



**Planning Commission
Regular Meeting
January 17, 2017
7:00p.m.**

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES DECEMBER 20, 2016
5. CORRESPONDENCE / BOARD REPORTS
 - Boards and Commissions Expiration Dates
6. APPROVAL OF AGENDA
7. PUBLIC COMMENT: Restricted to (3) minutes regarding issues not on this agenda
8. NEW BUSINESS
 - A. Election of Planning Commission Officers
 - B. Proposed Planning Commission Bylaws
9. OTHER BUISINESS
10. EXTENDED PUBLIC COMMENT: Restricted to 5 minutes regarding any issue
11. ADJOURNMENT



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01/12/17

TO: Planning Commission
FROM: Township Planner

SUBJECT: A) Election of Planning Commission Officers

Reason for Request: The election for Chair, Vice Chair, Secretary, and Vice Secretary

History: In the past the Planning Commission has operated with a Chair, Vice Chair, Secretary and Vice Secretary. The Chair runs the meeting and the Secretary signs approved minutes of the Planning Commission

Objective of board: Elect at a minimum a Chair and Secretary for the ZBA to serve for (1) year in 2017

Recommend electing a Chair, Vice Chair, Secretary, and Vice Secretary for one (1) year term in 2017.

- Identifies who shall serve as the Chair and Secretary of 2017 for both the board and the public
- Identifies who shall serve in the absence of the Chair or Secretary without needing to vote a temporary successor during the meeting.

SUBJECT: B) Proposed Planning Commission Bylaws.

History: I found in early 2009 discussion for the creation and adoption of bylaws. I did not find record of adoption of any proposed bylaws. The proposed bylaws in your packet are from a 2009 file as proposed bylaws

Objective of board: To adopt Planning Commission Bylaws

Recommend adoption of Proposed bylaws with the removal of Section II Officers F. Zoning Board of Appeals Representative

- Adoption of bylaws is required under Charter Township of Union Ordinance 2011-01 and the Michigan Planning Enabling Act. Act 33 of 2008.

Peter Gallinat
Twp Planner

CHARTER TOWNSHIP OF UNION
Planning Commission
Regular Meeting

A regular meeting of the Charter Township of Union Planning Commission was held on December 20, 2016 at the Township Hall.

Meeting was called to order at 7:02 p.m.

Roll Call

Present: Fuller, Mielke, Robinette, Squattrito, Strachan, and Woerle

Excused: LaBelle, McGuirk & Zerbe

Others Present

Peter Gallinat, Township Planner, Mark Stuhldreher, Township Manager & Jennifer Loveberry

Approval of Minutes

Robinette moved **Mielke** supported the approval of the November 15, 2016 meeting minutes as presented. **Vote: Ayes: 6 Nays: 0. Motion carried.**

Correspondence / Reports

Board of Trustees – **Woerle** updated that he was named the Board of Trustee Representative to the Planning Commission and **Bryan Mielke** was named the Planning Commission Representative to the Zoning Board of Appeals.

ZBA – **Mielke** updated on approved sign variance for ICCU at December 14, 2016 meeting.

Approval of Agenda

Fuller moved **Woerle** supported approval of the agenda as presented. **Vote: Ayes: 6 Nays 0. Motion carried.**

Public Comment – Open 7:12 p.m.

No comments.

New Business

A. Public Hearing: REZ 2016-01 Robert Myers / Rezone from R1 to AG
Location: 2260 E. Remus Rd.

Peter Gallinat gave a brief history: The property is currently zoned is R1 (Rural Residential District). Adjacent zoning of the property (R1 to the North, R1 to the East, I1 to the West across the highway, I1 to the South). The Township's future land use/intent is Agriculture A2.

Public Notice was read by Township Planner, Gallinat

Public Hearing open 7:19 p.m.

No comments.

B. REZ 2016-01 Robert Myers / Rezone from R1 to AG
Location: 2260 E. Remus Rd.

Woody Woodruff represented the applicant, Robert Myers, in the rezoning request REZ 2016-01. He stated that the applicant currently has a one family dwelling with an existing accessory building on the property. The applicant desires a second accessory building; he acknowledged section 4.1 from the zoning ordinance allows this convenience.

Discussion was held by the Planning Commissioners.

Robinette moved **Strachan** supported to recommend REZ 2016-01 Robert Myers / Rezone from R1 to AG to the Board of Trustees as this rezone remains harmonious to the surrounding property, this convenience is allowed to the property owner found in section 4.1 in the zoning ordinance, and the future land use shows this property to be zoned AG. **Vote: Ayes: 6 Nays 0. Motion carried.**

A. Adoption of the 2017 Planning Commission Meeting Schedule

Woerle moved **Robinette** supported to approve the 2017 Planning Commission Meeting Schedule. **Vote: Ayes: 6 Nays 0. Motion carried.**

Old Business

Down shield Lighting was brought up by the Commissioners requesting to have the Planner, Peter Gallinat, draft an ordinance. Per the request of the Planning Commission, Township Manager, Mark Stuhldreher addressed the Commissioners to answer sub-committee questions. Discussion by Commissioners resulted in a sub-committee (Mielke & Squattrito) to work with Peter Gallinat to draft a lighting ordinance with the anticipation it will presented at the February 2017 meeting.

