

**NORTHFIELD TOWNSHIP  
ZONING BOARD OF APPEALS  
January 20, 2015 7:00 p.m.  
Second Floor, Public Safety Building  
8350 Main Street, Whitmore Lake, MI 48189**

**AGENDA**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. ADOPT AGENDA**
- 5. ELECTION OF OFFICERS**
- 6. 2015 MEETING SCHEDULE**
- 7. CORRESPONDENCE**
- 8. PUBLIC HEARINGS: None**
- 9. OLD BUSINESS**
  - a. Review of by-laws – Discussion of DRAFT of updated by-laws provided by Carlisle/Wortman Associates**
- 10. NEW BUSINESS**
- 11. BUDGET AND TRAINING**
- 12. APPROVAL OF MINUTES: December 15, 2014**
- 13. CALL TO THE PUBLIC**
- 14. ZBA MEMBER COMMENTS**
- 15. ANNOUNCEMENT OF NEXT MEETING: February 16, 2015 (President’s Day)**
- 16. ADJOURNMENT**

This notice is posted in compliance with PA 267 of 1976 as amended (Open Meetings Act) MCLA41.72A (2) (3) and the Americans with Disabilities Act (ADA). Individuals with disabilities requiring auxiliary aids or services should contact the Northfield Township Offices at (734) 449-5000, seven days in advance.

# **ZBA Meetings 2015**

Jan 20\*

Feb 17\*

Mar 16

Apr 21\*

May 18

June 15

July 20

Aug 17

Sept 21

Oct 19

Nov 16

Dec 21

# Northfield Township Zoning Board Appeals Bylaws

The following rules of procedure are hereby adopted by the Northfield Township Zoning Board of Appeals to facilitate the performance of its duties as outlined in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, MCL 125.3101, et seq. These rules are enacted pursuant to Township Ordinance 66.01, et seq., providing for the creation of a Board of Zoning Appeals and the appointment of members thereto. Nothing herein shall be construed to give or grant the ZBA the power or authority to alter or change the Zoning Ordinance, including the Zoning Map, which authority is reserved for the legislative body.

## SECTION 1: Membership and Term

- A. **Board Composition** – The Northfield Township Zoning Board of Appeals (ZBA) shall consist of five (5) members. One (1) ZBA member shall also serve as a member of the Northfield Township Planning Commission.
- B. **Township Board of Trustees Representation** – One (1) member of the ZBA may be a current member of the Northfield Township Board of Trustees (Board).
- C. **Qualifications** – All members shall be electors of Northfield Township (Township) and be representative of the community.
- D. **Appointment** – ~~All members shall be recommended by the Supervisor.~~ Any Township Board member can bring forth a potential ZBA member for appointment. and All ZBA appointments shall be approved by the Board.
- E. **Vacancies** – All vacancies shall be filled in the same manner as the regular appointment process (Section 1, D) and shall only be for the balance of the uncompleted term.
- F. **Term** - The term of each permanent member shall be three (3) years, except for members serving because of their membership on the Planning Commission or the Board, whose terms shall be limited to the time they are members of those bodies. Terms shall be staggered in a reasonable and practical manner.
- G. **Alternates** – The Board may appoint two (2) alternate members for the same term as regular ZBA members. An alternate member may be called to serve as a member of the ZBA in the absence of a regular member if the regular member will be unable to attend one (1) or more meetings. An alternate member may also be called to serve as a member for the purpose of reaching a decision on a case in which the member has abstained for reasons of conflicting of interest. The alternate member appointed shall serve in the case until a final decision is made. An alternate member serving on the ZBA has the same voting rights as a regular member.

## SECTION 2: Officers

- A. Selection and Tenure** – At the first regular meeting of the year, the ZBA shall select from its membership a Chairperson, Vice Chairperson and Secretary. An elected township official shall not serve as an officer of the ZBA. All offices shall have a one (1)-year term. If any office is vacated between terms, the member selected to fill the vacated office shall only serve for the balance of the unexpired term. Officers may serve consecutive terms for the same office.

