

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

1. The meeting was called to order at 7:08 PM by Vice-Chairman Bob Cox with the Pledge of Allegiance.
2. ROLL CALL OF MEMBERS:
PRESENT: Allen Harmon Anne Couture Bob Cox
 Garry Lane Ray Wolfram Owen Murray
ABSENT: Jim Lauderdale

Also present were Craig Rolfe, Township Attorney, Gary Webster, Associated Government Services and Rebecca Harvey, PC Planning Consultant.

3. AGENDA:
Motion was made by Commissioner Murray, seconded by Commissioner Lane to accept the agenda as presented. Motion passed unanimously.
4. MINUTES SEPTEMBER 28, 2005:
Motion was made by Commissioner Murray, seconded by Commissioner Lane to accept the minutes of September 28, 2005 as amended. Motion passed unanimously.
5. PUBLIC COMMENTS – NON-AGENDA ITEMS:
Jon Scott introduced Steve Allen, president of GM Services, Inc. a new environmental and ecological consulting firm located in Richland. Mr. Allen stated he has been working with Jon on the Crane's Pond development conducting botanical and biological surveys since August, 2004. They are working during all the seasons investigating what is on the Crane's Pond property. They are working on and discussing with Jon where the sensitive areas are from a biological perspective and pointing out where there are some weaker points as well on the property and working with him to assist in siting some trails and any other amenities that might be appropriate. Mr. Allen has found there are no threatened or endangered species at this time on the property.

Mr. George Allen, 6052 Island Dr., spoke regarding his weed assessment on Sherman Lake. Mr. Allen didn't think that it was fair that he was paying the assessment but his property was not being sprayed for weeds. Commissioner Harmon said this matter is not a PC matter and that he needs to contact the Township Board for help on this issue. Commissioner Harmon also said Mr. Allen should contact the township office to be put on the November 8, 2005 agenda.
6. OLD BUSINESS: BAY ARBOR OF GULL LAKE SITE PLAN AMENDMENT:
Gary Webster explained the applicant's request and AGS's review for the PC. He stated the applicant wanted to add a pump house/electrical building and a sign and associated structures at the entrance to the development. AGS's review is attached. He said the sign request has been removed from the site plan and is no longer an issue. The pump house/electrical control building has zero setback as it is located completely within the private road right-of-way and not in the open space.

The other issue Mr. Webster wanted to draw the PC's attention to was the fact that the zoning ordinance, Section 11.28(E)(1), indicates that "If approved as a private road, the Township shall have no obligation or liability for the private road...". The placement of a structure within the road right-of-way may present liability issues distinct from the road itself. The Township should determine that there is no additional liability inferred by any approval of such building.

Motion was made by Commissioner Lane, seconded by Commissioner Wolfram to approve the site plan amendment for the pump house/electrical control building as requested. Motion passed unanimously.

7. OLD BUSINESS: CRANE'S POND CONCEPTUAL PLAN AMENDMENT:

Gary Webster explained the applicant's request to change from 52 duplex units to 104 single family units. Also shown on the current plan were two new features of entry gates and signage. Mr. Webster said the ordinance does not allow for signs of the type requested, and in AGS's review they state "The applicant should remove signage (monument and directional) from the plan. The applicant may wish to petition the Township to consider amendment of Section 9.2 and 11.28 to permit signage such as currently proposed." AGS's review also states "Applicant should further define location of gates to verify placement outside designated open spaces." AGS's review is attached.

Commissioner Harmon said the applicant should remove the sign and come back to the PC with language changes in the future. Jon Scott said he assumed the sign was approved as a part of the site plan but that was an incorrect assumption. He also said that several of the other developments currently have the same type of sign on their properties.

Commissioner Harmon stated the PC will go back and make some adjustments in the zoning ordinance regarding signage.

Jon Scott said the gates on the current plan were not placed where he would want them, which would be at the entrance of each cluster of houses. There was some discussion on the placement of the gates, which are a security feature. He also stated the gates have a device in them that identifies pitch and tone of emergency vehicles and will automatically open.

Jon said the decision to change from duplexes to single family units were partly market driven, people do not want to share a common wall with someone else. The other issue was the wells.

Commissioner Harmon asked the developer if it was possible to get documented what the area is around each unit that was withheld from the open space calculation. He also asked if the Health Dept. certified private septic tanks for the development. Jon said they will have public sewer and private wells on the development.

