

**ROSS TOWNSHIP  
PLANNING COMMISSION  
MINUTES  
November 14, 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  
Steve Maslen  
Michael Moore  
Pam Sager

Absent: Sherri Snyder  
Mark Markillie

Also Present: Rebecca Harvey – Township Planning Consultant

APPROVAL OF AGENDA

The agenda was approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

Chairperson Lauderdale advised that the minutes of the October 11, 2022 special Planning Commission meeting and the October 24, 2022 regular Planning Commission meeting would be considered for approval at the November 28, 2022 regular Planning Commission meeting.

NEW BUSINESS

1. Public Hearing – Zoning Ordinance Amendment (Medical Marihuana Caregivers)

The next matter to come before the Planning Commission was the public hearing on the proposed amendment of Section 18.8 regarding the annual zoning permit/fee for a medical marihuana caregiver.

Chairperson Lauderdale opened the public hearing.

Chairperson Lauderdale provided an overview of the proposed text, noting that the amendments to Section 18.8 D. and E. are proposed to indicate that a zoning permit application and fee will be required on an annual basis for medical marihuana caregivers.

Bekes stated that the Township Board had requested that the Zoning Ordinance be amended to include a requirement for an annual permit/annual fee for ‘caregivers’ and that the proposed amendments are consistent with that request.

Sager questioned if the proposed text should clarify why an annual permit/fee is required or what is required to be done on an annual basis.

Harvey and Bekes noted that the Section 18.8D.2. references the information that must be provided to the Township annually and that an annual submission of the information will allow the Township to confirm ongoing compliance with the standards. Bekes noted that Township Attorney Thall is in agreement with the proposed text.

Mary Stage asked if the proposed amendments would affect how many plants a ‘caretaker’ could grow or result in revealing the names of a ‘caretaker’s’ patients. Chairperson Lauderdale responded that neither would be affected by the proposed amendments.

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

Bekes moved to recommend approval by the Township Board of the proposed amendments to Section 18.8 regarding the annual zoning permit/fee for a medical marihuana caregiver. Moore seconded the motion. The motion carried unanimously.

## 2. Public Hearing – Zoning Ordinance Amendment (Development Agreements)

The next matter to come before the Planning Commission was the public hearing on the proposed amendment of Section 21.6 so as to add subsection D. pertaining to development agreements.

Chairperson Lauderdale opened the public hearing.

Chairperson Lauderdale provided an overview of the proposed text, noting that the Planning Commission has had extensive discussion with Township Attorney Thall regarding the amendment, with additional review of the sample development agreement provided for context.

Bekes stated that he found the proposed text easy to understand and the sample agreement helpful in the discussion. As a result, he felt that the proposed amendment should move easily through the adoption process. He added that he intended to emphasize to the Township Board that the sample agreement would not be in the Zoning Ordinance.

Sager suggested that the term ‘wetlands’ be added to the list of items that could be addressed in a development agreement cited in the proposed provision. It was agreed that ‘wetlands’ would be added to the proposed Section 21.6D., following ‘tree preservation’.

Mary Stage commended the Planning Commission for their work on this item.

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

Moore moved to recommend approval by the Township Board of the proposed amendment to Section 21.6 so as to add subsection D., as modified. Sager seconded the motion. The motion carried unanimously.

### 3. Viewshed Protection

Chairperson Lauderdale noted that a proposed amendment to Section 17.3D. to address ‘viewshed protection’ had been considered at length by the Planning Commission at the October 24, 2022 meeting. Discussion had concluded with a consensus of identified revisions.

Harvey provided an overview of the draft text, amended in response to Planning Commission discussion. Bekes stated that he felt the text should include reference to vegetation and landscape elements ‘at full maturity’. Planning Commission discussion ensued regarding the merit of enforcement of ‘potential violations’. Instead, it was agreed that the viewshed provision could be better enforced at such time as growth occurs beyond the 10% blockage standard.

Bekes inquired regarding the proposed amendments addressing the removal of ‘structures’ from the setback requirements. Harvey noted that she has compiled the amendments that will be necessary and desires to provide same to Township Attorney Thall for an initial review.

It was agreed that continued discussion of the proposed amendment to Section 17.3 and the amendments related to ‘structures’ would be scheduled for the November 28, 2022 meeting.

#### 4. Site Condominium Standards

Referencing the October 24, 2022 memo ‘Regulation of Site Condominium’, Harvey provided an overview of the difference between a site condominium development and a plat; key standards for site condominium developments that are currently lacking in the Ordinance; and, the proposed amendments to the Zoning Ordinance intended to address the current regulatory gaps, with reference to the Ross Township Subdivision Development Ordinance.

Bekes questioned if the Township could require dog parks and recreational areas within such developments.

In response, Harvey explained the distinction between a site condominium development and a multiple family development. She noted that the Ordinance currently does requires a multiple family development to provide a ‘recreational area equivalent to 8% of the project area’, but that a site condominium development is a land division proposal, similar to a subdivision/plat, and recreational areas are not required elements.

The Planning Commission noted initial support of the amendments as proposed and agreed that that draft text would be finalized at the November 28, 2022 meeting and scheduled for public hearing.

Harvey was asked to resubmit the 10.24.22 draft text, along with a copy of the Subdivision Development Ordinance, to the Planning Commission in preparation for the November 28, 2022 discussion.

#### UNFINISHED BUSINESS

Chairperson Lauderdale stated that Planning Commission Unfinished Business would be considered at the November 28, 2022 regular Planning Commission meeting.

#### REPORT FROM TOWNSHIP BOARD

Chairperson Lauderdale stated that the Township Board Report would be provided at the November 28, 2022 regular Planning Commission meeting.

#### REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale stated that the Zoning Board of Appeals Report did not meet in November.

PUBLIC COMMENT

Mary Stage expressed her thanks for the Commission's work.

No further public comment was offered.

MEMBERS, CONSULTANTS, ADVISORS

No comments were offered.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:09 p.m.

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