

**ROSS TOWNSHIP  
PLANNING COMMISSION  
MINUTES  
February 23, 2009**

CALL TO ORDER

Chairman Lauderdale called the regularly scheduled meeting of the Ross Township Planning Commission to order at approximately 7:00 P.M., at the Ross Township Hall

ROLL CALL

Those present were:            Jim Lauderdale  
   Robb Blain  
   Sandra Kiger  
   Diana Langshaw

Absent was:                        Russell Fry  
   Garry Lane  
   Jeff Price

Also present were:                Rebecca Harvey, Planning Consultant  
   Bruce Dean, AGS

APPROVAL OF AGENDA

On motion by Langshaw seconded by Kiger the agenda was unanimously approved

APPROVAL OF PRIOR MEETING MINUTES for **January 28, 2009**

On motion by Blain seconded by Kiger the minutes of **01/28/2009** were unanimously approved with the following change:

1. Page 3, 2009 – 2010 meeting dates: correct January, February and March 2010 meeting dates to show 2010 rather than 2009.

PUBLIC COMMENT on non-agenda items - None

Lauderdale asked that the OLD (UNFINISHED) BUSINESS be addressed first to allow for the possibility of attendance by additional members for NEW BUSINESS portion of the meeting.

## UNFINISHED BUSINESS

### 1) **Master Plan text amendments**

Lauderdale referenced communication regarding "Master Plan text amendments proposed by Planning Commission" from Attorney Craig Rolfe, dated 02/04/2009, and suggested that the information should be considered prior to proceeding with the draft amendment. The issues presented by the communication will be placed on the agenda for the March 23, 2009 meeting.

### 2) **Draft Annual Report**

Lauderdale referenced draft report dated 02/11/2009. There was discussion of format and content. It was the consensus of the members that the report be completed and forwarded to the Township Board after the April PC meeting so that it will cover a complete fiscal year (04-01-08 through 03-31-09).

### 3) **PC Meeting Dates and By-laws**

The resolutions regarding meeting dates and by-laws were reviewed. An error regarding the July 2009 meeting was noted: the resolution should be corrected to show the meeting date as July 27, 2009.

Lauderdale asked that the REPORTS be moved up the agenda to allow for the possibility of attendance by additional members for NEW BUSINESS portion of the meeting.

#### REPORT FROM TOWNSHIP BOARD (Langshaw)

- New fire truck has been purchased. The timing will avoid need to spend funds to outfit an old truck.
- There was discussion of proposed dock language, and the consensus of the board was that the language regarding "structures placed or constructed" on docks should be clarified.

#### REPORT FROM ZONING BOARD OF APPEALS

Lauderdale described the request that was denied at the ZBA meeting on 02/05/2009.

#### MEMBERS, CONSULTANTS AND ADVISORS TIME

Lauderdale circulated information regarding upcoming training through the "Citizen Planner Program".

#### NEW BUSINESS

Citizens Helen Hughes, 1476 Burlington, and Rita Light, 1498 Burlington, were present regarding the amendments.

**1) PUBLIC HEARING - Proposed amendment to Section 10 (Lot Coverage)**

Lauderdale presented a summary of the objectives of Ordinance #180, and described the general relationship of the Master Plan and the Zoning Ordinance. A summary of the various agricultural and residential zoning districts was provided, as well as a description of the lot coverage issue that will be addressed by the proposed changes to the R-1 and R-3 lot coverage rates.

Rita Light asked for clarification regarding the lot coverage.

Dean explained that the stated coverage applies to the primary structure and all attached, above grade features of the structure.

Langshaw moved that that the public hearing be closed. The motion was seconded by Blain and unanimously approved.

**2) PUBLIC HEARING - Proposed amendment to Section 7.13(B) (Docks)**

Lauderdale summarized the motivation for, and effect of, the proposed changes to the dock language. The general objectives are to provide a relationship between dock length and water depth, as well as a relationship between the length of a new dock and the length of adjacent existing docks. The changes will also remove the requirement for applicants to have obtained approval from the Michigan Department of Environmental Quality as a specific condition of approval by the Township.

Helen Hughes stated that her neighbors (3 separate owners) each have approximately eight feet of frontage, and maintain a single dock on the combined lake frontage. She asked if the amendments would affect this situation.

Rita Light supplied additional description of the situation in question.

Lauderdale and Dean explained that the specifics of the situation could be investigated based upon submission of a written complaint to the Township Supervisor.

Langshaw described that the Township Board had discussed the proposed language and suggested clarification as to the meaning of subsection 5, as to the effect on canopies, such as over a boatlift or table.

The proposed amendment was reviewed and discussed, subsection-by-subsection.

Subsection 1: no change was suggested.

Subsection 2: there was concern expressed regarding the potential ambiguity of the phrase "the maneuverability of boats".

Subsection 3: no change was suggested.

Subsection 4: no change was suggested.

Subsection 5: no change was suggested.

Langshaw moved that that the public hearing be closed. The motion was seconded by Blain and unanimously approved.

### 3) Action on Public Hearing

Lauderdale asked for a motion regarding amendment of Section 10.

Langshaw moved that a recommendation for approval of the proposed amendment to Section 10, regarding lot coverage, be forwarded to the Township Board. The motion was seconded by Blain, and unanimously approved.

Lauderdale asked for a motion regarding amendment of Section 7.13(B). There was discussion regarding the language of the proposed subsection 5, in particular of the terms “constructed”, “placed” and “structure”. Following discussion, it was the general consensus of the members that the issues contemplated by this section have not been the subject of complaints in the past, and that the phrase “will block the view of persons, either upon the shore or water” is so broad as to create significant difficulty in terms of consistent interpretation and enforcement.

Blain moved that based on information from the public hearing, and the discussion of the language, that the proposed amendment be modified as follows:

- Subsection 1: no change to proposed amendment;
- Subsection 2: delete the phrase “and shall not interfere with the maneuverability of boats” from proposed amendment;
- Subsection 3: no change to proposed amendment;
- Subsection 4: no change to proposed amendment;
- Subsection 5: delete subsection from proposed amendment.
- Subsection 6: no change to proposed amendment (subsection deleted).

and that a recommendation for approval of the proposed amendment to Section 7.13(B), regarding docks, be forwarded to the Township Board. The motion was seconded by Kiger, and unanimously approved.

There was discussion regarding the need to hold an additional public hearing on the amendment to Section 7.13(B), based on the modifications made this evening. Harvey confirmed that the decision to remove some of the proposed wording does not cause a new public hearing to be necessary, since the proposed modification to the amendment did not increase requirements or restrictions.

There was additional discussion of “Unfinished Business”, item 1, with input from Harvey. The seven-page document from Harvey dated January 28, 2009, and the communication from Attorney Rolfe dated February 4, 2009, each regarding amendment of the Master Plan were reviewed and discussed. It was the consensus of the members that a public hearing will be held on the amendment after additional discussion and modification of draft amendments.

ADJOURN

On motion by Langshaw seconded by Blain and unanimously approved, the meeting was adjourned.

Respectfully submitted,

Bruce Dean, AGS