



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION – REGULAR MEETING
April 24, 2017 7PM



1. Call meeting to order at approximately 7:00 p.m.
2. Approval of agenda
3. Approval of minutes
 - A. March 27, 2017 Regular Meeting
 - B. April 10, 2017 Regular Meeting
4. Public Remarks
5. Communications
 - A. Neil Bowly RE: Planning Commission bylaws
6. Public Hearings
 - A. Special Use Permit #17031 (McCallum), work in 100 year floodplain of the Sloan Creek/Button Drain to construct new house at 986 Jolly Road.
7. Unfinished Business
 - A. None
8. Other Business
 - A. Planning Commission Bylaws
 - B. Training Opportunities
 - C. Brownfield Redevelopment Authority (BRA) representative
 - D. Press Inquiries
9. Township Board, Planning Commission officer, committee chair, and staff comments or reports
10. Project Updates

All comments limited to 3 minutes, unless prior approval for additional time for good cause is obtained from the Supervisor.
Appointment of Supervisor Pro Tem and/ or Temporary Clerk if necessary.

Individuals with disabilities requiring auxiliary aids or services should contact Township Manager Frank L. Walsh, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4258 - Ten Day Notice is Required. Meeting Location: 5151 Marsh Road, Okemos, MI 48864

Meridian Township exists to create a sustainable community through the most effective use of available resources that achieve the highest quality of life.

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Planning Commission Agenda

April 24, 2017

Page 2

- A. New Applications – NONE
 - B. Site Plans Received
 - 1. Site Plan Review #17-01 (Stockwell), construct 11,736 square foot shopping center at 1560 Grand River Avenue.
 - C. Site Plans Approved – NONE
11. Public Remarks
12. Adjournment

Post Script: John Scott-Craig

The Planning Commission's Bylaws state agenda items shall not be introduced for discussion or public hearing after 10:00 p.m. The chair may approve exceptions when this rule would cause substantial backlog in Commission business (Rule 5.14 Limit on Introduction of Agenda Items).

Persons wishing to appeal a decision of the Planning Commission to the Township Board in the granting of a Special Use Permit must do so within ten (10) days of the decision of the Planning Commission (Section 86-189 of the Zoning Ordinance).

TENTATIVE PLANNING COMMISSION AGENDA

MAY 8, 2017

1. Public Hearings
 - A. None
2. Unfinished Business
 - A. Planning Commission bylaws
3. Other Business

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES**

DRAFT

March 27, 2017
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room, 7:00 P.M.

PRESENT: Commissioners Cordill, Ianni, Lane, Premoe, Richards, Scott-Craig, Tenaglia and Baruah
ABSENT: Commissioner DeGroff
STAFF: Director of Community Planning and Development Mark Kieselbach,
Senior Planner Peter Menser

1. Call meeting to order

Chair Ianni called the regular meeting to order at 7:00 P.M.

2. Approval of agenda

Commissioner Scott-Craig moved to approve the agenda.
Seconded by Commissioner Lane.

VOICE VOTE: Motion carried.

3. Approval of Minutes

March 13, 2017

Commissioner Cordill moved to approve the minutes.
Seconded by Commissioner Richards.

VOICE VOTE: Motion carried.

4. Public Remarks

Chair Ianni opened the floor for public remarks at 7:05 P.M.

- Mr. Leonard Provencher, 5824 Buena Parkway, voiced his support for SUP #17011. He also spoke in opposition to Rezoning #16060, MUPUD #16024, and SUP #16111 because they will put too much strain on the existing infrastructure.
- Ms. Judy Kindel, 2915 Margate, thanked the Planning Commissioners for their diligent consideration of Rezoning #16060 and urged them to deny the rezoning.

5. Communications

- A. Gary Dawson RE: Rezoning #16060, read into record by staff

6. Public hearings

- A. Special Use Permit #17021 (Patriot Ambulance Service, Inc.), establish ambulance transport facility at 1673 Haslett Road.

Chair Ianni opened the public hearing at 7:07 P.M.

- Summary of Subject Matter

Senior Planner Menser outlined the Special Use Permit for discussion.

- Applicant

The applicant, Mr. Jeff York, did not have anything to add to Senior Planner Menser's summary but said he would be available to answer any questions.

- Public comment

Mr. Leonard Provencher, 5824 Buena Parkway, commented he supports the Special Use Permit as long as there are not sirens that would disturb local residents.

- Planning Commission, applicant's representative, and staff discussion

Commissioner Scott-Craig asked the applicant if all of their business is non-emergency transport. Mr. York replied that the majority of their transport is non-emergency but that the State of Michigan requires that they be in operation 24 hours per day in case they need to supply relief to area ambulance services during an emergency situation.

Commissioner Scott-Craig asked Senior Planner Menser about another application for an ambulance service in 2007 that operated on a 12 hour schedule and inquired if the State regulations had changed in the last several years. Senior Planner Menser said he was not aware of any State policy changes. Mr. York commented the rules are set by the Ingham County Medical Board and perhaps the other ambulance company was a satellite office of a 24 hour company.

Commissioner Richards commented the ambulance service would benefit the community without any detriment to nearby residents.

Commissioner Cordill commented the ambulance service would not have a negative effect on local residents and asked if there was a local number or advertising for the local community. Mr. York replied the company works mainly on referrals from hospitals, rehabilitation facilities and nursing homes.

Commissioner Premoe commented that medical facilities need these types of transports to safely move patients without great expense.

Chair Ianni asked staff to prepare the proper resolution to approve for the next meeting.

Chair Ianni closed the public hearing at 7:20 P.M.

7. Unfinished Business

- A. Special Use Permit #17011 (Verizon Wireless), install 90 foot tall cell tower at 4888 Dawn Avenue.

Commissioner Tenaglia moved to approve Special Use Permit #17011
Seconded by Commissioner Premoe

- Planning Commission, Applicant's representative and Staff Discussion:

Commissioner Scott-Craig asked if the applicant was available because he had a question about other companies being able to co-locate on this tower. Senior Planner Menser replied the applicant was not available but it was his understanding that other companies would be able to co-locate on the tower.

ROLL CALL VOTE: YEAS: Commissioners Tenaglia, Premoe, Richards, Lane, Baruah,
Cordill, Scott-Craig and Chair Ianni

NAYS: None

Motion carries: 8-0.

- B. Rezoning #16060 (Summer Park Realty), rezone 157 acres from RR (Rural Residential) to RAA (Single Family, Low Density) at 2874 Lake Lansing Road.

Commissioner Scott-Craig moved to recommend denial of Rezoning #16060
Seconded by Commissioner Lane

ROLL CALL VOTE: YEAS: Commissioners Tenaglia, Premoe, Richards, Lane, Baruah,
Cordill, Scott-Craig and Chair Ianni

NAYS: None

Motion carries: 8-0.

- C. Mixed Use Planned Unit Development #16024 (Capstone), construct Hannah Farms East at Hannah Boulevard/Eyde Parkway.

- Discussion of Planning Commission, applicant's representatives and staff

Senior Planner Menser stated the attached resolution was to approve the MUPUD request, if the Commission would like to deny the MUPUD specific reasons should be sited.

Mr. John Acken, applicant's representative, said the project would use Michigan labor and have a lasting economic impact by creating permanent jobs. Mr. Acken said he had spoken to the Ingham County Road Department about the possibility of parallel parking along Eyde Boulevard and was told it may be approved if the curb was moved back. He said the applicant plans to include amenities such as, electric car charging stations, special pavers and public art in the project.

Mr. Mark Clouse, applicant's representative, stated the current phase of this project fits well with the plan that was approved in 2008. He said the overall development does not require commercial space in every phase of the development and the recent acquisition and

redevelopment of Hannah Plaza helps meet most of the commercial requirements. He said the hotel contributes to the level of commercial space in the development as well.

Commissioner Richards moved to approve MUPUD #16024
Seconded by Commissioner Lane

Commissioner Richards commented the revised version of the project meets the requirements as laid out in prior approvals but he would like to hear discussion of the traffic impact of the project. He asked if the intersections on Hagadorn Road had been revised at all.

Mr. Dave Sonnenberg, who supplied the traffic study, commented the project had very little impact on traffic; at peak travel times it was estimated to add only 150 trips per hour. He said the Eyde Parkway northbound through lane was the largest problem but adjusting the timing of the light had restored the lane to its original level of service. He restated the project would have little to no impact on traffic.

Commissioner Scott-Craig said according to his recollection there were two intersections in the area that were graded "E" which to him was unacceptable.

Mr. Sonnenberg said both intersections were upgraded to "D" after the timing of the lights was changed.

Commissioner Scott-Craig replied Hagadorn Road is a very busy road and this project is bound to have a negative effect. He said at some point the subject of traffic must be addressed and this project will bring that discussion closer than ever.

Commissioner Baruah commented students keep irregular hours, they are not necessarily traveling at peak hours and asked if the traffic study reflected this fact.

Mr. Acken added there will be bus service from the units to the MSU campus at 15 to 20 minute intervals from 7:30 a.m. to 6:00 p.m. Monday through Friday and from the units to Downtown East Lansing on the weekends. He pointed out a great quantity of students ride bicycles to and from classes.

Commissioner Cordill commented she liked the revisions, the scaled back number of units and the fact the applicant will be using Michigan labor for construction but it was her feeling there should be a greater amount of commercial space tied in with this phase of the project.

