mind. Mr. Blough expressed concern that neighbors be kept informed about non-core events because of the traffic related to those events. Chairperson Simmonds asked if the cost of holding a hearing for a new activity could be rolled into the cost charged by the fair to third parties holding these events. Ms. Marks suggested instead a permit requirement. Mr. Batchelor didn't see any advantage to holding a hearing, as activities will be controlled by light and sound limits. He doesn't think traffic will be an issue.

Mr. Edwards thought it best to go down the list of requested activities. Mr. Ritsema would like to see limits on events which create spikes in the overall sound levels. Mr. Batchelor favors allowing all activities on the list, so neighbors will know what events are allowed, and the fair will have the burden of controlling light and sound. He then moved to allow all activities on the list. Motion seconded by Mr. Edwards. Mr. Blough stated the overriding fact is that the fair must make enough money to stay open. Mr. Clements would agree but is uncomfortable doing so before sound measurement details are determined. Roll call vote: Blough yes, Batchelor yes, Simmonds no, Clements no, Edwards yes. Motion passes and all activities on the list are approved.

The Planning Commission then moved forward to address the requirements for allowing outdoor recreational activities to exceed Lighting Ordinance requirements.

A. Whether the applicant has provided information to show that atmospheric light pollution will be minimized. Musco presentation provided information on glare and spillage. Met.

B. Consideration of the uses permitted by right for the district in which the lighting for the outdoor recreation facility is requested. Thirty foot/candles for horse owners is fine, and avoids shadows. Met.

C. Consideration of the public benefit that will be derived from the proposed facility and the annoyance or safety problems that may result. KCYAA fair has operated for years to the benefit and enjoyment of the public. Core fair events will end at 10 pm most weeknights and 11 pm on Friday and Saturday. Non-core events will end at 10 pm. Mr. Blough was fine with turning off lights 30 minutes after event ends. Mr. Davis says lights will be on only during events. Outside of core fair all lights will not be on at the same time. Mr. Edwards asked when the lights should be turned off. Chairperson Simmonds stated that lights may be turned off at the discretion of KCYAA. Met.

D. Consideration of the general health, safety and welfare of the community at large. Satisfied that taller light poles and overall lumens produced are acceptable. Met.

The lighting plan proposed by the Applicant is approved.

The draft Conditions on Page 10 of Tim Johnson's Report were next reviewed.

1. Approval is granted based on the site plan dated 7/13/2020 prepared by C2AE subject to any revisions required by the Planning Commission.

This condition is accepted as proposed.

2. Permitted uses include all uses listed on the attached sheet entitled Kent County Fair List Of Activities except as may be modified by the Planning Commission. As all uses were approved, there are no specific approvals or prohibitions.

This condition is accepted as modified.

3. Principal uses or principal buildings which the applicant wishes to add to the operation of the Special Land Use which are not included on the list of approved uses in Condition 2 or illustrated on the approved site plan in Condition 1 shall require the approval of the Planning Commission which shall decide if the addition is a major or minor change. A major change would require a public hearing. All requested uses were approved.

This condition is accepted as proposed.

4. Noise emanating from activities on the site shall not exceed 55 dbA as measured at the nearest occupied dwelling unit off site. The applicant shall install a noise monitoring system to ensure compliance with this standard. The monitoring system shall be subject to approval by the Planning Commission.

The second paragraph is dropped.

If there are repeated violations of the noise level for a particular activity or activities, the Planning Commission shall have the right to prohibit those uses following a public hearing.

This condition is accepted as modified.

5. All buildings shall comply with the height requirements of the Zoning Ordinance. All buildings shown on the site plan are in compliance.

This condition is accepted as proposed.

6. The Core Fair period shall operate for no more than 15 consecutive days per calendar year beginning on or around the fourth Monday before Labor Day. Hours and days which the core fair is permitted to be open to the public are Sunday through Thursday 8:00 am to 10:00 pm Friday and Saturday 7:00 am to 11:00 pm and exterior lights for the horse arena and track shall be turned off within one-half hour after the end of the activity.