The presiding officer at the first regular meeting of the year shall be the previous year's Chairperson if still a member and present, if not; a ZBA member shall preside to the following order:

1. Previous year's Vice Chairperson
2. Previous year's Secretary
3. Zoning Board of Appeals member with the longest period of service.

- B. Chairperson** – The Chairperson shall preside at all meetings, appoint committees subject to ZBA approval, prepare the meeting agenda, sign documents on behalf of the ZBA along with the Secretary, administer oaths regarding the cases before the ZBA, compel the attendance of witnesses and perform such other duties authorized by the ZBA or Northfield Township Board of Trustees (Board).
- C. Vice Chairperson** – The Vice Chairperson shall act in the capacity of the Chairperson in his or her absence, and shall automatically succeed to the unexpired term of the Chairperson in the event the office of Chairperson becomes vacant. The ZBA shall select a successor to the office of Vice Chairperson for the unexpired term when that office is vacated.
- D. Secretary** – The Secretary shall execute documents in the name of the ZBA, perform the duties hereinafter listed below and shall perform such other duties as the ZBA may determine. The Secretary may delegate certain duties to a staff member without transferal of final responsibility.
1. **Minutes** – The Secretary shall be responsible for a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records retained by the Clerk. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance.
  2. **Correspondence** – The Secretary shall be responsible for issuing formal written correspondence with other groups or persons, as directed by the ZBA. All communications, petitions, reports or other written materials received by the Secretary shall be brought to the attention of the ZBA membership.

3. **Attendance** – The Secretary shall be responsible for maintaining an attendance record for each ZBA member.
  4. **Notices** – The Secretary shall issue such notices as may be required by the ZBA.
  5. **Roll Call** – The Secretary shall call roll for roll call votes.
- E. **ZBA / Planning Commission Representative** – One (1) Planning Commission Member shall serve as a liaison to the ZBA. The ZBA liaison shall report the actions of the ZBA to the Planning Commission and update the ZBA on actions by the Planning Commission that relate to the functions and duties of the ZBA. A member of the board who is currently an officer on the Planning Commission may not simultaneously serve as an officer of the ZBA.

### SECTION 3: Regular Meetings

- A. **Meetings** – Regular meetings of the ZBA shall be held on the third Monday of each month, or as noted below. ~~Four (4)~~ One (1) regular meetings shall be held in January each year, and as needed for the remainder of the year. All ~~regular~~ meetings shall take place at the Northfield Township ~~Hall~~ Public Safety Building at 7:00PM; if there is no business to be conducted, than a meeting shall not be held. When the regular meeting day falls on a legal holiday, the ZBA shall select a suitable alternate date in the same month. Regularly scheduled meetings may only be cancelled by either a majority vote at any prior meeting or the Chairperson by notification to the Zoning Board of Appeals members at least five (5) days before the meeting in a timeframe outlined by the Open Meetings Act – the reason for cancellation will be included in the notice.
- B. **Meeting Notice** – All meeting notices shall be made in accordance with the requirements of the zoning ordinance and the Open Meetings Act.
- C. **Public Records** – All meetings, records, documents, correspondence and other materials of the ZBA shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- D. **Quorum** – Three (3) members of the total five (5) members serving constitutes a quorum for transacting business and taking official action for all matters. The ZBA shall not conduct business unless a majority of the regular members is present.
- E. **Voting** – To pass or deny any variance, appeal or other official action required by the zoning ordinance, an affirmative vote of the majority of the total membership (3 members) of the ZBA is required. Voting shall be by voice vote. However, a follow-up roll call vote shall be taken if requested by any ZBA member or directed by the Chairperson to clarify a vote. All ZBA members, including the Chairperson, shall vote on all matters, but the chairperson shall vote last. The ZBA / Planning Commission Representative shall not participate in a public hearing or vote on the same matter that the member voted on as a member of the Planning Commission.

All votes shall be recorded in the minutes clearly identifying how each member voted. All members are expected to exercise their obligation to vote upon a question unless a conflict of interest is present.

