

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
April 22, 2024**

CALL TO ORDER/PLEDGE

Chairperson Sager 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 Sager
 Michael Bekes
 Mark Markillie
 Steve Maslen
 Michael Moore
 Jeff Price
 Sherri Snyder

Absent: None

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

APPROVAL OF AGENDA

Bekes moved to approve the agenda as presented. Price seconded the motion. The motion carried unanimously.

APPROVAL OF PRIOR MEETING MINUTES

It was agreed to postpone consideration of the **March 25, 2024** regular Planning Commission meeting minutes to the May meeting to allow adequate time for review.

NEW BUSINESS

1. SPR – The Bluffs (Updated Landscape/Screening Plan)

The next matter to come before the Planning Commission was the review of an updated landscape/screening plan for The Bluffs at Gull Lake. The subject property is located on the southwest end of Gull Lake and is within the R-3 District.

Chairperson Sager requested presentation of the staff report.

Harvey provided an overview of the background information related to the project site and the proposed modifications to the landscape/screening plan, noting the following:

- On March 22, 2021, the subject property received Site Plan Approval for 'Phase 1 of the Bluffs at Gull Lake' (4 12-unit buildings), conditioned upon the following:

The use of existing natural features/vegetation/grade to meet buffer zone requirements along the east property line is approved. Specifically:

1. *The proposed 30 ft wide buffer zone of existing woodlands and grade difference along a portion of the property's east border is approved as an Equivalent Buffer Zone to the Buffer Zone C Requirement; and*
2. *the proposed 20 ft wide buffer zone of existing woodlands and grade difference along a portion of the property's east border is approved as an Equivalent Buffer Zone to the Buffer Zone B Requirement.*

- Recent site inspections, aided by an 'as-built' landscape plan, revealed the following:

- The portions of the east property boundary abutting the adjacent C-1 zoning . . and southern portions of the adjacent R-1 zoning . . are provided an 'existing vegetative buffer' greater in width/area than what was reflected on the approved site plan; **this represents compliance with the screening condition**
- The portions of the east property boundary abutting the adjacent R-1 zoning . . and a portion of the north property boundary abutting the adjacent R-1 zoning . . are provided an 'existing vegetative buffer' equal in width/area to what was reflected on the approved site plan; **this represents compliance with the screening condition**
- The northeast and north corners of the property abutting the adjacent R-1 zoning are provided an 'existing vegetative buffer' lesser in width/area than what was reflected on the approved site plan (either due to inaccuracies on the original site plan or greater clearing activity than approved); **this represents a lack of compliance with the screening condition**

- The Bluffs proposes to *re-establish plantings w/in the 2 'unapproved' cleared areas such to emulate the 'natural features/vegetation/grade' that was present at the time of site plan approval. This would, in effect, re-establish the 'equivalent buffer zone' that was approved . . and meet the conditions of site plan approval.* (Reference 1.18.24 Landscape Plan)
- The Township determined to apply the following review process to the proposed amended landscape plan:
 - The landscape plan will be reviewed by a landscape architect retained by the Township;
 - The landscape architect will be requested to review those 2 areas of proposed 'replacement plantings' and provide an opinion on whether the plantings proposed will serve to re-establish the 'equivalent buffer zone' that was present and approved by the Planning Commission;
 - The opinion of the landscape architect will be presented to the Planning Commission for final action on the amended landscape plan.
- The Township consulted with Matt Levandoski, PLA with Prein&Newhof on the review of the 1.18.24 landscape plan for The Bluffs.
 - The report provided to the Township from P&N included a written report, which spoke to design intent; appropriateness of plant selections; and areas needing plantings; confirmation of the observed boundary of native vegetative/tree line; and site photos.
 - The report concluded that only 1 area (Area 3) requires plantings to meet the originally approved buffer plan . . and suggests some replacement plantings to re-create 'existing natural vegetation' more effectively.

Matt Callander was present on behalf of The Bluffs. He stated that he has no concerns with the P&N report and that he accepts the findings/recommendations contained therein.

No public comment was offered on the matter.

Snyder stated that compliance with the screening standard can only be maintained if the new plants are tended. She expressed concern that this be accomplished.

Moore stated that he felt the Township had allocated excessive time and money on this project. Harvey noted that compliance with an approved site plan is required and that Township enforcement of same is a valid Township exercise. She added that application escrow funds are intended to cover Township costs incurred in project review/approval.