Activities on the core fairgrounds such as maintenance of grounds and buildings, loading, unloading, set up and tear down and normal activities associated with operating the core fairgrounds may take place outside of the public hours provided these activities do not create a significant disturbance to nearby residents. This is covered by the Ordinance.

The condition is accepted as proposed.

7. The applicant shall obtain all necessary permits from the Michigan Department of Environment, Great Lakes and Energy (EGLE) for the proposed campground and on-site wastewater treatment facility and provide evidence of this approval to the Township Zoning Administrator. The applicant shall also provide a copy of the campground operating procedures and contact information of the persons responsible for security and maintenance. This is covered by the Ordinance.

This condition is accepted as proposed.

8. The applicant shall comply with the Manure Management Plan dated June 2018 prepared by Samantha Braman, Michigan Agriculture Environmental Assurance Program Technician. Any revisions to this Plan are subject to Planning Commission approval.

This condition is accepted as proposed.

9. Activities outside the Core Fair period are allowed to take place on weekdays, weekends and holidays. No activity shall occur before 8:00 am nor extend past 10:00 pm. Exterior lights for the horse arena and track shall be turned off within one-half hour after the end of the activity.

This condition is accepted as proposed.

10. The applicant shall comply with the lighting plan contained in a letter from Cory Davis, PE, of C2AE and the photometric plan prepared by Visual submitted with a letter from Cory Davis dated 2-03-20 unless these plans are revised by the Planning Commission

This condition is accepted as proposed.

11. Hours of construction for this project as approved by the Planning Commission shall be 7:00 am to 5:00 pm Monday through Friday. Extensions of these hours on a temporary basis may be approved by the Zoning Administrator upon a request from the applicant or their representative. A water truck shall be kept on site and used to control dust from blowing onto nearby properties and the applicant shall remove any material tracked onto Cascade Road from construction vehicles on a continual basis. The ending time for construction is changed to 6:00 pm.

This condition is accepted as modified.

12. Trees shall be planted in Phase 1 as illustrated on the approved site plan.

This condition is accepted as proposed.

13. The fence around the perimeter shall be installed as part of Phase 1.

This condition is accepted as proposed.

14. The following items must be added to the site plan:

- All dumpster locations including the existing dumpster serving the Deer Run clubhouse which must be brought into compliance with current zoning regulations.
- Illustrate water and sanitary sewer lines.
- Illustrate existing irrigation wells.
- Provide an underground irrigation system for landscape areas as may be required by the Planning Commission. The requirement for an underground irrigation system is dropped. Fencing cannot cross an existing railroad right-of-way. Manure bins between the horse barns need to be added to the site plan.

This condition is accepted as modified.

15. Compliance with the requirements of the Township Engineer and Township Fire Chief.

This condition is accepted as proposed.

16. The applicant shall submit two copies of the revised site plan with the date of revision for the signature of the Planning Commission Chairman in accordance with the Section 21.05(e) of the Zoning Ordinance. The applicant shall also provide a digital copy of the final site plan to the Zoning Administrator.

This condition is accepted as proposed.

17. The Special Land Use shall be subject to an annual review by the Planning Commission in _____ of each year. The applicant shall be required to attend this meeting. The month for annual review will be added when the Special Land Use is approved.

This condition is accepted as modified.

Mr. Batchelor raised a concern about the possible extension of berms to minimize lights on neighbors' houses. Mr. Edwards stated that this would only affect cars coming out of the fairground. Mr. Batchelor is also concerned about car lights from the parking lots. It was decided that Eastbound car lights will be directed down Cascade Road before the vehicles reach the neighbors' houses.

Chairperson Simmonds proposed adding the following two conditions, which were accepted:

18. Plant 4 evergreen trees opposite the western residence's eastern most driveway.

19. Obtain and keep in force a Performance Guarantee in the amount of \$100,000.

The Planning Commission next addressed the requirements of Section 20.03 of the Ordinance with respect to the General Standards for granting of a Special Use Permit. Chairperson Simmonds led the review of the standards.

a) The Special Land Use shall be established, designed, and operated so as not to have a substantial adverse effect upon adjoining or nearby lands or any of the uses thereof, and will be compatible with the character of the area in which the special Land Use is proposed. The lighting presentation was convincing.