Attorney Rolfe stated the conceptual plan was not approvable as submitted because the applicant himself admitted the gates were not to be placed where they were shown on the plan. He also said the approval may require a gate plan in the final plan of the development.

Motion was made by Commissioner Murray, seconded by Commissioner Cox to approve the new conceptual plan for the Crane's Pond development subject to the removal of the sign and the gates that are present on the drawing with the understanding that the applicant show the PC the correct placement of the gates on the final site plan. The prior conditional approval requirements of August 25, 2005 are still required. Motion passed unanimously.

Commissioner Harmon said the signage issue in the Zoning Ordinance will be on the January agenda for the PC's consideration.

8. OLD BUSINESS – RIGHT TO FARM ACT:

Attorney Rolfe began the discussion on the Right to Farm Act, and what to do about the various setback requirements for manure storage areas and so forth in the keeping of livestock. He said there was an awful lot that was more unclear than clear in this area and that if the PC was happy with the current ordinance and if it was working well in the township, he was inclined to say "let it ride" since there was a lot of uncertainty as to whether or not the law requires the township to make a change at this time.

Attorney Rolfe said the residential zones are currently all basically clean. He did have a question on the Industrial zones and suggested the PC to take out the ability to raise animals in the Industrial zoning districts. Attorney Rolfe was directed to take the raising of livestock out of the industrial zoning district.

Commissioner Harmon said the new open space language and the Right to Farm Act language will be ready for a January public hearing.

9. OLD BUSINESS: SLIDING SCALE ZONING & LOT SIZE STANDARDS, 50% OPEN SPACE DRAFT, AG-PRESERVATION DISTRICT, AND RESIDENTIAL ZONE REVIEW:

The PC discussed the definitions with PC Planner Rebecca Harvey and Attorney Rolfe. Attorney Rolfe will study the zoning ordinance text and provide better definitions where necessary. He will see how specific words are used throughout the text and provide definitions that will work in all its uses.

Ms. Harvey will send the most recent draft and her notes on the new open space language to Attorney Rolfe for review. Attorney Rolfe will try to have the new language ready for the November PC meeting. At this time the new open space text should also be ready for public hearing.

The Commission then moved on to the zoning ordinance maps, discussing the proposed new zoning districts. Commissioner Harmon will contact Commissioner Lane (Commissioner Lane had to leave early) and see if he would be able to put these new changes onto a map and print it out for the November 9th PC meeting.

The PC discussed a possible public forum to explain the zoning changes to the public with the PC and Township Board present. Commissioner Harmon will meet with the Township Board at their November 8 meeting to explain to the Board the proposed changes. He would like to have the public forum sometime after the first of the year. He also said that at the November 9 PC meeting he would like to have some consensus on proposed lot sizes. Residential Zoning Districts will be on the November PC agenda.

10. OLD BUSINESS: SIDE YARD SETBACKS ON NONCONFORMING LOTS:
Commissioner Harmon explained how side yard setbacks are determined. Commissioner Murray asked if the larger lots should have the same standards as the smaller lots. The Commissioners discussed this matter. Commissioner Harmon will discuss this issue with the ZBA at its Nov. 1 meeting.
11. NEW BUSINESS: CONFIRM MTG. DATES FOR REMAINDER OF 2005:
The PC meeting for November is November 9, and the December meeting is cancelled.
12. NEW BUSINESS: DRY HYDRANTS:
The Commissioners discussed the Township Board's request to consider putting dry hydrants as a requirement for new developments. Ms. Harvey said that this should be required only on a recommendation from the Fire Department.
13. REPORTS:
ZBA: Commissioner Harmon already discussed the last ZBA meeting.
TOWNSHIP BOARD: None
4 TWP. WRC: Commissioner Couture mentioned the new proposed environmental curriculum counsel would like to see used in the 4-Twp. area school districts. The counsel is currently working on obtaining a grant for this curriculum.
WORKSHOPS: None
14. COMMISSION COMMENTS: None
Commissioner Harmon asked the township office to contact Dan Mondrella of Cingular Wireless regarding the January PC meeting for a Special Exception Use Request and Site Plan review for a new cell tower.

There was some discussion by the Commissioners on gated communities.
15. ADJOURNMENT:
**Motion to adjourn was made by Commissioner Murray to adjourn at 9:39 PM.
Motion passed unanimously.**

Respectfully submitted,

Jackie Whitney
Recording Secretary