- F. **Motions** – Motions shall be restated before a vote. The name of the member making a motion and the member supporting shall be recorded. Motions deciding the issue on appeal may include conditions of approval imposed by the ZBA.
- G. **Time Limit** – The ZBA shall hear and decide upon all matters properly before it within a ~~reasonable time~~ thirty (30) days. The decision of the ZBA shall be in the form of a resolution containing a full record of its findings and determinations in each case. The time limit may be extended by written agreement between the applicant and the ZBA.
- H. **Agenda** – The Chairperson shall be responsible for preparing an agenda for ZBA meetings. The order of business for meetings shall be as follows, or as amended by the Board through resolution or practice:

1. Call to Order
- ~~1.2.~~ Pledge of Allegiance
- ~~2.3.~~ Roll Call
4. Adopt Agenda
5. Correspondence
6. Public Hearings
- ~~3.7.~~ New Business
- ~~4.~~ Communications Received
- ~~5.~~ Advertised Public Hearings
- ~~6.8.~~ Unfinished Business
- ~~7.9.~~ Approval of Minutes from the last meeting.
10. Comments and Questions by Audience, Staff, or ZBA members. Call to the Public
- ~~8.11.~~ ZBA Member Comments.
- ~~9.12.~~ Announcement of Next Meeting.
- ~~10.13.~~ Adjournment

a. **Placing Agenda Items by ZBA Members** - Any member of the ZBA may request items to be placed on the agenda by contacting the Chairperson at least twenty-one (21) days prior to the meeting or hearing. Requests should be accompanied by explanatory or background information when possible. The ZBA member may also propose additions at the time of agenda approval during the meeting.

~~b. **Placing Agenda Items by Citizen(s)** - Any citizen(s) may request items to be placed on the agenda by contacting the Chairperson at least twenty-one (21) days before the meeting or hearing. Request should be accompanied by explanatory or background information.~~

~~The Chairperson and Secretary shall determine if it is appropriate and upon which agenda it should be placed. The Secretary shall notify the citizen(s) whether or not the item is placed on the agenda and when.~~

~~c.b. **Maximum Number of Public Hearings per Meeting** - In order to allow good conduct of business and careful review of all cases, the ZBA shall limits its agenda to no more than three (3) ~~two (2)~~ hearings on new cases per meeting. In the event more than three (3) ~~two (2)~~ applications are received by the deadline for submittal for the subsequent meeting, the Chair may elect to schedule an additional meeting in the same month to accommodate the additional hearings. The limit of three (3) ~~two (2)~~ new hearings per meeting may only be waived at the discretion of the Chairperson.~~

**I. Meeting Minutes** - The Secretary shall be responsible for the preparation and presentation of minutes of the proceedings of all meetings of the ZBA according to the Open Meetings Act, and for depositing with the Township Clerk a copy of said minutes for retention. If this duty is delegated to a staff person, the Secretary must sign the minutes.

The minutes of the preceding meeting shall be acted upon by the ZBA and signed by the Secretary and Chairperson at the next meeting. A copy of all motions shall be carefully recorded. The names of those who make motions, those who support motions and the vote shall be recorded in the minutes in a manner which clearly conveys how each member voted.

The official minutes shall be retained by the Township Clerk as proscribed by law. Copies of proposed and approved minutes shall be available to the public at a reasonable charge or according to Township Board policy.

Proposed minutes shall be available to the public by the eighth (8<sup>th</sup>) calendar day after the meeting. Approved minutes shall be available by five (5) calendar days after that meeting when approved.