Commissioner Scott-Craig asked if the amenities mentioned by Mr. Acken could be listed in the resolution.

Senior Planner Menser explained that the amenities were not shown on the site plan so they could not be listed in the resolution.

Mr. Acken said they will put the amenities on the site plan for future meetings and they were listed in a letter sent to the Planning Commission.

Chair Ianni suggested they be in a friendly amendment to the motion.

Commissioner Richards agreed to accept the amenities: car charging stations, pavers and public art as a friendly amendment to the original motion.

Commissioner Lane accepted the friendly amendment.

Commissioner Premoe stated he was not convinced that student housing was not being overbuilt.

VOICE VOTE: YEAS: Commissioners Richards, Lane, Tenaglia, Premoe, Baruah, Cordill, Scott-Craig and Chair Ianni

NAYS: None

Motion carries: 8-0.

D. Special Use Permit #16111 (Capstone), construct group of buildings greater than 25,000 square feet in size at Hannah Boulevard/Eyde Parkway.

Commissioner Lane moved to approve the resolution

Seconded by Commissioner Baruah

VOICE VOTE: YEAS: Commissioners Lane, Baruah, Richards, Premoe, Cordill, Scott-Craig and Chair Ianni

NAYS: None

Motion carries: 7-0.

8. Other Business

A. None

9. Township Board, Planning Commission officer, committee chair, and staff comments or reports

Senior Planner Menser informed the Planning Commission that Rezoning #17020 was withdrawn.

10. Project Updates

A. New Applications – NONE

B. Site Plans Received – NONE

C. Site Plans Approved – NONE

11. Public Remarks-NONE

12. Adjournment

Chair Ianni adjourned the meeting at 8:06 P.M.

Respectfully Submitted,

Angela M. Ryan
Recording Secretary

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES**

DRAFT

April 10, 2017

**5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room, 7:00 P.M.**

**PRESENT: Commissioners Cordill, DeGroff, Ianni, Lane, Premoe, Richards, Scott-Craig,
Baruah, Tenaglia (arrived at 7:08 P.M.)**
ABSENT: None
**STAFF: Director of Community Planning and Development Mark Kieselbach, Senior
Planner Peter Menser**

1. Call meeting to order

Chair Ianni called the regular meeting to order at 7:00 P.M.

2. Approval of agenda

Commissioner Cordill moved to approve the agenda.
Seconded by Commissioner Richards.

VOICE VOTE: Motion carried.

3. Approval of Minutes

March 27, 2017-Not Available

4. Public Remarks-None

5. Communications-None

6. Public hearings-None

7. Unfinished Business

- A. Special Use Permit #17021 (Patriot Ambulance Service, Inc.), establish ambulance transport facility at 1673 Haslett Road.

Commissioner Cordill moved to approve the resolution as read into the record.
Seconded by Vice Chair Scott-Craig.

VOICE VOTE: YEAS: Commissioners Cordill, Scott-Craig, Richards, Lane, Premoe, Baruah,
DeGroff and Chair Ianni

NAYS: None

Motion carries: 8-0

**9. Township Board, Planning Commission officer, committee chair, and staff comments
or reports**

Senior Planner Menser commented the meeting packet included the existing bylaws, the proposed changes from 2014 which were not adopted and that he would be available for questions.

Commissioner Scott-Craig moved to suspend the rules of order so a casual discussion could take place.

Seconded by Commissioner DeGroff.

VOICE VOTE: Motion carries 8-0.

Vice-Chair Scott-Craig gave a brief overview of the Planning Commission bylaws and the changes that were proposed in 2014. He commented the changes proposed in 2014 should be included in any revision along with other changes as agreed upon.

Discussion of the Commission included the following proposed changes:

- o 3a3- additional changes in language and grammar
- o D1- sending budget request to Township Board, is this necessary?
- o Adding language that would encourage Commissioners to visit sites
- o 5.2-language regarding calling a special meeting of the Commission
- o 5.5 debate about if a failure of a resolution to approve is equivalent to a denial
- o 5.10 where public remarks should occur on the agenda
- o 5 if "request to speak" forms determine the order of speakers
- o 8 chair may invite members of the public to speak, language is not clear
- o Page 7, formatting notes to Senior Planner Menser from Commissioner Scott Craig
- o Page 8, language about the Chair inviting members of the public to speak need to be clarified
- o 5.13.3 written reports are not typically provided to the Township Board
- o 6.3 in the format for public hearings Discussion of the Planning Commission should come before the closing of the public hearing, not after, strike remarks by applicant

Commissioner Baruah moved to reinstate the rules of order.

Seconded by Commissioner Scott Craig.

VOICE VOTE: Motion carried unanimously.

Commissioner Scott Craig commented that the EDC meeting was rescheduled to 4/11/17 and the Master Plan comments are due to the Township Board by 5/1/17.

The Planning Commissioners discussed which training topics they would like to pursue: Commissioner Scott Craig said he would like training on Section 61 reviews including why they are necessary.

Senior Planner Menser gave a list of groups that have training opportunities and stated he would be willing to do a group or individual training for new commission members. He asked the Commission members to provide him a listing of the groups and topics the members would like to pursue.

10. Project Updates

A. New Applications - NONE

- B. Site Plans Received – NONE
- C. Site Plans Approved – NONE

11. Public Remarks-none

12. Adjournment

Chair Ianni adjourned the regular meeting at 8:11P.M.

Respectfully Submitted,

Angela M. Ryan
Recording Secretary

April 21, 2017

Dear Meridian Township Planning Commission,



I was unable to attend your last meeting to address my concerns about amendments to the Commission Bylaws. It turned out to be a blessing in disguise because, after reviewing the discussion, I can address the specific items with more focus. I will address several issues brought up by Commissioner Scott-Craig during your discussion.

1. Regarding the issue of whether to formally declare in your bylaws that failure of a motion to approve is equivalent to approval of a motion to deny, Commissioner Scott-Craig was unable to find examples of this from other communities. In my public comments when this was first brought up (May 19, 2014 meeting), I offered three examples of exactly this. I have attached to the end of this letter these three examples (Borough of Highland Park NJ – Planning Board Regulations, Burlingame Municipal Code, and Oak Park IL – ZBA Rules of Procedure). Chair Ianni makes an excellent argument for why this method may not be preferable in that it is important for any appealable action taken by the Commission to be backed up by the finding of fact in order to support the result of the action. Given that “straw polls” are taken prior to the drafting of a resolution for action, it is likely that in the future, resolutions for approval or denial will garner a majority vote. The crucial point on this issue, particularly with regard to decisions by the Commission that are appealable to the Township Board, is that only actions taken by the Commission are appealable. As we learned from the Central Fire Station SUP appeal, failure of a motion to approve does not constitute an action by the Commission. Therefore, in order to allow for the appeals process to proceed, it is important for the Commission to actually take action, whether that be approval or denial. In the event that any resolution for approval or denial fails to receive a majority vote, it is important that an alternate resolution be brought back to the Commission at the earliest possible time, i.e. then next scheduled meeting.
2. Regarding the wording of item 3.A.3 (Section 61 reviews), again, this was addressed in my public remarks at the 2014 meeting. To reiterate, it appears as though the wording of this provision was meant to reflect the wording in Act 33 (Planning Enabling Act) which states in part:
“Sec. 61. (1) A street; square, park, playground, public way, ground, or other open space; or public building or other structure **shall not be constructed or authorized for construction** in an area covered by a municipal master plan unless the location, character, and extent of the street, public way, open space, structure, or utility have been submitted to the planning commission by the legislative body or other body having jurisdiction over the authorization or financing of the project and has been approved by the planning commission.”
In light of this, I suggest that the wording contained in your bylaws be consistent with the wording in the Act by simply replacing the stricken “or” (between “authorized” and “construction”) with the word “for”. Other proposed amendments (strikeouts and insertions) are consistent with the wording of the Act (although in a different sequence) without adding undue verbiage to the provision in the bylaws.
3. Regarding the order of Agenda items, I had requested that Public Remarks at the beginning of the meeting be moved to Item 2, coming before Approval of Agenda and Approval of Minutes. Although the rationale presented at the time had to do with possible amendments to the Agenda itself, and I appreciate that there is limited flexibility when it comes to amending the Agenda at the meeting itself, another, and arguably more important, reason for allowing public remarks at the beginning is that it allows for the public to not only suggest amendments/changes to the proposed minutes, but to reveal factual mistakes in the proposed minutes prior to Commission approval. While it is possible for factual errors to be corrected after minutes have been approved, the process

requires formal rescission of the previously approved minutes followed by the formal approval of the amended minutes. It seems that it would be much easier, on the rare occasions that it might occur, that these corrections be made before the draft minutes are approved rather than after. This would be facilitated by calling for public remarks before approval of the minutes. In the discussion by the Commission, there was no compelling reason provided to not change the order of business, and in fact it seemed to me that the sentiment was that it could go either way and therefore should just be left as is. In light of this, and for the reason stated above, I am again asking that Public Remarks be moved to the second item on 5.10.d in the bylaws.

