

Conway Township Planning Commission

2011 Annual Summary Report

Date	Overview
January 10, 2011	<ul style="list-style-type: none"> • Election of officers: Chairperson – John Harless, Vice-Chair – Dennis Sommer, Secretary – Londa Horton. • Land Division Application Ordinance opened to the public for comments and sent to the Township Board for approval. • Home Occupation Ordinance which helps residents determine if they need Special Use Permits was opened to the public for comments and sent to the Township Board for approval. • Judd Chaille, Site Acquisition Agent for AT&T to construct cell tower on property of Dan and Dana Coon. Recommendations provided by Cooper and Riesterer attorney letter of January 7, 2011. Planning Commission to contact expert engineer to review plan. • Verizon cell tower construction request to go to the ZBA. Public hearing set for next meeting pending review by expert engineer.
February 14, 2011	<ul style="list-style-type: none"> • Ben Meredith from Verizon present. Public comments regarding construction of a cell tower included: dead zones on Sober Rd., lightRadio cube emerging technology, electromagnetic waves attracting bees, birds flying into towers. Majority of public present in favor of cell tower construction. • American Towers, Inc. for AT&T will comply with zoning in setback for cell tower construction. They will present an alternative to township screening, e.g. not a chain link fence but a solid wood fence. • Clarification request to be submitted to attorney regarding meaning of the ex parte verbiage in Section #4 in Conflict of Interest Policy.
March 14, 2011	<ul style="list-style-type: none"> • Held Open Public Hearing on construction of AT&T cell tower. Judd Chaille to bring drawing of screening, variances, verbiage on maintenance reports and Fire Chief letter on turnaround space to next meeting. • Held Open Public Hearing on construction of Verizon cell tower to be constructed at: 10920 Sober Rd. Radius is 3-5 miles from tower with 2/3rds coverage out of township and 1/3rd coverage in township. Recommendation Verizon permit to include co-location at AT&T, letter from Fire Chief for turn around and maintenance agreement to include quarterly report and bonding to go to Township Board. • Robin Sutliff of 6618 Nicholson Rd. approached Commission for variance on allowing more alpaca's than zoned on her leased farm. To go to ZBA. • If Planning Commission member recuses' self from the Commission, then they speak as a member of the public.
April 11, 2011	<ul style="list-style-type: none"> • Discussion of use of Klein cemetery land for township park. • Dennis Bowdoin applied for grant to build a park at the airport. • Discussion regarding how to hold Verizon and AT&T in compliance to zoning laws. Not Commissioners expertise. • Revisions made to Conway Township Citizen Survey. • Cindy Dickerson requested Special Use Permit for bookkeeping business. • Master Plan to be added to website.

<p>May 9, 2011</p>	<ul style="list-style-type: none"> • 74 Conway Township Citizen Survey's returned • Motion: Due to lack of expertise on Planning Commission, hire outside consultant for Verizon and AT&T cell tower construction at expense of AT&T and Verizon. • Recommendation to seek funds from Neighborhood Stabilization Fund for demolition of vacant buildings. • Recommendations made on Conway Township Planning Commission Bylaws of September 8, 2008. • Master Plan will be reviewed one section each month. • Dennis Bowdoin grant to build a park at airport denied as airport not publically owned.
<p>June 13, 2011</p>	<ul style="list-style-type: none"> • Cindy Dickerson report on Livingston County Planning Commission brown bag. Complete streets discussed which involves looking at other uses for roads such as biking, walking, etc. • Attorney Abby Cooper established Township Clerk's position as ex officio member of Planning Commission with full voting rights. • John Harless as a member of the Planning Commission and ZBA cannot vote or participate in Public Hearings in the same manner. • Mark Ruttman will correct error in Doreen Carbary/Kubiak Farms land division and resubmit. • 175 Conway Township Citizen Survey respondents. • Assignments made for initial work on Master Plan.
<p>July 11, 2011</p>	<ul style="list-style-type: none"> • Paul Harmon presented land division for Elwood and Norma Cole. Sent to Township Board for approval. • Recommendation to add a links page at end of Master Plan for all statistics. • Discussion of fracking causing gas contaminants into water supply.
<p>August 8, 2011</p>	<ul style="list-style-type: none"> • Bill 4746 Act 113 is now in effect regarding mining of minerals on personal property, e.g. gravel pits. • Complaint received from individual building a pole barn in front of his house which was not approved. Surfaced need for a process to document complaints. • Bylaw Ordinance 21 changed by attorney Abby Cooper. • Verizon cell tower awaiting land owner discovery on how the trust will handle tower construction. • Public comments submitted in Conway Township Citizen Survey to be maintained for public viewing for three years. • Motion to transform N.W. corner of township hall into a public park.
<p>September 12, 2011</p>	<ul style="list-style-type: none"> • Low Impact Development Techniques theme of Livingston Counter Planner brown bag. • Kingsley Farms contacted by Michigan Dept. of Ag regarding manure run-off. • Bylaw changes from August meeting signed by Planning Commissioners. • Motion to hold second meeting each month to conduct Master Plan review at regular rate of compensation until project complete. • Motion to have 6096 N. Gregory Rd. vacant basement removed. • Motion to send to Township Board issue of requiring Kenneth Ott to purchase Special Use Permit for trucking business as well as Mr. Body. • Motion to send issue of putting antennae installation on top of existing tower structure with regard to Freedom Net Tower to Township Board. • Cindy Dickerson developed a form to document township complaints.

