

**AGENDA**  
**Cascade Charter Township Planning Commission**  
**Monday, January 3, 2022**  
**7:00 pm**  
**2870 Jacksmith Ave**

*Public may access the meeting via video conference software Zoom*  
<https://us02web.zoom.us/j/87980581366>

**Meeting ID:** 879 8058 1366  
**By Phone:** +1 929 205 6099

- ARTICLE 1. Call the meeting to order  
Record the attendance**
- ARTICLE 2. Pledge of Allegiance to the Flag**
- ARTICLE 3. Approve the current Agenda**
- ARTICLE 4. Disclose any Conflict of Interest**
- ARTICLE 5. Approve the Minutes of the December 6, 2021 Meeting**
- ARTICLE 6. Approve the Minutes of the December 14, 2021 Special Meeting**
- ARTICLE 7. Acknowledge visitors and those wishing to speak.  
(Comments are limited to five minutes per speaker)**
- ARTICLE 8. Election of Officers**
- ARTICLE 9. 2021 Planning Commission Report**
- ARTICLE 10. Rules of Conduct**
- ARTICLE 11. Planning Principles**
- ARTICLE 12. 2022 Calendar**
- ARTICLE 13. Old Business**
  - Planning Commission Bylaws Discussion
- ARTICLE 14. Any Other Business**
- ARTICLE 15. Adjournment**

**Meeting format**

- 1. **Staff Presentation** *Staff report and recommendation*
- 2. **Project presentation-** *Applicant presentation and explanation of project*
  - a. **PUBLIC HEARINGS**
    - i. *Open Public Hearing. Comments are limited to five minutes per speaker; exception may be granted by the chair for representative speakers and applicants*
    - ii. *Close public hearing*
- 3. **Commission discussion –** *May ask for clarification from applicant, staff or public*

**4. Commission decision - Options**

- a. *Table the decision*
- b. *Deny*
- c. *Approve*

- d. *Approve with conditions*
- e. *Recommendation to Township Board*

**Minutes**  
Cascade Charter Township  
Planning Commission  
Monday December 6, 2021  
7:00 P.M.  
2870 Jacksmith Ave SE

**ARTICLE 1.** Chairman Rissi called the meeting to order at 7:01 P.M.  
Members Present: Noordhoek, Moxley (7:10 arrival), Noordyke, Rissi, Deering, Rapin, Korstange, and Meurlin (7:15 arrival)  
Members Absent: None  
Others Present: Interim Planning Director Brian Hilbrands and those listed on the sign-in sheet

**ARTICLE 2.** Pledge of Allegiance

**ARTICLE 3.** Approve the current Agenda

Motion was made by Member Noordyke to approve the current Agenda. Supported by Member Deering. Motion carried 6 to 0.

**ARTICLE 4.** Disclose any Conflicts of Interest

There were none.

**ARTICLE 5.** Approve the Minutes of the November 8, 2021 Meeting.

Motion was made by Member Noordyke to approve the November 8, 2021 meeting minutes as written. Supported by Member Korstange. Motion carried 6 to 0.

**ARTICLE 6.** Approve the Minutes of the November 15, 2021 Meeting.

Motion was made by Member Deering to approve the November 15, 2021 meeting minutes as written. Supported by Member Rapin. Motion carried 6 to 0.

**ARTICLE 7.** Acknowledge visitors and those wishing to speak to non-agenda items.

There was no one who wished to speak to non-agenda items.

**ARTICLE 8.** Case #21-3685/Renucci

**Property Address:** 5175 Buttrick Ave

**Requested Action:** The applicant is requesting approval of a Special Use Permit for an accessory building over 832 sq ft.

Interim Planning Director Hilbrands presented the case. The applicant is requesting a Type 1 Special Use Permit to build a barn that is 42'x60' (2,520 sq ft) and 22' tall to the midpoint of the roof. This requires a minimum 60-foot setback to the side and rear property lines; the applicant shows a setback of 350' to the nearest side property line and over 2,000' to the rear property line with 175' to the front property line. The

building is replacing a barn that burned down but there is no home on the property, which is typically a requirement to build an accessory building. The applicant received a variance from the Zoning Board of Appeals at the June 8<sup>th</sup>, 2021 meeting to permit an accessory building on the property. The applicant indicated that they intend to use the building for storage of equipment that will be used to maintain the property. The building will consist of metal roofing and wood siding and is a typical size for such a large parcel. The applicant appears to meet township standards for an accessory building so Staff recommend approval of the Special Use Permit with the two conditions: the building cannot be used for living space or to run a business and any outdoor lighting meets township regulations.

John Renucci (7150 Gladys) came forward to answer questions. Member Noordyke asked if there were any material differences between the previous barn and the one he intended to build. Renucci said that the previous barn was all wood and from the turn of the century. The foundation is in disrepair, containing many cracks, so they need to build a new one. The barn was burned down from arson so they just want to rebuild it. It will be used for the same purpose as before and the size will be similar but it will be more longitudinal than square.

**Motion was made by Member Rapin to go to public hearing. Supported by Member Deering.**

There was no one who wished to speak.

**Member Korstange motioned to close public hearing. Supported by Member Rapin.**

**Motion was made by Member Noordyke to approve the Special Use Permit with the conditions listed by staff. Supported by Member Korstange. Motion carried 6 to 0.**

**ARTICLE 9. Approval of the 2022 Meeting Schedule**

**Motion was made by Member Rapin to approve the 2022 Meeting Schedule as written. Supported by Member Deering. Motion carried 6 to 0.**

**ARTICLE 10. Old Business**

**Planning Commission Bylaws Discussion:** Chair Rissi said that the previous law firm that the township used thought that section 23 of the township zoning ordinance was sufficient as bylaws for the Planning Commission. Other attorneys expressed concern that the Planning Commission didn't have its own separate bylaws and the new township attorney, Foster and Swift agreed. Foster and Swift drafted bylaws and, about a week prior to this meeting, Chair Rissi, Interim Planning Director Hilbrands, and Manager Swayze got together to go through the draft, making small adjustments in wording and looking for anything that didn't match how the commission operates. These draft bylaws fit the zoning ordinance and add additional content. The bylaws have to be in agreement with the zoning ordinance; if they do not agree, the zoning ordinance will have to be amended which requires board approval.

Member Moxley joined the meeting at 7:10 p.m.

Member Deering shared that she thinks the content of these bylaws include information she wished she had known when she joined the Planning Commission. Chair Rissi agreed and said that he is working on a document that includes this kind of information so that future board members are better prepared and know where to look for information.

Member Moxley said that he had a point of confusion in the section regarding members that are on more than one board. He asked if, when they vote on a case with one board, are they to abstain from voting on the same case with the other board. Chair Rissi said that if it was the Zoning Board, for example, the member would vote on the case with the Planning Commission and then abstain when it came to the Zoning Board because the case would always come to the Planning Commission first. Cases that go to the Zoning Board of Appeals are only going there because they've already gone to the Planning Commission first and are appealing the Planning Commission's decisions.

Member Meurlin joined the meeting at 7:15 p.m.

Member Meurlin said that this bylaw draft does not match what Mike Homier from Foster and Swift suggested and doesn't accomplish what they want the bylaws to do. The current bylaws are found in chapter 23 of the zoning ordinance and he believes that this bylaw draft only restates chapter 23 with some small variations. He saw moving the bylaws out of the zoning ordinance as a way to give the Planning Commission more flexibility in how they self-govern. He said it is rare that you would ever see the bylaws in the zoning ordinance because that needs to go through hearings and is more difficult to change than a separate set of bylaws.

Chair Rissi said that, with the provisions currently drafted, they can change the bylaws as needed, as long as they don't conflict with the zoning ordinance. Member Meurlin said that any changes to the bylaws would conflict with the zoning ordinance as they are basically the same. Chair Rissi disagreed, saying that there are many things they can add without conflicting. Member Meurlin said that Mr. Homier suggested they work on creating bylaws where they don't have to worry about conflicting. He referenced the memo he and Chair Rissi had received about the Open Meetings Act where there was much discussion about how the Planning Commission couldn't take action unless they were authorized under their charter or the zoning ordinance; they saw this as blocking progress and as a situation they could mitigate with new bylaws.

Member Meurlin said that, since the Roundhill subcommittee will most likely be suggesting changes to the zoning ordinance, this can be one of those changes and the Planning Commission will be able to change their procedural bylaws as they see fit. Then the commission would be subject to the law of the state of Michigan rather than the law of the zoning ordinance.

Member Rapin said that he sees rule 11 as the way the bylaws can be changed over time. This would pull the bylaws out of the ordinance so that they wouldn't have to be consulted every time they want to make a change.

Chair Rissi said that the commission still has to be in compliance with the zoning ordinance but that what Member Meurlin is saying is that the commission can create bylaws and then ask the Township Board to get rid of section 23 as the bylaws would be replacing it. He then asked Member Meurlin why the lawyers would write these bylaws but then not agree with what was written and tell them they should be doing something else.

Member Meurlin said that he had asked them the same question and the lawyers said that the commission had to start somewhere and turn the draft into bylaws that would meet their needs. Member Meurlin said that he likes to have information from experienced sources when considering an unfamiliar problem. He wanted information on what other townships are doing, then to integrate the suggestions that make sense for Cascade, eventually taking them to the Board of Trustees, with the Roundhill investigation recommendations.

