

Town Board Meeting
January 18, 2018, 10:00 am
Study Session
Meeting Minutes

1. Call to Order by Manigold at 10:00 a.m.

2. Pledge

3. Roll Call Present: Manigold, Westphal, Bickle, Achorn, Wunsch, Sanders Absent: Wahl.

Also present: Staff Gordon Hayward, Brian VanDenBrand, and Christina Deeren; Jennifer Hodges, GFA, Susie Shipman, PC

4. Approve Agenda

Motion to approve the agenda as presented by **Wunsch**, second by Bickle. **Passed Unam**

5. Conflict of Interest: none

6. Business

A. Study Session on Development Application Procedures.

This is an open forum of dialog with Township Board, staff, and PC members.

Manigold; We are going to try to meet once a week to go over different topics and how the flow chart comes through on a SUP that comes in. We want to understand the process as many of the members are new to the board and have not been through the process. We deal with many agencies that override us. So this is kind of a conceptual process that we are going through today. If board members don't like it then it is not set in concrete. We will need to meet on personal which will mostly be the Township Board for the personal handbook. We will also need to bring everyone up to speed on the PDR program and how it came about. There are a number of things to discuss that would be good for us.

VanDenBrand; Jennifer was kind of enough to provide what was presented on your desk. I don't expect you to go through this detail by detail. This is something for you to review before we meet again next week. This is just the process for development review. Again, we have a lot of new Board members and we need some education on how things work. What I would suggest is that you review it to see what you like and don't like. Then we can bring that back for further discussion at our next meeting. There are different procedures for each site plan review you have SUP, PUD a number of different things. So hopefully this is our first step in defining for the Board and for the public how things work. Because you just received this I am not sure that you want to go through this step by step.

Board; Yes, we do that is why we are holding these study sessions.

VanDenBrand; I will turn this over to Jennifer then.

Hodges; Basically what I did was just went through the overall process of what you have to go through. Jennifer explains the flow chart and how it is structured and how it works line by line. This flow chart (1st) sheet is the overall developmental process. Asterisks correlate with the flow chart. Site plan and administrative review which is handled in house which follows step one and two. The next level which is a land use permit which goes to the Planning Commission. What is not on here is when it comes to the Board level with a SUP when you have to go through the public hearing process. So that is not identified on these sheets but it still follows the same steps. I didn't want to make it too confusing.

Achorn; There are Planning Commission members here too so how does this affect the Planning Commission?

Hodges; This address a land use permit process which is under the Planning Commission. So there are two levels administrative in house and the other is the planning commission for the land use permit.

Bickle; And all that revolves around land use permits. What does not fit in this?

Hodges; The SUP permit process which would intercede and there would be public hearings so that would be a middle step in step 4.

Achorn; You need to go through each step item by item and explain each of these things mean.

Bickle; Please.

Hodges; Okay.

Westphal; And you need to tell us which of these sheets you are on.

Hodges; On the overall 11x17 page. Brian maybe you want to do this more so than me.

VanDenBrand; Right. This just came from Jennifer so again this is just a draft. I am trying to figure out where to begin.

Bickle; Give us a hypothetical situation if someone comes to you and they want to develop a piece of property or land use so that is step one.

Achorn; What happens when they walk in the door.

VanDenBrand; They walk in the door and we generally have preliminary guidance. Preliminary thoughts it is not the Planner's job to direct someone on how to develop property. What we do is look at their preliminary plans and a lot of the time we are missing a lot of information. So we try to provide them guidance with the information that we would need as staff or the Planning Commission would need or the Board would need in order to make their final decision. They would then submit a final application. I would make a determination that is complete or Christina would if it was just a land use permit and then I go into the Planning Commission. So let's move on from the simple what I would call the administrative review which is just going through our zoning department.

Westphal; We want you to start right with... I am coming in and I have a piece of property and I want to build a winery.

VanDenBrand; Okay. So now you are moving into the SUP thing.

Westphal; Okay, but I am coming in and I want to know what I have to do to get permission or a permit system to build a winery.

Achorn; Is there a form that you fill out?

Bickle; Wait, wait I am going to perspectival suggest that Jennifer framed a SUP would be the wine scenario. I would like to learn more of that. As we are going to get more involved in how to build a house or a sub-division..

Hodges; I guess we could just go through the steps. The steps that I have are intended to.

Bickle; We are doing this because we don't know how this works. We don't know anything.

VanDenBrand; So you have a buy right in the zoning ordinance. So say you are in the R1 district that is residential. Somebody wants to build a house so they come in and see Christina and they say does this make sense. What are the setbacks here? And then Christina provides them with that information.

Westphal; Wait a second they probably wouldn't even know about setbacks "Christina I want to build a house on my R1B property tell me what I have to do".

VanDenBrand; Correct. That is what we do first.

Achorn; Is there a form that they then get? That gives them some guidance?

Deeren; Not really. That is what we are working on the land use permit application that I have is pretty vague. So I have been working on developing a new application to help establish guidelines for informational places that they need to go to get different permits prior to getting a land use permit. So when someone comes in initially typically they have some sort of an idea or a plan or I will begin to ask questions about the lot and then that is where I can give them the setback requirements or if it is in a sub-division what the requirements are for that. I then outline for them what they are going to need most people that come in already have some sort of a plan that they are presenting to me. Then I will look at the plans and tell them what they will need to complete to fill in your gaps in order for me to issue them a land use permit.