4. Regarding whether Commission discussion should occur during the Public Hearing or as a later discussion item, the answer to this question was addressed by the Township Attorney during the Public Hearing held by the Township Board on August 18, 2015 concerning the Appeal of the SUP approval by the Planning Commission for the Verizon cell tower (Special Use Permit #15061 (Jacobs Engineering) – Request to Install a Cell Tower at 4980 Park Lake Road). During that hearing, the Attorney was asked, and responded as follows, to an inquiry by a Board member addressing exactly that issue:

“Q. Do you think we should ask our questions of the staff, the applicant and the appellant now during the hearing or if it is appropriate to have those questions asked during the discussion part of the appeal?”

A. It would be preferable if we did it now. This is the time where we’re building a record to support whatever decision we make, so to the extent that you have questions that are going to draw information from either the appellant or the applicant, now is the time to do it to put in on the record. I’d be happy to address a couple of questions that were raised here at the appropriate time.”

In light of this, and given that the primary purpose of a Public Hearing is fact-finding, it would make sense for the Commission to at least ask questions of Staff and the petitioner (as reflected by the proposed bylaws) in pursuit of that end. Commissioner Richards makes a very good argument that Commission discussion is not part of the fact-finding process of the Public Hearing, but inclusion of Commission discussion as a part of the Public Hearing can serve to enhance the “building (of) a record to support whatever decision we make,…” I agree that removing item 6.3.f (Final remarks by applicant) is appropriate given, as Commissioner Scott-Craig pointed out, the public are not allowed to make further comments until after the Hearing is closed.

Thank you in advance for considering my requests/suggestions,

Neil Bowlby

**RULES AND REGULATIONS
OF THE
PLANNING BOARD**

**BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX
STATE OF NEW JERSEY**

**Adopted June 22, 2000
Amended January 25, 2001
Amended January 24, 2002
Amended July 28, 2005
Amended January 16, 2014**

A. In all matters other than those referred to in subparagraphs B. and C. below, any action may be authorized by a majority vote of the members present at the meeting and eligible to vote, provided those eligible constitute a quorum.

B. When voting on an application to permit a building or structure in the bed of any street, public drainageway, flood control basin or public area reserved on an official map, or shown on a plat filed pursuant to the Municipal Land Use Law prior to adoption of such official map, at least a majority of the full authorized membership of the Board (5 members) must vote in favor of the permit sought.

C. Where the Board takes action on an application for development subject to subsequent adoption of a resolution of memorialization, only the members of the Board who voted for the action taken may vote on the memorializing resolution, and the vote of a majority of such members present at the meeting at which the resolution is presented for adoption shall be sufficient to adopt the resolution. If only one member who voted for the action attends the meeting at which the resolution is presented for adoption, the resolution may be adopted upon the vote of that member.

3.08. Failure of Motion If a motion to approve an application for development does not receive the number of required votes as hereinbefore set forth, such failure shall be deemed an action denying the application.

3.09. Effect of Abstentions. An abstention shall be regarded as an assent to the vote of the majority. Accordingly, if the majority of those voting would affirm a measure, abstentions would be counted toward affirmance; if the majority would defeat a measure, abstentions will be counted toward a defeat. A disqualified member shall not be counted as an abstention and shall remove himself or herself from the panel and not be involved in the consideration of the application. If the Board is evenly split in its decision, no majority exists with whom an abstaining member can be said to vote and accordingly abstentions shall not be assigned. A tie vote shall defeat an application. Abstentions shall not be construed to approve an application, nor shall abstentions be used to create a tie.

3.10. Alternate Members. The two alternate members of the Board appointed by the Borough Council shall be designated by the appointing authority as "Alternate No.1" and "Alternate No. 2" respectively, and each alternate shall retain said designation during the term for which he/she was appointed. The alternate members shall participate in Board affairs subject to the following provisions:

A. An alternate member may sit with the Board and participate in discussions of any Board business or hearings being held by the Board, but may not vote except as designated by the Chair to serve in the place of a regular member who is absent or disqualified.

B. A vote on any matter shall not be delayed by the Board so that a regular member may vote instead of an alternate member, provided that where the alternate member is designated to serve in place of a regular member who is disqualified from participating in

21.04.120 Preservation incentives.

(a) The commission is authorized to develop and implement preservation incentive programs that are consistent with this chapter. Incentives shall be made available for properties listed on the Register that undergo maintenance or alteration consistent with the *Secretary of the Interior Standards for Rehabilitation*.

(1) State Historic Building Code. The building official is authorized to use and shall use the California State Historic Building Code (SHBC) for projects involving designated historic resources. The SHBC provides alternative building regulations for the rehabilitation, preservation, restoration, or relocation of structures designated as historic resources. The SHBC shall be used for any designated historic resource in the city's building permit procedure.

(2) Fee Reduction. Any permit fees for minor or major exterior modifications to historic resources done in accordance with the *Secretary of the Interior Standards for Rehabilitation* shall be reduced by twenty-five (25) percent provided that the work is consistent with the historic criteria under which the property was designated an historic resource.

(3) Development Standard Flexibility.

(A) Parking Standards.

(i) Additional floor area may be added to existing single-family residences that are nonconforming due to substandard parking without providing parking according to current standards, provided that the aggregate of all additional floor area constructed following the date of designation of the structure as a historic resource does not exceed fifty (50) percent of the floor area existing as of the date of designation as a resource. For multiple-family developed properties, adding units in accordance with existing zoning standards shall not require the property owner to bring existing nonconforming parking into compliance with current parking requirements, though code-required parking shall be provided for any new units created.

(ii) Designated historic commercial structures may add up to an aggregate of fifteen (15) percent of the existing floor area as of the date of designation of the property as a historic resource, not to exceed five hundred (500) square feet, without providing additional parking and without bringing any existing nonconformity into compliance with the current zoning regulations, subject to review and approval by the commission. The addition must be removed or otherwise approved under governing procedures if the historic building is demolished.

(B) Historic Variances.

(i) Owners of designated properties may apply for variances from development standards applicable to the property in instances where the deviation from the standard is warranted in order to preserve the historic character of the property. The property's status as a designated historic resource may be used as a basis for determining whether the property owner is denied privileges enjoyed by other property owners in the vicinity and within the same zoning district. The procedure for requesting approval of an historic variance shall be the same as that required for other forms of variances, as specified in Title 25 of the Burlingame Municipal Code (Zoning Ordinance).

(4) Adaptive Reuse. Owners of designated properties may apply for a conditional use permit for any use that is not ordinarily permitted, or conditionally permitted, within the zoning district in which the designated resource is situated, pursuant to the purpose, findings and conditions expressed in Chapter 25.52 Conditional Use Permits of Title 25 of the Burlingame Municipal Code (Zoning Ordinance), and the following additional findings:

(A) Use of the property for a purpose other than that for which it was originally designed, and in a manner that would not normally be permitted within the zoning district in which the resource is situated, is necessary in order to enhance the economic viability of retaining the resource and its notable characteristics in a manner that ensures the continued maintenance of the resource; and

(B) Any alterations to the resource that are necessary to accommodate the adaptive re-use of the resource shall be designed and completed in a manner consistent with the *Secretary of Interior Standards for Rehabilitation*, and shall be

subject to any discretionary approvals required pursuant to Title 25 of the Burlingame Municipal Code (Zoning Ordinance).

(5) Mills Act Contracts.

(A) Mills Act contracts granting property tax relief shall be made available by the city of Burlingame only to owners of properties listed in the *Burlingame Historic Resources Register*, as well as properties located within the city of Burlingame that are listed in the *National Register of Historic Places* and/or the *California Register of Historical Places*. Properties that have been previously listed on the above-mentioned register(s), but that have been removed from the register(s) and are no longer listed, shall not be eligible for a Mills Act contract with the city.

(B) Mills Act contracts shall be made available pursuant to California law. The community development department shall make available appropriate Mills Act application materials. The Mills Act application may be processed concurrently with the historic resource application.

(C) Mills Act contract applications shall be made to the community development director or designee, who shall within thirty (30) days of receipt of a completed application, prepare and make recommendations on the contents of the contract for consideration by the city council. A fee for the application will be required consistent the city's adopted fee schedule, to cover all or portions of the costs of the preparation of the contract or an amount set by city council resolution may be charged.

(D) The city council shall, in public hearing, resolve to approve, approve with conditions, or deny the proposed contract. Failure to pass a motion approving the application shall be deemed a denial. Should the city council fail to act on the proposed contract within one year of its receipt of the proposal, the proposal shall be deemed denied.

(E) A Mills Act contract application that has failed to be approved by the city council cannot be resubmitted for one year from the date of city council action, or where the council fails to take action, within one year from the date that the application is deemed denied pursuant to this subsection (4).

(6) Preservation Easements. Preservation easements on the façades of buildings designated as an historic resource may be acquired by the city or nonprofit group through purchase, donation, or documentation pursuant to California Civil Code Section 815.

(7) Official Recognition/Awards. The commission, on an annual basis, may recognize those projects involving designated historic resources that have demonstrated a high level of commitment to maintaining or restoring the historic integrity of the resource. The community development department may nominate all projects implemented within a calendar year for award consideration by the commission. (Ord. 1899 § 2, (2014); Ord. 1937 § 2, (2017))

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ZONING BOARD OF APPEALS
OF THE
VILLAGE OF OAK PARK, ILLINOIS

RULES OF PROCEDURE

As amended June 1, 2011



ARTICLE XIV

DECISIONS

Section 14.1 A final decision on any appeal shall be in the form of a resolution affirming, modifying or revising an order, requirement, decision or determination of the Zoning Officer.