Member Korstange stated that she had noticed there were memos and documents brought up at Planning Commission meetings and were referenced as if everyone had received them when that was not in fact the case. She feels out of the loop when this happens and she doesn't believe that's how the Planning Commission should operate. Member Meurlin admitted that it was a process flaw and, if he is the one getting the information, he sends it to Chair Rissi. Chair Rissi said that he didn't send out the Open Meetings Act memo because it was related to the Roundhill Subcommittee and it was discussed there. The reason the Rules of Conduct information wasn't sent out was because they haven't gotten it onto the agenda yet. Member Meurlin said that he sends information to Chair Rissi and maybe he should note on the information that Chair Rissi should send it out to the other members.

Member Noorddyke asked where they were in the process of getting the email address for the commission that they had requested 18 months ago. Interim Planning Director Hilbrands said that he hasn't heard anything from Manager Swayze recently that was related to getting the email address. Member Noordhoek said that he had asked Manager Swayze about it multiple times and hadn't gotten any update. Members Noordhoek, Noorddyke, and Korstange all said they would reach out to Manager Swayze again on the next day and encouraged the other Planning Commission members to do the same. Member Korstange said that last she heard it was an issue of switching servers and Member Noorddyke said he is in that business and it takes less than 48 hours.

Member Korstange said that she likes this draft of the bylaws as it is general but also gives some structure. She thought they should see if the Township Board would remove the section in rule number one that references chapter 23 of the zoning ordinance and that, other than some things that should be added, not getting too detailed would be a

benefit so that there are less restrictions to work around. She also thinks they would be very informational for new members.

Member Meurlin said that he doesn't want his bylaws written as rules. He said they should be in articles and sections; Chair Rissi and Member Korstange agreed with him. He said that the way the attorney wrote the bylaws makes them even less flexible than chapter 23 such as in 2.2 where it says that 'the Planning Commission shall consist of nine members representing all major interests in the township. Member Meurlin does not believe that nine members can represent all major interests. Member Korstange recommended striking the word 'all' and the commission was in agreement.

Member Meurlin brought up the second sentence in the zoning ordinance that states that 'unexcused failure to attend three consecutive regular meetings or 50% of the meetings in a 12-month period shall be considered nonfeasance' and noted that the attorney took out the word 'unexcused' when drafting the new bylaws. Chair Rissi said that it states that it's up to the Chair to initiate any action on this and Member Meurlin pointed out that it says 'you shall' and doesn't give the Chair an option. Member Meurlin suggested changing the 'shall' to 'may'. Member Korstange requested the decision to remove a member due to excessive absences come to the commission for their opinion and approval so it doesn't all fall on the Chair.

Member Deering pointed out section 6.2 that is more lenient on attendance. She said that it is "or 50% or more of the regularly scheduled meetings in a calendar year, subject to review and possible recommendation for removal from the township board. Exceptions may be made for absences." Member Meurlin, Chair Rissi, Member Noordyke, and Member Korstange all expressed agreement that they should use section 6.2 and strike section 3.3 except for it's first sentence.

Section 4.1 says 'we must perform all of the actions required by law,' and Member Meurlin questioned if the commission is currently abiding by that now with respect to their planning responsibilities. He said they are doing great with the material that the Planning Department brings to the commission for project approvals but under the Planning Enabling Act of Michigan have planning responsibility that is their first duty. This brings up the master plan/township plan/strategic plan for the township and means that the Planning Commission has to approve the plan where the Township Board could then disapprove of what this commission submitted and suggest changes, sending it back to the Planning Commission. If an agreement can't be reached, members of the Planning Commission are also subject to removal by the board but that requires a process to be carried out. This is how the Planning Commission previously got into the conversation about a strategic plan, though not with approval from the board. When the strategic plan was identified as the 'Township Board Strategic Plan' January of 2021, the citizens did not approve of this naming and it was changed to 'Cascade Township's Strategic Plan'. He suggests that the word "must" being used means that they are not carrying out their duty of assisting with the creation and execution of the strategic plan.

Member Meurlin said that Mr. Homier believes that the Rules of Conduct should be added into the bylaws. He said that the ex parte communications are in there and he hadn't had time to see what was missing for the Rules of Conduct that are in the draft. Chair Rissi stated that he spoke to Interim Planning Director Hilbrands and they would be working on those at the December 20 meeting or the first meeting of the year in January, like the commission normally does. Member Meurlin said that the ex parte communications and the section on conflicts of interest are in both documents and questioned if Chair Rissi was suggesting those pieces are taken out of the bylaws and added to a new document called the Rules of Conduct. Chair Rissi suggested referencing a separate document so that, if the ex parte communication rules or the Rules of Conduct are changed, they can just amend the exhibits rather than the bylaws. Member Meurlin stated that it's as easy to amend the bylaws as it is to amend the Rules of Conduct but the Rules of Conduct provide a different role than the bylaws. He said he wouldn't generally put a section on conflicts of interests in the bylaws, they would go in a separate document because that is always the most fought over provision, according to Mr. Homier. Member Rapin said that he would be in favor of pulling the conflicts of interest section into its own document that is referenced here. Member Korstange asked if most companies have a separate document that has to be signed on a yearly basis. Member Meurlin said that she is correct and every company he has either worked for or counseled has had a separate document. Member Korstange suggested in 3.3, removal from office, it be mentioned that violating the rules of conduct is a reason for removal from office, in addition to the other reasons to be removed from office.

Chair Rissi asked if the way to begin a member's removal from office should be a majority of members asking the chair to make a recommendation to the board for the member's removal. Member Korstange said that she thought the Planning Commission should make a recommendation as a whole. Chair Rissi said that the reason he thinks it should be worded differently is because some members may not be comfortable publicly complaining about another member. Member Korstange said that she feels that would be ex parte communication and any member should be able to stand in front of the commission and tell them that they have a problem with them, otherwise they shouldn't be a commission member; Member Meurlin agreed. Chair Rissi shared his concern that there will eventually be a group of shy members who have a problem with someone on the commission but won't confront the person. Member Korstange said that would make it the Chair's job to support the person and bring it up anonymously. Member Korstange said that she didn't know if it was allowed but maybe they could ask the member in question to leave the room while they talked about it or go into something like a closed session but she feels that anyone who wants to bring up a complaint about another member should feel confident enough in what they're saying to state it in front of the other members and on the record. Member Meurlin suggested they may be allowed to go into closed session. Chair Rissi said that he didn't believe there's anything in section 23 about going into closed session. Member Meurlin said that they are subject to the Open Meetings Act but that, at the township level, it can be

in closed session if the employee requested it. There was then conversation on if Commission members are township employees and if they are afforded the ability to go into private session. Member Meurlin said that there is a notion in corporate law that directors and commissioners require a super majority to ask someone to leave; the person can stay in the meeting if they want to answer questions and convert members to their side of the story but members don't have to stay when they're being recommended for removal. Member Korstange said that she thought it would be largely unfair for members to come to the Chair to complain about one person in private, then the Chair go to the board requesting removal without hearing their side of the story. Chair Rissi said that, if it were him, he would bring it to the Planning Commission for their opinion before taking it to the board but Member Meurlin said some chairmen may not. Chair Rissi summarized that the Planning Commission would make the recommendation to the Township Board to have a member removed, specifying the reasons.

Member Meurlin shared that, when they come back to conflicts of interest in the Rules of Conduct, he believes that the document is not specific enough when it comes to what qualifies as a conflict of interest and thinks it should be broader, also considering immediate family's interest as being a conflict of interest for the commission member. He noted in section 4.4 (A3) that it says all others are to decide if a member of the Planning Commission has violated their code of conduct in relation to any professional licenses they hold; he sees this as inappropriate. He also pointed out that there is something in the Legal Code of Ethics that explains using the same rules in the larger community. Member Korstange shared that she didn't want to be held professionally responsible for the actions of the commission like when they talked about COVID earlier in the year and doesn't believe anyone's professional licenses should be affected by the decisions of the committee as a whole. It was decided that the best course of action would be to strike section 4.4 (A3).

Section 5.4 was the next section of the bylaws that Member Meurlin wanted to discuss. He believes that the agenda should be written by the Chairperson of the Planning Commission. He said that this circles back to members of the Planning Commission not being part of the planning division of Cascade. Chair Rissi said that he believes the Planning Commission is relying on staff input to create the agenda because the Planning Commission Chairperson's fulltime job is not being the Chairperson. Member Rapin said that he could see it stating it was, 'developed in consultation with the Planning Chairperson. Chair Rissi read the section saying, "Developed by the Planning Director and the Planning Commission Chairperson." Discussion was held regarding the correct wording. Member Korstange suggested it read, "May be developed by the Planning Director, then amended and approved by the Planning Commission Chairperson."

Moving to section 5.4, the last sentence, Member Meurlin suggested changing it to, "provided the same does not violate any applicable law." Member Noordyke agreed on the change from 'comply' to 'does not violate'. Member Meurlin explained that this

change was important because they don't need to comply with the rules and look for listed reasons that the commission can take action, they just can't violate other laws.