This standard has been met.

b) The Special Land Use must not have a substantial adverse effect on water and sewer services, storm water drainage, road capacity, volume of traffic, traffic safety and circulation, and pedestrian safety and shall not result in lighting which is contrary to the purposes of the lighting regulations of this Zoning Ordinance. Current fair does not usually have a line of cars waiting to get in. There will be adverse effects but they will not be substantial.

This standard has been met.

c) The Special Land Use must not have a substantial adverse effect on police and fire services and other public safety and emergency services.

This standard has been met.

d) The Special Land Use must not have a substantial adverse effect on the need and demand for other public services.

This standard is not applicable.

e) The Special Land Use must not have a substantial adverse effect on the natural environment of the site and nearby properties.

This standard has been met.

f) The Special Land Use must be consistent with the intent and purposes of this ordinance and the Lowell Charter Township Master Plan.

This standard has been met.

The requirements of Section 20.03 of the Ordinance have been satisfied.

Mr. Ritsema asked if the berm across from his house could be extended to his West driveway. Mr. Davis indicated there is a needed retention pond there. Ms. Marks thought this would adversely affect the visibility of cars pulling out of the fairground. Mr. Edwards pointed out line of site needs. Mr. Davis said he would look at this again but that there were issues with this suggestion.

Chairperson Simmonds asked if there were any further questions or comments. Mr. Blough expressed his hope that the fair could be kept. He does think a drainage system under the parking lot would be advisable.

There being no further questions or comments, Mr Clements moved to approve the request from the Kent County Youth Agricultural Association for a Special Land Use to establish a county fairground and to conduct other activities throughout the year for outdoor recreational uses, concerts, sporting events, grandstand events, horse shows, rodeos, 4-H and FFA events, craft shows, a year-round campground and other similar activities on property described as Permanent Parcel Number 41-20-24-300-002 as the proposed uses, the project design and operations proposed by the applicant meet the Special Land Use Approval Standards of Section 20.03, the Site Development and Operation Standards for Core Fairs and accessory uses, the criteria for unique lighting needs of Section 22.09(c)(6) and 4.28(h)(5) and the Site Plan Approval Standards of Section 21.06 contained in the Lowell Charter Township Zoning Ordinance.

Approval is granted subject to the following conditions:

1. Approval is granted based on the site plan dated 7/13/2020 prepared by C2AE subject to any revisions required by the Planning Commission.

2. Permitted uses are:

Hold a fair	Large Animal Livestock Shows	Horse Shows
Year-round Campground	Small Animal Livestock Shows	Dog Shows
Livestock Clinics	Craft Shows	Club Meetings

Tractor Pulls	Horse Pulls	Grandstand Events
Car Shows	Business Outings	Farm Equipment Shows
Ag Education Days	Banquets	Parties
Weddings & Receptions	Festivals	Swap Meets
Concerts	Dances	Reenactments
Riding Trails	Hiking Trails	Educational Classes
Motorcycle Events	Monster Truck Events	Fun Runs
Storage	Flea Markets	Rodeos
Auctions	Carnival	Snowshoe/ Cross Country Trails
Sporting Events	4-H and FFA Events	Amateur Ham Radio Club

3. Principal uses or principal buildings which the applicant wishes to add to the operation of the Special Land Use which are not included on the list of approved uses in Condition 2 or illustrated on the approved site plan in Condition 1 shall require the approval of the Planning Commission which shall decide if the addition is a major or minor change. A major change would require a public hearing.

4. Noise emanating from activities on the site shall not exceed 55 dbA as measured at the nearest occupied dwelling unit off site. The applicant shall install a noise monitoring system to ensure compliance with this standard. The monitoring system shall be subject to approval by the Planning Commission.