Section 14.2 A final decision of any application for variation shall be in the form of a resolution granting or denying the variation, and shall include the Board's findings of fact. The Board may require such conditions, restrictions or limitations as it deems necessary to be imposed upon any variation granted, but any such conditions, restrictions or limitation shall be made part of the resolution. The resolution may also order the Zoning Officer to take any action necessary for the effectuation of any variation granted.

Section 14.3 Final decisions or recommendations shall be made within a reasonable time after the date of the closing of a public hearing. Any applicant may withdraw his/her application or appeal at any time prior to the decision thereon by the Board.

Section 14.4 The Board shall conduct its deliberations and vote in a public session. The Board may vote on any matter before it at the same meeting at which evidence as to such matter is concluded or, if the Board considers additional time for deliberation necessary, then the Board may defer its vote to a subsequent public session.

Section 14.5 Members of the Board who are absent for one or more hearing sessions, but who affirm that they have either listened to the audio tape or read the transcript of the absented session(s), shall be eligible to vote.

Section 14.6(a) The concurring vote of four (4) members shall be necessary for granting a variation(s), affirming an appeal, or recommending in favor of a special-use permit or zoning amendment. If the motion fails to receive four (4) votes in favor of the application, a motion denying the application shall be formally entered on the record. However, if the votes of the absent but eligible members, when added to the number voting in favor of the applicant or appellant, would total four (4) or more, the matter shall be postponed to the next meeting of the Board. If the motion to approve an application fails to receive four (4) affirmative votes at the next regular meeting, a motion denying the application shall be formally entered on to the record.

Section 14.6(b) For all other matters, the concurring vote of a majority of members present shall be sufficient to pass the matter.

Section 14.7 If a summary record (as opposed to a verbatim transcript) of any hearing is made, such summary record shall be approved as to accuracy by the members of the Board and shall be kept as a part of the public record at the office of the Board.

Section 14.8 As soon as practicable after a written recommendation or written resolution is adopted, notice thereof shall be given to the applicant, and to such other parties of record as have requested such advice.

Section 14.9 No order of the Board permitting the erection or alteration of a building shall be valid for a period longer than 12 months from the date of such order unless an application for building permit for such erection or

**Special Use Permit #17031
(McCallum)
April 24, 2017**

APPLICANT: Quentin & Sharon McCallum
569 E. Saginaw St
Lansing, MI 48823

STATUS OF APPLICANT: Property Owner

REQUEST: Work in floodplain Sloan Creek/Button Drain

CURRENT ZONING: RR (Rural Residential)

LOCATION: 986 Jolly Road

AREA OF SUBJECT SITE: 2.15 acres

EXISTING LAND USE: Single Family Residential

**EXISTING LAND USES
IN AREA:** N: Single Family Residential
S: Single Family Residential
E: Single Family Residential
W: Single Family Residential

CURRENT ZONING IN AREA: N: RR (Rural Residential)
S: A-1 (General Agricultural), Alaiedon Twp.
E: RR (Rural Residential)
W: RR (Rural Residential)

**FUTURE LAND USE
DESIGNATION:** Agriculture/Residential 0-0.5 du/acre

FUTURE LAND USE MAP: N: Agriculture/Residential 0-0.5 du/acre
S: Suburban Residential, Alaiedon Twp.
E: Agriculture/Residential 0-0.5 du/acre
W: Agriculture/Residential 0-0.5 du/acre



To: Planning Commission

From: Peter Menser

Peter Menser
Senior Planner

Keith Chapman

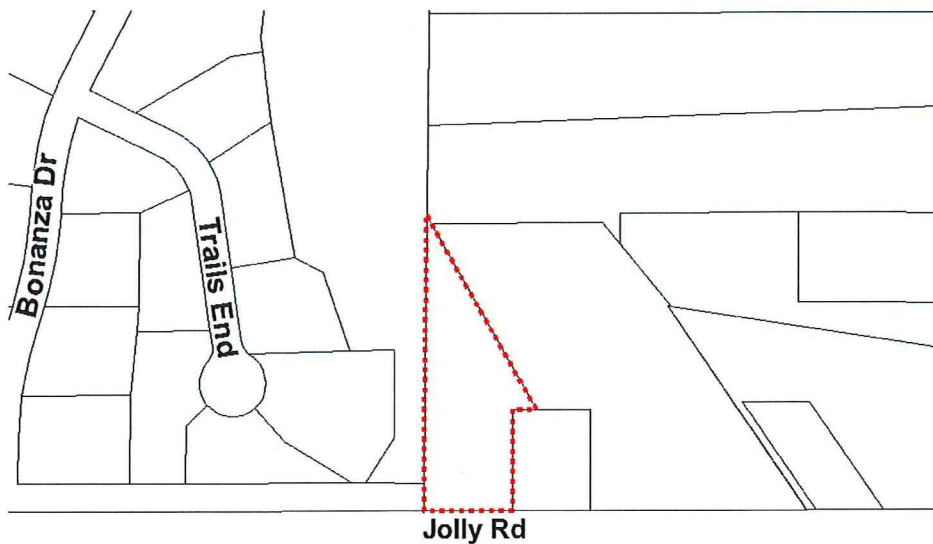
Keith Chapman
Assistant Planner

Date: April 20, 2017

Re: Special Use Permit #17031 (McCallum), work within the 100 year floodplain of the Sloan Creek/Button Drain to construct new single family house at 986 Jolly Road.

Quentin and Sharon McCallum are requesting a special use permit (SUP) to place 200.25 cubic yards of fill in the 100 year floodplain of the Sloan Creek/Button Drain to construct a single family house at 986 Jolly Road. A house was previously located on the property but was destroyed by fire in 2015. The new house is proposed in the same location as the previous house. The 2.15 acre property is located in the RR (Rural Residential) zoning district. The fill is needed to elevate the proposed house above the floodplain. A compensating cut of 227 cubic yards is proposed to mitigate the fill in the floodplain.

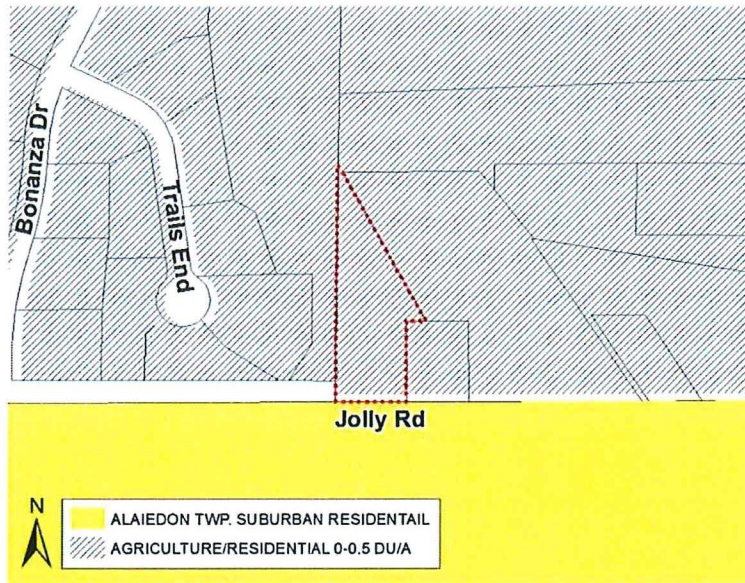
LOCATION MAP



Alaiedon Twp.

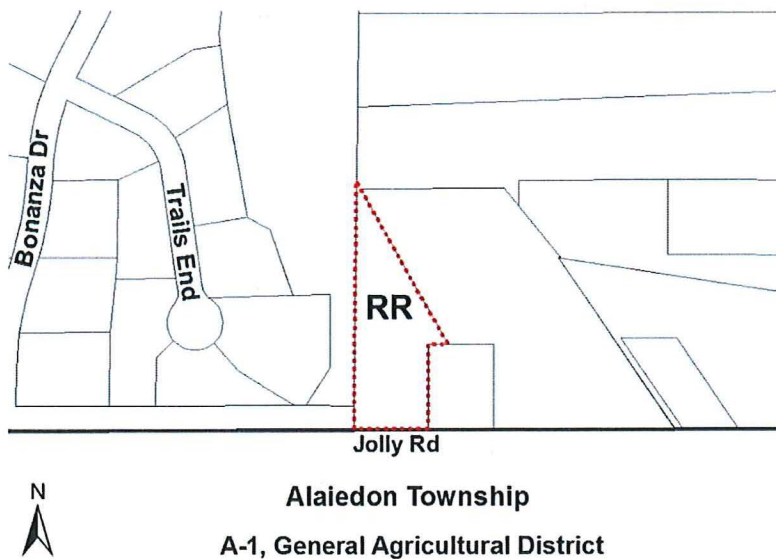
Master Plan

The Future Land Use Map from the 2005 Master Plan designates the subject property as Agriculture/Residential 0-0.5 du/acre.



Zoning

The site is zoned RR (Rural Residential). With 200 feet of frontage on Jolly Road and 93,654 square feet of lot area, the site exceeds the RR district minimums of 200 feet of frontage and 40,000 square feet of lot area.