Achorn; Is there a current form that they fill out?

Deeren; Yes there is.

Achorn; Is there current guidelines? I would like to see a step by step each of what we have in house now and then as you go through to update them.

Deeren; Presenting to the Board members a current land use permit application and then a proposed revised permit application. Deeren explains which paper is which.

Bickle; Thank you for being prepared.

VanDenBrand; What you guys are talking about is what we have recognized as what we need. We want to make sure the public is knowledgeable about what is exactly required for anything that you want to do in Peninsula Township. That is what we don't have right now. That is the purpose of today's preliminary meeting. Do we want to keep these things going and get your feedback on what do we need to do make sure that it is clear. Again, this is just an idea we are going to make our own but this is just... From how my brain works I get it so it is just important for me to understand what the public looks at and what the public needs so that is what we are working on a procedural flow chart.

Achorn; So this top one is what is current now?

Deeren; Yes, this is what we are currently using and it is a bare bones minimal information. A lot of times when I get someone that come in of course they look at this and say I don't know what any of this is. So I will go through the application with them so that I can get the right information in order to write a permit. So because of that I have tried to develop something that is a little more user friendly for not only me but for the applicant as well. So I came up with a new format, new application form and along with that some highlighted instructions of different entities that they may have to contact; Soil Erosion, Health Department, Road Commission so that they have a list of numbers and contact information. The one thing that I have also added is a stake inspection requirement that should be done prior to any movement of earth. So we know that they are staying in compliance with their setback requirements. I have already had an issue with that. I have proposed a possible \$300.00 fine if I do not conduct a stake inspection and then they build a structure over the lot lines. Not only would they have to move the structure but they would also get a fine.

Sanders; That is supper inexpensive. I would walk all over that.

Deeren; We do not have anything in place now so at least it would be something. It is all tentative this isn't set in stone yet either.

Sanders; Line one only just briefly because I get a lot of people that are like I am going to buy this property. I would like to see on this the link or links to the minimum requirements or the maximum requirements for certain areas of the township.

Deeren; We could add that to this as well. I also added a basic plot plan diagram for them to add to this. If I get someone that just has a shed I don't get complete information so I still want to know where they plan on setting it on the property. An additional informational page for us just in case we need to make additional

comments or notes to the application.

Manigold; Can you pull up earth view or something to show them the lot and where it is and print it out for them?

Deeren; I have the GIS that I use via the assessing database so that they can see it. The downfall side of that is it is not always 100% accurate. As things change and land divisions occur they don't update the GIS map on a regular basis we don't have that updated information for people with possibly new lots that they have split and are building on.

Westphal; You said that when people come into your office Christina they come with a set of plans but are these primarily house plans?

Deeren; Typically they are. Unless someone is coming into just inquire as to what their setbacks are and what they can and cannot do. Most often I am already working with a contractor that has already created the plans with the applicant or owner to get something prepared to present to the Township for building. A lot of times I get phone calls asking what the setback requirements are for the property is located.

Westphal; Do you ever refer that applicant to the Township Ordinances for that type of zoning district so that they can look and see all of the different requirements or standards including what percentage of the lot can be covered by buildings.

Deeren; I do, absolutely. I can also add to the application a little description of an example such as R1C with the setback requirements and the percentage of lot coverage and what they can build up to. I could add that information.

Achorn; I think that would be good.

Sanders; This is on one isn't it? The application?

Deeren; The original top one is.

Sanders; The new stuff is not. Okay.

Deeren; I have not added anything on-line yet.

Sanders; The ordinances and sections.

Westphal; And also issues of access and any conservation easements on that property. Is that covered anywhere in this form?

Deeren; It is not but we can add that to the form as well. That is something that we do look at and review.

Westphal; We have a lot of PDR land out here. It has very clear restrictions on it dealing with whether or not you can use PDR land for septic systems, access or easements or crossing over to get to roads and other things like that. That really have to be considered also view sheds. All of those things need to be a part of this whole consideration that should be on this form or any form we develop so that there is a cross checks of especially the conversation easements.

Deeren; Agreed.

Manigold; Don't we flag that when you pull up the records?

VanDenBrand; That is what I am going to say. What you guys are talking about is all a part of the very initial information gathering that an applicant should do. If we need to make it clearer somehow then here is the stuff that you need to think about we do that. We pull up the parcel map, and we pull up the conservation easement, and we pull up zoning and we print out the zoning regulations. Here are your

setbacks and here is what you need to think about. When someone gives us a call and sit down with us and let's talk about what you want to do and we provide all of this information. If somehow we can make that more clear on our application form or on the front page of our website we should do that.

Bickle; What do you think Maura because you interact with the public.

Sanders; I was going to say when I go and look at vacant parcels or parcels that are going to be redeveloped I know to go all the way down through the legal description to look for the conservation easements. But approximately 95% of real estate agents do not know to do that. So I do not know if there is a way in BS&A to put an asterisk with a blip at the top of the page.

Deeren; You would have to go in and physically add that as a flagged item to each property and that would be something that Sally would have to do. So she would have to go in and flag every one of the record cards that have a PDR easement on them or a conservation easement.

