

Final Minutes

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
April 24, 2023**

CALL TO ORDER/PLEDGE

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

ROLL CALL

Present: Chairperson Moore
Michael Bekes
Mark Markillie
Steve Maslen
Pam Sager
Sherri Snyder
Mary Stage

Absent: None

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

APPROVAL OF AGENDA

Chairperson Moore requested the removal of Agenda Item 5.(2) – public hearing for Jones SLU/SPR application, noting the item intends to be re-noticed for a future meeting to consider only a ‘guest house’ proposal. The agenda was approved as amended.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the **March 27, 2023** 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 (Viewshed Protection/Structures)

The next matter to come before the Planning Commission was the public hearing on the proposed amendments to Section 2.2 – Definitions, Articles 4-12 – Zoning Districts, Article 15 – Schedule of Lot, Yard and Area Requirements, Section 16.2 – Limitations on Height, Section 16.3 – Limitations on Area and Section 17.3 – Waterway Setback and Height Requirements related to viewshed protection on waterfront lots and requirements for structures.

Chairperson Moore opened the public hearing.

Chairperson Moore provided an overview of the proposed amendments, referencing the draft text dated April 24, 2023 and the discussion of the Planning Commission on same in March.

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

Bekes stated that the draft text accurately reflects the discussion and points of consensus of the Planning Commission in March. He further referenced the work of the Planning Commission on the subject of viewshed protection and the regulation (and setbacks) of structures since the issues were raised in August, 2022.

Bekes moved to recommend approval by the Township Board of the proposed amendments to Section 2.2, Articles 4-12 and 15, and Sections 16.2, 16.3 and 17.3 regarding viewshed protection on waterfront lots and requirements for structures. Bekes noted a lack of objection by the public and the Planning Commission's unanimous support for the work done on the subject. Snyder seconded the motion. The motion carried unanimously

2. Site Plan Amendment – The Bluffs at Gull Lake

The next matter to come before the Planning Commission was the request of The Bluffs at Gull Lake LLC for site plan amendment for the proposed addition of carports at The Bluffs at Gull Lake. The subject site is located at the southwest end of Gull Lake, on the north side of M-89, and is within the R-3 District.

Thomas Amon, attorney, was present on behalf of the application. He noted that Site Plan Approval was granted for Phase 1 of the Bluffs at Gull Lake on March 22, 2022. He stated that the establishment of three carport canopies, each dimensioned at approximately 18 ft x 80 ft, and each designed to serve eight parking spaces, are proposed at this time.

Amon explained that the carports are proposed to be established within the previously approved parking lots and will not involve any modification to the approved parking lot/space layout. He further noted that the proposed carports

are in compliance with all applicable requirements and meet the site plan review criteria.

In response to questions, he referenced the proposed carport design and materials reflected on the site plan.

Bekes questioned why the proposed carports could not be reviewed through the ASPR process. Gale noted that the proposed carports represent ‘a new building or structure’ and pursuant to Section 21.11 A.5. are not eligible for the ASPR process.

Bekes moved to grant Site Plan Amendment for the proposed addition of three carports in Phase 1 of The Bluffs at Gull Lake, based upon the review findings of Section 8.5 – Multiple Family Dwellings and Section 21.6 – Site Plan Review Criteria, and subject to Fire Department review/approval of the carport proposal. Sager seconded the motion. The motion carried unanimously.

Sager inquired if the applicant was envisioning the installation of solar panels and/or charging stations in the development. Paul Schramm, project engineer, stated that no such plans have been confirmed at this time.

3. 2022-2023 – PC Annual Report

Chairperson Moore noted that the 2022-2023 PC Annual Report and 2023-2024 PC Work Plan were accepted by the Commission in March, with the results of the work completed at the March meeting to be added to the Annual Report. He stated that the Annual Report was updated as agreed and has been included in the meeting material for reference.

Sager noted that the Work Plan currently references ‘ag-businesses’ and that she believes the term ‘agricultural neighborhoods’ is intended. Planning Commission members agreed to review the Work Plan in May.

4. Development Agreements

Chairperson Moore referenced the draft revisions prepared by Attorney Thall to the originally proposed Section 21.6 D. and the Planning Commission’s discussion of same in February and March. He reminded of the Planning Commission’s stated preference to retain the Sketch Plan Review option and the suggested changes to the initial outline of the Staff/Township Board review process.

Chairperson Moore summarized the modified Staff/Township Board review process discussed in March as follows:

When an applicant is in conversation with AGS regarding a development, and/or at such time as a site plan is submitted, the following steps would be taken:

- AGS informs the Supervisor about the proposed development and shares the details of the development and/or a copy of the site plan
- AGS would be available to answer any technical zoning questions about the proposal at that time . . and to receive the Supervisor's comments
- the Supervisor could opt to provide feedback to AGS on the development on behalf of the Township Board . . or, could schedule to present the development proposal and/or site plan to the Township Board for comment
- if presented to the Township Board, AGS would be available to answer any technical zoning questions . . and to receive the Board's comments
- AGS would provide the Supervisor's/Township Board's feedback to the applicant . . the applicant could respond w/ design modifications as desired
- the site plan would then be scheduled for Planning Commission review/action per the established process
- once the site plan is approved, the development agreement would be prepared by the Township Attorney, in coordination with the applicant, for approval by the Township Board

Planning Commission discussion of the process continued wherein the following was noted:

- The meeting with the Supervisor in Step 1 could instead be a meeting with a 'development agreement committee', consisting of three members of the Township Board.
- This meeting would be the appropriate time for the 'committee' to offer opinion on those elements of the proposal that would be appropriate to include in the development agreement.
- A time limit should be established for the 'committee' process.
- The 'committee' can choose to bring in Township professionals for counsel . . for which their time would be financed through the escrow process.
- The applicant would have the option to revise the site plan in response to comments made by the 'committee', if desired.
- Following 'committee review', the plan review process would proceed as currently established.
- The 'development agreement committee' process should not apply at the Sketch Plan review stage.

Chairperson Moore expressed concern that the 'committee' process is an infringement of the Planning Commission's site plan review authority and role.

Planning Commission members noted that this additional step in the process has the potential to add considerable time to the review process already in place, reiterating support for a time limit for the ‘committee’ process. It was also suggested that not all projects should be subject to this process.

Bekes stated his general support for the ‘committee’ idea, noting that the Township Board’s primary issue with the current process is a lack of communication from staff.

The Planning Commission requested that Attorney Thall revise the proposed Section 21.6 D. consistent with the Commission’s points of consensus for continued review and discussion in May.

UNFINISHED BUSINESS

Chairperson Moore stated that no Unfinished Business is scheduled for consideration.

REPORT FROM TOWNSHIP BOARD

Bekes provided a detailed overview of the issues considered and actions taken by the Township Board in April.

REPORT FROM ZONING BOARD OF APPEALS

Bekes reported that the ZBA met on April 5, 2023 and considered/granted a request for variance approval from the 50 ft waterfront setback requirement for the reconstruction of a deck on property located on LaBelle Terrace.

PUBLIC COMMENT

No public comment was offered.

MEMBERS, CONSULTANTS, ADVISORS

Snyder provided the following comments:

- She has learned of reasonable/desirable design options that could be employed to provide restrooms in the bay area. Lengthy discussion ensued.
- She inquired as to the status of the recommended amendments to the standards for Multiple Family Dwellings.

- She inquired as to the review process applicable to lot combinations within plats, noting the impact said combinations have on the allowable size of an accessory building.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:36 p.m.

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