

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
September 28, 2020**

CALL TO ORDER/PLEDGE

Chairperson Lauderdale called the regular meeting of the Ross Township Planning Commission to order at 6:00 p.m. The Planning Commission meeting was conducted through electronic remote access due to Executive Order.

ROLL CALL

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

Absent: None

Also Present: Bert Gale, AGS – Township Zoning Administrator
Kelly Largent, AGS – Township Zoning Administrator
Rebecca Harvey – Township Planning Consultant
Rob Thall – Township Attorney

APPROVAL OF AGENDA

The agenda was approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the **August 24, 2020** regular Planning Commission meeting minutes. Bekes moved to approve the minutes as presented. Sager seconded the motion. The motion carried unanimously.

NEW BUSINESS

1. Public Hearing – Zoning Ordinance Amendment

Sections 2.2 and 18.7 – Outdoor Furnaces

Chairperson Lauderdale opened the public hearing. He stated that the Planning Commission has worked on the development of the proposed Zoning Ordinance amendments to address ‘outdoor furnaces’ since April, completing final review of same in August.

No public comment was offered on the matter and the public comment portion of the public hearing was closed.

Moore moved to recommend approval of the proposed amendment to Section 2.2 – Definition of Terms and Section 18.7 – Outdoor Furnaces. Bekes seconded the motion. The motion carried unanimously.

2. Sketch Plan Review – Gene’s Marine and Powersports

Largent provided an overview of the request by Gene’s Marine and Powesports, noting the following:

- Gene’s Marine is an existing marine facility but does not have a water element at the site.
- Gene’s Marine offers boat repair; jet ski repair/sales; and dock and boat lift sales.
- The applicant proposes an expansion of the operation to include outdoor storage of boats, etc . . on the properties adjacent to/surrounding the existing facility.
- The plan presented is currently lacking information required of a site plan, so the applicant has requested Planning Commission review of the proposal as a sketch plan.

Largent explained that the proposed outdoor storage could be viewed as an ‘accessory use’ to the marine operation, whereas Section 18.4 would then apply. She advised that Section 18.4 A.3. does require that an ‘accessory use’ be ‘operated and maintained on the same lot as the principal use, or on a contiguous lot’ . . and that the proposed sketch plan raises questions of compliance with said standard.

Harvey, noting that the subject property is within the C-1 District, stated that she believes Section 10.4 C./F. might be more applicable to the proposed outdoor storage element. She also highlighted the need for the site plan to be responsive to the site development standards of the C-1 District set forth in Section 10.6.

General Planning Commission discussion ensued wherein property ownership was identified as a potential issue. In response to questions, Attorney Thall stated that if the proposed site plan is going to show use of adjacent/surrounding

property, the applicant will be required to demonstrate that consent from those property owners has been obtained.

It was confirmed that the operation is existing, but never received zoning approval and so does not exist as a lawful nonconforming use. Moore opined that he saw the proposal as an opportunity to see the property cleaned up.

The applicant (Rothenberg) stated that they have concentrated efforts on cleaning up the property and desire to be compliant with the Zoning Ordinance. He noted that he is also currently working with Consumers Energy and McKay in obtaining consent for use of the adjacent properties as proposed. Rothenberg thanked the Commission for the review comments provided.

Largent confirmed that she will provide the applicant with all pertinent sections of the Zoning Ordinance for use in development of the site plan and will schedule the public hearing upon receipt of a complete plan.

3. Public Hearing – Rezoning Request (Allendale Park, LLC)

The next matter to come before the Planning Commission was consideration of the request by Allendale Park, LLC to rezone an approximately 0.64-acre parcel located at 156/160 East Gull Lake Drive from the R-2 District to the C-1 District.

Chairperson Lauderdale noted that following receipt of public comment on the request in July, the Commission postponed consideration of the rezoning application to the August meeting to allow Township staff the opportunity to prepare a review of the request pursuant to applicable zoning ordinance amendment criteria.

Chairperson Lauderdale added that, at the August meeting, the applicant had requested a continued postponement to the September Planning Commission meeting to allow for exploration of other approaches to the rezoning application, including a Conditional Rezoning application. He then referenced correspondence received from the applicant dated September 8, 2020 wherein a further postponement to the October Planning Commission has been requested by the applicant.

Sulka moved to postpone consideration of the request to rezone the subject property from R-2 to C-1 to the October Planning Commission meeting as requested. Bekes seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

1. Master Plan Update

Chairperson Lauderdale requested that Bekes proceed with guiding the Commission through a review of the remaining draft updates to the Master Plan, as a continuation of his guidance provided in August.

Bekes noted that the Commission had completed a review of Sections 4-7 in August. He stated that only a review of Section 8 and the Future Land Use Map remains.

The following review comments were provided:

Section 8

- pg 4: suggest Action Plan column 'Time' be better titled to clarify the meaning of the time frames listed
- pg 4: Action Item #2 – clarification of a 'technical review' was requested
- pg 6: Action Item #1 – remove 'quarterly'

Sager suggested the addition of a community survey to the Action Plan. It was noted that a survey may be appropriate to consider in conjunction with the next 5-year review of the Master Plan. Sager then noted the merit of an 'agricultural neighborhood' zoning district and suggested that an exploration of the concept be included in the Action Plan or even added to the current year's work plan.

Chairperson Lauderdale stated that he sees the draft Action Plan as a perfect opportunity for the Planning Commission to move from 'reactive' to 'proactive'. He feels that a prioritization of the Action Plan could then lead to an incorporation of action items into the Commission's annual work plan and monthly meeting agendas.

Future Land Use Map

- It was questioned if the area adjacent to Gull Lake currently planned for commercial should be flagged for review. It was then agreed that the area is currently under discussion in conjunction with the McKay rezoning request and should be allowed 'to run its course'.
- Sulka stated that it is important to consider that the FLU Map has a timing component to it . . . noting that proposed future land use patterns may assume the presence of circumstances that don't yet exist.
- Chairperson Lauderdale recommended that the FLU Map instead be reviewed for revision when the Master Plan is rewritten . . . which is envisioned to occur once the 2020 Census data is available. The recommendation was accepted by the Planning Commission members.

Harvey was directed to revise the draft Master Plan pursuant to the review comments provided for final Planning Commission review in October. It was

noted that if the revised updated Plan is accepted in October, it can then be forwarded to the Township Board with a request to initiate the adoption process.

REPORT FROM TOWNSHIP BOARD

Sulka reported that the Township Board continues to discuss the concept of a special assessment district for Sherman Lake.

He also advised of a current issue regarding property on Gull Lake (in the Township) involving dock length and the placement of trees along the lot line that have resulted in viewshed problems for adjacent properties.

Attorney Thall advised on applicable riparian rights and the extent to which they limit the Township's role in dock issues. He suggested, however, that a review of the dock length standard and fencing provisions set forth in the Ordinance may be in order.

Following discussion, Harvey was directed to compile the dock standards adopted by the other three communities with frontage on Gull Lake for Planning Commission review. She was further directed to develop proposed modifications to the fence standards that would serve to address the problem currently under discussion. It was agreed that study of the requested information would be scheduled for the October meeting.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale stated that the ZBA did not meet in September, 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 7:31 p.m.

Respectfully Submitted,
Rebecca Harvey, AICP, PCP
Township Planning Consultant