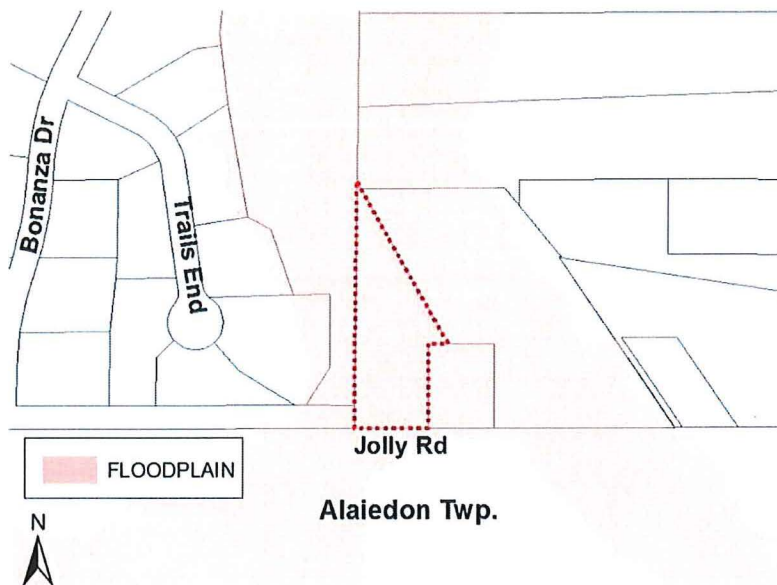
Physical Features

The subject site is developed with three accessory buildings located north of the proposed house. An excavated area from the removal of the previous house is located just north of the existing circle driveway. Elevations vary from approximately 857 feet above mean sea level in the southeast part of the site along Jolly Road to 849 feet above mean sea level near the northern part of the property. The Sloan Creek/Button Drain runs along the west property line.

Floodplain

According to the Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency (FEMA), most of the subject property is located within the 100 year floodplain of the Sloan Creek/Button Drain. The elevation of the floodplain at the site is 853.1 feet above mean sea level. After the fill is placed, as required by FEMA, the basement floor of the proposed house will be located one foot above the floodplain, at 854.1 feet above mean sea level.

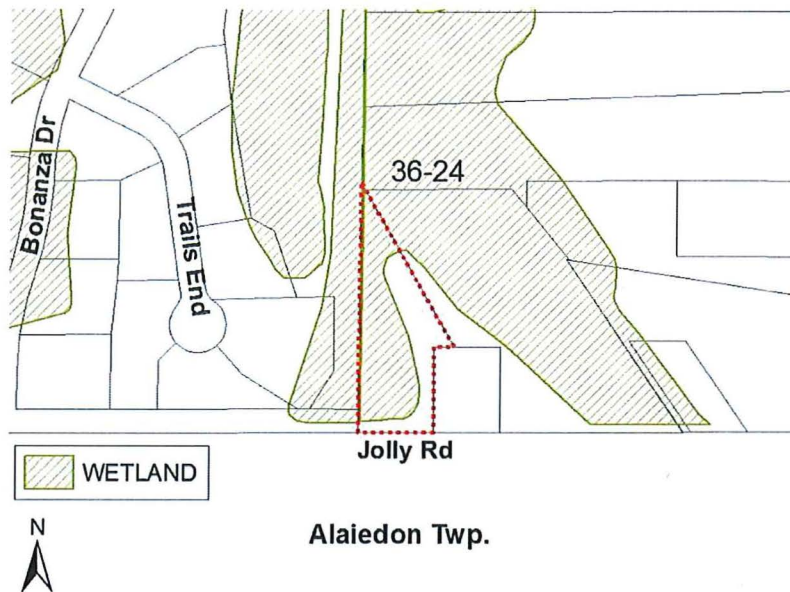
FLOODPLAIN MAP



Wetlands

The Township's Wetland Map shows Wetland #36-24 adjacent to the subject property. Wetland #36-24 is approximately 18 acres total in size and therefore regulated by both the Michigan Department of Environmental Quality (MDEQ) and Meridian Township. While the wetland is adjacent to the subject site, it is limited to the banks of the Sloan Creek/Button Drain and will not impede construction of the new house. No work is proposed in or around the wetland. The Township's wetland map is only a guide as to the general location of wetlands in the Township; it should not be used to identify a wetland boundary at the parcel level.

WETLAND MAP



Staff Analysis

The applicant has requested a special use permit to place 200.25 cubic yards of fill in the 100 year floodplain of the Sloan Creek/Button Drain to construct a single family house at 986 Jolly Road. The Code of Ordinances requires special use permit approval for work in the floodway fringe. The special use permit review criteria found in Section 86-126 of the Code of Ordinances (attached) should be used to evaluate the request, along with the provisions of the Conservancy (CV) District, Section 86-436, which are detailed below.

Section 86-436(n) of the Code of Ordinances lists the standards that should be used to review a special use permit request for work in the floodway fringe, which are as follows, along with an explanation of how the request meets the standard:

All new residential structures and residential structures requiring substantial improvement shall have the lowest floor, including basement, elevated to one foot above the level of the base flood elevation.

The lowest floor of the proposed new house, in this case the basement floor, will be located at 854.10 feet above mean sea level, which is one foot above the base floodplain elevation in this area of 853.1 feet above mean sea level.

Excavation and shaping of the floodway fringe shall be conducted in such a manner as to maintain or improve the natural impoundment capacity of the base flood elevation. In no case shall the impoundment capacity of the floodway fringe be reduced.

The applicant has proposed a compensating cut of 227 cubic yards in the floodplain on the north portion of the property to mitigate the 200.25 cubic yards of fill to raise the house above the floodplain. The compensating cut will ensure there is no loss of impoundment capacity in the floodway fringe.

The MDEQ issued a permit for the proposed work in the floodplain on March 20, 2017. The Township's Chief Engineer, on behalf of the Director of Public Works and Engineering, submitted a letter dated April 19, 2017 approving the project.

The applicant has requested the Planning Commission make a decision on the special use permit the same night as the hearing so that the project may begin as soon as possible. Before acting on the applicant's request the same night as the public hearing, the Planning Commission must first suspend Bylaw 6.4a. The following motion is provided to suspend Bylaw 6.4a:

- Move to suspend Planning Commission Bylaw 6.4a to consider Special Use Permit #17031 the same night as the public hearing.
- Move to adopt the resolution to approve Special Use Permit #17031.

Planning Commission Options

The Planning Commission may approve, approve with conditions, or deny the proposed special use permit. A resolution to approve the request with conditions is attached for consideration.

Attachments

1. Special use permit application and attachments
2. Letter from Meridian Township Chief Engineer dated April 19, 2017
3. Resolution to approve with conditions
4. Special use permit review criteria

G:\Community Planning & Development\Planning\SPECIAL USE PERMITS (SUP)\2017\SUP 17031 (McCallum)\SUP 17031.pc1.doc

CHARTER TOWNSHIP OF MERIDIAN
DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT
5151 MARSH ROAD, OKEMOS, MI 48864
PLANNING DIVISION PHONE: (517) 853-4560, FAX: (517) 853-4095

SPECIAL USE PERMIT APPLICATION

Before submitting this application for review, an applicant may meet with the Director of Community Planning and Development to discuss the requirements for a special use permit and/or submit a conceptual plan for review to have preliminary technical deficiencies addressed prior to submittal of the application. If the property or land use is located in the following zoning districts RD, RC, RCC, RN then the applicant must meet with the Planning Director to discuss technical difficulties before filing a formal application.

Part I

- A. Applicant Quentin L McCallum (Sharon J.)
Address of Applicant 569 E. Saginaw St E. Lansing MI 48823 *QUENTIN L MCCALLUM*
Telephone - Work 517 541 3830 Home 517 474 7495 Fax 517 474 7495 Email @Wotlag.com
Interest in property (circle one): Owner Tenant Cell Option Other
(Please attach a list of all persons with an ownership interest in the property.)
- B. Site address / location / parcel number 986 Solly Road / 33-02-02-36-300-007
Legal description (please attach if necessary)
- Current zoning RR
Use for which permit is requested / project name 986 Solly Road Rebuild
Corresponding ordinance number _____
- C. Developer (if different than applicant) _____
Address _____
Telephone - Work _____ Home _____ Fax _____
- D. Architect, Engineer Planner or Surveyor responsible for design of project if different from applicant:
Name _____
Address _____
Telephone - Work _____ Home _____ Fax _____
- E. Acreage of all parcels in the project: Gross 2.3 Net _____
- F. Explain the project and development phases:
- G. Total number of:
Existing: structures _____ bedrooms _____ offices _____ parking spaces _____ carports _____
garages _____ Proposed: structures _____ bedrooms _____ offices _____ parking spaces _____ carports _____
garages _____
- H. Square footage: existing buildings _____ proposed buildings _____
Usable Floor area: existing buildings _____ proposed buildings _____
- I. If employees will work on the site, state the number of full time and part time employees working per shift and hours of operation:
- J. Existing Recreation: Type _____ Acreage _____
Proposed Recreation: Type _____ Acreage _____

The Plan to Rebuild at 986 Jolly Road, Okemos, MI 48864

Plan Purpose

The plan is to rebuild the owner's home after a total loss due to a chimney fire. The replacement house will be approximately the same as the home built in 1998. The home will be a ranch style home.