Manigold; They already aren't they?

Deeren; No. It is in the legal description. So when I look at a piece of property when someone comes in I will pull up the legal description just to see if it is in a PDR or conservation easement.

Sanders; A lot of times the legal is so long that it is not right front and center.

Elliot; So you have an Assessor telling you that there is an easement on it?

Sanders; Chances are that the realtor does not know, doesn't look and doesn't ask. So then they send their client through and it just wastes time.

VanDenBrand; So how do we make people aware of that? That is the question. The answer is that people look at the Township website and when I interviewed I told you that I wanted to re-build the website. How stuff has been going I haven't had the chance to do that. If we could get a better on-line mapping system to show that kind of thing then we direct people to look at that. Just search the address and that pops up the conservation easement, zoning and here are the setbacks for that zoning. That is the ultimate answer. Do I have time to do that right now? No. Is that what I think we should do? Yes.

Bickle; The only challenge that I would have with that Brian is that human nature is lazy and they're going to which is a good thing come into the Township and hopefully ask questions. Even those things on-line I cannot tell you how many times that I get title agencies calling and asking if the taxes are current or not. The detail is there in BS&A. Not to take it away, but I want to go back to do I think the things that have been brought up. Do we need to and can we have it somewhere where they are given a packet and it could be provided to the folks at TARR. For those who wish to read it fine and if not but they would at least have an idea. We need to keep it simple, that is my suggestion.

Sanders; I think that you need to let other people do their job too you guys shouldn't have to do it for them.

Achorn; that is true and I think you're listing it to do this, this, this and this well how are you supposed to remember that. Do you have official check list that must be gone through in order to proceed with your assistance to the applicant?

Deeren; My check list is actually the permit itself. If I do not have the information that I need then I won't write a land use permit as I cannot fill in those gaps in my permit. The actual permit that they receive to take to construction code for a building permit. So that is kind of my checklist.

Achorn; We are talking about pulling up this record or that record or we are telling them about this or that.

Deeren; When they come in with their final stuff and actually pay for the permit and give me the information that they have to give me in order to construct anything that is where if I am missing any information I make sure that it is all there. Everything that I need prior to writing a permit.

Achorn; Perhaps the applicant needs to have that similar checklist that you need to have these 15 things done before we will look at it.

VanDenBrand; Yes. We have got that.

Manigold; I thought that it was on-line a check list for when they apply for a permit. It used to be.

Hodges; There is.

Westphal; I thought this was the checklist.

Bickle; I thought Brian you said that this was the checklist and Christina said this is the checklist so this is what people get when they come in and start their process. So this is something that we will have to digest a little more.

VanDenBrand; Again this is just land use permit. This is just what goes through Christina's office.

Manigold; I see a two things that first of all it is a violation of the law if the seller doesn't disclose that there is a conservation easement on his property so I would be surprised if a new buyer would be aware of that. There may be a location of a building site which is why she has to go through the deed and read each one to find out and then pull the easement to verify that everything is in tack.

Bickle; The title company will pull all of the records.

Hayward; The assessor has all of those records in her files and she checks every time a deed comes through she checks to see if it is a PDR program and if it is not then she contacts the property owner or the person that created the deed and lets them know that there is a problem with the deed because they didn't include the proper language. There is also a form called an Environmental Assessment which is required for all SUP's. That form could be used for land use permits too. Require them to check off yes or no in looking at properties. We would require them to look at all of the items on their particularly relating to issues of former orchards and the possible need for testing programs. If they leave it blank then whoever is reviewing that form finds out why it was left blank. The other thing that Christina does every time someone comes in is to go and pull the parcel file. The parcel file includes all of the permits that have been issued on the property, all of the Health Dept. permits and any other permits related to it including conservation easements, land divisions, prior parcel numbers. So any questions you can go to the land division files in the assessor's office, deed restrictions, easements any of those are in the assessor's files. Those are available to the Zoning Administrator and staff. May be we need that on this check list that kind of process that we do internally and automatically but it is not on a check list.

Achorn; For example in the Treasurer's Office we do have procedures and we have different people checking each other on those procedures. The same thing should be happening in the zoning area so to avoid a mistake. So that you do have to check that yes I did this, or oh, I forgot to do that, let me do that now. If someone inexperienced is coming in or someone is helping out temporarily we need those guidelines so that something does not slip through the cracks.

Hodges; If I may, just too kind of summarize again. I met with Christina and Brian on Tuesday to go through what the Township has in house as far as applications. What I brought was a bunch of other community's examples. I have worked with a lot of other communities that have gone through and updated their applications and updated the process. It is definitely recognized that the applications need to be updated and Christina has gone through some of that effort. The goal is to identify a more main stream process in developing the steps for the applicant. What the hope is for today is the flow chart is just to go over the general steps of the process. The next step through the next study session is to go through once staff has updated the application we have check list. I provided them some other example check list to include storm water review, utility check list, and site plan check list. Ones that are just a little more detailed to include some of these items that we are talking about and would like to have them included in the application. We want to make sure that the applicant does their work too. Once those

applications with the associated check list get updated then we would want to bring them back to you guys and get your feedback. If that helps.

