

APPROVED  
MEETING  
GLEN ARBOR TOWNSHIP BOARD OF APPEALS  
Wednesday, August 23, 2017 at 7:00 pm  
GLEN ARBOR TOWNSHIP HALL

**PRESENT:** Don Lewis, Denny Becker, Bill Freeman, Pam Lysaght, Harvey Warburton, Alternate Member George Quarderer, Zoning Administrator Tim Cypher, Recording Secretary Dana Boomer

**ABSENT:** None

**GUESTS:** None

**CALL TO ORDER:** Chairman Bill Freeman called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

**APPROVAL OF AGENDA:** Becker moved, Warburton seconded to approve the agenda as presented. All in favor, motion carried.

**CONFLICT OF INTEREST:** None

**APPROVAL OF MINUTES:** Lysaght moved, Warburton seconded to approve the minutes of ZBA Case 2017-02 as presented. All in favor (Quarderer voted, Becker abstained), motion carried. Quarderer moved, Warburton seconded to approve the minutes of ZBA Case 2017-03 as presented. All in favor (Quarderer voted, Becker abstained), motion carried. Warburton stated that several portions of the third case transcript that were attributed to him were not his words. It was determined that these were Don Lewis' statements. He also pointed out a spelling error on page 14. Lysaght asked for a clarification of her comment on page 16, to clarify that she thought this building met the definitions of both accessory building and detached residential extension. The board discussed whether she said this, as the minutes for Case 2017-04 were intended to be a transcription. As the tape was unavailable, the board determined that she had said this and the clarification was added to the minutes. **Lysaght moved, Warburton seconded to approve the minutes of ZBA Case 2017-04 as amended. All in favor (Quarderer voted, Becker abstained), motion carried.**

**OTHER BUSINESS:** ZBA By-Laws Draft – Draft bylaws for the ZBA were distributed, and were discussed by the board. In Section 2, it was discussed why “including interpretation of zoning maps” was included. This is because zoning maps are part of the Master Plan, not the Zoning Ordinance. A minor change was made to this wording. Minor wording changes were made to Section 3, including a clarification that a Township Board member “shall” serve as a member, rather than “may”. Section 5 was discussed, and it was clarified that the Glen Arbor Township Board may choose to remove a member for absence or may choose to excuse the absences.

Minor typographical changes were made to Sections 6, 7, 8 and 9. In Section 9, the board discussed whether training should be “shall” or “may” – this was left as “may”. Minor typographical changes were made to Sections 10 and 11. The differences between the duties of the Secretary and Recording Secretary were discussed. It was determined that while the Secretary is officially in charge of executing official ZBA documents, that person may delegate their duties to support staff. The role of legal counsel

was also discussed. In general, legal counsel participates when another party's legal counsel is present or may be present.

In Section 12, the dates for appeal were discussed – parties are notified by various means, including letter or public notice. It was discussed how “aggrieved parties” as a term used in the ZO are notified of decisions that may affect them. The definition of “a decision” was discussed – this means a decision by the ZA or PC. The duties of the ZBA also include interpretations. Wording and paragraph changes were made to the “Filing” subsection of Section 12 to clarify these issues and improve the readability of this section. Section 12 was also changed to require notification to both the applicant **and** the applicant's agent, rather than “and/or”. Minor wording changes were also made to this section.

Section 13 was amended to clarify that the ZBA **shall** meet at least once each year. The Quorum section was reworded to place the context in the positive instead of the negative. Other wording and typographical changes were made for clarification. Discussion was held on what constitutes *ex parte* communication and how to avoid it. It is best for ZBA members to avoid discussion of upcoming issues with all parties, including each other, the applicants, and community members, outside of meetings covered by the Open Meetings Act. Discussion was held on requiring site visits by members – this was left as “shall” in the bylaws. Absence of applicants was discussed; no changes were made. To the Agenda section, the Pledge of Allegiance, Roll Call and Adjournment were added. The order of the agenda, the placement of public comment, and the ability for dialogue between the board and the ZA were discussed. Changes were made to the order of the Public Hearing items.

Section 14 was amended with typographical and minor wording changes.

The board will receive an amended draft of the bylaws and will continue discussion at their next meeting.

**PUBLIC COMMENT:** None.

**ZBA COMMENT:** The ZBA discussed upcoming meeting dates and how to schedule meetings in the future.

**ADJOURNMENT:** **Lysaght moved to adjourn the meeting, Warburton seconded. All in favor, motion carried.** With no further business, Bill Freeman declared the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Dana Boomer

Recording Secretary