

**ROSS TOWNSHIP
PLANNING COMMISSION MEETING
FEBRUARY 22, 2006**

1. The meeting was called to order at 7:06 PM by Chairman Allen Harmon with the Pledge of Allegiance.

2. ROLL CALL OF MEMBERS:

PRESENT:	Allen Harmon	Bob Cox	Ray Wolfram
	Jim Lauderdale		
ABSENT:	Owen Murray	Rusty Fry	Garry Lane

Also present was Rebecca Harvey, PC Planning Consultant and Gary Webster, Associated Government Services.

3. AGENDA:

Motion was made by Commissioner Lauderdale, seconded by Commissioner Wolfram to accept the agenda as presented. Motion passed unanimously.

4. MINUTES JANUARY 25, 2006:

Motion was made by Commissioner Cox, seconded by Commissioner Wolfram to accept the minutes of January 25, 2006 as amended. Motion passed unanimously.

5. PUBLIC COMMENTS – NON-AGENDA ITEMS:

Anne Couture passed out copies of the CD from the 4-Township Water Resources Council containing maps, their breeding bird's survey and natural features inventory. She said it contains a lot of material that will be valuable to the PC.

6. PARELLEL PLAT REVIEW FOR THE AUGUSTA CREEK OPEN SPACE DEVELOPMENT:

Motion was made by Commissioner Lauderdale, seconded by Commissioner Wolfram to bring this tabled item back to the floor. Motion passed unanimously.

Gary Webster went over the review by their office, dated February 7, 2006. Review attached. The issues remaining are that the entry drive exceeds the 1,000 feet block length and that lots #9, #19 and #20 contain areas identified as wetlands. The Township will have to determine if these three lots are buildable without DEQ approval.

Commissioner Lauderdale asked about the 1,000 ft. block length and the problem a previous applicant had with this issue. Mr. Webster said that on that previous plan the engineer was able to put in several cross streets to eliminate this issue, but because of the design of the current property, they are not able to do this here. Commissioner Harmon stated that the ZBA considers this a self-created hardship. Mr. Webster said that Mr. Polmanteer currently does not own any additional adjacent property that could be developed.

Dale Theissen, who lives across the street from the proposed site, said that the DEQ or someone with knowledge of wetlands needs to review this site.

Anne Couture said this property is backed up to and includes a recommended potential conservation area, called the Sheriff Marsh. Potential conservation areas were mapped out by the 4-Twp. WRC based on the floral and fauna that was cataloged in the area. This property is in potential conservation area #10. She said they have also mapped the wetlands, which require MDEQ approval before building there.

Sallie Cosgrove, 15083 East C Ave., asked that the Commissioners not base their decision on just these three lots, but that they should drive up the proposed road and look at the lay of the land and see exactly what the topography is.

Tom Kellogg, 15211 East C Ave., owns property south of lots #20 & #21, said there is a very deep ravine in the area where the applicant has a proposed road on the drawing. He said that in order for the applicant to put anything there they would have to fill the ravine in on the neighbors land.

Rebecca Harvey stated that in this stage of the review process, the PC is guided by the subdivision control ordinance which lays out the information that must be on the preliminary plan and the criteria for the review of the preliminary plan. Even though this stage is just for determining density, it still has to meet each of the criteria in the subdivision control ordinance. This plat meets the zoning requirements to be built there, but the PC needs to determine if the design complies with the current standards.

She also said the PC has the ability to determine the buildability issue of the lots. The PC cannot tell the applicant he must engage in certain studies. If the PC has questions as to whether a lot is buildable or not because of the proximity of the wetlands, they can make that finding and ask that if the applicant is still interested in proceeding with those particular lots the applicant could then proceed with DEQ approval. With this property the wetlands are not on the whole property, so the PC can not find that the property itself is not developable. If the PC feels they do not have the necessary information to make this decision, the applicant has the ability to provide the PC with whatever is helpful to allow them to make the decision.

Dan Lewis, engineer for this project, said lots #20 and #21 wouldn't be disturbing the wetlands at all. He said if the PC wanted the applicant to only include 20 lots on the plan they would be agreeable to that requirement.

Mr. Webster stated that they can not substantiate this statement at all in the absence of DEQ approval. They simply identified the three lots that had substantial amounts of either wetlands or the wetlands running through the property. In the absence of the DEQ approval he finds it hard to be able to allow these three lots in the allotted density number.

Commissioner Cox stated that these lots would have to be able to pass the Public Health Dept. requirements, to make them buildable. He said he would like to see perk tests on any lots within 100 ft. of the wetlands to see if they would then be considered buildable.

Ms. Harvey commented that the Health Dept. can be asked to look at the property for their feedback as to whether these lots are able to have private systems on the property.

Motion was made by Commissioner Lauderdale, seconded by Commissioner Cox to table this discussion until the next meeting to allow for additional time to seek information from counsel and other sources to help the PC make a decision. Motion passed unanimously.

Ms. Harvey will contact Attorney Rolfe for his opinion on this property.

7. OLD BUSINESS: RESIDENTIAL DISTRICT REVIEW:
Commissioner Harmon said the committee did meet and go over the residential district rewrites. Ms. Harvey passed out a summary of how these would actually work. There was much discussion on this issue.

Commissioner Harmon said the PC will ask Commissioner Lane to go forward and prepare map overlays to show very clearly the new proposed districts. These maps would help the Township Board and the Public to understand the proposed changes – they would be an educational tool. He said he has asked the Township Board for a date they would be available to have their combined meeting and is waiting for their reply.

8. NEW BUSINESS: MEETING DATES FOR 2006-2007:
Motion was made by Commissioner Harmon, seconded by Commissioner Cox, to set the dates for the 2006-2007 meetings, cutting out the meeting dates for June and December of 2006, and changing the November meeting date to November 29. Motion passed unanimously.

9. REPORTS:
ZBA: There were no applications for the February meeting.
TOWNSHIP BOARD: Trustee/Commissioner Murray was not present to give a report.
WORKSHOPS: Commissioner Cox reported on the meeting in Richland regarding the proposed gravel pit and how this project would affect Ross Township. He believes a lot of heavy truck traffic could be going through Ross Township. He reported Richland will have another meeting in April to review this project. Commissioner Cox said he thinks the PC and Twp. Board should take a position on this issue. No position was taken by the PC at this time.

10. COMMISSION COMMENTS:
There was discussion on the fee schedule and whether it was meeting the costs involved.

Motion was made by Commissioner Harmon, seconded by Commissioner Wolfram, to recommend to the Township Board changing the application fee schedules to help cover the meeting expenses. The PC recommends raising the General Special Planning Commission meeting fee from \$550.00 to \$800.00, and changing the pre-conceptual open space development fee from \$150.00 to \$200.00 for the first 3 hours and from \$55.00 to \$60.00 an hour for each hour after the original 3 hours of meeting with Ms. Harvey. They also recommend the Township Board look at the conceptual and final fees, the site plan review fee and special exception fee to see if these fees are covering the costs. If they are not covering the expenses they recommend raising the fees accordingly. They also recommend that any Special PC meeting be charged the \$800.00 fee plus the additional fees for a special Site Plan Review and a special Special Exception meeting. Motion passed unanimously.

11. ADJOURNMENT:
Motion to adjourn was made by Commissioner Lauderdale to adjourn at 8:55 PM.

Respectfully submitted,

Jackie Whitney
Recording Secretary