

**ROSS TOWNSHIP
PLANNING COMMISSION MEETING
JANUARY 26, 2005**

1. The meeting was called to order at 7:00 pm by Chairman Allen Harmon with the Pledge of Allegiance.

2. ROLL CALL OF MEMBERS:

Present: Allen Harmon Bob Cox
 Owen Murray Jim Lauderdale
 Garry Lane

Absent: Anne Couture Rick King

Also present was Rebecca Harvey, PC Planning Consultant.

3. AGENDA

Motion to approve the agenda as presented was made by Commissioner Cox, seconded by Commissioner Lane. Motion passed unanimously.

4. PUBLIC COMMENTS – NON-AGENDA ITEMS:

Stephen Hamilton, 14707 Trillium Dr., presented a letter, dated January 24, 2005, to the PC. The letter was regarding the short connector road in the Stoney Lake Hills plat, between Fernwood and Camomile Dr. that will be connecting this plat and the new open space development of Stoney Lake Meadows.

Commissioner Harmon said this issue would probably be dealt with at the KCRC level as opposed to the PC. Mr. Hamilton wanted the PC to be kept up to date on this issue.

5. MINUTES OF NOVEMBER 17, 2004:

Motion by Commissioner Murray, seconded by Commissioner Lauderdale to approve the minutes as presented. Motion passed unanimously.

6. OLD BUSINESS: STONEY LAKE MEADOWS “C” AVE CONSTRUCTION ENTRANCE:

Commissioner Harmon said that Agenda Item #6 was really just a comment on the concerns raised by one or more of the residents regarding heavy duty construction traffic driving through their plat to get to the new open space development. He also said the approval of the Stoney Lake Meadows development, dated Feb. 25, 2004, was reviewed. One of the requirements for this approval was Item #4 regarding the construction entrance off of “C” Ave. Commissioner Harmon said Mr. Rosenberger has been made aware of this and if Mr. Rosenberger does not comply with this condition of the approval it will be brought back before the PC for consideration to revoke the approval for failure to maintain this requirement. Mr. Rosenberger assured the PC that this matter will be taken care of.

There was some discussion of the possibility of putting up a sign on M-89 to direct construction traffic to the “C” Ave. drive only. Mr. Rosenberger said there were two separate issues involved: 1.) a construction plan entrance and 2.) entrance for constructing the homes. He said he would try to use the “C” Ave. entrance for building the houses as much as possible, but if it was real rainy or other adverse conditions which caused a lot of mud or standing water they may have to use the entrance through Stoney Lake Hills. The use of the Camomile Drive entrance will be reduced once the road is blacktopped in the spring.

Pat Flanagan, of Ingersol Engineers, said the wording of “all construction traffic” on the construction plans was put on by the direction of AGS. He said Mr. Rosenberger did not know about this addition. He said in his opinion, that if the conditions were such that the “C” Ave. entrance was impassable, Mr. Rosenberger should be allowed to use the Camomile entrance temporarily.

Commissioner Murray said that Mr. Rosenberger should notify the Township Supervisor if he has to use the Camomile Dr. entrance so everyone would be alert to the fact.

Mr. Flanagan said that when he drew up these plans, his intent was that these plans only deal with the roadway and utilities, not the construction of the houses. He also said that Mr. Rosenberger’s intent was to use the “C” Ave. entrance as much as possible.

Commissioner Harmon said it would also be a good idea for Mr. Rosenberger to somehow inform the residents of the Stoney Lake Hills development if he has to temporarily bring the construction traffic through their plat.

Commissioner Lauderdale said he participated in this approval and remembered the intense discussions associated with traffic patterns. He didn’t realize that “construction” had different meanings. He thought that the developer agreed to “all construction traffic” using the “C” Ave. entrance. He asked if the developer didn’t agree to this, doesn’t he have the opportunity to come back and have a change in the approval process? He didn’t think it was right to be a little cavalier and say it really isn’t an issue because a cement truck went through the existing plat. He thinks the PC should at least come to some process of what should happen if the developer has to use the Camomile Dr. entrance again.

Commissioner Murray said it was one thing if this was an isolated incident with only one cement truck driving through the Stoney Lake Hills plat, but he didn’t want the exception to become the rule. A phone call should be made to let someone in the Township know what is happening. If this should happen again he thinks the PC should take a harsher look at this issue.

Commissioner Harmon said that Commissioner Lauderdale was correct in saying that if Mr. Rosenberger wanted Item #5 regarding the construction entrance changed he needs to present this before the PC and ask for a change in the approval.

Mr. Rosenberger said they stopped construction on the road two months ago so the complaint didn’t have anything to do with their agreement on the land. They are voluntarily saying they will bring in house-building construction traffic, as much as they can, off of “C” Ave. Mr. Rosenberger said they will police it as much as they can with their suppliers. He also said they have an open phone line and if anyone has a question or comment they can contact his office.