In section 5.5, Member Meurlin said that the two sections that bother him are D and G. D regarding, "no person can speak more than once during public comment, excluding any comments made at a public hearing" and G regarding, "the planning commission will generally not respond to public comments but reserves the right, at its sole discretion, to make inquiries, correct factual errors or provide any other information as appropriate." Member Meurlin thinks that, regarding D, if a person speaks, then everyone else who wants to speak, the person should be able to make a subsequent point in opposition to what they said earlier, they should have the chance. Member Korstange disagreed saying that it is a public hearing, not a public discussion or debate. Member Meurlin then said, "But that's where, I think again, if you were at the last board meeting, and you had a shotgun, we would have fewer board members today. And that's not me." Many members expressed that they didn't think that was an acceptable comment. Member Korstange replied, "I don't think you need to say that out loud." Member Rapin said, "I don't think that's funny. I don't think it's appropriate for this conversation. It's very inappropriate." Member Meurlin said, "I agree, it's very inappropriate, I wasn't the one, I was pissed royally, but I was not pissed the way the other people were." Chair Rissi said, "Ok, let's get back on track here a minute. Let me just back-" Member Meurlin said that, "This goes to the notion of repeatedly asking questions, and making comments, and sitting in front of a stone face group of individuals who do not respond at all." Members Rapin and Korstange both expressed their desire to keep both sections D and G. Member Rissi suggested adding an H that said, "The Planning Commission may choose to respond to questions asked in public comment and those will be answered" in some yet to be determined way. Member Korstange asked if they were referencing questions asked in the public comments or if they were referencing questions asked by the commission that took them past their time. Chair Rissi clarified that Member Meurlin's concern is that people will come to the meeting and ask questions and the Planning Commission is not obligated to answer. He is looking for an avenue for those questions to get answered. He is suggesting a provision that says questions will be answered, not necessarily right there at the meeting as discussion and research may need to occur first. The frustration comes from people asking questions at the meeting and never hearing anything back. Member Korstange and Chair Rissi worked out a rewording that said, "If requested, questions asked during public comment may not be answered at the public meeting, but will be followed up upon in a timely manner." Member Rapin said that he's seen Chair Rissi and former Chairs respond to inquiries even though it says they 'may' respond but he believes this wording would set an unrealistic expectation from residents that they will always get a response. Member Meurlin said that if this provision is included people will continue to get upset. Chair Rissi asked if this was already outlined in section 23. Members Rapin and Korstange suggested that the Planning Commission needs to focus on creating bylaws for themselves and not base their rules entirely on negative experiences with other boards. Member Meurlin said that the Planning Commission can

be more or less responsive depending on who the chairperson is and Member Korstange corrected him, saying that she thinks it is more based on who the commission members are; Member Meurlin conceded. Member Korstange urged that she believes the intent of this section in the Planning Commission bylaws may not be the same intent as it has with other boards; this just makes it so the Planning Commission doesn't have to respond to some crazy and out-there situations. Members held an unofficial show of hands to see if most members were on board with section G; the only member not in favor was Member Meurlin. Member Noordyke asked Member Meurlin what he would specifically want tweaked so that he would agree. Member Meurlin said that he wouldn't have a problem with the commission not responding at the time but that he would eventually expect a response. Member Noordyke suggested Member Meurlin try to find solutions to problems this commission has rather than problems he perceives other boards as having. Chair Rissi suggested adding, "The Planning Commission, at its discretion, will make a good faith effort to respond to inquiries in a timely manner." Member Meurlin approved of that addition. Member Rapin thought that was repetitive as it already says, "At our sole discretion, to provide any other information it deems appropriate." Member Meurlin said that it isn't repetitive because he is experiencing what he has felt at the board level repeatedly. Chair Rissi encouraged adding the extra sentence so they could all be in agreement and Member Korstange reemphasized to Member Meurlin that this section is to protect the Planning Commission from getting involved or giving answers to questions they don't have the authority or information to answer. Member Noordyke referenced past situations where residents have come to complain about traffic lights or speed limits that aren't at the discretion of the Planning Commission, they're controlled by the road commission and there is nothing the Planning Commission can tell them that will do anything other than making them angry. Member Meurlin turned that back around to the complaints about the safety of turning onto a specific street and a lack of available parking spaces in front of the library where the Planning Commission organized activities but wouldn't consider that it was their responsibility to maintain the safety of the pedestrians and other drivers. Member Noordyke agreed with Member Meurlin but said that his explanation was more specific to an intersection that needed a traffic light and didn't have any relation to what the township was doing. They hashed out other potential responses until Member Meurlin said that this is so in line with what he sees happening at other boards and Members Noordyke and Korstange said that the reason for this seemed to reference negative past experiences rather than current issues the Planning Commission is facing. Member Rapin made the case that the provision should stay as originally written because this commission's participation shouldn't be different than the other boards and commissions in the township; he isn't against the change but thinks that it should be changed across the board if the change is to be made and Member Korstange agreed. Chair Rissi said that he has thought about this a lot because the Planning Commission offers five minutes for members to speak during public comment, whereas the Township Board offers three minutes and this makes sense as cases that come to the Planning Commission are often more complex and are about new projects that people haven't heard about before. Cases that go to the Board of Directors have generally

already been up for people to see and ask questions on multiple times before they meet on it. Chair Rissi agrees with Member Rapin but also feels like there needs to be space for each board to have small differences that make them more efficient. Member Meurlin said he also agreed with Member Rapin but, if they were trying to make themselves more in line with the Township Board, they may as well, "all leave and resign." Member Korstange suggested changing G so that the default is to respond rather than not to respond. Chair Rissi suggested making it, "Where appropriate, the Planning Commission will make a good faith effort to respond to questions in a timely manner, at its discretion." Member Meurlin stated that this information is not found anywhere in section 23 but it is in the text block at the head of the agendas for the Board of Trustees.

Member Meurlin said that there is not a provision as to when they may have closed meetings but it does mention closed meetings in 7.2. Chair Rissi said that he'd like to understand when the Commission is allowed to go into a closed meeting because he doesn't believe they are allowed to. Member Meurlin said that there is a section in the Open Meetings Act that tells when a group can go into a closed meeting, such as when there is an employee evaluation, but the Planning Commission doesn't do those. Chair Rissi asked staff to ask the attorney if there are times the commission is allowed to go into closed meeting and, if so, what those times are. Interim Planning Director Hilbrands agreed to check with the attorney. Member Meurlin shared two situations where this may be applicable, such as if the township is being sued with respect to a development that the Planning Commission approved or if they were planning to take disciplinary action against a Planning Commission member.

Member Meurlin said that there was in the purposed budget he heard mentioned tonight some discussion on Planning Commission expenses. He asked Member Noordhoek if he remembered anything about it. Member Noordhoek said they were more talking about adding positions and redirecting positions in the Planning Department. Member Meurlin said that, as a private citizen, not as a Roundhill Committee Member, he recommends that the Planning Director must be appointed or approved by the Board of Trustees. Chair Rissi said it already said that and then Member Meurlin found the section. Chair Rissi clarified that this draft says that it is to be done 'in consultation with the Planning Commission' and currently it is not. Chair Rissi stated that this section came from Manager Swayze and Interim Planning Director Hilbrands confirmed that he was correct. Member Meurlin expressed displeasure about a conversation he previously had with Manager Swayze where he said Manager Swayze told him that the Township Manager has full authority to appoint a Planning Director without any consultation.

Chair Rissi brought up rule 10 regarding ex parte communication. The commission agreed to strike it from this document and add it as a separate document with the Rules of Conduct. Chair Rissi made a note that 'rules' will be changed to 'articles' going forward.

Chair Rissi asked the commission if, when Staff bring another draft to the next meeting, will they approve that draft if they all agree with it at that time so that they have a set of functional bylaws and then work on their Rules of Conduct and Conflict with an ultimate goal of a much broader change, if they choose to do so, related to section 23, as they currently only have section 23. Member Korstange said that they hashed through a large amount of the document and would like the next meeting to only contain minor changes such as with wording since they had a deep discussion of it at this meeting. Member Meurlin requested that, when the lawyers look at the document with these edits, they are also asked what else would normally be included in the document that the commission has forgotten. Member Korstange said that this information can be useful in the future when they have more time but that would currently just slow things down. Member Meurlin offered to research what other townships have for bylaws and email the Chairman who will send it to the other members if he notes any glaring omissions.

Member Rapin asked if section 23 is going to be pulled out of the ordinance so that the Planning Commission bylaws are a separate document and Chair Rissi said that his understanding that it will not be pulled out until the Planning Commission makes a recommendation to the Township Board to have it removed. Chair Rissi said that it's more complicated than just removing that section as it references other boards as well, not just the Planning Commission, so it may need to be re-written if the bylaws are in disagreement with the section. He also said that he doesn't think the board will pull out section 23 right now because the bylaws don't currently conflict with anything in section 23 and there isn't any reason to make a change. Member Rapin tried to clarify the timeline by asking if, at the next meeting they approve the draft of the bylaws, will they then need to try to get section 23 removed or are they okay with approving it regardless. Member Meurlin said that he thinks they will end up needing to deal with it and redraft section 23, eliminating the provision they have in the draft bylaws because they want to be able to easily approve the changes and not worry about section 23. Member Rapin said that he feels they may have to deal with both at the same time. Chair Rissi said that there might be a way to get the Township Board to approve it by saying that they have the ultimate approval over the bylaws. Member Meurlin shared that he believes they are only giving themselves more flexibility with holding meetings and public participation so there shouldn't be a reason the Board of Trustees would have a problem with it. Member Korstange said that she believes it's difficult to have hidden sections, such as section 23, where they would have to have two different documents that needed to be updated when changes are made and she doesn't think the board would want that either.

#### **ARTICLE 11. Any Other Business**

**Roundhill Subcommittee:** Member Noordyke asked when they would get a detailed report on the Roundhill Subcommittee findings.

Member Meurlin suggested they share the report they unanimously approved at the last Roundhill subcommittee meeting. He said he recently spoke with Treasurer Pierce

who asked about the committee's report and recommendations for further action. Member Meurlin said that the recommendations would come from the whole Planning Commission, not just the subcommittee, and it had not been presented to the Commission yet. Treasurer Pierce requested that it quickly comes before the commission and recommendations are made. Member Meurlin suggested that this be put on the agenda for the next meeting to have recommendations at least in regards to the process and changes that need to be made to it. He said it could be changes to the process such as the definition of a 'minor change'.

Member Korstange said that she could not give any recommendations until she saw a report.