Bickle; So if I am listening correctly what you are saying is to bring best practices from other townships and then what they are looking to do is take the best of the best and blend it all together and give us a finished product that we then can take a look at. I think that I understand and I suspect that my colleges do that this is a work in progress. Then this flow chart is to say that this is what we suggest but is this to a work in progress. I think Brian alluded to it and I see heads nodding yes.

Hodges; This is just the overall process in general. Portions are in compliant with the Act so certain portions are obviously in place and other ones are additional recommended steps like step three. To actually have a preliminary site plan review process. This there is an application to go that route but they could just jump to step four and submit a formal application. To make it more main stream and to make it a requirement I think would save a lot of effort and time for everyone. This is a nuts to bolts flow chart.

Bickle; Thank you.

Manigold; I am pretty confident that they are not going to build on PDR land or in a view shed that is pretty obvious but what they do is they go out and start construction and Christina just started going out on site and oh now they moved the driveway over here and the house is 10 feet off. That is what I think is our major problem. I also want to look at the fee schedule as I bet we put these fees in place 20 years ago and should the general public be paying for a new guy to put in a new house in or developer. The fee structure could be one area of improvement.

Hodges; that is included in some of the things that we have discussed. To update the fee schedules and escrows for storm water and have them published and adopted along with a time line for submission so that we are not getting everything all at once or the day before the meeting. This is the date drop dead that they need to have everything submitted.

Manigold; We have now adopted a procedure that we have GFA spot checking everything that happens on the development. Before we would only do sewer and water. Where we had a person observing where the pipe went in to make sure that it was done correctly. So by picking that policy up helps.

Hodges; That is where I see the benefit of having a preliminary site plan review if it is going to a land use or special use one of the steps you see is having a ZA or Planner review it through their check list and they will also have it forward it through staff or engineer of record review so that they can identify escrows, permits and help them identify all of the regulatory agencies that have to do an initial review. And to also identify if there is a market study or and environmental assessment. Or if there is traffic study that is warranted. I think that is where all of the preliminary comes up so then the applicant can regroup before they spend a bunch of effort on a set of plans and decide do I really want to keep moving forward and do all of this extra work to take it to the final plan submittal. It is there opportunity to make it a go or no go project to.

Westphal; We are kind of comparing apples and oranges here. We started off talking about residential this is a small scale in the preliminary site plan review compared to the SUP's and PUD's. We need to stay with the first set and work through that because if I look at this application form that we have. The cover page here which is by the way at least 25 years old. I remember first filling this out when I purchased some land out here. There are a whole bunch of requirements here for example if you do not even have a property address whose the contact person that you have to go to in the County to get that. Need the parcel number they should have that on their deed but they can go to the assessor's office and get that information and the zoning. Any conservation easements should be on that deed as well. Then you get into this whole thing of evidence of ownership if not in Township files they need to go to the County Register of Deeds that is where you get that and people do not know that unless they have gone through the process themselves. Often times the Real estate Agent will serve in that capacity and direct people but you want consistency among the applicants that are coming in so that kind of information can be on an information sheet to give to people. Then you get into these number 7 calculations of percentage of lot coverage. We go back and forth on road right of way out here sometimes it is counted as part of your

acreage and sometimes it is not counted. Then we get into the percentage of lot coverage and I think that this is an area that the Planning Commission needs to look at. If you are putting in a road out here that is built that is something that should be counted in your percentage of your lot coverage. Unless it is a permeable surface of road. We need to be thinking of that because you can tie up a lot of land on driveways and parking spaces. We haven't really duked that out yet with the Planning Commission as to whether this should be counted or not. Then you need one full set of construction plans, these tend to come in as two dimensional plans with minimal information with the three dimensions or the fourth dimension of your landscape plan. Not to have your site plan greater than 11x17 you need your reading glasses to understand and decipher the various lines; not to mention a front elevation drawn to scale. You are talking a foreign language to most people. Now someone like Mansfield would know what that is, but I have not seen a whole lot of front elevations drawn to scale coming in from our professional land developers out here. We really need to be thinking about how we can facilitate our residents through information transfer and to the applicant, what these things entail. We could even put an illustration in here, and provide a sample site that shows what counts and what doesn't count on a set of plans. This is Latin to a lot of people. It is really important that we can educate the public on the standards in the ordinance, and what an applicant needs to meet by having good information. In short, we need clarity.

Manigold; Gordon, didn't we use to have a packet for people when they came in and we gave them that information? Didn't we already develop that at one time? Maybe we don't do that anymore.

Hayward; There are two different things that can happen. In a lot of cases if someone is going to build a house they will have the builder come in. The builder if they have done anything in the Township will know these procedures. You can hand them an application form and they will have it all filled in. Parcel number, address, percentage of lot coverage, all of those kinds of things. But if a home owner comes in and states that they are building a house or wants to build a home what do I do? We encourage people to do that we can help look things up for them before they even submit an application. I think that that could be included in some sort of a packet for people. Just to come in and converse with the Zoning Administrator and Planner.

VanDenBrand; To answer your question. If we do not have that right now then we can prepare that.

Manigold; Well that kind of answers JoAnne's questions. We give them everything from what could occur. A lot of times on the houses that are being built we have an Architect come in that is familiar with things way before they get going on the drawings.

VanDenBrand; What I would suggest is that we prepare a sample application of here is what you need to know and if you don't know what your lot coverage contact the zoning and we will tell you.

