

Final Not Received
Draft Accepted as Final

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

CALL TO ORDER/PLEDGE

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

Absent: Chairperson Moore

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

APPROVAL OF AGENDA

Acting Chairperson Snyder requested the modification of the agenda to reflect 'Sherri Snyder' for agenda items 1. and 2. The agenda was approved as amended.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the **June 26, 2023** regular Planning Commission meeting minutes. The following typographical errors were noted for correction: pg 1 – Roll Call: Pam Sager; pgs 4-5 – clarify address as 'East D Ave'; pg 6 – paragraph 7: correct spelling of 'haste'; pg 7 – paragraph 1: correct spelling of 'Thall'; and, pg 9 – identify author of minutes as 'Acting Recording Secretary'. Sager moved to approve the minutes as corrected. Markillie seconded the motion. The motion carried unanimously.

NEW BUSINESS

1. Review PC Work Plan – Identify/Prioritize Action Items

Bekes noted that he supported the idea of using this month's open agenda to discuss and strategize the Planning Commission's Work Plan. He reminded that in 2021, the Commission reviewed the goals/objectives of the updated Master Plan and placed six Zoning Ordinance amendments on the Work Plan for study/development. Referencing the Work Plan, he summarized the following identified amendments:

1. Adopt zoning standards that support viable agri-business land use opportunities.
2. Provide for natural vegetation buffers separating active farmland from encroaching development on adjacent parcels.
3. Preserve surface water quality by establishing waterfront zones and buffer regulation along rivers, streams, lakes and wetlands.
4. Consider a wellhead protection program for potential municipal wells.
5. Investigate zoning standards that allow/regulate accessory dwelling units.
6. Establish setback and natural buffer standards along public roads in the agricultural and rural residential districts.

Bekes suggested a discussion of the identified amendments with an aim toward prioritizing two on which to begin work.

Gale questioned if a wellhead protection program (#4) and watershed protection efforts (related MP Goal) are the purview of the Planning Commission. He referenced specific types of land use, such as the use of geothermal energy systems, that have the potential for impacting water quality but are regulated by other codes.

Harvey noted that geothermal energy systems are often included in alternative energy systems zoning regulations, along with solar, wind, biomass, and stationary fuel cell systems.

Planning Commission members expressed interest in looking at an 'alternative energy ordinance' . . . noting that it would seem to be over-arching and may be in need in the immediate future. It was agreed this topic would represent one of the two priority items. Harvey advised that she is currently preparing an 'alternative energy ordinance' for another community and can provide a copy of the draft ordinance for discussion.

Bekes then directed attention to Item #3, noting the issues in play on a daily basis regarding small and nonconforming waterfront lots; steps that extend to the waterfront; structures, such as retaining walls, within the waterfront setback; etc.

Harvey summarized the approach used in waterfront overlay zoning to manage use and land cover in waterfront 'zones'. She referenced examples where waterfront zoning has been applied, noting that the required vegetative buffers are

often opposed by waterfront property owners, causing communities to use incentives and education instead of regulations.

Acting Chair Snyder noted that the 4TWRC and GLQA are active citizen groups successful in education and water quality protection efforts. She agreed that education and resources may be a better place to start for the Township rather than regulation.

Markillie agreed that efforts to inform on ‘best practices’ can be more productive than forcing through regulation. He suggested the Zoning Ordinance standards on this topic could be a hybrid of regulations and ‘guidelines’ or ‘best practices’.

Planning Commission discussion continued regarding successful education practices, wherein it was suggested that educational material on waterfront land use/development could be included with development permit applications . . . and guest speakers could be invited to share ‘best practices’ at Planning Commission meetings. It was agreed that this topic would represent the second priority item.

Acting Chairperson Snyder agreed to invite a representative from GLQA to speak on the topic of waterfront land use for 10-20 minutes at the August Planning Commission meeting.

UNFINISHED BUSINESS

Acting Chairperson Snyder stated that no Unfinished Business is scheduled for consideration.

REPORT FROM TOWNSHIP BOARD

Bekes provided an overview of the issues considered and actions taken by the Township Board in July. He specifically noted Township Board approval of 1) requested modifications to the Allendale conditional rezoning (reduction from 3 lots to 2 lots); 2) the proposed ‘Development Agreement’ text, with a minor modification; and, 3) the conditional rezoning request by Water’s Edge Day Spa.

Sager questioned the status of the amendments recommended for approval in April addressing ‘viewshed protection’. Bekes reported that in May the Township Board requested that Attorney Thall and Harvey work together to develop modified text that addresses noted concerns.

Harvey advised that she has met with Attorney Thall and that they discussed and agreed on modifications that remove reference to retaining a percent of the viewshed and instead establish setback requirements for vegetation/landscape elements that would serve to protect viewshed infringement. Specifically, the modified approach would remove the

questions related to how '10% of the viewshed/horizontal sight lines' would be measured . . . and instead require vegetative buffers to meet side setback requirements along side property lines within the required waterfront setback.

Maslen stated that he prefers the approach used in the recommended amendment. Gale expressed concern that the side setback approach may not solve the problem.

Markillie suggested that the side setback approach is going back to the idea that it should be regulated similarly to a fence . . . and may be better. Sager agreed that the side setback approach would work well for a majority of the situations . . . and that a 'spite fence' can be dealt with through other legal avenues. Acting Chairperson Snyder noted agreement.

Harvey stated that she will share the Commission's comments with Attorney Thall and move forward with making the text modifications for Township Board consideration.

REPORT FROM ZONING BOARD OF APPEALS

Bekes reported that the ZBA did not meet in July.

PUBLIC COMMENT

Connie Lavender noted her appreciation for the depth of consideration the Planning Commission gives to the issues before them. She feels the Commission works very hard to keep the township residents happy.

MEMBERS, CONSULTANTS, ADVISORS

Acting Chairperson Snyder stated that she liked that the Planning Commission members communicated so thoroughly on discussion items.

Markillie reported that he has observed that communities that have active trail systems seem to be thriving.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:45 p.m.

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