Other Business

Peter Gallinat mentioned a special meeting to include LSL (Master Plan update), The Board of Trustees and the Planning Commission to work on the Master Plan.

Extended Public Comment –open 8:40 p.m.

No comments.

Adjournment – Chairman Squattrito adjourned the meeting at 8:40 p.m.

APPROVED BY:

Alex Fuller - Secretary

(Recorded by Jennifer Loveberry)

Planning Commission Board Members (9 Members) 3 year term			
#	F Name	L Name	Expiration Date
1-Chair	Phil	Squatrito	2/15/2017
2-BOT Representative	Norm	Woerle	11/20/2020
3	Rick	McGuirk	2/15/2016 ¹
4	Brandon	LaBelle	2/15/2017
5	Erik	Robinette	2/15/2018
6	Alex	Fuller	2/15/2017
7	Dwayne	Strachan	2/15/2018
8	Bryan	Mielke	2/15/2018
9	John	Zerbe	2/15/2018
Zoning Board of Appeals Members (5 Members, 2 Alternates) 3 year term			
#	F Name	L Name	Expiration Date
1-Chair	Tim	Warner	12/31/2019
2-PC Rep / Vice Chair	Bryan	Mielke	2/18/2018
3-Vice Secretary	Jake	Hunter	12/31/2019
4-Secretary	Mike	Darin	12/31/2019
5	Paul	Gross	12/31/2018
Alt. #1	Andy	Theisen	12/31/2019
Alt. #2	Taylor	Sheahan-Stahl	2/15/2018
Board of Review (3 Members) 2 year term			
#	F Name	L Name	Expiration Date
1-Chair	Ronald	Mclvor	12/31/2018
2	James	Thering	12/31/2018
3	Brian	Neyer	12/31/2018
Citizens Task Force on Sustainability (4 Members)			
#	F Name	L Name	Expiration Date
1	Laura	Coffee	12/31/2018
2	Mike	Lyon	12/31/2018
3	Jay	Kahn	12/31/2018
4	Phil	Mikus	11/20/2020
Construction Board of Appeals (3 Members) 2 year term			
1	Colin	Herron	12/31/2017
2	Richard	Klumpp	12/31/2017
3	Andy	Theisen	12/31/2017
Hannah's Bark Park Advisory Board (2 Members from Township) 2 year term			
1			12/31/2018
2	John	Dinse	12/31/2017
Chippewa River District Library Board 4 year term			
1	Ruth	Helwig	12/31/2019

¹ Per section 5.003 of the ordinance, member holds office until successor is appointed

**BY-LAWS AND RULES OF PROCEDURE
CHARTER TOWNSHIP OF UNION
PLANNING COMMISSION
[PROPOSED]**

I. AUTHORITY

These rules of procedures are adopted by the Planning Commission of the Charter Township of Union, Isabella County, State of Michigan (hereinafter referred to as the Commission) in order to facilitate the performance of its duties as outlined in the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, *et seq.*, and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, *et seq.*

II. OFFICERS

- A. Selection and Tenure** – At the first regular meeting each January, the Commission shall select from its membership a Chairperson, Vice chairperson, Secretary, Vice secretary, and Representative to the Zoning Board of Appeals. All officers shall serve a term of one year, or until their successors are selected and assume office, except as noted in C, below. All officers shall be eligible for re-election for consecutive terms for the same office. The officers shall take office immediately following their election.
- B. Chairperson** – The chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the planning commission.
- C. Vice Chairperson** – the vice chairperson shall act in the capacity of the chairperson in his/her absence. In the event the office of the chairperson becomes vacant, the vice chairperson shall succeed to this office for the unexpired term, and the planning commission shall select a successor to the office of vice chairperson for the unexpired term.
- D. Secretary** – the secretary shall execute documents in the name of the Commission and shall perform such other duties as the Commission may determine.
- E. Vice Secretary** – the vice secretary shall execute documents in the name of the Commission and shall perform such other duties as the Commission may determine in the absence of the Secretary.

III. MEETINGS

The business that the Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. The Commission may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting.

- A. Regular Meetings** – the Commission shall hold not less than four regular meetings each year and by resolution shall determine the time and place of such meetings. Other meetings may be held as necessary. When a regular meeting falls on a legal

holiday or upon a day resulting in a conflict, the Commission shall, if possible, select a suitable alternate meeting date in the same month as the originally scheduled meeting.

Notice of regular Commission meetings shall be posted at the principal township office within 10 days after the Commission's first meeting in each calendar year in accordance with the Open Meetings Act. Any changes in the date or time of the regular meetings shall be posted and noticed in the same manner as originally established.

B. Special Meetings – Special meetings may be called by the chairperson, Zoning administrator, or upon written request to the secretary by at least two members of the Commission.

