

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
March 22, 2010**

CALL TO ORDER/PLEDGE

Chairperson 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
 Russell Fry
 Sandra Kiger
 Jeff Price
 Jon Scott

Absent were: Gregg Pierce
 Rebecca Harvey, Planning Consultant

Also present were: Bruce Dean, AGS

APPROVAL OF AGENDA

On a motion by Fry, seconded by Price, the agenda was unanimously approved.

APPROVAL OF PRIOR MEETING MINUTES: **February 22, 2010**

On a motion by Fry, seconded by Price, the minutes of **02/22/2010** were unanimously approved, with the following correction:

1. Page 4, ADJOURN: change "Price" to "Pierce"

PUBLIC COMMENTS on non-agenda items - none

NEW BUSINESS

Election of Officers

On a motion by Fry, seconded by Scott, Lauderdale was unanimously nominated and confirmed as Chair for 2010-2011.

On a motion by Lauderdale, seconded by Scott, Fry and Price were unanimously nominated and confirmed as Co-Vice-Chairs for 2010-2011.

On a motion by Blain, seconded by Price, Fry was unanimously nominated and confirmed as Secretary for 2010-2011.

Annual Report

The draft version of the Annual Report was reviewed. Lauderdale made a summary description of the purpose of the document for the members of the audience. Lauderdale described that part of the report includes summary of ZBA activities, which have been very minimal for 2009.

The draft document was reviewed page by page, with the following comments from the PC members:

Page 1, Section 3: Change “resolving” to “defining” under the first bullet

Page 2, Section 7 (Progress Related to the Work Plan): Fry indicated that he had attended a training seminar in Battle Creek during the past year.

Page 3: no changes.

The report will be distributed in final form for the April PC meeting.

Township Noise Ordinance

Lauderdale explained for the audience members present that the issue was presented in general terms at the February meeting, and that Harvey and Dean advised the PC at that time that noise ordinances are generally adopted, and best enforced as an ordinance separate from the zoning ordinance.

Scott summarized his presentation of the issue to the Township Board, adding that noise has been an occasional issue over the past several years. The Township received a particular request from the Kermans that a noise ordinance be adopted. Scott has received some input from the Sheriff Deputy serving the Township that law enforcement could be involved with administration. There was discussion at the Township Board this month about the proper administration of such ordinances, and the issue was referred back to the Planning Commission for additional study and recommendation.

Lauderdale read the Planning Commission motion to refer the noise ordinance issue to the Township Board, from the minutes of 02-22-2010, and noted that the Oshtemo Township Noise Ordinance was included in the agenda packets for the meeting this evening. The ordinance was reviewed and described in general terms.

There was discussion among the PC members of the provisions contained in the example ordinance, and the following general comments were made:

- The enforceability is questionable;
- The provisions may be too technical;
- Hours of operation and construction limitations were good;
- Generators would be an emergency situation;
- A balance between rights of quiet enjoyment and reasonable activities is required.

Lauderdale invited members of the audience to comment on the general issue of noise regulation. The following general comments and questions were received:

- Would boat noise be regulated by such an ordinance?
- State law does regulate noise on public water bodies.
- The State law limitations include speed limits.
- Bible Conference has a custom of greeting campers with a noisy, cheerleading type reception. This generally lasts approximately four hours and disturbs outdoor neighborhood activities.
- Limitations on the Bible Conference would be desirable.
- Representative of the Bible Conference indicated that noise limitations are currently applied informally from 11:00 pm to 7:00 am.
- In the bay, the noise of a party may be addressed on one particular weekend, but will return the following weekend. A penalty for repeat offense would deter.
- The Bay View is a problem with its live entertainment.
- Should not apply to operating a table saw in your garage on a Saturday afternoon.
- Absolute volume and hours of operation would appear to the appropriate areas on which to concentrate.
- The ordinance should be constructed to protect the Township as well.
- Distance and decibels are crucial to administration of such an ordinance.
- Nighttime cut-off is desirable.
- Measurement at the property line is appropriate, rather than a specific distance.
- The lighting ordinance is an appropriate template.
- Receipt of letter from Lori Kerman dated 03-22-2010 was acknowledged.

Lauderdale thanked the members of the public for their attendance and input.

There was discussion among the members regarding the issue, and the appropriate methods and areas for enforcement. Additional examples were deemed desirable, and in particular, requirements for other communities on Gull Lake would be considered useful. Lauderdale was authorized by a consensus of the PC members to request that Harvey draft a noise ordinance, taking into consideration PC and public comments, for further review by the PC.

UNFINISHED BUSINESS

1) FLOODPLAIN DISTRICT

Lauderdale will ask Harvey to continue to refine the language.

2) BAY AREA COMMERCIAL (Current C-4 – Proposed C-1)

Zoning maps representing Sections 19 and 20 of the Township were reviewed. There was discussion of the property along 39th Street in the Allendale Plat, and the property on the west side of the bay, south of Franklin Beach. There was discussion of the objectives in redefining the boundaries of the C-4. Following discussion, it was the consensus of the members that the C-4 District boundaries are appropriate to the proposed C-1 District, without modification at this time.

3) RECREATION PLAN

Scott indicated that he would like to see this plan progress, and that he believes that a landscape plan should be developed as well, following completion of the recreation plan. There was brief discussion of bike trails planned in Kalamazoo County, and inter connections to Kal-Haven Trail.

REPORT FROM TOWNSHIP BOARD

Scott indicated that the Board discussed the noise ordinance. He summarized the operation of the Sheriff Department, and that concerns have been expressed that personnel are generally assigned to the Township for approximately six months. Long-term placements were deemed more desirable, if possible. Scott described the use of the Township Park by an organization that brings in children with extreme disabilities to enjoy the park.

REPORT FROM ZONING BOARD OF APPEALS

No meeting in March 2010.

MEMBERS, CONSULTANTS AND ADVISORS TIME

There was a question from Blain about the potential use of the Ross Township Park during the winter months. Scott will bring that up at the Township Board meeting.

Lauderdale described a recent meeting of the Four-Townships Water Quality Organizations.

ADJOURN

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

Respectfully submitted,

Bruce Dean, AGS