Commissioner Harmon said that the approval rules, and the approval says “all construction traffic”, and did not differentiate between “road construction” and “house construction”. Mr. Rosenberger said he wanted a clear understanding that he did not intend the “C” Ave. entrance to be used for both types of construction, and in his opinion, that was not what the motion said. Mr. Rosenberger said he was real explicit that they would use the “C” Ave. entrance even for construction of their homes as much as possible, and still will, but he didn’t want to tell the PC something they want to hear but that he may not be able to do because there still may be times when they will have to use the Camomile entrance.

Commissioner Murray asked when the new road would be paved. Mr. Rosenberger said that probably would happen in May. Commissioner Murray suggested that Mr. Rosenberger should be extra vigilant between now and the time the road is paved, and let the Township know if they will have to use the Camomile entrance.

Bruce Bartlett, 7911 Fernwood, said he first called the township office a month or more ago. He called after he and his wife saw a number of heavy trucks going up the road, not just one. He didn't know where they were going, but he did know there was more than one cement truck involved. Mr. Bartlett said their road is in very poor shape, and the residents didn't want any heavy trucks doing more damage. He asked how the residents could get their road paved. Ms. Harvey said the township and the KCRC would have to work together on seeing about paving the road.

Jon Scott, 8179 N. 46th St., said he had heard about this issue from several different sides. In his mind it is an unfortunate result of some zoning choices that weren't made in the best interest of everyone concerned. The board is familiar with his stand regarding private roads. He thinks this is a prime example of what these private roads mean. If the private roads issue is looked at as a long-term zoning mechanism, it provides resolution to this problem on all fronts without placing any of the parties at odds with any of the other parties. If the road in question was a private road Mr. Rosenberger wouldn't have the ability to access it, and the individuals who live on the road could say they have the right to monitor the traffic on the roads and maintain their privacy. They wouldn't have to go to the KCRC and to the Township for money to fix the road, money the Township doesn't have anyway. He said Mr. Rosenberger wouldn't have to say he would comply, to the best of his ability, and leave the issue hanging in the air. Mr. Scott said he would like the PC to reference this issue in the future when they have to discuss the issue of private roads in the Township.

Annette Huskins, 10105 N. 40th St., has property at 106 E. Gull Lk. Dr., next to the marina. She wanted to see how the PC felt about changing the zoning on the property from Residential to Commercial (she said it was previously zoned Commercial). As far as she was aware the property was not in the C-4 Transitional zoning. It is the first property outside of the Commercial zoning classification. Commissioner Harmon said they needed an application to look at, and to be able to listen to all public comments before they could make a decision. Ms. Harvey explained the notification and the public hearing process.

7. OLD BUSINESS: RESIDENTIAL ZONE REVIEW

There was discussion on the residential zone review draft that Ms. Harvey previously prepared. The new language will be on the February PC agenda for discussion and approval to come before public hearing. Ms Harvey will have the discussed changes for the February meeting.

There was discussion on the Ag-Preservation District, which will be on the February agenda. Ms. Harvey will also work on the Stormwater Ordinance

Bob Oudsema, from Hillcrest Development, talked about the issue of the 50% open space requirement. The PC members were in consensus that the language should be changed so that any one phase of the development may have less than 50% open space as long as the accumulative development, up to and including that point, equals or exceeds the 50% open space requirement. Ms. Harvey will write this language for the February meeting.

The PC also discussed the connectivity issue of the roads between developed and undeveloped properties. The PC would like to get away from the hard "shall" to "may" (pg. 148 in the Zoning Ordinance). They would like to have the option to change this where it seems to make sense to do so. Ms. Harvey will draft the language and bring it back to the PC for approval in February.

There was some discussion on changing the Open Space from a Special Exception Use to a permitted use. Ms. Harvey said that in her opinion the PC had more teeth with leaving it as a Special Exception Use and that changing it really wouldn't streamline the process any more than we have it now.

There was some discussion on sliding scale zoning and lot size standards. This will also be on the February agenda.

8. NEW BUSINESS: ELECTION OF OFFICERS

Motion made by Commissioner Cox, seconded by Commissioner Murray to nominate all existing officers. Motion passed unanimously.

Commissioner Couture wanted to verify that her position of Secretary was not meant to include that of Recording Secretary.

9. NEW BUSINESS: SETTING MEETING DATES

The November PC meeting is changed to November 9th.

Motion was made by Commissioner Cox, seconded by Commissioner Murray to accept the 2005-06 meeting dates as amended. Motion passed unanimously.

10. REPORTS:

ZBA: Commissioner Harmon said the ZBA did not meet in January.

TOWNSHIP BOARD: Commissioner Murray said that Brook Lodge received approval to change their Class C Liquor License to Class B. The Township Board has held two Budget Workshop meetings so far and that they have been going well. It was contingently approved that the PC members would receive a raise from \$50 to \$55 per meeting.

WORKSHOPS: None

4-TWRC: None

11. COMMISSION COMMENTS:

The Commissioners received copies of Comstock's revisions of their Long Range Plan.

12. ADJOURNMENT:

Motion to adjourn was made by Commissioner Cox, seconded by Commissioner Lane to adjourn at 8:25 PM. Motion passed unanimously.

Respectfully submitted,

Jackie Whitney
Recording Secretary