Our expected development follows:

Clearing the Land

The site will be prepared by removing any remaining debris from the fire. As this is a rebuild, the clearing work should be minimal.

Excavation, Trenching, and Grading

Excavation and trenching will be simply removing loose dirt left over from the removal of the burn pile from the house. Grading will meet the specifications laid out by the Department of Environmental Quality. (Plan attached.)

Water and Sewer

The site has a well and septic system already permitted by Meridian Township. The well and septic will be inspected via the permit process. The builder will secure contractors to complete the connects to the house. The builder and owner will work with Meridian Township for inspections and permits for the work.

Public Utility Hookups

The builder and owner will work with Consumer's Energy and Meridian Township to connect the existing gas and electrical infrastructure. The builder will secure contractors to complete the connections. The builder and owner will work with Meridian Township for inspections and permits for the work.

Foundation

The foundation will be a concrete and wood frame hybrid. The south, east and west wall will be 100% concrete. The north wall will be a wood frame wall.

The basement floor will be 1 foot above the flood plain requirement as described in the included permit from Department of Environmental Quality.

The basement will have a 7 foot ceiling and egress window on the south wall.

The builder and owner will work with Meridian Township for inspections and permits for the work.

Home Placement

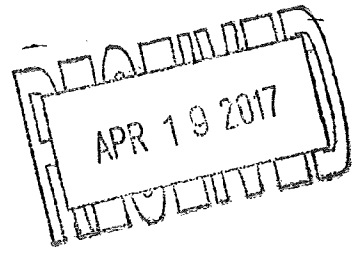
The modular home will be transported to the site. The home will be lifted onto the foundation by an industrial crane. The builder will secure the contractor(s) needed to place the home on the foundation. The builder and owner will advise Meridian Township of the date that the home will be placed.

Finish work

The builder and owner will secure contractors and appropriate permits to complete the

plumbing, mechanical and electrical work needed for final inspection.

The builder and owner will work with Meridian Township to complete inspections of the permitted work.



Meridian Township
5151 Marsh Road
Okemos, MI 48864

P 517.853.4000
F 517.853.4096

Township Board:

Ronald J. Styka
Supervisor

Brett Dreyfus
Township Clerk, CMMC

Julie Brixie
Treasurer

Phil Deschaine
Trustee

**Patricia Herring
Jackson**
Trustee

Dan Opsommer
Trustee

Kathy Ann Sundland
Trustee

Frank L. Walsh
Township Manager

04/19/2017

Mr. Peter Menser
Senior Planner
Community Planning & Development
Meridian Township
5151 Marsh Rd.
Okemos, MI 48864

Dear Mr. Menser:

Subject: 986 Jolly - SUP

Based on our review of the plans and documents provided for the subject project, we offer the following comments:

The Sloan Creek has an established Base Flood Elevation (BFE) of 853.1' at this location. The structure, as proposed, will be located entirely within the floodplain and thus must be elevated such that the lowest floor is a minimum of one (1) foot above BFE, per both the National Flood Insurance Program (NFIP) and Township Ordinance. The plans indicate that the structure will be built in compliance with the NFIP. We highly recommend that a licensed surveyor certify footings elevation. Once construction is complete, we will need a copy of an Elevation Certificate (EC), performed by a licensed surveyor, to verify the elevation of the lowest floor. In addition, according to the Township Ordinance, the owner must then apply to FEMA for a Letter of Map Change.

The only item missing from the plans, as required under the Township Ordinance, is a detail of the requisite compensating cut. The proposed fill amount is approximately 200 CY; the compensating cut must be at least that much as well. We are already in receipt of the State issued floodplain permit, so all that remains is to meet the Township requirements. Once the compensating cut is shown on the plans, the proposed construction at 986 Jolly will be approved.

Sincerely,

Younes Ishraidi, CFM
Chief Engineer/DPW&E
ishraidi@meridian.mi.us
W 517.853.4460 | F 517.853.4095
5151 Marsh Road | Okemos, MI 48864
meridian.mi.us

RESOLUTION TO APPROVE

**Special Use Permit #17031
(McCallum)
986 Jolly Road**

RESOLUTION

At a regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 24th day of April 2017, at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, Quentin & Sharon McCallum requested a special use permit (SUP #17031) to place 200.25 cubic yards of fill in the 100 year floodplain of the Sloan Creek/Button Drain to construct a single family house at 986 Jolly Road; and

WHEREAS, work in the 100 year floodplain requires a special use permit pursuant to Section 86-436(l) of the Conservancy District of the Code of Ordinances; and

WHEREAS, the Planning Commission held a public hearing for Special Use Permit #17031 at its meeting on April 24, 2017, and has reviewed the staff material forwarded under a cover memorandum dated April 20, 2017; and

WHEREAS, the placement of fill in the floodplain will not be adverse or damaging to public health, safety, or welfare; and

WHEREAS, the proposed fill and corresponding compensating cut will not have an adverse impact on the impoundment capacity of the 100-year floodplain; and

WHEREAS, a permit for the proposed work was issued by the Michigan Department of Environmental Quality (MDEQ) on March 20, 2017; and

WHEREAS, the Township's Chief Engineer in a letter dated April 19, 2017 approved the project; and

WHEREAS, the placement of fill in the 100 year floodplain is consistent with the requirements and standards outlined in Section 86-436(n), the Conservancy District, for the granting of a special use permit in the floodway fringe; and

WHEREAS, the placement of fill in the floodplain is consistent with the general standards for granting a special use permit found in Section 86-126 of the Code of Ordinances.

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Special Use Permit #17031 subject to the following conditions:

1. Approval is granted in accordance with the site plan prepared by Core Land Consulting dated April 17, 2017 and received by the Township on April 17, 2017.

**Resolution to Approve
SUP #17031 (McCallum)
Page 2**

2. The applicant shall obtain a soil erosion and sedimentation control (SESC) permit from the Department of Public Works & Engineering prior to any work taking place on the site. A copy of the permit shall be provided to the Department of Community Planning & Development.
3. The applicant shall provide a copy of the required elevation certificate to the Department of Community Planning and Development to verify the elevation of the lowest floor of the proposed new house.
4. The applicant shall apply to the Federal Emergency Management Agency (FEMA) for a Letter of Map Change (LOMA-F) and shall provide a copy of the approval to the Department of Community Planning and Development.
5. The applicant shall obtain any and all other applicable permits, licenses, and approvals necessary to construct the new house. Copies of all permits, licenses, and approvals shall be submitted to the Department of Community Planning and Development.

ADOPTED: YEAS: _____

NAYS: _____

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

I, the undersigned, the duly qualified Chairperson of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 24th day of April, 2017.

Dante Ianni, Chair
Meridian Township Planning Commission

SPECIAL USE PERMIT – REVIEW CRITERIA
(Section 86-126, Code of Ordinances)

Applications for special use permits shall be reviewed for compliance with the following standards and requirements, where applicable. An application for a special use permit that complies with all the following standards and requirements in this chapter may be approved.

The applicant shall assure that:

- (1) The project is consistent with the intent and purposes of this chapter.
- (2) The project is consistent with applicable land use policies contained in the township's comprehensive development plan of current adoption.
- (3) The project is designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area.
- (4) The project will not adversely affect or be hazardous to existing neighboring uses.
- (5) The project will not be detrimental to the economic welfare of surrounding properties or the community.
- (6) The project is adequately served by public facilities, such as existing roads, schools, stormwater drainage, public safety, public transportation, and public recreation, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide any such service.
- (7) The project is adequately served by public sanitation facilities if so designed. If on-site sanitation facilities for sewage disposal, potable water supply, and stormwater are proposed, they shall be properly designed and capable of handling the long term needs of the proposed project.
- (8) The project will not involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
- (9) The project will not directly or indirectly have a substantial adverse impact on the natural resources of the township, including, but not limited to, prime agricultural soils, water recharge areas, lakes, rivers, streams, major forests, wetlands, and wildlife areas.



To: Planning Commission

From: 
Peter Menser
Senior Planner

Date: April 20, 2017

Re: Planning Commission bylaws

Revisions to the Planning Commission bylaws were discussed at the last meeting on April 10, 2017. A revised copy of the bylaws incorporating the changes discussed at the meeting is attached. Changes are noted in bold and uppercase letters (new text) and strikeouts (text to be removed).

The amendment to the bylaws, formerly called the rules of procedure, was adopted by resolution in 2009. If the Planning Commission has no further changes to the bylaws, staff will prepare a resolution to adopt the revisions at the next meeting.

Attachment

1. Revised Planning Commission bylaws dated March 20, 2017.

G:\Community Planning & Development\Planning\Planning Commission\Bylaws\2017 Bylaw amendment\bylaws update.pc2.doc

MERIDIAN TOWNSHIP PLANNING COMMISSION
BYLAWS
APRIL 20, 2017 REVISION

These bylaws of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, are adopted in accordance with the Michigan Planning Enabling Act (~~P.A.~~ **ACT 33** of 2008 as amended), which states, "a planning commission shall adopt bylaws for the transaction of business and shall keep a public record of its resolutions, transactions, findings and determinations."

1. AUTHORIZATION

The Planning Commission, hereinafter called the Commission, is established pursuant to the Michigan Planning Enabling Act (~~P.A.~~ **ACT 33** of 2008 as amended), and the Meridian Charter Township Code of Ordinances, (Chapter 2, Article VI, Division 5).