<p>October 10, 2011</p>	<ul style="list-style-type: none"> • Kingsley Farm to construct new waterway storage structure. • Detention and retention ponds not being maintained after developers leave, discussed at Low Impact Development meeting. • Master Plan development meeting to commence October 24, 2011. • Motion to approve Kenneth Ott Special Use Permit. • Discussion of Breckenridge 137 windmill construction. • October 24, 2011 Master Plan revisions made pages 1-20.
<p>November 14, 2011</p>	<ul style="list-style-type: none"> • Discussion with Officer Jeff Soli regarding Zoning Ordinance Section 6.05 which allows for the building of a pole barn prior to a house or even without a house on land within the township. Requested that a site plan be presented prior to action when construction of garage in front of home is requested. • Complaint of resident on Robb Rd. illegally dumping garbage on side of garage. Officer Soli to investigate. • Complaint Process outlined such that complaint goes to Officer Soli first, visit conducted, warning issued and resident given 15 days to rectify or citation issued. • Kenneth Ott Special Use Permit granted by Township Board. • Mr. Body does not need a Special Use permit with one truck on the property. • Livingston County Street Address Ordinance (GIS) wants to redo address numbers in conflict that do not follow a uniform plan. • Motion that Conway Township Board confer with Scott Buell prior to road issue decisions. • Brian Jonckheere, Livingston County Drain Commissioner, requested data on private drainage tiles/ditches from Conway Township. • November 21, 2011 Master Plan revised page 20 through chapter 5.
<p>December 12, 2011</p>	<ul style="list-style-type: none"> • Craig Horton and Mike Kelly barn boundary settle requested at 9165 Grant Road. Barn is 15 feet from lot line instead of required 25 feet. Issue sent to ZBA. • Motion to change verbiage in Livingston Country Addressing Ordinance: needs definition of shared private drive, replace road verbiage with drive, each carrier on a cell tower does not need an address. • George Pushies and Scott Buell agreed to stay on Planning Commission for another 3 year term. • Verizon representative requesting permit information from Township Clerk. Will pursue tower construction in spring. • December 19, 2011 Master Plan revised chapter 6, Goals and Objectives through page 34.