Chair Rissi agreed with her and said that that was why they have a subcommittee meeting on Friday, so that they can discuss the topic and decide what they were going to bring to the December 20<sup>th</sup> meeting.

Member Meurlin believed that they should be able to distribute a final interim Roundhill report shortly following the Friday meeting. Chair Rissi said it would then be emailed out to the rest of the commission members and they would be able to assemble their own thoughts and opinions on suggested changes.

Member Noordyke requested the report also include recommendations from the subcommittee members as they are much more actively involved in the situation and have been acquainting themselves with the case for some time now.

Member Korstange agreed with him and said the rest of the committee would like to hear the subcommittee's recommendations in the report.

Chair Rissi said that it is not currently formatted with recommendations but they made their opinions on it clear and can reformat the report.

**Strategic Planning Surveys:** Member Noordhoek encouraged everyone to fill out the strategic planning surveys that went out and encourage other residents to fill them out as well.

There was discussion as to if the surveys were intended to be one per household or one per resident. Member Noordhoek believed that they were one per household as only one was sent to each address but Member Meurlin believed they were supposed to be one per resident as they could each fill it out online.

Member Meurlin said the township should report back to McKenna about one of the questions that asks you to pick your top three choices but, on the digital version of the survey, you are required to order all of the options, rather than just three, or it won't accept the response.

Member Korstange said that the members need to be cheerleaders for the survey and encourage residents to complete it.

**Open Meetings Act:** Chair Rissi shared that the answers to the Open Meetings Act questions that were referred to earlier in the meeting were a request from Member Meurlin in May, before he became a member of the Planning Commission, and the response came to him on August 16<sup>th</sup>. The email was addressed to both Chair Rissi and Member Meurlin but only sent to Member Meurlin who forwarded it to Chair Rissi later that day, until the attorney sent it to Chair Rissi on August 17<sup>th</sup> when they realized he wasn't included on the original email. The email responded to the Open Meetings Act questions that Member Meurlin had asked but it also said they were working on the bylaws issue but the bylaws didn't come until October 15<sup>th</sup>. He wanted to make sure everyone knew he wasn't holding onto information for extended periods of time.

Member Korstange agreed that she didn't think he was, she just wanted everyone to feel like they had the required information to participate.

Member Meurlin stated that, by the time the Open Meetings Act information was shared with them, the questions were irrelevant as the subcommittee had already been created and most of the meetings were already over.

Chair Rissi said that he has a list of items he was trying to shore up and have taken care of before a new chair takes his place in two meetings. He said he would send out a link that had been provided with the Open Meeting Act information that he found very useful but he had originally asked Interim Planning Director Hilbrands to include it when they talked about ex parte communication at the first meeting of 2022. He said that this information wouldn't generally be shared with another member before they came to it in discussion but it happened differently in this case since the other commission member had the information before he did.

Member Meurlin said that it also seemed that it was an Open Meetings Act response that was answering different questions than what were originally asked. Some of these had to do with the meeting that Member Noordyke chaired and some were on the authority of the Roundhill subcommittee, but they weren't questions Chair Rissi and Member Meurlin had asked of her. Member Meurlin found this to be suspicious and believed that she was getting information from a different source.

**New Member Info Packets:** Member Noordyke asked Interim Planning Director Hilbrands if he had a list of items to cover with the new Planning Commission member, once they were appointed, so they could quickly get up to speed. He said yes and Member Noordyke asked him to expand on what the list currently contained. He said that it would include Section 23, Rules of Conduct, the Comprehensive Plan, and Zoning Ordinance. Ideally, they'd have a meeting to go over any questions or confusion.

Member Noordyke suggested including a plat or map of the township so they have a sense of where everything is.

Member Moxley said that, when he joined the Planning Commission, the Community Development Director gave him a map of all of the PUDs in the community. Many of the other members expressed that they'd also like a copy of that. Member Deering

requested Interim Planning Director Hilbrands send Planning Commission members a copy of the PDF when he sends the rest of this information out at the beginning of the year. Member Deering requested that Interim Planning Director Hilbrands send out the whole new member document to all the current Planning Commission members at the beginning of the year, each year.

Member Deering said that she didn't believe she'd ever even seen the meeting schedule at the beginning of the year and Chair Rissi shared that the meeting schedule was supposed to be approved by the Planning Commission each year, according to section 23. Manager Swayze recently notice that this was not previously being followed and that is why the meeting schedule had come to this meeting for approval. Member Deering stated that she meant including all members on the email with new member information, not about voting on it.

Chair Rissi said that what would normally be included in the new member packet would be the meeting calendar, rules of conduct, ex parte communication information, and what should have been there but previously wasn't would be a link to section 23. Now bylaws would replace section 23 in the packet.

Member Meurlin said that this is a case where bylaws would be much better than section 23 as it would let them be more flexible.

**ARTICLE 12. Adjournment**

**Motion was made by Member Deering to adjourn. Supported by Member Rapin.  
Motion carried 8 to 0. The meeting was adjourned at 8:55 p.m.**

Respectfully submitted,

Diedre Deering, Secretary

**Minutes**  
Cascade Charter Township  
Planning Commission  
Special Meeting  
Monday December 14, 2021  
7:00 P.M.  
2870 Jacksmith Ave SE

**ARTICLE 1.** Chairman Rissi called the meeting to order at 7:00 P.M.  
Members Present: Noordhoek, Moxley, Noordyke, Rissi, Deering, Rapin, Korstange, and Meurlin  
Members Absent: None  
Others Present: Interim Planning Director Brian Hilbrands and those listed on the sign-in sheet

**ARTICLE 2. Pledge of Allegiance**

**ARTICLE 3. Approve the current Agenda**

**Motion was made by Member Noordyke to approve the current Agenda. Supported by Member Korstange. Motion carried 8 to 0.**

**ARTICLE 4. Disclose any Conflicts of Interest**

There were none.

**ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items.**

There was no one who wished to speak to non-agenda items.

**ARTICLE 6. Review Report and Requested Recommendations from the Roundhill Subcommittee**

Chair Rissi started off the report with a summary of recommendations that the Roundhill Subcommittee developed at their meeting earlier in the week with the intention of presenting them at the 12/15/2021 Township Board meeting. He said that this special meeting was to make sure the members could talk through the recommendations before they were presented to the Township Board. Chair Rissi shared that Member Meurlin requested they talk about this at the previous Planning Commission meeting but the request had come in very close to meeting time and he didn't think it was appropriate to give the other members such short notice. He said that Supervisor Lesperance requested they have this meeting and information ready to present at the Township Board meeting, so a special meeting was called.

Chair Rissi explained that, in the meeting packet, there were recommendations to go over for the Township Board. There was also a less formal document passed out from Member Moxley that was more similar to meeting minutes from the last subcommittee meeting. Thirdly, there was a document provided by Member Meurlin with the recommendations and the factual basis for them. Member Moxley said that Member

Meurlin's document is very detailed and he wants to provide each Township Board member with a copy of it at the meeting. Member Moxley said he would then give an introduction and go over the recommendations and reasonings from his own notes. He believes that reading Member Meurlin's document to the committee may be more detailed than necessary but it would be beneficial for them to have that document as a reference. They decided to start by going through the document from Member Moxley titled "Cascade Charter Township Round Hill Study Sub-Committee Recommendations for the Planning Commission".

*Recommendation 1: Ordinances must be recorded. Problem: Master Deed was not recorded prior to Construction.* Member Meurlin suggested changing it to say that "Neither the Master Deed nor the ordinance were filed prior to construction." The final recommendation and problem are to read as follows:

*No. 1: PUD Ordinance and Master Deed must be recorded in accordance with current rules. The Problem: Neither the Master Deed nor the PUD Ordinance was recorded prior to construction.*

*Recommendation 2: Software needs to be acquired and used to record key documents. Problem: Clearly a check list was needed to make sure Master Deeds, Bonds, and other pre-construction items were complete prior to issuance of building permits.* Member Korstange asked Interim Planning Director Hilbrands if he knew of a software vendor that he would recommend for this purpose. Interim Planning Director Hilbrands responded that he knows that the Building Department uses BS&A but he would have to check with them to see if that system could also work for planning and zoning purposes. It was determined that the problem may not have been the lack of a check list or the necessity of computer software but rather the lack of cross-departmental communication, accountability, process tracking, and transparency. They believe that this needs to be a developed process and that computer software may be a solution that would make project tracking easier and information more publicly available. The final recommendation and problem are to read as follows:

*No. 2: A process needs to be defined and used to record key documents and milestones. The Problem: There was no organizational chart or checklist available to make sure Master Deeds, Bonds and other project documents, were recorded.*

*Recommendation 3: Selection and approval process for a new Township Planning Director. This is consistent with the wording in our draft bylaws.* Member Korstange floated the idea of an interview panel made up of Planning Commission and Township Board members when hiring a new Township Planning Director. Member Meurlin suggested that the hiring process for a new Township Planning Director was an entire other problem to tackle later. The final recommendation is to read as follows:

*No. 3: Establish a selection and approval process for a new Township Planning Director. This is consistent with the wording in our draft Bylaws.*

*Recommendation 4: Any deviations from original PUD Ordinance need to be approved before changes are started. Problem: Former Planning Director made minor changes as allowed in the ordinance. The subcommittee feels many of these changes were not minor. With no written records of said changes found, and without the board or planning commission ever receiving notice of changes it makes it more difficult for CCT to follow the PUD accurately. Member Korstange asked Interim Planning Director Hilbrands if there was a definition of 'minor change' within the township ordinance. He replied that there are examples in chapter 16 but not a specific definition. He also added that they should specify if they are talking about changes to the site plan or PUD Ordinance. They came to the decision that the Planning Director should notify the Planning Commission of minor changes they made, including ones that they did not need permission for, and these changes were to be recorded in a way that they could easily be tied back to the original decision and the public could see them. The final recommendation and problem are to read as follows:*