2. OFFICERS

2.1 Selection. At the first regular meeting in January, the Commission shall select from its members a chair, vice-chair, and secretary.

2.2 Terms. Term of office shall commence from the date of selection for a period of one year, or until a successor has been selected. Officers shall be eligible for re-election, but shall not serve more than two successive full terms in an office.

2.3 Duties.

- a. The chair shall preside at all meetings, appoint committees and liaisons to other groups with concurrence from the Commission, authorize calls for special meetings and perform such other duties as may be specified by the Commission.
- b. The vice-chair shall act in the capacity of the chair in the chair's absence.
- c. In the event the office of the chair becomes vacant, the vice-chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of vice-chair for the unexpired term.
- d. The secretary shall perform those duties as assigned by the Michigan Planning Enabling Act (~~P.A.~~ **ACT 33** of 2008 as amended), and such other duties as may be assigned from time to time by the Commission.

3. RESPONSIBILITIES AND AUTHORITY

The Commission shall assume the following responsibilities and authority pursuant to the ~~Michigan Planning Enabling Act (P.A. 33 of 2008 as amended), the Zoning Enabling Act (P.A. 110 of 2006 as amended), then the Meridian Charter Township Code of Ordinances, Chapter 2, Article VI, Division 5~~), including:

A. THE MICHIGAN PLANNING ENABLING ACT (ACT 33 OF 2008 AS AMENDED)

1. Prepare, adopt, or amend a master plan for the Township, including recommendations for development. Examples of activities to accomplish this responsibility include:
 - a. Preparation of planning reports and plans (prior to publication).
 - b. Preparation of preliminary plans and reports for the physical development of the Township, including: a land use plan and program and the general location, character, and extent of streets, roads, highways, bicycle paths, pedestrian ways, railroads, bridges, waterways and waterfront developments; flood retention works, drainage, sanitary sewers and water supply system; works for preventing pollution and works for maintaining water levels; and public utilities and structures.
 - c. Recommendations as to the general character, extent and layout for the redevelopment or rehabilitation of blighted areas.
 - d. Evaluate and prepare recommendations related to the administration and enforcement of the subdivision of land.
2. Conduct studies and surveys related to Township planning and development.
3. Review **FOR CHARACTER, LOCATION, AND EXTENT** and recommend approval or disapproval of public improvements, prior to **CONSTRUCTION OR** authorization ~~or construction, including but not limited to the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of streets, grounds, open spaces, buildings, utilities or other facilities.~~ **OF A STREET, SQUARE, PARK, PLAYGROUND, PUBLIC WAY, GROUND, OR OTHER OPEN SPACE, OR PUBLIC BUILDING OR OTHER BUILDING.**
4. Promote public education and citizen participation in the Township master plan.

B. THE LAND DIVISION ACT (ACT 288 OF 1967 AS AMENDED)

1. Recommend approval, modification or disapproval of plats in accordance with Chapter 62 of the Meridian Township Code of Ordinances.

C. THE MICHIGAN ZONING ENABLING ACT (ACT 110 OF 2006 AS AMENDED):

1. Hear and decide special use permits.
2. Formulate and recommend ordinances, including their amendments or revisions.

3. Evaluate and prepare recommendations related to the administration and enforcement of the zoning ordinance ~~and the subdivision of land.~~

D. THE MERIDIAN CHARTER TOWNSHIP CODE OF ORDINANCES, CHAPTER 2, ARTICLE VI, DIVISION 5

- ~~1. Prepare and submit an annual budget request to the Director of Community Planning and Development.~~
1. Recommend to the Township Board a member of the Commission to serve on the Zoning Board of Appeals.
2. Make recommendations for the selection of consultants and determination of basis for compensation to the Township Board.

4. COMMITTEES

- 4.1 Purpose. The Commission may establish committees and/or designate liaisons to other Township bodies necessary to assist it in fulfilling its responsibilities and goals.
- 4.2 Appointment. Committee members or liaison members shall be appointed by the chair, with concurrence from the Commission.
- 4.3 Assignment of Duties. The Commission shall define the purpose, functions, tenure, selection of the chair, meeting and reporting requirements for its committees. A committee may be discharged from its responsibilities by the Commission.
- 4.4 Public Participation. Committees shall meet requirements for public participation and access to records as provided for in 5.11 and 5.12 of these bylaws.

5. MEETINGS

- 5.1 Regular Meetings. The Commission shall hold no fewer than four regular meetings each year. In addition, work sessions may be scheduled for informal consideration of business, providing no official actions or decisions are taken at these sessions.
- 5.2 Special Meetings. Special meetings may be called by the chair. The chair shall call a special meeting at the written request of three or more members of the Commission. Commission members shall be notified at least 48 hours prior to the meeting. Notification may be by e-mail or telephone and shall include the purpose of the meeting. Public notice of special meetings shall be in accordance with the Open Meetings Act (~~P.A.~~ ACT 267 of 1976 as amended).
- 5.3 Meeting Schedule. A schedule of the Commission's regular meetings including date, time and place shall be established for each calendar year in accordance with the Open Meetings Act (~~P.A.~~ ACT 267 of 1976 as amended). Notice of such schedule, shall be available to the public no later than ten days after the first meeting of the Commission in each calendar year. A change in the regular meeting

schedule shall be posted within three days after the meeting at which the change is made.

- 5.4 Quorum. Five members shall constitute a quorum for the transaction of business at meetings unless otherwise specified in these bylaws. The chairperson may postpone or reschedule a meeting in the event a quorum will not be present upon proper notification in accordance with the Open Meetings Act (~~P.~~A. ACT 267 of 1976 as amended).
- 5.5 Resolutions and Motions. All resolutions and motions of a substantive nature shall be made in writing. The name of the originator and seconder, the findings of fact, and the rationale for action shall be recorded in the minutes.
- 5.6 Voting. Voting shall be by voice except that a roll call vote will be taken and recorded for all decisions made by resolution, or when requested by a member of the Commission.
- 5.7 Decisions. Providing a quorum is present, a simple majority of those present and voting shall be required for Commission action. Exceptions shall include:
- a. Adoption of the Master Plan, or any part thereof, including extensions, additions, revisions or other amendments all of which shall require the affirmative vote of at least six members.
 - b. Any other action which by law, Township ordinance or parliamentary authority requires otherwise.
- 5.8 Attendance. Members of the Commission who are absent from more than three (3) consecutive, regularly scheduled Commission meetings and work sessions or more than thirty (30) percent of the regularly scheduled Commission meetings and work sessions in a calendar year shall be subject to review and possible recommendation for removal to the Township Board. Exceptions may be made if absences are due to the conduct of other business as authorized by the Commission.
- 5.9 Conflict of Interest. Members shall comply with the definition of "conflict of interest" found in Section 2-287(d) of the Code of Ordinances. Members who have a conflict of interest shall not vote or participate in any consideration of that matter, such action to be recorded in the meeting record. Failure of a member to disclose a potential conflict constitutes malfeasance in office.
- 5.10 Agenda.
- a. An agenda shall be established for each meeting of the Commission by designated Township staff and the chair, and shall be made available to Commission members and the public in advance of the meeting. The chair shall determine the order of business, unless otherwise amended by the Commission.

- b. Agenda items to be considered at a special meeting shall be limited to those included in the call to meeting, unless all members are present and vote otherwise.
- c. No more than three public hearings may be scheduled for a regular meeting of the Commission. The chair may approve exceptions when this bylaw would cause substantial backlog in Commission business.
- d. A typical agenda may include:
 - 1. Call to order
 - 2. Approval of agenda
 - 3. Approval of Minutes
 - 4. Public Remarks
 - 5. Communications
 - 6. Public Hearings
 - 7. ~~Public Remarks~~
 - 8. Unfinished Business
 - 9. ~~Discussion~~
 - 10. Other Business (as applicable)
 - 11. Announcements
 - 12. Public Remarks
 - 13. Adjournment

5.11 Public Participation.

- a. All regular and special meetings, work sessions, and committee meetings shall be open to the public subject to the provisions of the Open Meetings Act (~~P.A.~~ ACT 267, 1976 as amended).
- b. Opportunity shall be provided for public comment at meetings in accordance with established Commission and Township policies and procedures, which include:
 - 1. The number of persons admitted to a meeting room will be in keeping with public safety requirements and availability of space. Efforts will be made to provide adequate room to accommodate those in attendance.

2. Established protocols for public participation will be announced at the beginning of the meeting.
 3. Opportunity to speak will be granted either under Public Remarks, or during a public hearing, as most appropriate.
 4. A member of the public will be provided no less than three minutes to speak. Reasonable time limits may be imposed to insure everyone desiring to speak has an opportunity to speak.
 5. **MEMBERS OF THE PUBLIC WISHING TO SPEAK MUST FIRST FILL OUT AND HAND IN A REQUEST FORM.** Those completing a request form in writing shall be called upon first to speak.
 6. Members of the public will identify themselves by name and address prior to presenting their comments.
 7. All written communications will become part of the Commission record.
 8. The chair, ~~without objections from the Commission,~~ may invite members of the public to participate in informal discussion on all or selected agenda items during Commission work sessions.
- c. The chair may call to order any person who disrupts the orderly conduct of a meeting and prohibit such person from further participation or attendance at such meeting.
- 5.12 Records. Designated Township staff shall be responsible for minutes and other official records of all Commission meetings and actions, including supporting documentation. Notice of meetings, minutes and records shall be available to the public in accordance with the Freedom of Information Act (~~P.A. ACT 442 of 1976~~ as amended).
- 5.13 Reporting Requirements. The Commission shall provide for timely transmission of such reports or recommendations as are required by State law, Township ordinance or Board policy. Examples of reporting requirements include:
- a. Planning.
 1. The secretary of the Commission shall prepare and distribute a notice the Commission intends to prepare a Master Plan and requesting cooperation and comment to:
 - a. Each municipality contiguous to Meridian Township.
 - b. Tri-County Regional Planning Commission
 - c. Ingham County Board of Commissioners.