Conway Township Planning Commission Meeting Minutes

January 10, 2011

Agenda	Items Discussed	Actions to be Taken
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Attendees	<ul style="list-style-type: none"> Public: Herm and Shirley Yost, Judd Chaille from AT&T, one other resident Board Members present: Dennis Bowdoin, Cindy Dickerson, George Pushies, Dennis Sommer, Scott Buell, John Harless, Londa Horton 	
Call to Order and Pledge to Flag	Chairperson Dennis Bowdoin called the Conway Township Planning Commission meeting to order at 7:30pm and led in the Pledge of Allegiance.	
Minutes from last meeting	<p>Minutes from the December 13, 2010 meeting were reviewed. John Harless made a motion to accept the minutes, Dennis Sommer second. All in favor, motion passed. One abstain.</p> <p>Londa Horton presented Cindy Dickerson the Planning Commission Meeting Minutes for 2010 and the Annual Report for archival. Scott Buell moved to accept the Annual Report, George Pushies second, all in favor. Motion passed. One abstain.</p>	<p>Cindy Dickerson to archive 2010 Meeting Minutes and send to Rob at County Planning Commission.</p> <p>John Harless to present Annual Report to the Township Board.</p>
Public Hearing	<ul style="list-style-type: none"> The Land Division Application was opened to the public for comments. No comments. Public Hearing closed at 7:35pm. The Home Occupation Ordinance was opened to the public for comments. It was explained that it helps residents determine if they need Special Use Permits. Herm Yost brought up numerous typos in the <i>News and Views</i> publication. Public Hearing closed 7:45pm. 	
Communications	<p>Cindy Dickerson reported:</p> <ul style="list-style-type: none"> There were two house fires in the township recently: <ul style="list-style-type: none"> Hick's family on Sober Rd. There will be a fundraiser January 30th for the family. Andrea Crawford home on Pierson Rd. She did not have a Special Use Permit to foster dogs. 	
New Business	<p>Election of Officers unanimously elected for 2011:</p> <ul style="list-style-type: none"> Londa Horton as Secretary John Harless as Chair Dennis Sommer as Vice Chair 	

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AT&T Cell Tower Proposal	<p>Judd Chaille from Nappanee, IN is the Site Acquisition Agent for AT&T to construct a cell tower on the property of Dan and Dana Coon.</p> <ul style="list-style-type: none"> • George Pushies retired to audience for this proposal • Commissioners went over the recommendations in the Cooper and Riesterer attorney letter dated January 7, 2011 with Judd Chaille. Commission will ask Judd to provide and adhere to the following: <ol style="list-style-type: none"> 1. Lease assignment documentation, e.g. how lease works in event of a future sale. 2. Employ specialized experts to review information and materials submitted by the applicant with cost incurred by the applicant. 3. Meet with Fire Chief Jim Wright regarding permits required for Fire Department and Road Commission, e.g. turn around capabilities. 4. Compliance with the site requirements, e.g. setback of 1 ½ x the ht. of the tower, 237' from the property line. 5. Maximum height of 150 feet. Judd comment: Optimum coverage of the tower determines the placement of the tower. 200-250 feet is the traditional ht. of a cell tower in the U.S. Carriers must be 10' apart. If we went to 199' then a constant light would be required. The higher the tower, the better the coverage. The LTE, 4G signal makes smart phones work and requires a different antenna. 6. Leased area of ¼ acre. Is the 2 acre parent parcel sufficient to meet road frontage requirement? 7. Specify signage in the plans. Judd comment: There will be 3 signs: FCC regulation, Warning of the Radio Frequency Emissions, and Emergency #. 8. Note parking in plan even if for maintenance. 9. Consider one plan for co-location rather than two tower proposals. 10. Compliance of 5 future accessory structures at base of tower. 11. Noise from tower. Judd comment: slight wind humming noise may be present. <p><u>Other Commission Recommendations and Comments:</u></p> <ol style="list-style-type: none"> 1. Condition of approval must include what will happen if or when one party Property owner or AT&T sells or defaults. Tower is sold to a third or fourth party. We need copy of contract with dollar amounts blacked out. 2. Does the drive have to have a 66' easement? The driveway will need a permit from the Road Commission. We need to find out. 3. The screening proposed must be changed from 10' that is currently proposed to 20' in our ordinance. 4. Parking must be identified on the site plan. 5. Set back must be changed to the one and one half of the total height as required by our ordinance. 	<p>Cindy Dickerson to recommend to the Township Board that we hire Engineer from Okemos, Eric. Herb Yost recommended Mimi Youngshaw.</p>
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Actions to be Taken

6. Must provide us with the proposed RF output so we know what it should be when we get our first annual report at the end of the first year and we are not putting the future neighbors in jeopardy.

