

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
May 23, 2022**

CALL TO ORDER/PLEDGE

Chairperson Lauderdale 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 Lauderdale
Michael Bekes
Mark Markillie
Steve Maslen
Michael Moore
Pam Sager
Sherri Snyder

Absent: None

Also Present: Rebecca Harvey – Township Planning Consultant
Rob Thall – Township Attorney

APPROVAL OF AGENDA

The agenda was approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the **April 25, 2022** regular Planning Commission meeting minutes. Markillie moved to approve the minutes as presented. Snyder seconded the motion. The motion carried unanimously.

The Commission then proceeded with consideration of the **May 4, 2022** special Planning Commission meeting minutes. Moore moved to approve the minutes as presented. Snyder seconded the motion. The motion carried unanimously.

NEW BUSINESS

Chairperson Lauderdale noted that no New Business or Public Hearing Item was scheduled for consideration.

UNFINISHED BUSINESS

1. Medical Marihuana Caregiver

Chairperson Lauderdale referenced draft text prepared by Harvey dated May 23, 2022, noting that the draft was prepared in response to review comments provided by the Commission at the November 22, 2021 meeting.

Harvey provided an overview of the draft text, acknowledging that the Casco Township provision had been used as a template per the direction of the Commission and the Township Attorney.

A lengthy discussion of the draft text ensued wherein the following review comments were provided:

- Should there be concern that a permit is proposed to be required when no other home occupation requires a permit?

Attorney Thall responded that there is no 'equal protection' issue here, but having a permit process for all home occupations may be desirable. A review of Section 18.5 was conducted in consideration of including a permit requirement.

- How does the proposed text 'interact' with the 'Adult Use' rules established by the State?

Attorney Thall suggested that a provision could be added that clarifies it does not authorize the establishment of 'adult use marihuana facilities', as regulated by the State.

- Are the nuisance provisions adequate? It was noted that the 'home occupation' provision (Section 18.5 E.) does address 'noise or other objectionable characteristics' . . . and Section 16.6 establishes even broader coverage of 'environmental uses', such as noise, odor, smoke, etc. The proposed text should be reviewed for including statements that reference the application of Sections 16.6 and 18.5
- What complaints have been received to date regarding 'caregivers' that already operate in the Township?

Harvey was directed to contact AGS for the complaints received to date . . . and then to review the proposed text for responsiveness to such complaints.

- The proposed text should be corrected to be Section 18.8 . . not 18.7.
- The proposed text should include a reference to required compliance with Section 18.5 – Home Occupations.
- Consider removing references to State standards and processes (e.g., Section A) to simplify the provision. On the other hand, maybe the draft, as written, provides better direction to applicants.
- The proposed draft addresses all concerns expressed to date on the matter, with the exception of ‘odor’.

Harvey was directed to revise the proposed text per the Planning Commission’s discussion and forward same to Attorney Thall for final review. It was agreed that the revised text would be considered at the June meeting.

2. Definition of ‘fence’ related to sight lines.

Attorney Thall reported that a hearing date has been established on the Carr litigation.

REPORT FROM TOWNSHIP BOARD

Bekes reported:

- Township Board action on the recommended Master Plan Update has been delayed until after a joint Township Board/Planning Commission ‘Master Plan’ training session with Attorney Kaufman scheduled for June 15, 2022.
- The purchase of a boat was approved for police enforcement activity on Township lakes.
- The Township is in discussion with The Bluffs regarding a pedestrian access easement over Township property. A title search for the property is currently in progress.
- A status report on the issuance of permits for The Bluffs was given.
- The Deputy Clerk position has just been posted.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale reported that the ZBA did not meet in May.

PUBLIC COMMENT

No public comment was offered.

MEMBERS, CONSULTANTS, ADVISORS

Snyder inquired if any work has been done regarding the public's concerns regarding public restrooms and parking in the bay area? Bekes responded that the matter has not been discussed by the Board.

Attorney Thall advised that an appeal of The Sanctuary at St. Ann special land use permit/site plan approval by neighboring property owners has just been received.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:50 p.m.

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