Manigold; I got a call from a guy over on Piatt Lake, the Conservancy owns most of that and the conservancy called me. A guy owns 5 acres he went and got the permit from the Road Commission to put a driveway in so he is in the middle of the wetland bulldozing so immediately I drive over there on a Saturday and so I went over there since I knew the guy and I asked where his permits were and he had them tacked on a tree. You would think that Piatt Lake was a wetland and apparently not all of it is. He had his permits but the Township was not notified of the new drive.

Deeren; That is where having DEQ look at the site and deem it that or not. If there is a question I would say to someone that I need that permit or I need some verification from them if you need a permit or you do not. They will provide me with a letter if the property owner does not need a permit.

Westphal; Also if a piece of property has ever been tiled it will automatically disqualified from being a wet land so even though it will hold water if it ever had tiling at one time and the tiling is broken or not working. It is no longer a wetland is fair game for development. So as soon as that took place then the property can be developed. DEQ does have those records. Sometimes people do not know where that permit allows them to put that bulldozer on the land and push things out so that is the other thing that is an issue.

Manigold; That is the new park we bought. I don't think that we get involved with that if the DEQ or the Road Commission sign off then we don't delineate for them.

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Christina Deeren, Recording Secretary

VanDenBrand; In our new zoning ordinances there will be wetland descriptions at what we will do is use GIS, if we think that there is a wetland present than we will let them know that we will need DEQ to delineate where that is. We will then have a 25 foot setback from that wetland area. Verse now all we have is the County Soil and Erosion Department has been loosely enforcing that same setback. That will be clearer in our zoning ordinance.

Manigold; Dan Thorell who is a sanitarian who you get your Health Department permit from he is taking over Soil Erosion now. Apparently they are hiring two more sanitarians to cover the County and they will be going to the training session for Soil Erosion. It sounds like a few day course then you get your certification. But there the ones that will be coming on site but I don't know when that is going to happen. Jennifer you may know more about that than I do. It sounds like the County is redoing that whole ordinance. So it is taken away from the people that had been doing it and they both lost their jobs because they are not certified or didn't want to get the certification. Does that mean that we are going to want to take on more of that responsibility where the County has been doing it?

Sanders; I think that I brought this up a couple of meetings ago, but I would like to see the Township have some sort of plan in place maybe for the future in which we do take it over. There is an ebon flow at the County with the people that are doing their job and when it is not getting done correctly.

Manigold; Dan Thorell is a good guy and I know he will do a good job but I have no confidence in the County. They all move and then you have to deal with a new guy and it makes it challenging.

Westphal; I think that is a good idea Maura.

Manigold; It does not necessarily have to be Peninsula Township holding that umbrella. We could merge with Garfield Township, East Bay and Acme like we are all together. Where we could all adopt the same ordinances and maybe even have just one guy that takes all that on. That way we would not have to pay them individually.

Hodges; You implement your own storm water ordinances but you still are operating under the old County one. With technology changes it wouldn't hurt at some point to take a look at that ordinance for some updates. I am doing the same thing for Garfield because they are operating under the old ordinance as well even though they enforce it themselves as well.

Manigold; Do they have a person that enforces it?

Hodges; Yes, me.

Manigold; Oh, you?

Hodges; I do all of the storm water reviews for them their Zoning Administrator, Mike Green is a licensed storm water operator so he is the one that has been going out and doing that in that capacity. I am a licensed storm water operator as well. It is a one day course so there is not a huge amount of commitment and then you have to renew it once a year.

Westphal; I was just going to ask if Christina or if anyone else on the staff or board could qualify for that certification. I mean if that is what Garfield is doing then I think we should look at supporting our staff in doing that too. This whole fee structure a \$100.00 for a new dwelling is ridiculous. We need to be thinking about how we are building all this additional work for staff to be covered by the permit and if someone is serious about building and you have a thousand dollar permitting fee that is nothing compared to all the structures that are going on out here. According to our Assessor the values of property out here are just going through the roof.

Deeren; I think that is something that we really need to look at is the fee schedule for the everything that we are charging for currently to make sure that they are cohesive with what the fee is. For an addition \$75.00 is not much of a fee.

Manigold; Is that something we want the Planning Commission to look at or staff to review? Here is a good example on land divisions we charge \$75.00 now that we have four people reviewing it and one of them is the

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Christina Deeren, Recording Secretary

Township Attorney who charges us a \$130.00 or \$125.00 whatever it is. But they can either go very quickly or like the one we had with Jamison which was a two year ordeal fighting with Mansfield on roads and lines we now have several thousand dollars on that one.

Deeren; When you look at the initial application fee the \$75.00 or whatever it is that she charged them that doesn't even cover what you are paying the Attorney for the review.

Sanders; Maybe it should be structured per size of land or if it is simple.

Manigold; That is where I am kind of going. I think we need to start looking at that. If someone comes in to move a lot line then \$75.00 might be an okay fee but if it gets into doing a much larger split then like the Schultz split which has been going on for at least the past 6 months then the fees should be more.

Achorn; The staff is overburden currently. So those additional fees would help cover the cost of additional help.

Sanders; Asked for clarification on the flow chart and when one could skip to step five. Wanted an example of that. If not developing a sub-division I just want to put a house on a lot.