- J. Governing Procedures** – Michigan statutes, ZBA by-laws, and Roberts Rules of Order Revised shall govern the order of business before the ZBA. Roberts Rules shall not apply when they conflict with Michigan Statutes or they deny a member his/her constitutional rights.
- K. Public Hearings** – All public hearings held by the ZBA shall be held as part of a regular or special meeting of the ZBA. The following rules of procedure shall apply to public hearings held by the ZBA:
1. Chairperson opens public hearing by announcing the subject of the appeal, the petition by identifying the applicant's name, case number, specified request, and the general location of the subject property.
  2. Chairperson summarizes procedures/rules to be followed during the hearing.
  3. Chairperson will call on the appellant or their representative to present their statements in support of the appeal along with any supporting evidence.
  4. Chairperson will call on the Zoning Administrator to present the substance of the appeal, staff reports facts about the appeal, including site conditions, uses of adjacent lands, utility and street capacities, and other pertinent matters and to answer questions of the ZBA.
  5. Chairperson will call on other persons interested in speaking in support of the appeal.
  6. Chairperson will call on persons wishing to speak in opposition to the appeal.
  7. Chairperson may, within limits, permit the appellant a rebuttal.
  8. Chairperson will, upon their motion or the motion of any ZBA member, announce the close of the hearing or announce continuation of the public hearing to another specified time and date if the hour is late or additional pertinent information must be obtained.
  9. ZBA deliberates the request and decides the issue or, if a majority of members decide more information or clarification is needed, the issue may be postponed to a future meeting.

To ensure that everyone has the opportunity to speak, the ZBA may elect to limit the time permitted for each person to speak. However, the applicant may be afforded additional time as determined by the Chairperson. The Chairperson may also elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the Chairperson, in his or her discretion, may permit additional comments.

General Rules for Conduct at Hearings –



1. Statements or questions by the audience shall be addressed to the Chairperson.
  2. ZBA members may question the appellant, others in support and those in opposition during presentations.
  3. ZBA members shall refrain from debating or arguing with persons commenting.
  4. If a large number of individuals wish to voice the same position either in support of or in opposition to the appeal, they may designate one (1) person to be the spokesperson for the group.
  5. The Chairperson has the authority to restrict each speaker to a reasonable length of time for presenting their comments.
  6. During the hearing, the ZBA shall not be bound by the strict rules of evidence and may take into consideration any evidence it deems relevant and material or exclude any evidence it deems irrelevant and immaterial.
- L. Special Meetings** – Special Meetings of the ZBA may be called by the Chairperson to handle organizational issues or may be requested by an applicant due to an applicant’s request or timing issue. If the applicant makes the request and the Special Meeting is called for that purpose, the applicant shall be responsible for any and all additional costs. If there is more than one applicant’s request addressed at a Special Meeting, the costs shall be shared equally between all applicants. The business conducted by the ZBA shall be conducted at a public meeting held in compliance with the Open Meetings Act. Special Meetings shall also be noticed as required by the Michigan Zoning Enabling Act, as amended, the Open Meetings Act and these bylaws.
- M. Committees and Committee Meetings** – The ZBA shall create committees and make appointments to these as it considers advisable. Committees shall consist of no more than two (2) ZBA members. Standing Committees shall be recommended by the Chairperson and appointments approved by the ZBA.
- The ZBA may authorize such special committees as deemed necessary and provide a timeline for the committee to report its recommendations. A special committee shall be dissolved when its final report is accepted by the ZBA. Committees shall be limited to recommendations to the ZBA on appropriate matters that reflect on the scope and charge of that committee. Committees have no authority to take administrative action or act on behalf of the ZBA.
- N. Closed Meetings** – Closed meetings may be held for the purposes outlined in the Open Meetings Act.
- O. Communication between the ZBA and the Township Board** – All decisions made during the ZBA meetings shall be ~~sent~~ communicated to the Township Board and Planning Commission – included within the meeting minutes.

#### **SECTION 4: Duties of the ZBA**

The ZBA shall perform the following duties:

- A. Act on applications for variances, appeals, interpretations, or other matters as required by the zoning ordinance and the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, MCL 125.3101 et seq.
- B. Attend local training sessions or meetings, as needed to properly fulfill the duties of a ZBA member.
- C. Attend conferences and/or workshops that are approved and funded by the Board.
- D. Perform other duties and responsibilities as requested by the Board or as may be specified in another Township ordinance.
- E. Conduct site visits as deemed necessary to evaluate an application and supporting material.