*No. 4: Any deviations from the original PUD Ordinance need to be approved before changes are started. The Problem: The former Planning Director made minor changes as allowed in the ordinance. The subcommittee feels many of these changes were not minor. With no written records of the changes found, and without the Board or Planning Commission ever receiving notice of changes, this makes it more difficult for CCT to follow the PUD Ordinance accurately.*

*Recommendation 5: Who is responsible for enforcement of Zoning and Site Plans? Problem: The person responsible needs to be clearly identifiable by citizens and staff. This person needs to be willing to stop a project or part of a project. The person also needs to be very knowledgeable about process and ordinances. They also should report incidents regularly to the planning commission. This way if a request to modify the PUD or plans in question comes before the PC, they are more familiar with the history.*

*Recommendations 11 and 12 turned out to be intertwined with this as well saying: "Need for CCT to hire a qualified Project Manager to monitor PUD construction work. Problem: We don't have a knowledgeable person who can regularly check progress at projects." and, "Where should a Cascade resident go with a complaint?" There was much discussion around who should be enforcing and checking for compliance and who is in charge of project management. There needs to be a member of staff to oversee and inspect site construction projects. Preferably, someone with years of job site experience and a civil engineering background. They also talked about the need for a compliance officer, which the township previously had but is not currently filled due to a resignation. They discussed the difference between a compliance officer and an ordinance enforcement officer and came to the conclusion that the ordinance enforcement officer is what they need. One problem is with township staff not knowing who is responsible for certain activities, causing them to get passed around to different staff without getting an answer. They believe that both staff and the public need to be clear on who is responsible for different township activities and concerns and the positions that handle these activities need to be filled. The final recommendation and problem are to read as follows:*

*No. 5: Establish roles and responsibilities for enforcement of Zoning Ordinances and Site Plans. The Problem: Staff responsible for enforcement and oversight were not clearly identifiable by citizens and staff.*

*Recommendation 6: Need for an official seal to use on approved documents. Problem: upon request by members of this committee no one at the township offices could identify which set of plans was current. None of the site plans appear to be clearly labeled and dated.* Interim Planning Director Hilbrands said that the Planning Department has an approval stamp for this purpose. Chair Rissi shared about a class previous Community Development Director Peterson sent him to where they said that all approved site plans should be initialed and dated by the Planning Commission Chair on the date of approval. That is not something Cascade Township has done in the past but the idea of both the Chair and Planning Director initialing and dating the approval on the document was of interest to the committee. The Chair would only need to sign and date the documents that come to and are approved by the Planning Commission, whereas the Planning Director would need to approve and sign all documents approved by the Planning Department. The final recommendation and problem are to read as follows:

*No. 6: Need for an official seal to use on approved documents. The Problem: Upon request by members of this Committee, no one at the Township office could identify which set of plans was current. None of the site plans appeared to be clearly labeled and dated.*

*Recommendation 7: Proof of payment required for Performance Bonds. Problem: similar to problem 2.* It was decided that this was similar enough and part of recommendation number 2 that it could be struck from the document.

*Recommendation 8: Issuance of Cease-and-Desist orders.* Member Korstange asked if this is something that happens often; the consensus was that it is not. Interim Planning Director Hilbrands said that this is something he believes he has the authority to do or, at the least, he is able to request the Building Department stop issuing building permits for the project. There was quite a bit of confusion as to who can issue cease-and-desist orders and some members wondered if it should fall under the project manager position or the compliance officer position but the main point was that there needs to be someone specifically noted as either it being their job to issue the cease-and-desist or being their job to make sure the cease-and-desist is executed. They would need to be capable of telling the builder/developer that they had to stop work and would need to issue the builder/developer a written stop work order if the builder/developer did not bring the project into compliance within a specific period of time as noted on the issuance. It was decided that since this had to do with processes, it should also be combined back into recommendation 5.

*Recommendation 9: Need to coordinate KCRC Soil Erosion & Sedimentation Controls with CCT Storm Water Ordinance.* The committee discussed who controlled these regulations. There was confusion as to if this was a township, county Road Commission, state, or federal regulation. They decided a good way to solve this in the future is

communication with the Kent County Road Commission both on specific cases and overall, hammering out which organizations have which responsibilities. The final recommendation and problem are to read as follows:

*No. 7: Need to coordinate KCRC Soil Erosion & Sedimentation Controls with CCT Storm Water Ordinance. The Problem: At Round Hill, CCT was deferring to KCRC for enforcement of all water run-off problems.*

*Recommendation 10: Enforce the Developers work plan by establishing deadlines. Problem: Major infrastructure was not built when common sense would have assumed it to be built. This caused much of the erosion. Chair Rissi said that, in his talks with previous Community Planning Director Peterson, he said that, in any PUD, there should be established deadlines for key infrastructure progress points. This was eventually added into recommendation 2.*

*Recommendation 11: "Need for CCT to hire a qualified Project Manager to monitor PUD construction work. Problem: We don't have a knowledgeable person who can regularly check progress at projects." After discussion it was determined that this is covered by recommendation 5.*

*Recommendation 12: Where should a Cascade resident go with a complaint?" There was concern that it was not clear to residents which staff were responsible to follow up on complaints. There should be a clear process on how complaints are handled. The final recommendation and problem are to read as follows:*

*No. 8: Establish and document a concern resolution process for Cascade residents. The Problem: The neighbors voiced their complaints about erosion for two years without satisfactory resolution.*

It was determined that one of the things that ties all of these problems together is a lack of processes to keep projects on track and verify that projects are completed in the proper and timely manner at every step of the process.

There was concern that the recommendations were being rushed to be done before the Township Board meeting so it could be presented, as requested by the Township Supervisor. They ended up agreeing to have Member Moxley clean up the recommendations document they had been working on during the meeting so it could be submitted the next night.

**Member Rapin made a motion to submit the Planning Commission Recommendations document and Appendix One to the Township Board for their 12/15/21 meeting where Member Moxley and Trustee Noordhoek would present the commission's findings. Seconded by Member Korstange. Motion carried 7 to 1.**

Member Meurlin asserted that Supervisor Lesperance wanted the subcommittee's report on Roundhill and Member Korstange stated that she did not believe it should be submitted as coming from the Planning Commission, it should only be listed as coming

from the subcommittee as some of the things in it were not agreed upon by the full committee and those not on the subcommittee had not previously seen the document.

**ARTICLE 10. Old Business**

**Review Revisions to the Planning Commission Bylaws:** Due to the late time of night, Chair Rissi suggested moving the bylaw discussion to a future meeting. It was decided that, since there were not any cases for the 12/20/21 meeting, that would be cancelled and the bylaw discussion would be pushed into the new year.

**ARTICLE 11. Any Other Business**

**ARTICLE 12. Adjournment**

**Motion was made by Member Deering to adjourn. Supported by Member Rapin.  
Motion carried 8 to 0. The meeting was adjourned at 9:57 p.m.**

Respectfully submitted,

Diedre Deering, Secretary

**Rules of Conduct  
For  
The Cascade Charter Township Planning Commission**

**1. POLICY AGAINST “EX PARTE” COMMUNICATIONS.**

Planning Commission Members (“members”) should avoid outside contact with applicants, developers, applicants/developer’s representatives (including planners or attorneys or interested neighbors regarding matters before the Planning Commission.

- a. The Planning Commission must act as a board and not as individual members. Advisory opinions should not be given.
- b. “Ex Parte” communication (i.e., outside of public Planning Commission meetings or hearings) by individual members of the Planning Commission with applicants, developers, applicant’s/developer’s representative or interested neighbors in person, by telephone or by visits are to be avoided, except for limited necessary contact during fact-finding site visits.
- c. Site visits – Individual members shall view sites only if they can do so without any unnecessary contact with the applicant, developer, applicant’s/developer’s representatives or interested neighbors and with the specific purpose of gathering physical facts and/or data.
- d. If a member is contacted by an applicant, developer, applicant’s/developer’s representative or an interested neighbor, the member shall promptly inform the party that he or she should not discuss the matter or have any contact whatsoever outside a Planning Commission hearing or meeting except for site visits. The member shall then immediately inform the party that they are welcome to come to Planning Commission meetings to discuss their views, wishes, etc., or to put their concerns in writing with a copy sent to the Chairperson of the Planning Commission.

**2. MEMBER DISCLOSURE**

In order to maintain public trust and ensure fairness, each Planning Commission member shall publicly disclose at the Planning Commission hearing or meeting involved any of the following:

- a. If the Planning Commission member is related to an applicant, developer, applicant’s/developer’s representative or any party involved.
- b. If the Planning Commission member is (or has been) in business or financially connected with the applicant or parties involved

- c. If the Planning Commission is a close friend of the applicant or parties involved.
- d. If the Planning Commission member has an unavoidable bias regarding the matter and could not be fair.