7. Noise should not be an issue; as he claims it only puts out a noise level about like a window fan.

8. Make sure that the proposal includes who is going to do the maintenance on the landscaping, drive, fence, and inside the fence. Maybe even include the maintenance persons check list. Site must be landscaped and screened. There is to be no appearance as to a commercial operation. There must be an amendment to the site plan. Landscape and maintenance is the responsibility of AT&T.

9. Provide the tower manufacture and change the engineering report to reflect the exact tower.

10. He claims the tower life is 50 to 60 years we need to verify that.

11. Request for access of fire and police collocation space at fair market value for emergency services. He seems to be willing to allow the emergency services to place antenna (as long as it isn't too high of an antenna) and tornado siren on the tower if they pay fair market value per month. We find this unacceptable, the only cost to emergency services should be the installation and no fair market value cost per month. He was told if we allow the tower then he has to agree to this under section 6.18 (G) (2) access to tower by police and fire.

12. Planning Commission to contact expert engineer to review plan.

Londa Horton moved we hold a Public Hearing at the next meeting on the AT & T proposal and then make a recommendation to the Township Board. Scott Buell second. All in favor, motion passed. One abstain..

Cindy Dickerson to post public hearing for AT&T proposal at next meeting.

Update from Board

Cindy Dickerson reported:

- Supervisor Rife reports according to RTA, the Planning Commissioners must be paid monthly not annually.
- Web redesign is taking place so that Zoning Ordinances, Master Plan and Meeting Minutes will be available on the web.
- George Pushies moved to send Land Division Ordinance revisions to the Township Board for approval, Dennis Sommer second. All in favor, motion passed. One abstain.
- George Pushies moved to send Home Occupation Ordinance revisions to the Township Board for approval, Dennis Sommer second. All in favor, motion passed. One abstain.
- Special Use Permits
 - Stage is still operational for general repairs
 - Cross off Jack Martin, Anthony St. Charles, Kreeger
 - The Township Board needs to approve the expenditure of

Cindy Dickerson to seek Board approval of expenditure for Officer Soli regarding Sp. Use Permits.

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	<p>having Officer Soli check on specified Special Use Permits identified at the last meeting.</p>	
General Discussion	<ul style="list-style-type: none"> • Recommendation to put Zoning and Master Plan on the web by section. • Verizon can go to ZBA. We will look at allowing two towers if we demand coverage for this township. George Pushies moved to allow Verizon a Public Hearing at the next meeting pending review by the expert engineer, Scott Buell second. All in favor, motion passed. One abstain. 	Cindy Dickerson to post Public Hearing for Verizon at next meeting.
Adjourned	<p>A motion was made by George Pushies to adjourn, Scott Buell second. All in favor. Motion passed. Meeting adjourned at 10:50pm.</p> <p>Next meeting is: February 14, 2011.</p>	

Conway Township Planning Commission Meeting Minutes

February 14, 2011

Agenda

Items Discussed

Actions to be Taken

Attendees	<ul style="list-style-type: none"> Public: Ben Meredith from Verizon, numerous audience members Board Members present: Dennis Bowdoin, Cindy Dickerson, George Pushies, Dennis Sommer, Scott Buell, John Harless, Londa Horton 	
Call to Order and Pledge to Flag	Vice Chair Dennis Sommer called the Conway Township Planning Commission meeting to order at 7:30pm and led in the Pledge of Allegiance.	
Minutes from last meeting	Minutes from the January 10 meeting were reviewed. John Harless made a motion to accept the minutes, Dennis Sommer second. All in favor, motion passed. One abstain.	
Public Comment	<ul style="list-style-type: none"> The construction of a cell tower issue was opened to the public for comments. Comments included dead zones on Sober Rd., the new emerging technology called lightRadio cube was discussed, electro-magnetic waves attracting bees was brought up as well as the effect of birds flying into towers was mentioned. Johh Harless asked the public for a vote of those in favor of constructing a cell tower: 14 residents in favor and 5 opposed. Public comment closed at 8:10pm. 	
Communications	<p>Cindy Dickerson reported:</p> <ul style="list-style-type: none"> American Towers, Inc. for AT&T will comply with zoning in the setback for the cell tower construction. The ZBA concern over the value of the land with the tower would not be a concern nor have any adverse effects per Handy Township assessor. Dennis Bowdoin reminded Commissioners of Glen Pape brown bag luncheon as part of the Livingston County Strategic Growth Plan. Dennis Sommers brought the Eaton County marijuana ordinance to the attention of the Commissioners. 	
New Business	<ul style="list-style-type: none"> Conflict of interest involves two policies the Board will look at: Standards of Ethics and Conduct, Conflict of Interest. George Pushies asked for a vote on the conflict of interest for the AT&T cell tower construction issue regarding whether it was a conflict of interest for George to sit on the Commission having been originally approached by AT&T to construct the tower on his property or not. Commissioners voted: 3 members it was not a conflict of interest and 2 members it was a conflict. One abstain. <p>Dennis Bowdoin made a motion to request funding from the Township Board for an answer from Abby (attorney) that the by-laws are in conflict with the</p>	