#### **SECTION 5: Notice of Appeal, Time for Appeal, Stay of Proceedings, Dismissal and Reinstatement of Appeal**

- A. **Notice of Appeal** – All Notices of Appeal to the ZBA shall be made in writing on notice forms provided for that purpose and adopted by the ZBA. Notices of appeal shall be serviced upon the administrative official from whom the appeal is taken, and such official shall transmit to the ZBA all papers constituting the record upon which the action of appeal was taken. The notice of appeal shall be accompanied by such fee as established by the Township Board.
- B. **Time for Appeal** – Every appeal shall be filed by the appellant within sixty (60) days of the date of ~~order refusal of permit~~permit refusal, requirement, decision, or determination of such official from which the appeal is taken, provided the ZBA may in exceptional cases for good reason grant additional time.
- C. **Stay of Proceedings** – Filing an appeal stays all further enforcement proceedings by the Zoning Administrator or other official unless the Zoning Administrator or other official certifies to the ZBA ~~after the notice of appeal has been filed with her/him that by reason of facts stated in her/his certificate, a stay would in her/his opinion cause imminent peril to life or property, in which case proceedings shall not be stayed unless the appellant obtains a restraining order which may be granted by the ZBA or by the circuit court, on application,~~ on notice to the Zoning Administrator or other official and on due cause shown.
- D. **Dismissal and Reinstatement of Appeal** – When an appellant fails to appear at a properly scheduled meeting on the ZBA, the Chairperson may entertain a motion from the ZBA to dismiss the case for want of prosecution; the appellant will be furnished

written notice of the action by the Secretary of the Board. The appellant shall have seven (7) days from the date of notice of dismissal to apply for reinstatement of the case. In such cases, the appellant must file a written request with the Secretary for reinstatement. Reinstatement shall be at the discretion of the Chairperson for good cause shown, and upon payment of a fee established by the Township Board. The Township Board may waive the reinstatement fee upon a showing of extenuating circumstances. In all cases, reinstated in the above described manner, the case will be docketed and re-advertised in the usual manner prescribed for new cases.

#### **SECTION 6: Absences, Removals, Resignations and Vacancies**

- A. To be excused from a meeting of the ZBA, a ZBA member shall notify the Clerk's office, ZBA Chairperson or other individual as designated by the ZBA. Failure to make this notification prior to a meeting shall result in an unexcused absence.
- B. Members of the ZBA may be removed by the Board for misfeasance, malfeasance or non-feasance in office upon written charges and after a due process hearing. A member shall disclose when there is or may be a conflict of interest prior to the matter being considered by the ZBA. Failure of a member to disclose that there is or may be a conflict of interest to allow the Board to disqualify the member from a vote shall constitute malfeasance in office. A member shall first be given the opportunity to resign prior to removal by the Board.
- C. A member may resign from the ZBA by sending a letter of resignation to the Supervisor, Board or ZBA Chairperson. Unless otherwise indicated in the letter, the resignation shall be effective on the date the letter is received.
- D. Vacancies shall be filled by the Board within ~~twenty-one (21)~~ thirty (30) days of resignation or removal of a ZBA member. Successors shall serve out the unexpired term of the member being replaced.

#### **SECTION 7: Conflict of Interest**

- A. ZBA members shall declare a conflict of interest and abstain from participating in a hearing or deliberations on a request when:
  - 1. The ZBA member, member's relative or other family member is involved in any request for which the ZBA is asked to make a decision.
  - 2. The ZBA member has a business or financial interest in the property involved in the request, or has a business or financial interest in the applicant's company, agency or association.
  - 3. The ZBA member owns or has a financial interest in neighboring property. For purposes of this section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the zoning ordinance or other applicable ordinance.

4. There is a reasonable appearance of a conflict of interest, as determined by the ZBA member declaring such conflict. However, declaring a conflict of interest should not be used as a means of avoiding a difficult or uncomfortable decision.
- B.** The ZBA member declaring a conflict of interest should state the nature of the conflict to the board. The ZBA shall consider a motion to excuse the declared member through the vote. Once formally excused, the member should vacate his or her seat during all proceedings involving the matter that lead to the member's declared conflict of interest. The member declaring conflict may also choose to leave the room in which the discussion takes place, unless doing so would violate his or her constitutionally protected rights to participate. Further, he or she should not make any presentations to the ZBA as a representative of the proposal.