### **3. CONFLICT OF INTEREST**

- a. A member should remove himself/herself from the hearing, discussions and decision –making process if the member has a conflict of interest or a potential conflict of interest involving the situation at hand as a conflict of interest is defined by Michigan law.
- b. While not required to do so, where a member of the Planning Commission has an actual or potential conflict of interest, it is often best if he/she move from the place where the full Planning Commission or Planning Commission subcommittee is sitting and go sit in the audience or leave the room until the matter is over. Physical removal often minimizes any public perception that the member with any conflict or potential conflict of interest is unduly influencing his or her fellow members of the Planning Commission by the member's physical presence.
- c. If a member has abstained from a matter due to a conflict or potential conflict of interest, that member has the right to voice his or her opinion at a meeting or hearing of the Planning Commission as a member of the audience. If a Planning Commissioner has a conflict or potential conflict of interest that member shall be treated as an interested party and shall be bound by the requirements of Section 1 above. The Planning Commissioner shall not have any contact with other Planning Commissioners regarding the matter except as otherwise permitted in Section 1 hereof.
- d. A Planning Commissioner shall not represent any applicant, developer, neighbor or party directly interested in a matter before the Planning Commission. Except as otherwise prohibited by law, a Planning Commissioner's employer, fellow employee, or partner may represent a party appearing before the Planning Commission. But in such case the Planning Commissioner involved shall be deemed to have a conflict of interest, shall publicly disclose the situation, and shall remove himself/herself from the proceedings as required by Paragraph 3.a. hereof.
- e. All Planning Commissioners should strive not to place themselves in situations where there would be even an appearance of impropriety or become involved in a hearing, discussion, or decision-making process before the Planning Commission which would place that member in a potential conflict of interest situation.

## **Avoid *ex parte* contact to ensure impartiality**

Kurt H. Schindler, Michigan State University Extension -  
July 23, 2012

While it's difficult to avoid *ex parte* contact, it's important for planning commissions and boards of appeals to do so.

For members of a local planning commission, or zoning boards of appeals, it is particularly difficult to avoid having *ex parte* contact.

*Ex parte* contact happens when a member of a planning commission or zoning board of appeals (ZBA) are contacted by someone outside of the meeting concerning a pending issue, such as approval of a special use permit, planned unit development, site plan, or appeal. This type of contact should be avoided.

But to many, avoiding this type of contact is counter-intuitive. We believe one should hear concerns and listen. That is, after all, local representative government. So this becomes a big concern whenever presenting an education program on planning and zoning ethics.

But here is the other side of that coin: if a member of the planning commission or ZBA has a conversation on the street, etc. then how does someone else ever know what was said and have an opportunity to respond, supporting

the conversation or refuting it? That basic level of fairness is important and what a planning commission and ZBA should strive for.

It is similar to going to court. You expect the judge to be fair and neutral. You expect that both sides to hear what the other has to say, and you have a fair opportunity to respond. If you did not even know the conversation took place, let alone what was said, you do not have any ability to respond. You would not expect the judge to be swayed by some talk about the case s/he had outside the courtroom.

In Michigan, planning commissions and ZBAs are administrative bodies. They are duty-bound to make decisions based on standards (found in the zoning ordinance), not on what the popular majority wants. Representing the will of the majority of electors in a community is the job of the legislative body – the township board, village council, city council or county board of commissioners. It is not the job of the planning commission or ZBA.

The planning commission and ZBA need to behave closer to the expectation of fairness one has for a court. Some basic points are:

- Make sure that every member of the planning commission, ZBA, gets to hear everything that is said.
- What is said should be said at a public meeting, not elsewhere.
- Members of a planning commission and ZBA should not pre-judge a case.
- Make sure that others also hear everything that is said, and that others have an opportunity to respond.

The basic idea is that all members and all people that are interested enough to be at the meeting can hear all sides of an issue, and can add to or respond to what has been said. One federal court said it well:

“Parties at the hearing . . . are entitled to an opportunity to be heard, to an opportunity to present and rebut evidence, to a tribunal which is impartial in the material, having had no prehearing or *ex parte* contacts concerning the question at issue . . . .” - *Fasano V., Board of County Commissioners of Washington County*.

So what does a planning commissioner or ZBA member do when someone stops you on the street or during a site inspection? Explain to them about *ex parte* contact, ask them to attend the meeting or hearing and share their concerns so everyone can hear, or write a letter to the commission or ZBA.

If this approach fails, then as soon as you can, take detailed notes on what that person said. At the hearing or meeting, explain that the person spoke to you and would not stop, that you tried to get them to attend the meeting, but to the best of your ability this is what was said. Then using your notes, repeat what you were told. Name the person you are reporting about. This is not perfect, but it gets the comments on the record at the meeting and allows others to hear and respond.

Often issues of *ex parte* contact occur during site inspections. So the planning commission and ZBA should talk through how they want to handle this and should spell out their procedures in their bylaws (planning commission) or rules of procedure (ZBA). Samples of both can be found at on [Schindler's Land Use Page](#).

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## MICHIGAN SOCIETY OF PLANNING

# COMMUNITY PLANNING PRINCIPLES

The Michigan Society of Planning exists to promote quality community planning through education, information and advocacy, statewide. With this as its mission, MSP offers the following planning principles for consideration to all cities, villages, townships, counties and regions in Michigan. The principles define what constitutes quality community planning.

### GENERAL STATEMENTS

1. The community planning decision-making process should, first and foremost, be concerned with the long-term sustainability of our communities, environment and economy.
  - Increasing opportunities for reinvestment in established urban centers;
  - Encouraging appropriate intensity and location of new development served by adequate public facilities;
  - Minimizing the spread of low density, non-contiguous development;
  - Encouraging a wide range of housing opportunities which serve all segments of our diverse population;
  - Recognizing the value and encouraging the preservation of agricultural lands and natural resources;
  - Encouraging the preservation and/or restoration of our natural and built heritage environments;
  - Encouraging development in accordance with the adopted community master plan; and
  - Recognizing that land use decisions may have impacts beyond community boundaries.
2. The community planning process should involve a broad-based citizenry, including public and private sector leaders, community interest groups and multi-disciplinary professionals. A positive relationship between development and the making of community should be established through a citizen-based participatory planning and design process.
3. Public policy and development practices should support development of communities that are:
  - diverse in land use, population and character;
  - designed for pedestrians and non-motorized transit as well as for motorized transit;
  - shaped and physically defined by parks, open space and other natural areas;
  - structured by physically defined, accessible public space, and community institutions, and
  - based on local history, climate, ecology, and building practices.
4. Physical solutions by themselves will not solve all problems. A coherent and supportive physical framework should be established to provide economic vitality, community stability, and environmental health.
5. Common challenges that should be addressed by community planning are:
  6. The quality of life for the citizens of Michigan can be enhanced by developments that:
    - Support and restore existing low density, centerless communities into communities of diverse neighborhoods and districts;
    - Preserve and protect natural environments;
    - Maintain and build a positive social and strong economic climate, and
    - Improve the physical design and condition of our region, cities, villages, townships, neighborhoods, districts, corridors, parks, streets, blocks and homes.

# **PRINCIPLES**

## **COMMUNITY**

1. Development should be encouraged in existing city, village, and township centers.
2. Historic city, village, and township centers should be preserved.
3. New development or redevelopment in existing communities should respect local historical patterns, precedents, and boundaries.
4. Viability in established or developing downtowns and community or village centers is strengthened by street-level retail, on-street parking, downtown residential, the maintenance of an appropriate street pattern, street-level activity, the retention of historically significant building, and the provision of parking structures.
5. Civic buildings and public gathering places are important and require prominent accessible sites.
6. The scale and configuration of streets and open spaces (parks, greens, squares) should be attractive and comfortable to pedestrians.
7. The design of the streets and buildings should result in safety and security as well as be accessible and open to the public.
8. Architecture, building placement, and landscaping should result in the physical definition of streets and other places.
9. Neighborhoods should include a variety of public spaces (tot-lots, village greens, ball fields, community gardens, etc.) that are strategically distributed and physically well defined.
10. New investment along highway corridors should complement investment in existing community business centers.
11. New development should be seamlessly woven into the physical fabric of its surroundings regardless of differences in size or architectural style.
12. Design is important and should contribute to the community's safety, security, and attractiveness.
13. Complete communities have defining edges with an identifiable center. A center should consist of a full and balanced mix of residential, commercial, office, recreational, cultural, and civic uses.
14. Complete communities should contain housing alternatives available to people of all incomes.
15. Complete communities should provide convenient access to public transportation as well as non-motorized options.
16. Community planning should recognize that regions are composed of urban areas, suburban areas, farmlands, water features and natural open spaces, all contributing to their diverse character.
17. Community planning should involve balances between physical, environmental, economic, social, and cultural conditions within the region.
18. Strategies encouraging development and redevelopment of communities should include previously developed sites (brownfields), infill development, and reuse of existing facilities rather than continuing outward expansion.
19. Community planning should create an efficient and cost effective system of public services, transportation, recreation, cultural institutions and housing to achieve a viable, sustainable region.

20. Intergovernmental cooperation is necessary for achieving a viable, sustainable region.

### **ENVIRONMENT**

1. Community planning should recognize that natural resources are system-dependent, not limited to jurisdictional boundaries.
2. Lands with unique or sensitive resources should be preserved in their natural state.
3. The health and quality of the natural resource base are directly related to public health, welfare, and economic growth.
4. Natural resource areas, farmlands, and open space characterize the rural landscape. They are important and useful in shaping development and maintaining and establishing a rural community character.
5. To preserve rural community character, site design should encourage clustering of development and preservation of open space.
6. To preserve rural community character, site design should include desirable views and vistas across water features and farmlands.
7. Natural resources are limited in their ability to accommodate development without incurring damage. Development within our natural environments should occur in a balanced and sustainable manner.
8. Sensitive and fragile lands should be protected from degradation.
9. Wildlife habitat corridors should be interwoven with development to achieve environmental balance and biodiversity.

### **INFRASTRUCTURE**

1. Development should be directed to areas serviced by adequate roads, water and utilities.

2. Expansion and upgrading of public roads, water, and sewer services should be planned to strategically direct growth.

3. Public transportation should connect homes to jobs, community center, cultural, recreational, educational and institutional facilities.
4. A comprehensive transportation plan should support a unified, long-term vision of how the land is to be used.
5. New and expanded public transportation systems should be located to attract urban reinvestment.
6. Non-motorized transportation should be accommodated in new road corridors and strategically retrofitted into existing transit corridors and greenway linkages.
7. The number and frequency of automobile access driveways along road corridors should be minimized.

