

Colfax Township, Weldon Township and Village of Thompsonville
Community Joint Planning Commission
14714 Lincoln Avenue, Thompsonville, MI 49683
Special Meeting Minutes – May 18, 2013

Chairperson Sue Meredith called the meeting to order at 3:00PM followed by the Pledge of Allegiance.

Present at roll call: JPC members Jack Richter, Peggy Minster, Shelley Greene, Sue Meredith, Don Suchocki, Debra Franke, Pat Workman, Eugene Allen; Alternate members Mike Foust and Irene Dunham Thayer; and Zoning Administrator Craig Meredith. Absent: Bryan Matthews (unexcused).

Citizen Matters. None.

Public Comment. None.

Shelley welcomed Irene Dunham Thayer as Colfax's new alternate member. Sue announced Chris Jones will be Weldon's new alternate.

Agenda Additions/Corrections. Peggy moved, seconded by Eugene to accept the agenda as presented. Ayes: all, motion carried.

Approval of Minutes. Debra moved, seconded by Jack to accept the minutes as presented. Ayes: all, motion carried.

Review Joint Zoning Ordinance Initial Draft. Sue asked how we wanted to handle the review; Debra suggested taking turns reading. Jack commented that a Joint ZBA is mentioned in the draft; responses were that Mark Eidelson addressed it in the cover letter based on our receptiveness of the idea. Depending on the reply Sue receives from Dick Figura, a Joint Ordinance amendment may be discussed at next meeting since all municipalities agreed with the JPC's recommendation. Sue expressed the importance of not including specific fee amounts in the JZO; doing so would require amendment if amounts change. Section 3.8 discusses Application Fees in general but not amounts.

The following comments and questions arose after reviewing the draft JZO.

Article 1 Title and Purpose

- **Section 1.1 Title:** no comment.

- **Section 1.2 Purpose:**

1. Add "Michigan" before Planning Enabling Act (near end of sentence).
2. This section is a very long sentence. Can it be revised to visually assist the reader? Suggestions were to list items in bullet point format shown below, or use semicolons between items if it should remain one sentence since it is a legal document.

"It is the purpose of this Zoning Ordinance:

- To regulate the use of land and structures... and adaptability;
- To ensure...and relationships;
- To limit...public facilities;
- To facilitate...facility requirements;
- To promote...water resources;
- To implement the goals...as amended and
- To advance...the Michigan Zoning Enabling Act."

Article 2 Interpretation, Severability, Vested Right, Repeal and Effective Date

- **Section 2.1 Interpretation:** second sentence is long; can it be restructured? Suggestion: remove "...provided, that where this..." and replace with "...use of building or land. Where this Ordinance imposes a greater restriction...the provisions of this Ordinance shall control."
- **Section 2.2 Severance Clause:** no comment.
- **Section 2.3 Vested Right:** no comment.
- **Section 2.4 Repeal:** change "Colfax" to "Weldon."
- **Section 2.5 Effective Date:** no comment.

Article 3 General Administration, Enforcement and Penalties

- **Section 3.1 Purpose:** last sentence – the phrase "establish the use" was discussed; can it be changed to "...the applicant may begin (or initiate?) use for which the permit has been issued."
- **Section 3.2 Zoning Permit Required:** change subsection A to read "When a Zoning Permit is Required."
- **Section 3.3 Responsibility for Administration:** it was felt reference to legislative bodies designating or appointing personnel should be removed. The Joint Ordinance gives the JPC this power in Section 4 Powers and Duties, item (g) Administration.
- **Section 3.4 Zoning Permit Application, Review Procedures and Permit Withholding, Revocation and Expiration:**
 1. Subsection A: capitalize Zoning at beginning of sentence (fifth line).
 2. Subsection A6: specify who has responsibility(s) to write applicant.
 3. Subsection B2a: specify who has responsibility to write applicant; assuming it is the ZA, reword sentence to "The applicant shall be notified in writing by the Zoning Administrator of action..."
- **Section 3.5 Building Permit / Permit of Occupancy Required:** clarification requested on subsection B. Is this for construction of a new dwelling? What about an addition when building is already occupied? When is permit of occupancy required?
- **Section 3.6 Performance Guarantee:**
 1. Subsection A: add "fiduciary" before municipality in two places and remove "...in which the property is located..." Weldon Township is the fiduciary municipality for the JPC (reference Section 9 of the Joint Ordinance).
 2. Subsection C: add "written" to read "transmit a written recommendation."
 3. Subsection C: replace "legislative body" with "Joint Planning Commission" (first three places). Remove "of the municipality...property is located." Replace "clerk...legislative body" with "clerk of the fiduciary municipality."
 4. Subsection C1: replace "legislative body" with "Joint Planning Commission" and remove "of the municipality...property is located."
- **Section 3.7 Timely Actions on Applications:**
 1. Subsection B1: calls for action within 15 days of the "submittal" of the complete application. This conflicts with Section 3.4(B)2(b). Change "submittal" to "receipt" and "acted upon" to "decided upon."
 2. Subsection B2: "amendment petition" refers to the JZO?
 3. Subsection B3: needs clarification and/or rewriting. The JPC takes action on applications, not the legislative bodies. Legislative bodies take action on the JPC's recommendation for an amendment.
- **Section 3.8 Application Fees:**
 1. Subsection A: add "fiduciary" to read "clerk of the fiduciary municipality." Change text to reflect fees shall be established by the JPC, not each legislative body.

2. Subsection B: split the last sentence into two, the second one starting with “If actual professional review costs...”
- **Section 3.9 Site Inspections:** no comment.
 - **Section 3.10 Violations, Penalties and Remedies:**
 1. Subsection A: add “Joint” to Zoning Board of Appeals.
 2. Subsection C1: change “requesting” to “request.”
 3. Subsection C2: change “legislative body” to “Joint Planning Commission.”
 - **Section 3.11 Public Hearing Notices:**
 1. Clarify whether an applicant shall be required to obtain names and addresses/tax ID numbers affected by the subject property.
 2. Subsection D: replace “clerk...” with “fiduciary municipality.”

Craig felt a word other than clerk should be used in some cases, but Shelley was comfortable at this time with the changes discussed to replace clerk with “fiduciary municipality.” She said there could also be instances where the JPC secretary is assigned responsibility if appropriate. This is in addition to when a municipal clerk must be involved based on location of a property, such as providing names of registered utilities, railroads and airports.

I-9 Form. Sue handed out Dept. of Homeland Security Employment Eligibility Verification forms. They need to be returned to Fran Griffin when completed. Fran needs to examine or be given copies of ID listed on the third page so contact her if you need an appointment.

Sue thanked everyone who worked on the community cleanup today, the committee that set it up and got the flyers out and Geno for the great lunch. She personally felt it was a good turnout for Weldon. Geno thanked Sue for her help printing flyers, including for Colfax’s cleanup day which is June 15.

Adjournment. Debra moved, second by Peggy to adjourn at 4:55pm.

Respectfully submitted,

Shelley Greene
Secretary

Minutes are proposed until approved at the next meeting.