If there are repeated violations of the noise level for a particular activity or activities, the Planning Commission shall have the right to prohibit those uses following a public hearing.

5. All buildings shall comply with the height requirements of the Zoning Ordinance.

6. The Core Fair period shall operate for no more than 15 consecutive days per calendar year beginning on or around the fourth Monday before Labor Day. Hours and days which the core fair is permitted to be open to the public are Sunday through Thursday 8:00 am to 10:00 pm, and Friday and Saturday 7:00 am to 11:00 pm. Exterior lights for the horse arena and track shall be turned off within one-half hour after the end of the activity.

Activities on the core fairgrounds such as maintenance of grounds and buildings, loading, unloading, set up and tear down and normal activities associated with operating the core fairgrounds may take place outside of the public hours provided these activities do not create a significant disturbance to nearby residents.

7. The applicant shall obtain all necessary permits from the Michigan Department of Environment, Great Lakes and Energy (EGLE) for the proposed campground and on-site wastewater treatment facility and provide evidence of this approval to the Township Zoning Administrator. The applicant shall also provide a copy of the campground operating procedures and contact information of the persons responsible for security and maintenance.

8. The applicant shall comply with the Manure Management Plan dated June 2018 prepared by Samantha Braman, Michigan Agriculture Environmental Assurance Program Technician. Any revisions to this Plan are subject to Planning Commission approval.
9. Activities outside the Core Fair period are allowed to take place on weekdays, weekends and holidays. No activity shall occur before 8:00 am nor extend past 10:00 pm. Exterior lights for the horse arena and track shall be turned off within one-half hour after the end of the activity.
10. The applicant shall comply with the lighting plan contained in a letter from Cory Davis, PE, of C2AE and the photometric plan prepared by Visual submitted with a letter from Cory Davis dated 2-03-20 unless these plans are revised by the Planning Commission
11. Hours of construction for this project as approved by the Planning Commission shall be 7:00 am to 6:00 pm Monday through Friday. Extensions of these hours on a temporary basis may be approved by the Zoning Administrator upon a request from the applicant or their representative. A water truck shall be kept on site and used to control dust from blowing onto nearby properties and the applicant shall remove any material tracked onto Cascade Road from construction vehicles on a continual basis.
12. Trees shall be planted in Phase 1 as illustrated on the approved site plan.
13. The fence around the perimeter shall be installed as part of Phase 1.
14. The following items must be added to the site plan:
 - All dumpster locations including the existing dumpster serving the Deer Run clubhouse which must be brought into compliance with current zoning regulations.
 - Illustrate water and sanitary sewer lines
 - Illustrate existing irrigation wells
 - Fencing cannot cross an existing railroad right-of-way.
 - Manure bins between the horse barns need to be added to the site plan.
15. Compliance with the requirements of the Township Engineer and Township Fire Chief.
16. The applicant shall submit two copies of the revised site plan with the date of revision for the signature of the Planning Commission Chairman in accordance with the Section 21.05(e) of the Zoning Ordinance. The applicant shall also provide a digital copy of the final site plan to the Zoning Administrator.
17. The Special Land Use shall be subject to an annual review by the Planning Commission in November of each year. The applicant shall be required to attend this meeting.
18. Plant 4 evergreen trees opposite the western residence's eastern most driveway.
19. Obtain and keep in force a Performance Guarantee in the amount of \$100,000.

Motion seconded by Batchelor. Roll call vote: Blough yes, Batchelor yes, Simmonds yes, Clements yes, Edwards yes. All in favor and the Special Use Permit with conditions is granted and the site plan dated July 13, 2020 with revisions is approved.

NEW BUSINESS:

There was no new business.

COMMISSIONER COMMENTS:

There were no commissioner comments.

Adjournment:

Motion to adjourn made by Mr. Edwards. Motion seconded by Mr. Batchelor. All in favor and the special meeting of the Lowell Charter Township Planning Commission was adjourned at 11:47 pm.

Submitted _____ Secretary

Timothy Clements

Approved _____