

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
February 24, 2020**

CALL TO ORDER/PLEDGE

Chairperson Lauderdale called the regular meeting of the Ross Township Planning Commission to order at 7:00 p.m. at the Ross Township Hall.

ROLL CALL

Present: Chairperson Lauderdale
Mike Bekes
Michael Moore
Pam Sager
Sherri Snyder
Mike Sulka

Absent: Mark Markillie

Also Present: Kelly Largent, AGS – Township Zoning Administrator
Bert Gale, AGS-- Township Zoning Administrator
Catherine Kaufman--Attorney to discuss RTFA and GAAMPS

APPROVAL OF AGENDA

The agenda was approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the **January 27, 2020** regular Planning Commission meeting minutes. Bekes moved to approve the minutes as presented. Moore seconded the motion. The motion carried unanimously.

NEW BUSINESS

1. Lot coverage variance requests.

Chairperson Lauderdale reminded the PC that agreement was reached at the January 27, 2020 PC meeting for him to bring to the February PC meeting the frequency of requests to the ZBA for relief from the lot coverage requirement, especially on legal non-conforming waterfront lots, suggesting that the ZO standard may warrant Planning Commission review.

Lauderdale provided a document " Does lot coverage for legal nonconforming lots need to be addressed by the PC based on the number and challenge of this

being requested?" The referenced document provided, for 2017-2019, the total number of variance requests and the percent of the total requests related to Lot Coverage (47%), Lake/Street setback (62%), Side/Rear setback (31%), and Other (31%).

Three of the 8 of 17 variance requests for Lot Coverage were provided (1542 Burlington, 845 Fairview Drive, 2178 Midlake Drive) as examples of how the sliding scale is used to compute Lot Coverage. A copy of the Setback and Lot Coverage calculation worksheet for legal nonconforming lots was provided for how AGS makes the calculations for each request . Extensive discussion led to clarity for PC members of use of the sliding scale.

Consultant Harvey had provided information prior to the PC meeting that the lot coverage issue, similar to the situation under discussion on waterfront lots, was addressed by a neighboring Township by increasing the lot coverage within that district alone. This was done following their review of lot coverage standards in surrounding communities and their nonconforming lot standards.

Since adjusting a ZO standard is preferable to frequently granting relief from the ZO standard, the PC agreed that this issue should be pursued.

Bekes moved to authorize Chairman Lauderdale to request from Consultant Harvey a review, for the March 23, 2020 PC meeting, of legal nonconforming waterfront lot coverage standards from other townships/municipalities. Moore seconded the motion. The motion carried unanimously.

2. Annual PC report to the Board.

PC members agreed that Lauderdale will draft the report for review at the March 23, 2020 PC meeting.

Lauderdale reported that Supervisor Baker shared that the Board agreed that a Joint Board-PC meeting is not needed. If the Board determines, in the future, that a Joint Board-PC meeting will be of value, Supervisor Barker will contact the PC Chair to organize.

UNFINISHED BUSINESS

1. Master Plan update.

Harvey was ill and did not attend the PC meeting to present the update.

Expectations are that the update will be provide at the March 23, 2020 PC meeting.

2. GAAMPS

Catherine P. Kaufman, Attorney, Buckham, Sparks, Thall, Seeber & Kaufman, PC, provided a "Review of Township Zoning Ordinance regarding RTFA/GAAMP implications", dated February 21, 2020. She identified potential conflicts between RTFA/GAAMP and the ZO for Ross Township Zoning Ordinance Section 2.02, Sections 4.2.a. i through iv, 4.3.a. i through v, Sections 5.2.a, 5.3.a, 5.5.a and b,

Section 6.5.a.i, Section 7.5.a.i, Section 8.5.b.i, Section 9.5.G.c.i, Section 18.4.a, Article 20 Items 13.a through e and 33.a.

Attorney Kaufman effectively communicated to PC members that RTFA/GAAMP determination for individual animal use is dependent on the determination that the animal use is "commercial", ie the intent is to generate money from the animals. If a site receives approval under GAAMPS, that trumps the ZO text. Eight sets of GAAMPs exist: 1) Manure Management and Utilization, 2) Pesticide Utilization and Pest Control, 3) Nutrient Utilization, 4) Care of Farm Animals, 5) Cranberry Production, 6) Site Selection and Odor Control for New and Expanding Livestock Facilities, 7) Irrigation Water Use, and 8) Farm Market. The two most widely used GAAMPS are numbers 6 and 8.

PC understanding from the discussion and Catherine's perspective is that the ZO Text can remain as is BUT introduce Text that addresses the ZO accepts the guidance of RTFA and GAAMPS. Rob Thall and Rebecca Harvey will be asked to discuss with the PC at the March 23, 2020 PC meeting their agreement or not with the direction being taken by the PC and asked to provide guidance as to how best to address acceptance the guidance of RFTA and GAAMPS in the ZO.

3. Outdoor Furnaces/Outdoor Wood Burning Boilers

The PC referenced the document "Outdoor Burning Model Ordinance, A Guide for Michigan Counties, Cities, Villages, and Townships" dated July 2011, provided by Michigan Department of Environmental Quality (DEQ) and Michigan Townships Association (MTA), specifically Section 10, Outdoor wood furnaces.

Extensive discussion by PC members, and input from AGS, led the PC to select Alternative 4 as being most closely aligned with the request from the Board. Specifically, Alternative 4: 10.1, 10.2, 10.3, 10.5.2, 10.5.3, 10.5.4, and 10.5.5 (but NOT 10.4 and 10.5.1). For 10.5.4 we believe the units are Accessory Structures, thus need to comply with our current ZO text for Accessory Structures.

Chairman Lauderdale stated he would request Becky Harvey to provide, at the March 23, 2020 meeting, ZO text from other townships/municipalities that address outdoor furnaces. The PC will continue discussion at the March 23, 2020 PC meeting, prior to a Public hearing regarding a potential ZO to address this topic.

Mike Sulka reported the Board decided they prefer a ZO and not a "police powers ordinance" from the Board. PC members agreed that a draft ZO, once available, will be discussed with the Board to assure effective communication and understanding prior to a Public Hearing.

REPORT FROM TOWNSHIP BOARD

Township Board information was shared during the discussions reported above.

REPORT FROM ZONING BOARD OF APPEALS

The ZBA did not meet in February 2020.

PUBLIC COMMENT

No public comment was offered.

MEMBERS, CONSULTANTS, ADVISORS

No member or advisor comments were offered.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 8:40 p.m. on motion from Moore, second by Bekes, and the motion carried unanimously.

Respectfully Submitted,
Jim Lauderdale
Planning Commission Chair