- d. Each public utility company and railroad company owning or operating a public utility or railroad within Meridian Township that registers its name and mailing address for this purpose with the Commission.
 - e. Any government agency that registers its name and mailing address for this purpose with the Commission.
 - f. Ingham County Road ~~Commission~~ **DEPARTMENT** and Michigan Department of Transportation.
2. The secretary of the Commission shall distribute the completed Master Plan draft after receiving Township Board authorization to the following:
- a. Each municipality contiguous to Meridian Township.
 - b. Tri-County Regional Planning Commission.
 - c. Ingham County Board of Commissioners including a statement signed by the secretary of the Commission that each municipality contiguous to Meridian Township and the Tri-County Regional Planning Commission were notified of the intent to prepare a Master Plan.
 - d. Each public utility company and railroad company owning or operating a public utility or railroad within Meridian Township which has registered its name and address; and reimburses Meridian Township for copying and mailing costs.
 - e. Any government agency which has registered its name and mailing address with the secretary of the Commission and reimburses Meridian Township for copying and mailing costs.
 - f. Ingham County Road ~~Commission~~ **DEPARTMENT** and Michigan Department of Transportation.
3. The secretary of the Commission shall distribute a copy of the adopted Master Plan to each entity which received a copy of the draft Master Plan shall be send a copy of the Master Plan upon final adoption.
- b. Zoning. Following the hearing on a proposed Zoning Ordinance, or its amendment, the Commission shall submit any comments received at the hearing and its proposed zoning ordinance including any maps and recommendations to the Township Board for final action thereon, as specified in the Michigan Zoning Enabling Act (~~P. A.~~ **ACT** 110 of 2006 as amended) and Chapter 86 of the Township Code of Ordinances.

- c. Annual Report. The Commission shall make an annual written report concerning its operations and the status of planning activities, including recommendations regarding actions by the Township Board related to planning and development; and on the administration and enforcement of the zoning ordinance and recommendations for amendments or supplements to the ordinance. The secretary of the Commission shall transmit the report to the Township Board.

5.14 Limit on Introduction of Agenda Items. Agenda items shall not be introduced for discussion or a Public hearing opened after 10:00 p.m. The chair may approve exceptions when this bylaw would cause substantial backlog in Commission business.

6. PUBLIC HEARINGS

6.1 Purpose and Time Limits.

- a. Public hearings shall be held:
 - 1. Prior to the adoption of any part of the master plan or any extension, addition, revision or other amendment thereof.
 - 2. Prior to **MAKING A RECOMMENDATION** ~~recommending approval by~~ **TO** the Township Board of any amendment to the Township Zoning Ordinances or of other zoning requests.
 - 3. For consideration of special use permits.
 - 4. For other matters as required by statute or Township Zoning Ordinance.
- b. Public hearings may also be held for informational purposes. Reasons for holding informational hearings include but not limited to:
 - 1. To seek citizen input on any appropriate subject.
 - 2. To educate the public on selected issues or proposed actions related to planning and development and enhance public understanding or acceptance.

6.2 Notice.

- a. Notice of public hearings, including time, place and purpose shall be made in conformance with **APPLICABLE STATUTES AND ORDINANCES.** ~~requirements of the Michigan Planning Enabling Act (P. A. ACT 33 of 2008 as amended), the Michigan Zoning Enabling Act (P.A. ACT 110 of 2006 as amended), the Township Code of Ordinance Chapter 86, and such other procedures as adopted by the Commission or Township Board.~~ **EXAMPLES OF NOTICING REQUIREMENTS INCLUDE:**

1. **PLANNING. THE MICHIGAN PLANNING ENABLING ACT (ACT 33 OF 2008 AS AMENDED) FOR ADOPTION AND AMENDMENT OF A MASTER PLAN.**
2. **ZONING. THE MICHIGAN ZONING ENABLING ACT (ACT 110 OF 2006 AS AMENDED) AND TOWNSHIP CODE OF ORDINANCE CHAPTER 86 FOR ZONING MAP AMENDMENTS, ZONING ORDINANCE AMENDMENTS, SPECIAL USE PERMITS, PLANNED UNIT DEVELOPMENTS, AND PLANNED RESIDENTIAL DEVELOPMENTS.**
3. **PLATS. THE LAND DIVISION ACT (ACT 288 OF 1967 AS AMENDED) AND TOWNSHIP CODE OF ORDINANCE CHAPTER 62 FOR PRE-PRELIMINARY PLATS AND TENTATIVE PRELIMINARY PLATS.**

b. **OTHER PROCEDURES AS ADOPTED BY THE PLANNING COMMISSION OR TOWNSHIP BOARD.**

6.3 Format. Public hearings shall be part of regular Commission meetings and shall be conducted according to established written procedures. An example of a typical public hearing format is:

- a. Introduction by the chair (**OPEN PUBLIC HEARING**, announcement of procedures, time limits, and protocols for participation by the public, applicants, and their designated representatives).
- b. Summary of subject matter.
- c. Presentation by the petitioner (applicant) or designated representative(s).
- d. Public comments.
- e. Discussion and questioning by Commission members **AND QUESTIONS FOR THE APPLICANT.**
- f. ~~Final remarks by applicant.~~
- g. ~~Adjournment~~ **CLOSE PUBLIC HEARING**

6.4 Decisions.

- a. A decision on a special use permit, zoning request or ordinance will not be made on the date of the public hearing considering such item.
- b. Written notice of a Commission decision will be sent to the parties directly concerned with the purpose of the hearing, including petitioners or originators of the request for the hearing.

7. APPEALS

- 7.1 Administrative Decisions. A person aggrieved by the action of the Director of Community Planning and Development related to a minor amendment to a Special Use Permit originally approved by the Commission may appeal in writing to the Commission within ten (10) days after the date of such action.
- a. The Commission shall hold a hearing on the appeal, following prior notification to the public.
 - b. Parties to the complaint shall confine their participation to the issues specified in the appeal.
 - c. The Commission shall notify the appellant in writing of its decision and rationale.
- 7.2 Commission Decisions. A person aggrieved by action of the commission **RELATED TO SPECIAL USE PERMITS** may appeal such action in writing to the Township Board within ten (10) days after the date of such action.

8. PARLIAMENTARY AUTHORITY

Robert's Rules of Order Newly Revised, shall generally govern all questions of procedure not otherwise provided for in these bylaws or by state or federal law, or Township ordinance or policy; EXCEPT, the Planning Commission shall not reconsider a decision without prior authorization from the Township Board.

9. AMENDMENT AND SUSPENSION OF BYLAWS

- 9.1 Amendment. Bylaws not required by state or federal law or Township ordinance may be amended by a two-thirds vote of the Commission, provided fifteen days notice and an opportunity for comment is given to the public.
- 9.2 Suspension. A bylaw may be suspended by a two-thirds vote of Commission members present and voting at a meeting, provided said action is in accordance with established state or federal law, Township ordinance and parliamentary authority.



TO: Planning Commission

FROM: 
Peter Menser
Senior Planner

DATE: April 20, 2017

RE: Training Opportunities and New Member Orientation

At the last meeting on April 10, 2017 the Planning Commission discussed options for training opportunities. Staff provided examples of regional, statewide, and national organizations that offer training opportunities on a variety of land use planning and public policy issues. If there is a specific issue that the Planning Commission would like clarification on it may be possible for the Township Attorney to set up a training session. Staff is also available to provide information on topics of interest. Chair Ianni asked Planning Commissioners to report on any particular items they may be interested in at the next meeting on April 24, 2017.

Staff would like to set up an orientation for new members of the Planning Commission. Chair Ianni suggested holding an orientation during a work session. Staff is available to hold an orientation at a work session prior to the next Planning Commission meeting on May 8, 2017. Work sessions typically begin at 6:00 p.m. Staff is also available to hold orientations with individual commissioners or a small group of commissioners during the work day. If a work session is preferred staff will post the appropriate notices announcing the meeting.

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TO: Planning Commission

FROM: *Peter Menser*
Peter Menser
Senior Planner

DATE: April 20, 2017

RE: Press Inquiries

From time to time Planning Commissioners may be contacted by members of the press to comment on land use requests or policy initiatives discussed at public Township meetings. Press inquiries related to official Planning Commission business should be directed to staff. No one member of the Planning Commission represents the opinion of all members; the official position of the Commission is reflected in public meeting records and resolutions. If you are approached for comment on an issue the Planning Commission has already or may discuss in the future please direct the request to staff, who will follow up and provide the appropriate information.

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