

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
January 25, 2016**

CALL TO ORDER/PLEDGE

Chairperson Lauderdale called the regularly scheduled meeting of the Ross Township Planning Commission to order at 7:00 p.m. at the Ross Township Hall.

ROLL CALL

Present: Jim Lauderdale, Chairperson
 Russell Fry
 Greg Pierce
 Jon Scott
 Sherri Snyder

Absent: Jeff Price
 Victor Ezbenko

Also present: Bert Gale, AGS – Township Zoning Administrator
 Kelly Largent, AGS – Township Zoning Administrator
 Rebecca Harvey – Township Planning Consultant

APPROVAL OF AGENDA

Fry moved to accept the agenda as presented. Pierce seconded the motion. The motion carried unanimously.

APPROVAL OF PRIOR MEETING MINUTES

The Commission then proceeded with consideration of the **November 23, 2015** Planning Commission meeting minutes. Fry moved to approve the minutes as presented. Snyder seconded the motion. The motion carried unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS

No public comment on non-agenda items was offered.

NEW BUSINESS

No New Business was identified for consideration by the Planning Commission.

UNFINISHED BUSINESS

1. Horse Boarding Facility

Chairperson Lauderdale noted that at the November 23, 2015 Planning Commission meeting, Gale had provided an update on Township communications with Mr. & Ms Terpening regarding the use of their property on Baseline Road as a horse boarding facility. In response to a request for guidance, the Commission had advised that AGS should continue with application of the standard ordinance enforcement process.

Gale reported that Attorney Kaufman has recently communicated the following: 1) Steve Mahoney, RFTA Inspector, completed his inspection of the Terpening horse boarding facility; 2) the Terpening horse boarding facility has been determined to be under the jurisdiction of RFTA GAAMPS and not the Ross Township Zoning Ordinance; and, 3) the Terpening horse boarding facility has been found to be in compliance with applicable GAAMPS.

Planning Commission discussion ensued regarding how to address complaints received regarding the Terpening horse boarding facility if they arise. It was agreed that any such concerns would be forwarded to the Michigan Department of Agriculture for resolution.

The Planning Commission then proceeded with a review of the existing standards applicable to a 'Horse Boarding or Riding Stable' set forth in Article 20, Items 4., 5.f. and 13, Zoning Ordinance. Reference was also made to ordinance text from Barry, Prairieville and Richland Townships compiled by Harvey and presented at the November 23, 2015 meeting. Using the information provided, the Commission discussed appropriate/desired setback standards for horse boarding facilities.

The following points of consensus were noted:

- Section 5.5 sets forth 'Conditions and Limitations', including setbacks, for the *'keeping of horses, cattle, and similar animals'* in the R-R Rural Residential District, but **excludes** *'horse boarding or riding stables approved as a special land use'*.
- some distance revisions to Article 20, Items 5.f. and 13. are justified based on the ordinance text from Barry, Prairieville and Richland Townships and Section 5.5.

- Proposed revisions to Article 20 include:
 - 1) change Item 5f (1000 ft) to 5b (50 ft)
 - 2) replace Item 13.A. ‘Setback of buildings and associated activities from property lines’ with the text from Section 5.5. D. 1, 2, 4 and E. 1.
 - 3) Revise Item 13.B.8 to read: ‘Areas used for the temporary storage of manure shall be not less than two hundred (200) feet from a public street or any adjoining residence under separate ownership *and shall be not less than 75 feet from the property line.* All accumulation of manure shall be removed periodically to prevent a nuisance or annoyance to adjoining property owners.’

Harvey was directed to prepare the proposed revisions for consideration by the Planning Commission at the February 22, 2016 meeting.

2. Dock Rental Issue - Section 17.2 Boathouses and Dock Regulations.

The Planning Commission referenced draft text prepared by AGS and provided at the October 26, 2015 meeting. Specifically, the draft text proposed adding subsections 5. and 6. to Section 17.2 B. It was noted that the proposed revisions had received discussion in October and November and had been scheduled for continued review in January, 2016.

Reference was also made to ordinance text from Barry, Prairieville and Richland Townships compiled by Harvey and provided at the November 23, 2015 meeting.

After further review of the draft text, proposed subsections 5. and 6. were revised to read as follows:

5. Docks located on any lake or waterway being used as an accessory use for dwelling units located on any lake or waterway shall only be used by the present permanent resident(s) of the dwelling unit(s) and the property owner(s) of record of the parcel where the dock is located.

Commission members requested a legal opinion regarding the word ‘*and*’ and if that should read ‘*and/or*’. Harvey will discuss with Attorney Thall prior to the February 22, 2016 meeting.

6. Docks located on an access lot shall only be used by an approved Access Lot Beneficiary who has the right of access by fee ownership, easement, or lease.

Commission members requested a legal opinion regarding whether or not the words *'directly related to lease of the land'* should be added after the word *'lease'*. Harvey will discuss with Attorney Thall prior to the February 22, 2016 meeting.

3. Screening Standards

The Planning Commission referenced draft text dated November 23, 2015 (Draft #2). Harvey provided an overview of the revisions made in response to the Commission's review in October.

Referencing the table – Buffer Zone Requirements, Fry questioned if the C-1 District should be required to provide a 'B' Buffer Zone when adjacent to residential districts. He noted that the proposed 'C' Buffer Zone would not include a 'wall/berm' requirement. Lengthy discussion ensued regarding the content of the C-1 District (intent, allowed uses, design requirements) and the need/desire for a wall/berm in a C-1 area.

Due to the lateness of the hour, it was agreed that continued discussion of Draft #2 would be scheduled for the February, 2016 meeting.

4. Watershed Protection Strategies

Due to the lateness of the hour, discussion of the matter was postponed to the February, 2016 meeting.

5. Recreation Plan

Due to the lateness of the hour, discussion of the matter was postponed to the February, 2016 meeting.

6. Section 2.2 – Definition of 'Permanent Resident' (Rental of Residential Dwellings)

Although not on the Agenda, it was reminded that in the Planning Commission's November 23, 2015 discussion of the definition of 'permanent resident' and the application of same, AGS had been asked to *'provide an analysis of the complaints received related to this issue, specifically in relation to the number of dwellings in the Township.'*

Gale stated he will request information from Supervisor Dykstra on complaints received by the Township during the last year and will report to the Commission at the February meeting.

REPORT FROM TOWNSHIP BOARD

Scott reported that bids for the new Township Hall and Fire Station have been received.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale stated that the Zoning Board of Appeals did not meet in either December or January.

MEMBERS, CONSULTANTS, ADVISORS

Chairperson Lauderdale shared that the Planning Commission Budget Request 2016-2017 developed at the November 23, 2015 Planning Commission meeting was adjusted prior to submission to the Township Board. The adjustment was made consistent with the Commission's directive to secure updated information regarding the 'Professional Services' and 'P/C Minutes' line items. He noted that the 'P/C Minutes' line item was confirmed by Supervisor Dykstra to be solely for Planning Commission minutes and so was not adjusted. The 'Professional Services' budget was increased from \$6500 to \$7700, however, to reflect the Township Board's approval for an increase for Harvey and with confirmation that AGS is included in this line item.

Fry reported attendance in January, 2016 at a workshop sponsored by the DNR for grants related to the Recreation Plan.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 9:03 p.m.

Respectfully Submitted,

Rebecca Harvey, AICP, PCP
Township Planning Consultant