Hodges; Something like that would be a small shed that is less than the square footage that doesn't require a permit.

Sanders; If I am going to direct someone to go to the website and look at the flow chart then they will be overwhelmed looking at that so just having some clarification or examples may be helpful.

Hodges; That is a great idea. Where is the threshold that requires me to actually come in and get an application? Examples would be a very good idea.

Hayward; Demolition may fall into that. We do not issue land use permits for demolitions. But Construction Code does ask for approval from the Township before they can issue their permits. So we will issue a non-permit permit so that Construction Code can issue. They have been to the Township and the Township has reviewed it so that they are aware of the proposal to demolish. Which then goes to the Assessor and everybody to be aware of it so that is the procedure but it is not a permit.

Westphal; Does that fall under step five of the non-permits permits? Is that built in here?

Achorn; It is.

VanDenBrand; Again, this is good stuff to think about. Jennifer pulled this from another community and it is just an idea of what other people do.

Manigold; Maybe if it is a non-permit permit we should just forget it and take it off.

Deeren; I think with the demolitions of which we have had a few this year the conversation is that maybe we should just write them a permit because after having buildings come down. I have had several people calling asking why they do not have a permit from the Township. So this may be one thing that needs to change as well so that a yellow permit is issued and then it could be posted on site that states: DEMOLITION.

Hayward; In the case of a demolition it may trigger a soil erosion permit to be issued as well or even a storm water review permit. Depending on the location of the demolition. When we get that request it doesn't mean that their isn't some sort of internal review that doesn't need to be done. Sometimes it is a good time to ask what they are intending on doing next after they tear the structure down.

VanDenBrand; I think the take away from this discussion is that we need to make our applications more clear to the individuals that are working on a house, shed, demolition or pole building permit. When you get into the more complicated stuff you are going to have an applicant that want the experience with the zoning process and talk to

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Christina in what they need to move forward. We have already to meet more regularly so we can go through our more complicated stuff SUP and PUD's in coming weeks.

Hayward; Are you looking for a flow chart in addition to the application permits that would be handed out to essentially who is coming in if they are experienced in procedures? I am asking the Board.

Bickle; I don't know Gordon, I think that we are still trying to understand the general process. So to ask us do we see a chart A, B, C I am not in the position to answer that because I am still understanding the definition of the current process. Speaking for myself once I feel comfortable understanding the process for a land use permit then I think the next thing we have to understand is the process for a SUP permit. We have to learn the basics.

Hayward; So you are looking for something that is a more basic process for the details to be at one of our later meetings.

Achorn; Correct.

Sanders; But I think the end state would be to have our flow chart for each specific application. If not for the Township then for the public.

Manigold; Keep it simple.

VanDenBrand; I don't speak that well but I can write pretty well. So I will take as many words out as I can.

Manigold; What you got are simple people that are coming up to build their dream house and they want to understand it and they want to follow the ordinance. If we ever get that thing re-written it is supposed to be simpler.

Achorn; I have a comment, in the existing application number 11. The way houses are being built now there is no front and if you have no definition of front a clever builder will work his way around it. I don't think that you can use the word front anywhere. I think what you need is all four sides or all seven sides whatever it is. Front, side and back are no longer good terms to be using.

VanDenBrand; That is on the Planning Commissions radar. Absolutely.

Hayward; Number 10 was raised earlier which says a site plan not greater than 11x17, I had a guy come in and say that if I could present a plan greater than 11x17 then I could explain all of this stuff. Well we ask for in that is a plan that we can reproduce and put in the file. They can bring in a plan of any size they want to as long as they also provide one that is 11x17 so you could look at that two different ways.

Bickle; Put in there copy of original size of the plans so this way if they come in with a huge original all your asking for is smaller scale.

Manigold; Can we keep those plans down in the basement?

Hayward; The bigger ones we usually don't but we do keep the smaller ones and put them in the file.

Deeren; No. I usually share them with Sally so since I have been here what I do is once I have collected enough of them and when she has had the opportunity to look at them for adding them to the assessment roll then she puts them in portion of the basement. So they are kept which is a good idea because if we have any discrepancies then we can go back and look at the original plans that they had submitted that is documentation of what was approved. So all the plans I receive I keep.

Manigold; It is a different set of eyes looking at these and just in case we are missing something then we have cross coverage.

Westphal; Here is a case where Gordon is pointing out as you can reduce the plans to 11x17 but there is no reason why today that you cannot get them scanned just off of Woodmere and you can come in with a digital copy of

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that and you can reduce it down to an 11x17 on our Xerox machine today. So I think that is a red herring that doesn't have to be there anymore. Most importantly people that have to make a decision on those plans case in point Vineyard Ridge with topo lines so tiny that crowd together that there is no way that you can count them on an 11x17 that doesn't help the Board or a Commission to be able to read those plans. They need a bigger set of plans to look at or they need insets of those plans that show particular parts of that site design that are brought up to scale that you can actually read and measure if you have to see how accurate they are.

Hayward; We do often get electronic versions of those and usually they are copied in a PDF format so you can enlarge them on your computer. So you can read them.

