

ROSS TOWNSHIP PLANNING COMMISSION
MONTHLY MEETING
May 23, 2023

The Ross Township Planning Commission meeting scheduled for May 23, 2023, was called to order by Chairman Roger Christman, at 7:00 pm. The meeting was held at the Township Municipal Building.

In attendance were the following Planning Commission members: Chairman Roger Christman, Vice Chairman Rick Meixsell, Dave Labar, Frank Piraino, Herb Stecker and Lauri Lapping. Roger Green was absent.

Also in attendance were Attorney Michael Gaul, of King Spry law firm, Planning Commission Solicitor, and Township Engineer Russ Kresge.

Approval of Minutes:

A motion to approve the minutes from the April 18, 2023 meeting was made by Herb Stecker and seconded by Rick Meixsell. The motion was carried unanimously.

COMMUNICATIONS:

None

OLD BUSINESS:

Kirk Estate Minor Subdivision: (deadline: 7/10/2023)

Mike Lalli was present representing the applicant. Attorney David C. Berger for the applicant also present. Revised plans were reviewed and comments from Engineer's report dated 5/4/2023 were discussed. Stacia Way determined to be a township road eliminating the need to create a private access road. Zoning officer's review from 2021 and Monroe County Planning Commission letter dated 12/21/2012 must be considered before the commission can take action. Other comments in Engineers report were addressed and discussed. After discussion the Plan recommended the applicant have Lot 3 perc tested to create a buildable lot vs request of waiver. Client is willing to perc property. Plan is tabled pending perc test. A request for extension of time would be needed if the plan, perc and other open issues are unresolved at the June 20, 2023 planning commission meeting.

Arsha Vidya – Preliminary Plan (deadline 7/25/2023)

Representatives of the plan were present for the meeting. At the request of the Planning Commission, Zoning Office Shawn McGlynn attended the meeting to explain (1) the Certificate of Non-Conformity that had been issued for the property, and (2) his analysis of the application of the non-conforming status of the property to the proposed land development plan.

Mr. McGlynn stated that proposed land development represented a continuation of the current non-conforming use of the property, and not a new use. Prior approved use of land was religious education and current request is staying with the same usage. The existing buildings are being replaced by one building with the same number of units. Because the number of units is not being increased, he concludes that the non-conforming use is not being expanded. Mr. McGlynn also noted, as practical matter, the replacement of the new building for the three old buildings would be an improvement to

the property, but with no additional occupancy. Notwithstanding the improvement of the property, Mr. McGlynn stated that he would not issue a zoning permit for the proposed land development until the plans were finalized/approved, and he had complete information concerning the proposed building and how it relates to the other aspects of the property, and Zoning Ordinance requirements.

Next, Planning Commission members questioned Mr. McGlynn about the various parcels that had been included in his Certificate of Non-Conformity. Commission members were concerned that Mr. McGlynn had included parcels that Arsha Vidya had acquired after enactment of Zoning in the Township, and then Arsha Vidya incorporated those parcels into the non-conforming use. Mr. McGlynn confirmed that parcels could not be added to the non-conforming use subsequent to the enactment of zoning. Mr. McGlynn stated that he will review the matter. The Certificate may have been issued in error if it included parcels across the street which were not part of original non-conforming use. The certificate may need to be revoked if that is the case.

A request for extension was submitted by the applicant. A motion to move the request for extension to August 7, 2023 to the Board of Supervisors was made by Dave Labar, seconded by Herb Sticker motion carried.

NEW BUSINESS:

None

OPEN TO THE PUBLIC:

PENDING:

- Next meeting is scheduled for June 20, 2023 at 7pm.

ADJOURNMENT:

- There being no further business, the meeting adjourned at 8:10 PM. The motion to adjourn was made by Herb Stecker, seconded by Dave Labar and carried unanimously.

Respectfully Submitted,

Deb Brown
Planning Commission Secretary