Notice of special meetings shall be given to the members of the Commission at least 48 hours prior to the meeting. Such notice shall state the purpose, time, and location of the special meeting and shall be posted in accordance with the Open Meetings Act.

C. Notice – Notice required for specific planning, zoning, or other land use actions will be given in accordance with the Michigan Planning Enabling Act, the Michigan Zoning Enabling Act, Land Division Act, or other applicable statute.

D. Public Hearings – All public hearings held by the Commission must be held as part of a regular or special meeting of the Commission. Public hearings conducted by the Commission shall be run in an orderly and timely fashion.

E. Agenda – The Zoning Administrator shall be responsible for preparing a tentative agenda for Commission meetings. The agenda may be modified by action of the Commission. The order of business shall be:

1. Call to Order
2. Roll Call
3. Approval of Minutes
4. Correspondence
5. Approval of Agenda
6. Public Comments and Communications Concerning Items Not on the Agenda
7. Public Hearings
8. New Business
9. Other Business
10. Extended Public Comment
11. Adjournment

F. Quorum – Five members of a nine-member Commission shall constitute a quorum for transacting business and taking official action for all matters. No official action of the commission may be taken without a quorum present.

- G. Voting** – An affirmative vote of the majority of the Commission shall be required for the approval of any requested action or motion placed before the Commission. Voting shall be by voice vote; a roll call vote shall be required if requested by any Commission member or directed by the chairperson. Except in the case of conflict of interest, all Commission members, including the chairperson, shall vote on all matters. Any member abstaining from a vote shall not participate in the discussion of that item. An affirmative vote of the majority of the members of the Commission is required to approve any part of the master plan or amendments to the plan or to amend these bylaws.
- H. Motions** – Motions shall be restated by the chairperson before a vote is taken. The name of the maker and supporters of the motions shall be recorded.
- I. Public Records** – All meetings, minutes, records, documents, correspondence, and other materials of the Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- J. Rules of Order** – All meetings of the Commission shall be conducted, to the extent practicable, in accordance with generally accepted parliamentary procedure, as governed by “Robert’s Rules of Orders.” However, application of “Robert’s Rules” shall not be utilized in order to stifle discussion or debate and may be implemented only to the extent required to maintain the orderliness of the meeting.

IV. DUTIES OF THE PLANNING COMMISSION

The Commission shall perform the following duties:

- A.** Prepare, review, and update a master plan as a guide for development within the Township’s planning jurisdiction. The master plan must be updated at least every 10 years.
- B.** Take such action on petitions, staff proposals and township board requests for amendments to the zoning ordinance as required.
- C.** Take such action on petitions, staff proposals and township board requests for amendments to the master land use plan as required.
- D.** Prepare an annual written report to the township board of the Commission’s operations and the status of planning activities, including recommendations regarding actions by the township board related to planning and development. The annual written report must be completed and submitted by December 1st of each year.
- E.** Take such actions as authorized or required by the Michigan Planning Enabling Act.
- F.** Take such actions as authorized or required by the Michigan Zoning Enabling Act.
- G.** Review subdivision proposals and recommend appropriate actions to the township board.

- H. Prepare a capital improvements program.
- I. Perform other duties and responsibilities or respond as requested in writing by any township board or commission.

V. ABSENCES, REMOVALS, RESIGNATIONS, AND VACANCIES

- A. To be excused, members of the Commission shall notify the Zoning Administrator or Chairperson when they intend to be absent from a meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence.
- B. Members may be removed by the township board for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing.
- C. A member may resign from the Commission by sending a letter of resignation to the township board.
- D. Vacancies shall be filled by the township supervisor, with the approval of the township board. Successors shall serve out the unexpired term of the member being replaced.

VI. CONFLICT OF INTEREST

Before casting a vote on a matter on which a planning commission member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Commission. Failure of a member to disclose a potential conflict of interest as required by these bylaws constitutes a malfeasance in office. Before a member may be excused from casting a vote, a majority of the Commission must find by an affirmative vote that a conflict of interests exists.

Conflict of interest is defined as, and a Commission member shall declare a conflict of interest and abstain from participating in Commission deliberations and voting on a request, when:

1. An immediate family member is involved in any request for which the Commission is asked to make a decision. "Immediate family member" is defined as; the planning commission member's spouse, the member and member's spouses children (including adopted) and their spouses, step-children and their spouses, grandchildren and their spouses parents, and step-parents, brothers and sisters and their spouses, grandparents, parents in-law, grandparents in-law, or any person residing in the planning commission member's household.
2. The Commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency, or association.
3. The Commission member owns or has a financial interest in neighboring property being within 300 feet of the subject property.
4. There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the Commission.

VII. AMENDMENTS

These bylaws may be amended at any meeting by a vote of the majority of the membership of the Commission.

IV. TOWNSHIP OF EXCELLENCE

The Commission is dedicated to pursuing the Michigan Townships Association recognition for being a “Township of Excellence.”

Adopted by the Union Township Planning Commission at a regular meeting on _____, 2017.