Westphal; I think that every one of those firms should know how to use Sketch-up. We should be able to see these from a three dimensional perspective that we want to take on that site and then we need to demand a fourth dimension with their planting plans. At present and modified site at zero time five, ten and twenty years out so you can see what those plants are going to do as far as growth and producing wind rows and other things.

Hodges; There are programs that are very cost effective and a lot of local firms do utilize those.

Manigold; Okay, kind of winding up is it going to be something that we can ask that we meet next Thursday morning that we would have a packet on what we have been talking about. I don't know if you can do a fee structure Brian.

Bickle; What can you do by next Thursday?

Achorn; Just a draft, nothing final.

Bickle; What can you deliver by next Thursday because one of the things that has been shared with us is that best practices as far as application processes is in hand and it is a work in progress is that something that is realistic to expect a first draft of by next Thursday or not? It's okay this is not a right answer or wrong answer it is just what can we anticipate?

Achorn; Or a working model. Here are some examples of this, this or this. Just so that we can keep moving forward.

Manigold; And if you could get it to us at least the day before so that we have some time to look at it instead of the night before or the morning of.

VanDenBrand; How about as first steps if I could suggest recreating that packet for the administrative review that goes through the zoning department. If Christina has time then we will try to work on that but like I said we will try to provide a sample of a document to an applicant. Here is what you need to think about and highlight here is an arrow over here and this is what you need to look at and we can keep talking about that so we can keep that moving forward. Then we will work on probably a generic flow chart for use by right and here is what you need to do and here is a planned unit development and here are the steps. For example go through Planning Commission go through Township Board here is the timing that it take and here is what you need to provide. Then we can have another working session next Thursday.

Achorn; We don't want to overburden you we just want to keep moving forward with what we have brought together. So we can keep building on it.

VanDenBrand; I appreciate that.

Deeren; I will put together a complete packet for what a land use process would be so that maybe down the road we can move onto what a SUP / PUD details.

Manigold; Could you also do this packet is also shared with the Assessor for their approval or it goes to the County Health Department, Soil Erosion and where ever.

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Westphal; I think one of the things that you can do with this is perhaps ask Susan to give us all of the contact information that will go along with see so and so or obtain this.

Deeren; That is what I did on the back of this proposed application that I created. I listed permit information Soil Erosion, Health Department, Department of Natural Resources, Construction Code so I provided a list of numbers and information there.

Westphal; Let's tie that to items here on this kind of thing however it turns out in the new format. Gave example if it asks for a specific department then it gives a number and then it ties back to the list of agencies provided for the applicant to contact for the information or permit.

VanDenBrand; We are off to a good start.

Achorn; Excellent.

Sanders; One thing that you said Brian that just caught my ear. You said in the application process you said time lines. I don't think that is something that should be included and it makes me really nervous.

VanDenBrand; I was referencing the SUP / PUD process to be generic so it isn't introduced to the Planning Commission until you have a complete application.

Sanders; Take time out it is just a process.

VanDenBrand; To tell people just how it is going to work.

Achorn; Critical path.

Manigold; Another thing that we are going to have to explain to everyone as well is the DPW and how we get involved with the sewer and water when they are municipal. Certain conditions like we will have one on maybe next month where Marni Vineyard was approved but they have a small system for the five houses that are going to be built there and by law they have to offer it to the Township. The law is there so if it was something that the Township needed we would take it but obviously we don't want to incur any cost and let the developer pay for it and our residents that are hooked to it. The DPW for those of you that don't know this that there are five townships that owns it. We have the capacity in half of the waste water treatment plant in Traverse City. We have the septige treatment plant and three of our townships buy water from the City of Traverse City but our DPW we have 17 employees besides what you see here going in there and the budget there are certain process that have to go through the DPW and like Vineyard Ridge being hooked to the municipal sewer and water that not only has to be approved by their engineer, our engineer but also goes to DPW for approval and then down to two State Agencies. So that kind of overlapping is what I think what we are trying to do with this. Is to just make sure that we do not make a mistake we are trying to get a better application and things. I can see that maybe we need to meet all year. Every winery has a different SUP permit almost. How can you understand them when you start to enforce when you enforce this on this guy but it doesn't work over here. So we may have a lot of meetings coming. Anything else?

Nancy Heller; When you finalize your form then I would suggest that you put a date on the bottom of the form and when that form is revised you also put that date on it. Rob, you were saying that on the land division how long it took and all and you mentioned having four people looking at this. I think that the Township needs to have some sort of consistent scheduling so that both the applicant and the Township have a time line. Again, I know you are creating and processing these things but I think that this is the time. There is a lack of consistency within in something simple within the Township and somethings complicated within the Township. It is really important to get it consistent.

Manigold; I think that we have already tackled that. For about the last three weeks or month on Monday mornings Sally, Brian, Gordon, Christina and I have been meeting to go over each land division and where we are and what items we are waiting on. We started that with permits and everything else and like the Schultz one is hanging out there but we are waiting for more stuff from Mansfield until we can continue.

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Nancy Heller; Can I interrupt again because I hear these estimations my question would be is there something that the Township is not completing or is it all on in this case Mansfield. Is there something that can be done I hear this continually.

Manigold; If you would let me finish that is something that we are doing is meeting the next Monday, It has been working very well with the land division that is what we are doing and it is working very effectively we know what is going on internally and we keep the ball moving nothing is loose on our end right now.

