

Roscommon Township Planning Commission

Regular Meeting

January 18, 2022

Meeting called to order by Chairwoman Barnes at 6:00 pm

Roll Call Vote of Members: Leonard *present*, Milburn *absent*, Barnes *present*, Hines *present*, Andre' *present*.
Zoning Administrator: Christian *present*. **Also in attendance:** None

- **Agenda:** Chairwoman Barnes asked if everyone had a chance to review the agenda and asked if there were any changes or additions. **Motion by Hines to approve the agenda as presented. Second by Leonard, all ayes, motion carried.**
- **Minutes:** Barnes asked the commissioners if they all had a chance to look over the previous meeting minutes. **Motion by Hines, second by Andre to approve the December 20, 2021 minutes as presented. Roll call vote: all ayes, motion carried.**
- Zoning Administrator Christian stated the first item on the agenda was Election of Officers for the Roscommon Township Planning Commission. Christian asked for nominations for Chairman of the Planning Commission. **Motion by Andre to re-appoint Rachael Barnes as Chairwoman of the Planning Commission. Second by Leonard, all ayes, motion carried.** Commissioner Leonard suggested that Commissioner Andre remain Secretary and Commissioner Hines remain Vice-Chair as these positions had recently been filled within the last few months. Commissioner Hines agreed stating the positions had recently been filled and there were no issues thus far. It was consensus of the board to allow both Andre and Hines to remain as Secretary and Vice-Chair, respectively.
- Barnes stated the next item on the agenda is Planning Commission Bylaws Draft Review #2. Zoning Administrator Christian explained that a revised draft of the Planning Commission Bylaws had been presented reflecting changes that had been previously discussed over the last couple of months. Christian addressed Commissioner Barnes concern regarding who serves on a Planning Commission and selection criteria by providing an excerpt from the Michigan Planning and Enabling Act (Act 33 of 2008) that dictates the selection criteria. Christian explained that although this information could be added to the bylaws, it seemed repetitive given the specifics of Act 33. Christian stated that he had updated sections of the bylaws that should reflect references to the Michigan Planning and Enabling Act and pointed out that an additional section had been added to address Conflict of Interest since the last meeting. Barnes stated she thought the bylaws were well put-together and updated appropriately. **Motion by Barnes to accept and approve the updated bylaws as presented. Second by Hines, all ayes, motion carried.**
- Barnes stated the next item on the agenda was a discussion on Section 19.1 (S) of the Roscommon Township Zoning Ordinance. Christian explained that currently, under Section 19.1 (S), any denial of a Special Use Permit prohibits re-application for a period of 365 days from the date of the denial. Christian stated that previous discussion had occurred regarding shortening the re-application period but no specific timeframe had officially been discussed. Christian stated he is looking for direction on if the ordinance needs changed and what the potential changes would be. Leonard referred to wording that allows an exception on grounds of new evidence or changed conditions, asking if less than the 365 days could be allowed based on current wording. Andre stated he believed it to be negated by the phrase "that reasonably could not have been submitted at the time of the initial application", stating that potential denials could be avoided if the applicant was properly prepared. Andre stated that 365 days

felt like an excessive period of time to wait to re-apply. Hines agreed and inquired as to the meaning of "grounds of new evidence". Christian stated he was not completely sure but suggested a change of condition could warrant new evidence. Hines stated the timeframe felt more like a punishment. Andre agreed, further stating the word "reasonably" could have many interpretations, suggesting a change of wording may also be warranted. Leonard stated that perhaps a "checklist" could be provided to applicants so that all required items are included. Christian stated that this information is presented to all applicants currently who apply for a Special Use Permit. Hines asked how the 365 day period was previously decided, stating she understands that limits need to be placed on how many times an applicant can re-apply but the timeframe makes no sense. Barnes stated the 365 day period could work if the board was allowed to "table" a Special Use Permit. Christian stated that Section 19.1 (O) says the Planning Commission "shall approve, approve with conditions, or deny the special use permit". Andre stated that he would support a 3-month "cool-off" period to re-group and then come back to the Planning Commission, stating 1-month would probably be too soon given the notice requirements. Andre suggested that the applicant would then re-apply and pay another fee to cover the notification requirements of another hearing. Andre suggested that no more than 2 chances be given to an applicant to obtain a Special Use. Andre asked if applicants are informed at the time of application that they currently have 1 chance-per-year to obtain a Special Use. Christian stated no, not typically as the issue is rare where a Special Use is denied. Barnes spoke of the speed in which applicants attempt to obtain permits but then fail to begin any work until much later. Hines spoke of the complexities involved in getting work completed, referring to a recent recipient of a Special Use Permit and the challenges they are facing. Andre asked how the language would be worded and if 90 days would be a reasonable timeframe. Barnes stated she felt 90 days was a reasonable timeframe following a denial, stating that more attention should be given to ensuring all required documentation is presented appropriately. Leonard agreed, stating that applicants are expected to be prepared. Andre inquired as to what the changes would look like and options to inform the applicants. Christian asked what specifically the board would want to see changed. Andre stated that a 90-day period after denial was reasonable but that a re-application fee should be charged, suggesting further options, including adding "at the discretion of the Planning Commission" as a potential condition. Barnes agreed that different wording options would probably be best. Christian stated he would present some different options to the current wording as a foundation to build on moving forward, stating once any changes are agreed upon it can be presented to the public. Barnes asked if there were other sections of the Zoning Ordinance that Christian felt needed attention. Christian stated yes and that he would continue to bring sections of the ordinance to the PC for review. Barnes inquired about "berms" and if the board had decided to move forward or not. Christian stated the board had not made a final decision but that he would present some text amendments at a future meeting, stating the PC could then decide if it makes sense to make any changes to the ordinance. Leonard spoke about the need to "maintain" appropriately and setting visual standards. Christian stated he would present some amendment options related to "berms" for review by the Planning Commission to determine if an amendment would make sense.

- Barnes stated the next item on the agenda was Joint Planning Commission Representatives. Christian stated that previous discussion was had regarding the 5-year review of the Joint Master-Plan and the need to schedule a meeting of the JPC. Christian stated that Roscommon Township had previously nominated 3-members of the Planning Commission to serve on the Joint Planning Commission. Those 3 members are no longer on the Planning Commission, so 3 new members would need to be appointed before moving forward. Barnes stated that due to recent vacancies on the Denton Township Planning Commission, it would be difficult to nominate Denton representatives until March at earliest. Christian stated that waiting until Denton Township was ready to nominate representatives would be an option. Barnes suggested that Commissioner Milburn may be interested. Andre expressed interest and asked about the specific process for reviewing the Master Plan. Barnes explained that each section of the Master Plan is reviewed, as a group and discussed collectively. Discussion was had about who could attend the review session without being one of the nominated representatives, quorum concerns, and

decision-making process. It was the consensus of the board to table any nominations for Joint Planning Commission representatives until the February meeting.

Adjourning Meeting: Barnes made the motion to adjourn, second by Hines, all ayes. Meeting adjourned at 6:39 pm.

- **Next Scheduled Meeting Date: February 22, 2022 at 6:00 pm.**



Rachael Barnes, Chair



Dave Andre, Secretary

Prepared and submitted by Robert M. Christian