#### **SECTION 8: Annual Report and Budget Request**

The annual report will be prepared at the end of the year under the direction of the Chairperson ~~in early June~~ and presented in written form in early January to the Township Board ~~immediately thereafter~~. The report shall include the ZBA operations, a report on appeals and recommendations regarding actions by the Township Board and Planning Commission as related to zoning.

The ZBA budget request for appropriation shall be prepared under the direction of the Chairperson at the first meeting after January 1 each year and shall be presented to the Planning Commission for inclusion in the department budget.

#### **SECTION 9: Suspension and Amendments**

These rules may be temporarily suspended at any regular or special meeting by a majority vote of the total members appointed (3 of 5).

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

Adopted by the Northfield Township at a regular meeting, held on \_\_\_\_\_  
\_\_\_\_\_, 2015.

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Secretary,  
Northfield Township Zoning Board of Appeals.

**NORTHFIELD TOWNSHIP  
ZONING BOARD OF APPEALS  
Minutes of Regular Meeting  
December 15, 2014**

**1. CALL TO ORDER**

The meeting was called to order by Chair Kenneth Dignan at 7:00 P.M. at 8350 Main Street.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL  
AND DETERMINATION OF QUORUM**

Roll call:	
Tim Anderson	Absent
Doug DelFavero	Present
Kenneth Dignan	Present
Greg Kolicki	Present
Jacqueline Otto	Present
Gary Wellings, Alternate (presence not required)	Absent

Also present:  
Township Manager Howard Fink  
Planning Consultant Laura Kreps,  
Carlisle-Wortman Associates  
Zoning Administrator Kurt Weiland  
Recording Secretary Lisa Lemble  
Members of the public

**4. ADOPT AGENDA**

Dignan removed the Budget and Training item.

- ▶ **Motion:** DelFavero, moved, Otto supported, that the agenda be adopted as amended.  
**Motion carried 4—0 on a voice vote.**

**5. CORRESPONDENCE**

None.

**6. PUBLIC HEARINGS**

None.

**7. NEW BUSINESS**

None.

**8. REVIEW OF BYLAWS**

Laura Kreps of Carlisle-Wortman said she had updated the by-laws only to conform to current Michigan law. She noted that only one alternate ZBA member is called for in the by-laws, but two are allowed by law. Dignan said there would be no cost to the Township to have a second alternate, and there have been times when that would have been useful. He noted that a majority of the five members is required for applications to be

approved, so to be fair to applicants it is important to have five members present when possible.

Kreps called attention to the new language limiting anyone serving on both the ZBA and Planning Commission to being an officer of only one entity. Dignan—Secretary of the Planning Commission in addition to serving as Chair of the ZBA—said he was unaware of this requirement under State law and would be resigning as Commission Secretary.

Regarding frequency of meetings, Kreps said there is no legal requirement for the ZBA to meet on a regular basis or a minimum number of meetings per year, so the ZBA could consider changing the current by-law requirements of four meetings per year on a regular schedule. Dignan suggested that ZBA meet at least every January, and he noted this could be an opportunity for training to be provided. It was agreed to state that the ZBA will meet in January in the Township Hall and at other times as needed.

There was discussion about the idea of designating one meeting each year for applicants to make requests at a reduced fee. Fink noted that most ZBA requests are minor matters made by individual property owners and the \$850 fee for those types of things is quite expensive. He said it would be appropriate for the ZBA to make a recommendation about this to the Township Board.

Dignan said the fee was intended to cover the cost of meeting fees paid to ZBA members and the recording secretary and staff time. Kreps said fees differ among other communities, and \$850 is the highest she knows of, but some communities also have different rates for residential and commercial properties. Weiland said he can research fees in neighboring communities.