### **PLANS AND IMPLEMENTATION**

1. A broad-based citizenry should be involved during the development of local comprehensive master plans, including representation from neighboring and impacted jurisdictions. Local plans should consider and address the impacts of neighboring communities land uses, planned uses, goals, and objectives.
2. Local planning decisions which affect neighboring communities should consider multi-jurisdictional impacts.
3. Local comprehensive master plans should be reviewed periodically and updated as necessary to remain viable documents.
4. Local zoning ordinances should be reviewed periodically and updated as necessary to ensure they are consistent with the comprehensive master plan.

5. Local zoning ordinances should be consistent with the comprehensive master plan.
6. Local zoning decisions should be consistent with current local comprehensive master plans.
7. Local comprehensive master plans should be accompanied by an action strategy that specifies individual tasks, timing, and responsibilities for implementation.
8. Comprehensive master plans and zoning ordinances should include interpretive graphics conveying standards and design guidelines.
9. All communities should prepare realistic Capital Improvement Programs as a means of making municipal improvements consistent with their comprehensive master plan.
10. Communities should have an administrative structure that provides clear direction throughout the development process. This structure, including information on the status of projects, should be equally accessible to citizens, developers, and local officials.

## CASCADE CHARTER TOWNSHIP 2022 MEETING SCHEDULE

	TOWNSHIP BOARD	TOWNSHIP BOARD	PLANNING COMMISSION	PLANNING COMMISSION	ZONING BD. OF APPEALS	PARKS	DDA	HISTORICAL COMMITTEE	INFRASTR. COMMITTEE	FINANCE & PERSONNEL COMMITTEE	PUBLIC SAFETY ADVISORY COMMITTEE	GOVERN. COMMITTEE
JANUARY	12	26	3	17	11	18	18	6	5	12	19	26
FEBRUARY	9	23	7	28*	8	15	15	3	2	9	16	23
MARCH	9	23	7	21	8	15	15	3	2	9	16	23
APRIL	13	27	-	18	12	19	19	7	6	13	20	27
MAY	11	25	9*	16	10	17	17	5	4	11	18	25
JUNE	8	22	6	20	14	21	21	2	1	8	15	22
JULY	13	27	11*	18	12	19	19	-	6	13	20	27
AUGUST	10	24	8*	15	9	16	16	4	3	10	17	24
SEPTEMBER	14	28	12*	19	13	20	20	1	7	14	21	28
OCTOBER	12	26	3	17	11	18	18	6	5	12	19	26
NOVEMBER	2*	16*	14*	21	15*	15	15	3	2	9	16	23
DECEMBER	14	-	5	19	13	-	20	1	7	14	21	28

\* Indicates a change in the regular meeting date

**Township Board:**

2<sup>nd</sup> & 4<sup>th</sup> Wednesday of each month, or as indicated above

**Infrastructure Committee:** 1<sup>st</sup> Wednesday of the month, or as indicated above

**Planning Commission:**

1<sup>st</sup> & 3<sup>rd</sup> Monday of each month, or as indicated above

**Finance & Personnel Committee:** 2<sup>nd</sup> Wednesday of the month, or as indicated above

**Zoning Board of Appeals:**

2<sup>nd</sup> Tuesday of each month, or as indicated above

**Public Safety Advisory Committee:** 3<sup>rd</sup> Wednesday of the month, or as indicated above

**Parks Committee:**

3<sup>rd</sup> Tuesday of the month, or as indicated above.

**Governance Committee:** 4<sup>th</sup> Wednesday of the month, or as indicated above

**DDA:**

3<sup>rd</sup> Tuesday of the month, or as indicated above

**Historical Society:** 1<sup>st</sup> Thursday of each month, or as indicated above.

\*\*\*\*\*

- ◆ Special meetings are on the call of the Chairperson.
- ◆ All regular meetings which fall on an official legal holiday are usually held on the next business day or as rescheduled by the Chairperson.
- ◆ All Parks Committee meetings are held at the Township Offices, located at 5920 Tahoe Drive SE at 8:00 a.m.
- ◆ All Planning Commission meetings are held at the Cascade Public Library – Wisner Center, located at 2870 Jacksmith Drive at 7:00 p.m.
- ◆ All Zoning Board of Appeals meetings are held at the Cascade Public Library – Wisner Center, located at 2870 Jacksmith Drive at 5:30 p.m.
- ◆ All DDA meetings are held at the Cascade Public Library – Wisner Center, located at 2870 Jacksmith Drive at 5:30 p.m.
- ◆ All Township Board meetings are held at the Cascade Public Library – Wisner Center, located at 2870 Jacksmith Drive at 7:00 p.m.
- ◆ All Township Board Committee meetings are held at Township Hall, located at 5920 Tahoe Drive SE at 9:00a.m.
- ◆ All Historical Society meetings are held at the Township Museum Building, located at 2839 Thornapple River Drive at 9:30 a.m.
- ◆ Any meeting changes to the above schedule (time/date/location, etc) will be posted at the Township Hall at least 18 hours prior to the meeting.

# CASCADE CHARTER TOWNSHIP PLANNING COMMISSION

## BYLAWS

Adopted on \_\_\_\_\_, 2022

### ARTICLE~~RULE~~ 1: AUTHORITY AND SCOPE

These bylaws are adopted by the Cascade Charter Township Planning Commission ("Planning Commission") pursuant to the Michigan Planning Enabling Act, 2008 Public Act 33 (MCL 125.3801 et seq.), as amended, ~~as well as Chapter 23 of the Cascade Charter Township Zoning Ordinance.~~ In cases where these bylaws are in conflict with the Cascade Charter Township Zoning Ordinance, the Zoning Ordinance shall prevail.

### ARTICLE~~RULE~~ 2: CREATION AND MEMBERSHIP

**2.1 Creation.** Pursuant to the Michigan Planning Enabling Act (Act 33 of the Public Acts of 2008, as amended) and the Michigan Zoning Enabling Act (Act 110 of the Public Acts of 2006, as amended), the Cascade Charter Township Board of Trustees confirmed the establishment of the Cascade Charter Township Planning Commission by resolution and ordinance with the powers and duties set forth in the Michigan Zoning Enabling Act.

**2.2 Members.** The Planning Commission shall consist of nine (9) members representing ~~all~~ major interests present in the Township. Members shall be appointed by the Township Supervisor of Cascade Charter Township with the approval of the Township Board.

- a. All members must be residents and qualified electors of the Township.
- b. One (1) member of the Township Board must be appointed to the Planning Commission.
- c. One member of the Planning Commission must be appointed to the Township Zoning Board of Appeals. However, the person who is the

Planning Commission Member-Zoning Board of Appeals member may not vote on the same matter voted on as a Planning Commission member.

**2.3 Chairperson, Vice Chairperson, and Secretary.** At the first meeting in January, the Planning Commission must select a chairperson, vice chairperson, and secretary from among its members, and must create and fill other offices and committees as it considers advisable by a majority of the quorum present at the meeting. The term of each office is 1 year, with eligibility for re-election for no more than 2 consecutive terms. The Township Board member is not eligible to be selected as an officer.

- a. Chairperson. The Chairperson presides at the public meetings of the Planning Commission, appoints committees, subject to Planning Commission approval, and performs other duties as may be ordered by the Planning Commission.
- b. Vice Chairperson. The vice chairperson is authorized to serve as chairperson if the chairperson is absent. If there is a vacancy in the office of chairperson, the vice chairperson shall fill the vacancy for the unexpired term and the Planning Commission shall fill the vacancy in the office of the vice chairperson the remainder of the unexpired term.
- c. Secretary. The secretary (or authorized designate) must execute all documents in the name of the Planning Commission. The Planning Director shall serve as the recording secretary and is responsible for the minutes of each meeting and must provide for permanent keeping of all documents of the Planning Commission at the Township Hall. All communications, petitions, and reports addressed to the Planning Commission must be delivered or mailed to the secretary (or the secretary's authorized designate).

**2.4 Compensation.** Members of the Planning Commission shall be compensated for their services as provided by the Township Board.

**ARTICLE ~~RULE~~ 3: TERMS OF OFFICE; VACANCIES**

**3.1 Terms of Office.** Except for members of the Planning Commission first appointed under MCL 125.3815, Planning Commission members shall be appointed to three-year terms and shall hold office until his or her successor is appointed (except for the member representing the Township Board, whose term shall expire with his or her term on the Township Board).

**3.2 Vacancies.** If a vacancy occurs on the Planning Commission during a term for reasons including, but not limited to death, disability, resignation or removal, or the Planning Commissioner is no longer a resident and registered elector, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment.

**3.3 Removal from Office.** The Township Board may remove members from the Planning Commission for violating the Planning Commission Rules of Conduct, or for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. To initiate this action, the Planning Commission shall make a recommendation for removal to the Township Board, and shall specify the reasons for removal. ~~Failure to attend three consecutive regular meetings or miss more than 50% of the meetings within a twelve-month period shall be considered nonfeasance in office. To initiate this action, the Chair shall prepare a memo requesting the Commissioner to resign. If the Commissioner does not resign, the Chair shall submit the memo to the Township Board to request that the Commissioner be remove for nonfeasance in office.~~

**ARTICLE ~~RULE~~ 4: RESPONSIBILITIES AND AUTHORITY**

**4.1 Responsibilities.** The Planning Commission must perform all of the actions required by law, the Township Zoning Ordinance (including but not limited to Chapter 23), and other applicable rules and regulations.

