

**ROSS TOWNSHIP  
PLANNING COMMISSION  
MINUTES  
October 11, 2022**

CALL TO ORDER/PLEDGE

Chairperson Lauderdale called the special meeting of the Ross Township Planning Commission to order at 6:00 p.m. at the Ross Township Hall.

ROLL CALL

Present: Chairperson Lauderdale  
Michael Bekes  
Mark Markillie  
Pam Sager

Absent: Steve Maslen  
Michael Moore  
Sherri Snyder

Also Present: Rebecca Harvey – Township Planning Consultant  
Rob Thall – Township Attorney

APPROVAL OF AGENDA

Bekes requested that Medical Marihuana Caregivers be added to the agenda under New Business.

The agenda was approved as amended.

APPROVAL OF PRIOR MEETING MINUTES

Chairperson Lauderdale advised that the minutes of the September 12, 2022 special Planning Commission meeting and the September 26, 2022 regular Planning Commission meeting would be considered for approval at the October 24, 2022 regular Planning Commission meeting.

NEW BUSINESS

1. Medical Marihuana Caregivers

Bekes advised that the Township Board recently requested that the ‘caregiver’ text be amended to include a requirement for an annual permit/annual fee.

Sager questioned the purpose of an annual fee. Attorney Thall noted that an annual fee is typically required to cover annual reviews/inspections . . . noting that the Ordinance should be amended to include this requirement if such a practice is desired.

Bekes moved that Attorney Thall draft the necessary amendments to the text to provide for an annual permit/annual fee . . . and that same be scheduled and noticed for a public hearing on November 14, 2022. Markillie seconded the motion. The motion carried unanimously.

## 2. Development Agreements

Chairperson Lauderdale reminded of the request by the Township Board to consider an amendment to the Zoning Ordinance to allow for the Township to require a development agreement.

Attorney Thall distributed draft text that proposed an amendment to Section 21.6 D. so as to define and provide for the requirement of a development agreement to ensure completion of the approved site plan. He also provided a copy of a sample development agreement from another community to illustrate how a development agreement would be constructed and used.

Attorney Thall provided an overview of the proposed amendment and the elements of the sample agreement.

In response to questions, Attorney Thall explained how Township inspections and cost reimbursements would work on a project basis. He further noted that the development agreement would be prepared by the Township Attorney in consultation with the applicant once the site plan received approval from the Planning Commission.

Attorney Thall explained how a development agreement allows for greater oversight to the process in comparison to the standard site plan review/site inspection/certificate of occupancy process.

Sager moved to accept the proposed draft text as presented and to schedule same for public hearing at the November 14, 2022 Planning Commission meeting. Markillie seconded the motion. The motion carried unanimously.

Attorney Thall confirmed that the sample agreement provided would not be in the Zoning Ordinance. He clarified that the agreement for each development will be developed as determined by the Planning Commission and negotiated by the

Township Attorney. However, he noted that the proposed Section 21.6 D. is comprehensive in indicating what can/will likely be in the development agreement.

Bekes stated he would advise the Township Board of the tentatively scheduled public hearing so that final action can be anticipated for November.

### 3. Viewshed Protection

Bekes reported that the Township Board has identified this matter as a high priority and has suggested that efforts should concentrate on lakeside properties. He noted that Sulka expressed personal thoughts about the topic, urging that the Carr matter not be used in deliberation of the question in that it represented a very unique situation.

In review/discussion of Section 17.3 – Waterway Setbacks, the following was noted:

- Should viewshed protection extend beyond lake frontage to also include river frontage and channels?
- The Ordinance should include mention of ‘viewshed protection’, consistent with the objectives of the Master Plan.
- This section is written to apply to both buildings and structures . . . its effectiveness in viewshed protection will depend on what the Township Board decides regarding the enforcement of setback requirements for structures.
- The Ordinance is currently silent with respect to vegetation/landscaping and the role it can play in blocking viewsheds. There is interest in establishing a 3 ft height standard for new vegetation/landscaping . . . but only within the required front setback of waterfront lots.
- The special use process of Section 18.4 D. could be used to deviate from this approach.

Harvey was directed to prepare draft text incorporating the ideas noted above for Planning Commission consideration at the October 24, 2022 meeting.

### 4. Structures

Bekes reported that he has received the context photos on the subject from AGS and that he intends to present the issues raised in previous Planning Commission discussions to the Township Board for response. He added that he will also plan to include the Commission’s recent discussion on Section 17.3 for feedback.

## UNFINISHED BUSINESS

Chairperson Lauderdale stated that Planning Commission Unfinished Business would be considered at the October 24, 2022 regular Planning Commission meeting.

## REPORT FROM TOWNSHIP BOARD

Chairperson Lauderdale stated that the Township Board Report would be provided at the October 24, 2022 regular Planning Commission meeting.

## REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale stated that the Zoning Board of Appeals Report would be provided at the October 24, 2022 regular Planning Commission meeting.

## PUBLIC COMMENT

Mary Stage questioned how an amendment of Section 17.3 may affect shoreline protection efforts that involve keeping vegetation that exceeds 3 ft in height.

Connie Lavender questioned how the Township defines 'front yard' on a waterfront lot. Attorney Thall referenced the provisions of Article 15.

No further public comment was offered.

## MEMBERS, CONSULTANTS, ADVISORS

No member comments were offered.

## ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:38 p.m.

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