Nancy Heller; That was my question. It is on the other side. Just keeping consistency and keep things moving forward.

Manigold; Just a quick half hour to make certain that we keep things moving. Entertain a motion to adjourn.

Bickle; Was just going to ask about the escrow accounts I see this published document Gordon. Thank you. From about a year ago but it is still kind of an enigma Brian, Gordon and all that for instance with 81 Marge ran the numbers this morning and without any other invoices yet to arrive that are implacable we will need to have them funded back up at \$10,000.00. So my question is how we want to do this do we want to meet once a month the Clerk, Treasurer and staff and look at where the escrow accounts are. What do you know is coming so that we can ask for it because right now we are still playing catch up? I do not want to go the applicant Mr. O'Grady and say ten thousand and two weeks later we need another ten thousand.

Achorn; And who is responsible for sending out the bill and who what does the bill look like. I am the one that has to keep the book keeping on it and capture all of the information but we need to have those things defined.

Bickle; How do we ask the applicant for more money? What is the process?

Hayward; There was an amendment to the escrow ordinance.

Achorn; I know that but what is the form of the letter, the bill and what does the invoice look like? We don't have that. We don't know.

Hayward; I think we need to sit down with the two of you and our files and look at process and what it was and the process that you understand now and let's get that figured out. There are files that for example have the storm water process which the Zoning Administrator was using and it has a templet that recorded all the storm water monies that come in and all the invoices that went out. I don't see that currently. We need to talk about what we do have and what we did have and what do we need.

VanDenBrand; Let's meet and figure out exactly how we want to do it in moving forward and try figure it out.

Manigold; We can get Jennifer involved with that.

Bickle; I agree.

Manigold; Garfield has probably got one that we could look at.

Hodges; When we were talking about updating applications and time submission schedules one of the items that I had forwarded onto you Brian and Christina both was Garfield's escrow schedule. They have an updated one and that was kind of the thought in step three if it is a review that is the time when it is up to staff to look at which would include me and I can tell you what the storm water and utility escrow is.

VanDenBrand; One of the things that we are going to fix in our ordinance is that it currently states that the Planning Commission needs to ask for escrow and I don't think that that is appropriate. I think when someone needs to supply and escrow that I think is appropriate. If you start to run out of that for example Jennifer's review of storm water stuff then I can ask for an increase. But it should not be coming from the Planning Commission in my opinion it should be coming from me.

Hayward; But that is what the ordinance says.

VanDenBrand; Right.

Manigold; I was just going to say that maybe one thing that will come out of these meetings are quick changes to the ordinance that make sense like this one. That is a month for the Planning Commission to get to that escrow.

Westphal; One more thing that I doesn't relate directly with our land use discussion today but does deal with SUP where there are amendments to the SUP's going through and developing these findings of facts as they have been done in the past. The whole review process one takes time and money and I think that if you are going to amend an SUP that there should be a fee associated with that to cover some of those cost but secondly the way the findings of fact are currently written are at best misleading at worst deceiving because it suggest that something is done when it is in process. We don't know that in many cases it is in process at DEQ or at the County. When it is done you should have a permit period. We should be checking off applicant is applying or application is in process and is in my hand.

Bickle; I am sure that this Township has done the has or has not been met for twenty years with all due respect to the senior members of the Board. We need to change the verbiage is what Jo is saying as you observed during the recent hearing it was very confusing. As you saw Board members had to stop and ask for clarification from legal staff. I would say that this must be brought into the next generation. I know Jo you had a very sound suggestion and she had drafted up a proposal for consideration.

Westphal; If we have standards that are in process that means that application or amendment has not been met yet. So why are we even discussing this. To come forth with a set of findings of facts that we are hearing that this has been accomplished and it hasn't and then we vote on it. It makes us look really silly and anyone else that is in that process.

Hayward; I have a couple of documents that I would like to provide to you. One of them is about four pages of an introduction to zoning and the different procedures required by zoning. It is well written and it talks a lot about the role of the Planning Commission and the ZBA, Township Board in generic terms which are easy to read. I think that would be helpful the other thing is that we could have a session at some point that Vineyard Ridge. This is something more current that we have all been involved with and what we are going to do and what types of records we are keeping. What happens when you approve a project and what happens between the approval and the actual issuance of the final permit? So it will help you understand at least from our perspective what we are doing and whether that is correct or not. Then we will know and then we can fix things. We can do that at some time.

VanDenBrand; That is what I want to talk about during one of these work sessions is stage two. Today we talked about our administrative procedures. Next we are going to talk about our SUP procedures.

Manigold; Referencing Vineyard Ridge several thousands of dollars developing sewer and water if they don't get approved. Somethings may rely on others but what JoAnne is saying that is what we hired Jennifer to do is to bird dog the developer as to where are we now and how that relates. I am not sure how that all fits in it could be complicated. The sure answer is that we do not issue the occupancy permit until all of the t's are crossed. What we have started now is that Jennifer is drawing the line in the sand with them and this will be on my desk before I issue the Township to approve. It would make more sense to get everyone up to speed and to change whatever we need to change to do it. The escrow thing and you said an amendment to an SUP that could be built right into the fee structure. So alright we are adjourned.

Achorn; Thank you very much. This was very informative and a great start.

Adjournment 11:26 a.m.