**4.2 Requirements for Action.** A majority of the Planning Commission shall constitute a quorum for the transaction of ordinary business and all questions which shall arise at their meetings shall be determined by a vote of the majority of the members of the Planning Commission attending any meeting where a quorum is present, unless Michigan law provides otherwise. If a decision of approval is not obtained or in the event that the vote results in a tie, then the matter being considered shall be deemed to have been denied.

**4.3 Voting Procedure.**

- a. Motions before the Planning Commission may be restated by the chairperson before a vote is taken. The name of the person making the motion and its supporter shall be recorded.
- b. Voting shall be by voice vote. All motions or resolutions resulting in Township expenditures shall be by a roll call vote. All members present are required to vote unless excused for reasons of a conflict of interest, as noted in Section 23.03(5)(b) of the Zoning Ordinance and these Bylaws.
- c. Action by the Planning Commission on any matter for which a public hearing is required shall not be taken until the public has had the reasonable opportunity to address the Planning Commission.
- d. A member may be allowed to withdraw from the entire remainder of a meeting by majority vote of the remaining members present for any good and sufficient reason other than the member's desire to avoid voting on matters to be considered at the meeting. A motion to allow a member to be excused from voting or excused from the remainder of the meeting is in order only if made by or at the initiative of the member directly affected.

#### 4.4 Conflict of Interest.

- a. A conflict of interest is described in the Planning Commission Rules of Conduct exhibit, shall include, but is not limited to, a matter pending before the Planning Commission in which:
- 1) ~~The member has a direct financial interest in the outcome of the matter at issue;~~
  - 2) ~~The matter at issue involves the member's business or place of employment;~~
  - 3) ~~Participation in the matter might violate the letter or spirit of a member's code of professional responsibility;~~
  - 4) ~~The member has such close personal ties to the applicant that the member cannot reasonably be expected to exercise sound judgment in the public interest; or~~
  - 5) ~~Participation would violate a rule or regulation adopted by the body involved.~~
- b. ~~Before participating in a decision, hearing, or casting a vote on a matter on which a Planning Commission member may reasonably be considered to have a conflict of interest, the member must publicly disclose the potential conflict of interest to the Planning Commission.~~
- e. ~~The member is disqualified from voting on the matter if a conflict of interest exists and a majority vote of the remaining Planning Commission members concludes that a conflict exists. The member shall not attempt to exert his or her personal influence with respect to the matter, either at or outside the meeting. The presence of the disqualified member at the meeting shall not be counted in determining the presence of a quorum for purposes of the vote on the matter presenting the conflict of interest. The member's ineligibility to vote shall be reflected in the minutes of the meeting.~~

- ~~d. If the member is an applicant submitting an application, contract, transaction or any other matter to the Planning Commission, the member may be present in the meeting room during the discussion to make a presentation and answer questions.~~
- ~~e. If a member plans not to attend a meeting at which he or she has reason to believe that the Planning Commission will act on a matter in which the member has a conflict of interest, he or she shall disclose to the chair of the meeting all facts material to the conflict of interest. The chair shall report the disclosure at the meeting and the disclosure shall be reflected in the minutes of the meeting.~~
- ~~f. Failure of a member to disclose a potential conflict of interest as required under these bylaws and Michigan law and disqualify himself or herself from the vote constitutes malfeasance in office, which may result in disciplinary action including censure, reprimand, removal, dismissal, or discharge.~~

## ARTICLE ~~5~~ RULE 5: MEETINGS

### **5.1 Meeting Schedule.**

- a. Regular Meetings. Regular meetings of the Planning Commission shall be held on the first and third Mondays of each month at a time and place as determined by the Recording Secretary unless cancelled or rescheduled by the Planning Commission. When the regular meeting day falls on a legal holiday, the Planning Commission may select a suitable alternate day in accordance with the Michigan Open Meetings Act. At the Planning Commission's first meeting in December, the Recording Secretary shall submit to the Planning Commission a proposed meeting schedule for the upcoming year. At this meeting, the schedule shall be approved as submitted or amended to reflect the changes directed by the Planning Commission.
- b. Special Meetings. A special meeting of the Planning Commission may be requested by any Planning Commissioner or the Recording Secretary. The

Recording Secretary shall send written notice personally, by mail (if time is sufficient), or any other electronic means, including facsimile, text or email, of a special meeting to Planning Commission members not less than 18 hours before the meeting.

**5.2 Meetings.** Planning Commission meetings, subcommittee meetings, and hearings will be held in compliance with the Open Meetings Act.

**5.3 Notice of Meetings.** Notice of all public meetings must be posted pursuant to the Open Meetings Act.

**5.4 Agenda.** A written agenda outlining the order of business for all regular or special meetings may be developed by the Planning Director then amended and approved by the ~~and the~~ Planning Commission Chairperson. The agenda may be supplemented or re-ordered by the Planning Commission during a meeting, provided the same does not violate ~~complies with~~ any applicable law.

**5.5 Public Participation.** A member of the public may speak at public meetings or the public hearing part of a meeting of the Planning Commission in accordance with procedures adopted by the Planning Commission. The following procedures apply:

- a. Time for public comment must be provided at each Planning Commission meeting. Additional time for public comment may be scheduled at the end of any meeting, if necessary in the discretion of the Planning Commission.
- b. Individuals wishing to speak are requested to provide the person's name and address.
- c. Persons must be recognized by the Chairperson before speaking and may be limited by the rules of the Planning Commission.
- d. No person may speak more than once during public comment (excluding any comments made at a public hearing).

- e. Persons addressing the topic of a scheduled public hearing are encouraged to present their remarks during the public hearing portion of the meeting.
- f. Public comments shall be directed to the Chairperson.
- g. The Planning Commission will generally not respond to public comments, but reserves the right in its sole discretion to make inquiries, correct factual errors or provide any other information it deems appropriate. Where appropriate, The Planning Commission will make a good faith effort to respond to questions in a timely manner, at its discretion.

#### **ARTICLE RULE 6: ATTENDANCE AND QUORUM**

**6.1 Quorum.** A majority of the members of the Planning Commission appointed and serving constitute a quorum for purposes of transacting business of the Planning Commission and the Open Meetings Act. Each member of the Planning Commission has one vote.

**6.2 Attendance.** Members of the Planning Commission who are absent from more than three consecutive, regularly-scheduled Planning Commission meetings or more than 50% percent of the regularly-scheduled Planning Commission meetings in a calendar year are 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 Planning Commission or are excused by the Planning Commission. The following procedures must apply:

- a. A member of the Planning Commission must notify the Planning Commission Chairperson of an anticipated absence as far in advance of the meeting as possible, stating the reason for such absence.
- b. The Chairperson may postpone or reschedule a meeting in the event a quorum will not be present.

#### **ARTICLE RULE 7: RECORDS**

**7.1 Meeting Records.** Minutes must be maintained for all Planning Commission proceedings, including evidence, information and data relevant to each case under consideration, resolutions, transactions, findings, voting by members, determinations, and final disposition of each case.

**7.2 Maintenance of Records.** Minutes of each Planning Commission meeting must be filed with the Township Clerk and must be available to the public. Minutes of closed sessions must be maintained separately and not disclosed to the public, except upon court order. A writing prepared, owned, used, in the possession of, or retained by the Planning Commission in the performance of an official function must be made available to the public except where exempted by the Freedom of Information Act.

## **ARTICLE 8: COMMITTEES**

**8.1 Formation of Committees.** The Planning Commission may establish committees to meet the needs and objectives of the Planning Commission and must specify the number of members, terms of appointment, functions, goals, and projected time periods for such committees. The Planning Commission may appoint advisory committees outside of its membership.

**8.2 Public Notice.** Notice of the formation of committees, their purpose, membership, and meeting schedule must be posted at the Cascade Charter Township Hall. All meetings and meeting records must be open to the public as required by the Open Meetings Act or the Freedom of Information Act.

**8.3 Accountability and Records.** Committees must be accountable to the Planning Commission. Records must be maintained for all meetings. Reports and recommendations must be submitted to the Planning Commission in writing.

**8.4 Discharge of a Committee.** A committee may be discharged from its responsibilities by a majority vote of the Planning Commission.

## **ARTICLE 9: PERSONNEL**

The Township Board, in consultation with the Planning Commission, may employ a zoning administrator, planning director or other personnel or consultants, contract for services of planning and other experts and technicians, provide support staff, and pay or authorize payment of expenses within the funds budgeted for planning or zoning purposes by the Township Board.

**ARTICLE~~RULE~~ 10: ——— EX PARTE COMMUNICATION**

~~Members shall avoid *ex parte* contact regarding any pending agenda item before the Planning Commission whenever possible. If it is not possible to avoid *ex parte* contact, the member shall publicly report to the Planning Commission at a public meeting what was said and by whom, so that other members and interested persons are made aware of the same information.~~ *Ex Parte* communication is described in the Planning Commission Rules of Conduct exhibit.

**ARTICLE~~RULE~~ 11: REVIEW AND AMENDMENT OF BYLAWS**

Rules and procedures adopted by the Planning Commission may be reviewed and amended from time to time. Amendments will require an affirmative vote of a majority of the Planning Commission.

STATE OF MICHIGAN                    )  
  )  
COUNTY OF KENT                    )

I the undersigned, the duly qualified and acting Secretary of the Planning Commission of Cascade Charter Township, Kent County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of the Bylaws adopted by the Planning Commission at a meeting held on the \_\_\_\_\_, 2021 at \_\_\_\_\_ p.m.

\_\_\_\_\_  
\_\_\_\_\_, Planning Commission Secretary