

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
February 27, 2023**

CALL TO ORDER/PLEDGE

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

Absent: Michael Bekes

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

APPROVAL OF AGENDA

Chairperson Snyder requested the addition of the following item under New Business: Development Agreements--review amended text. The agenda was approved as amended.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the **January 23, 2023** regular Planning Commission meeting minutes. It was noted that the last phrase in item d. on page 4 should be revised to delete the word 'several' before 'neighbors' since only two provided comment. Sager moved to approve the minutes as modified. Markillie seconded the motion. The motion carried unanimously.

NEW BUSINESS

1. Public Hearing – Zoning Ordinance Amendment (Multiple Family Dwellings)

The next matter to come before the Planning Commission was the public hearing on the proposed amendments of Section 8.2 C. – Permitted Uses (R-3 District) and Section 8.5 A. – Conditions and Limitations (R-3 District) related to the regulation of multiple family dwellings.

Chairperson Snyder opened the public hearing.

Chairperson Snyder provided an overview of the proposed modifications and noted the history of review and discussion of same by the Planning Commission.

No 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 amendments to Sections 8.2 C. and 8.5 A. regarding the regulation of multiple family dwellings. Maslen seconded the motion. The motion carried unanimously.

2. Viewshed Protection/Structures

Chairperson Snyder reminded that in January the Planning Commission determined that the earlier idea of not subjecting ‘structures’ to compliance with setback standards, as provided in the draft text dated November 28, 2022, may not be ideal.

Instead, there was Commission consensus to consider an approach that leaves the current regulatory framework for ‘structures’ intact, and instead adds a provision that identifies those ‘structures’ that ‘may project into a required setback.’ Planning Commission members agreed that it has the potential to address all of the issues raised to date.

Following general discussion as to what ‘structures’ should be allowed to encroach, Harvey was directed to revise the draft text accordingly for review in February.

Harvey provided an overview of the revised draft text dated February 27, 2023, noting proposed amendments now include only ‘clean-up’ revisions; the viewshed-related provisions; and the new encroachment provisions.

Lengthy Commission discussion ensued wherein the following was considered/noted:

- The coordination between the existing definition of ‘structure’ and Section 17.3D.

- The proposed ‘viewshed’ related provision will not apply to any existing vegetation (per Attorney Thall).
- Should any ‘structures’ be noted as exempt from certain standards? It was determined that the encroachment provision addresses this question.
- The term ‘permanent’ should be deleted from the definition of ‘structure’.
- The distinction between a ‘lake lot’ and a ‘waterfront lot’ as defined by the Ordinance . . and how they are regulated differently in the Ordinance. There was general support for the existing approach to remain and the viewshed provision to be revised to refer to ‘lake lots’.
- The correct application of Article 15, Footnote 3
- Eaves troughs should be allowed to encroach into any yard.
- ‘Ground mounted mechanical units’ should not be subject to a height restriction to qualify for encroachment . . and should be required to be ‘associated with the principal or accessory building on the site’.
- The reference to ‘generators’ should include ‘and associated equipment’.

Harvey was directed to revise the draft text in response to the Planning Commission’s discussion for review in March.

3. Planning Commission Annual Report

Chairperson Snyder distributed drafts of the 2022 Annual Report and 2023 Work Plan and requested Planning Commission review in preparation for discussion/approval in March.

4. Development Agreements

Attorney Thall explained that the proposed amendment to Section 21.6 to add subsection D. regarding ‘development agreements’ recommended for approval by the Planning Commission on November 14, 2022, has been returned by the Township Board for further consideration of certain elements.

He distributed draft revisions to the proposed Section 21.6 D. for Planning Commission consideration. General discussion ensued wherein it was agreed that discussion would be continued at the March meeting.

Attorney Thall stated that the draft revisions represent his thoughts on how to respond to the wishes expressed by the Township Board and that he is seeking feedback from the Planning Commission and Harvey.

UNFINISHED BUSINESS

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

REPORT FROM TOWNSHIP BOARD

In the absence of Trustee Bekes, no Township Board report was given.

REPORT FROM ZONING BOARD OF APPEALS

Harvey reported that the ZBA held a very productive training session in February. The ZBA also met on February 23, 2023 and considered the following requests:

- Variance approval from the minimum core living area dimension and minimum exterior wall dimension for a proposed new single-family dwelling. (Spur Line Street) - *granted*
- Variance approval from the side setback and lot coverage requirements for an addition to a nonconforming single-family dwelling. (Gull Lake Island) - *granted*
- Variance approval from the minimum side setback and maximum eave height requirements for an addition to a nonconforming accessory building. (W. Gull Lake Drive) - *granted*

In response to a question regarding ZBA membership, Attorney Thall noted that the Township Board has not yet appointed the Planning Commission member to the ZBA. He explained that the Board is still considering the merit of having that appointment automatically be the Planning Commission Chairperson.

Planning Commission members noted that they feel the Chairperson position requires time and focus and that automatic appointment to the ZBA would not be best for the Planning Commission. They renewed their support for Bekes to serve in that position due to his interest and knowledge base.

PUBLIC COMMENT

Connie Lavender encouraged resident education of the proposed changes regarding 'structure encroachment'. She further expressed support for not applying any changes retroactively.

No further public comment was offered.

MEMBERS, CONSULTANTS, ADVISORS

Chairperson Snyder stated that she feels the Planning Commission's effectiveness in making sound planning and zoning decisions is due to the expertise and dedication of its advisors. She added that she could not imagine serving on the Planning Commission

without the guidance they provide and expressed her desire that they remain a part of the Planning Commission team.

Chairperson Snyder then requested that Planning Commission members consider their interest in serving as Chairperson. She reminded that she agreed to serve as the Chairperson through March, 2023, and then would be happy to continue to serve as Vice-Chairperson if elected.

Following Commission discussion, Moore expressed a willingness to serve as Chairperson if nominated/elected in ~~April~~ **March**. Chairperson Snyder reminded that former Chairperson Lauderdale has offered to assist during the transition if requested.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 8:07 p.m.

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