Regarding cancellation of meetings, Dignan asked that the requirement be whatever is required by the State Open Meetings Act rather than the five days in the current by-laws.

Dignan noted that per State law the Planning Commission representative to the ZBA may not vote on matters which that person voted on as Planning Commissioner. In answer to a question from Otto, Kreps said the Planning Commission representative should probably not conduct the meeting when such issues are voted on; rather an alternate should be called upon.

Referring to item 3G, Dignan asked Fink for an interpretation of what "a reasonable time" would be for acting on ZBA applications. Fink said within 30 days would be appropriate for the ZBA. Kreps noted that allows time for the required legal notice and to call a meeting.

**Northfield Township Zoning Board of Appeals  
Minutes of Regular Meeting  
Public Safety Building; 8350 Main Street  
December 15, 2014**

Fink recommended that item 3.H.b—Placing Agenda Items by Citizens—be removed. He said agendas are dictated by the ZBA, and members of the public should make requests to the Chair.

Dignan asked that the agenda order listed be altered to reflect the order of the current meeting, with the exception that ZBA member Comments follow the Call to the Public.

It was agreed that no changes were needed to the sections on Meeting Minutes, Governing Procedures, Public Hearings, Special Meetings, Committees and Committee Meetings, and Closed Meetings.

In Article 3, Item.O, Dignan asked that a statement indicating that all decisions made by the ZBA shall be communicated to the Planning Commission and Township Board.

Kolicki said the wording in Section 5.C is not clear. Kreps said she will working on that.

Regarding the requirement in 6.D that vacancies be filled within 21 days, Kreps said she will check to see what State law requires. Fink noted that even with a vacancy the ZBA can continue to hold meetings. He said the State's ZBA statute allows any Township Board member to bring a candidate to the Board to vote on. He said for that reason the statement in Section 1.D should be changed to, "All members shall be recommended by the Supervisor and approved by the Board." He added it would be good policy to include requirements that candidates provide information about their expertise, interest, or other support for serving on the ZBA.

Otto recalled that recently for a Planning Commission vacancy several interested candidates were invited to present information about themselves to the Township Board. It was agreed a process of that type should be followed.

Regarding Section 7, Conflicts of Interest, Kreps said while a ZBA member with a conflict on a particular case may participate in the rest of the meeting, for the case involving the conflict the member should leave the room. In answer to a question from Dignan, she said no motion to allow that member to abstain is necessary.

Prepared by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:

Wording removed is ~~stricken through~~;

Wording added is underlined.

Adopted on \_\_\_\_\_, 2014.

\_\_\_\_\_  
Kenneth Dignan, Chair

\_\_\_\_\_  
Tim Anderson, Secretary

Official minutes of all meetings are available on the Township's website at [http://www.twp-northfield.org/government/zoning\\_board\\_of\\_appeals/](http://www.twp-northfield.org/government/zoning_board_of_appeals/)

Regarding Section 8, Annual Report and Budget Request, Dignan suggested that submittal of an annual report be changed from June to January.

Kreps said she will provide a revised version to the ZBA in January.

## 9. BUDGET AND TRAINING

Removed from the agenda.

## 10. UNFINISHED BUSINESS

None.

## 11 MINUTES

- ▶ **Motion:** Otto moved, DeFavero supported, that the minutes of the August 18, 2014, regular meeting be approved as presented.  
**Motion carried 5—0 on a voice vote.**

## 12. ZBA MEMBER COMMENTS

Dignan welcome Kolicki to the ZBA.

Fink noted that the entire Township code, including the zoning ordinance, is now available online.

## 13. CALL TO THE PUBLIC

None present.

## 14. ANNOUNCEMENT OF NEXT MEETING

**Tuesday, January 20, 2015, at 7:00 PM** at the Public Safety Building was announced as the date and time of the next regular meeting of the Zoning Board of Appeals.

## 12. ADJOURNMENT

- ▶ **Motion:** DeFavero, Kolicki supported, that the meeting be adjourned.  
**Motion carried 4—0 on a voice vote.**

The meeting was adjourned at 8:09 P.M.