It was reiterated that the above findings were based on the application documents presented and representations made by the applicant at the meeting.

Bekes moved to accept the amended landscape/screening plan as presented, subject to the suggested modifications detailed in the P&N Report, including the planting substitutions, and maintenance of the required plantings. He noted that the amended plan is accepted based on a finding that the proposed modifications will serve to 're-establish the equivalent buffer zone' that was initially approved and meets the conditions of site plan approval. Snyder seconded the motion. The motion carried unanimously.

2. SPR – Skywood Recovery (Portable/Modular Classroom)

The next matter to come before the Planning Commission was consideration of the request by Foundations Recovery Network site plan review for the proposed placement of a portable (modular) building on the existing site of Skywood Recovery. The subject property is located at 10499 N 48th Street and is within the R-R District.

Chairperson Sager requested presentation of the staff report.

Gale provided an overview of the application, noting the following:

- Applicant proposes the placement of a portable/modular building on the site of Skywood Recovery.
- The building will be located south of the existing Fitness Center/Sleeping Room Building, and be served by the existing Fire Access Roadway.
- The proposed portable/modular building represents the second modular building to be located on the site . . the first being a portable/modular meeting building located on the east side of the Skywood Lodge.
- He referenced the site plan and modular floor plan included in the application material.

Toby Hilton of Foundations Recovery Network was present on behalf of the application. He clarified that the proposed portable building will be used for housing. He explained the need for additional on-site housing in connection with the PHP, which is the last step in the recovery program.

Hilton stated that there are currently 3 'cottages' (or 27 beds) provided on site and that the proposed modular will provide an additional 16 beds and be similar in layout to the existing cottages.

In response to questions, Hilton explained that the modular is needed now to meet existing demand but is seen to be a 'temporary' building. He added that it will look very similar to the modular meeting building already on the site. He further

clarified proposed setbacks/building separations and that the sidewalk will be extended to serve the modular.

No public comment was offered on the matter.

The Commission proceeded with a review of the application. It was noted that the site plan presented was acceptable per Section 21.4, with the content requirements of Subsections L, N, and O waived per Section 21.4 T. It was further determined that the proposal meets the Site Plan Review Criteria set forth in Section 21.6.B., noting that the proposed modular will be located centrally on the site and does not change the use, operation or design of the site and that, with the proposed extension of the sidewalk, all applicable requirements are met.

It was reiterated that the above findings were based on the application documents presented and representations made by the applicant at the meeting.

Markillie moved to grant Site Plan Approval for the proposed placement of the portable/modular housing (16 beds) on the existing site of Skywood Recovery, based upon the review findings of Section 21.6 – Site Plan Review Criteria, and subject to the proposed sidewalk extension to serve the modular. Moore seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

1. 2024-2025 PC Meeting Schedule

Snyder moved to adopt by resolution the proposed 2024-2025 Planning Commission Meeting Schedule, noting that the regular meeting date of May 27, 2024 is moved to May 20, 2024 due to Memorial Day. Price seconded the motion. The motion carried unanimously.

REPORT FROM TOWNSHIP BOARD

Bekes provided a detailed overview of the issues considered and actions taken by the Township Board in April. He noted that the ‘viewshed protection’ text recently modified and recommended for Township Board reconsideration has been returned for further discussion/modification. The Township Board has requested that revised text be provided for reconsideration in June.

Bekes also reported on questions raised to the Township Board regarding zoning regulations applicable to boat lifts.

REPORT FROM ZONING BOARD OF APPEALS

Bekes reported that the ZBA met in April, 2024 and considered three separate variance requests related to the proposed reconstruction/expansion of a nonconforming dwelling located at 361 South Gull Lake Drive. He advised that variance approval from the side setback requirement was granted for the reconstruction of a wall but denied for a proposed second-story addition. Further, variance approval from the waterfront setback was granted for a small addition in alignment with the existing building.

Brief discussion ensued again regarding options for amending the nonconforming building provision that maintain the integrity of the decision-making process applicable to expanding nonconformities. Harvey advised that she is developing draft text on the subject for Planning Commission consideration in May.

PUBLIC COMMENT

Thomas Cole noted interest in the discussion related to the regulation of boat lifts.

No further public comment was offered.

MEMBERS, CONSULTANTS, ADVISORS

Chairperson Sager reminded that a special Planning Commission meeting will be held on May 6, 2024 to consider two pending applications.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:15 p.m.

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