Conway Township Planning Commission Meeting Minutes
February 14, 2011

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**Actions to be
Taken**

CONWAY TOWNSHIP

Conflict of Interest Policy

Ordinance Number _____

Section 1. Purpose. The purpose of this policy is to insure that the business of this township will be conducted in such a way that no public official of the township will gain a personal or financial advantage from his or her work for the township and so that the public trust in township officials will be preserved. It is also the intent of this policy to insure that all decisions made by township officials are based on the best interest of the community at large.

Section 2. Definitions. For the purposes of this policy, the following definitions shall apply:

A. **Conflict of interest** means any of the following:

1. A direct or indirect personal interest of a public officer, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister in law, business associate, employer or employee, civil union partner, in the outcome of a cause, proceeding, application or any other matter pending before the officer or before the public body in which he or she hold office or is employed;
2. A direct or indirect financial interest of a public officer, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister in law, business associate, employer or employee, civil union partner, in the outcome of a cause, proceeding, application or any other matter pending before the officer or before the public body in which he or she holds office or is employed;
3. A situation where a public office has publicly displayed a prejudgment of the merits of a particular quasi-judicial proceeding before the board. This shall not apply to a member's particular political views or general opinion on a given issue; and
4. A situation where a public officer has not disclosed ex parte communications with a party in a proceeding before the board.

B. **Emergency** means an imminent threat or peril to the public health, safety or welfare.

C. **Official act or action** means any legislative, administrative or judicial act performed by any elected or appointed officer or employee while acting on behalf of the township.

D. **Public body** means any board, commission or committee of the township.

E. **Public interest** means an interest of the community as a whole, conferred generally upon all residents of the township.

- F. **Public officer or public official** means a person elected or appointed to perform executive, administrative, legislative or quasi-judicial functions for the township.
- G. **Quasi-judicial proceeding** means a case in which the legal rights of one or more persons who are granted party status are adjudicated, which is conducted in such a way that all parties have opportunities to present evidence and to cross-examine witnesses presented by other parties, which results in a written decision, the result of which is appealable by a party to a higher authority.

Section 3. Disqualification.

- A. A public officer shall not participate in any official action if he or she has a conflict of interest in the matter under consideration.
- B. A public officer shall not personally, or through any member of his or her household, business associate, employer or employee, represent, appear for, or negotiate in a private capacity on behalf of any person or organization in a cause, proceeding, application or other matter pending before the public body in which the officer holds office or is employed.
- C. In the case of a public officer who is an appointee, the public body which appointed that public officer shall have the authority to order that officer to recuse him or herself from the matter.
- D. Public officers shall not accept gifts or other offerings other than ones of de minimis value for personal gain by virtue of their public office that are not available to the public in general.
- E. Public officers shall not use resources not available to the general public, including but not limited to staff time, equipment, supplies, or facilities for private gain or personal purposes.

X Section 4. Disclosure.

A public officer who has reason to believe that he or she has or may have a conflict of interest but believes that he or she is able to act fairly, objectively and in the public interest in spite of the conflict of interest shall, prior to participating in any official action on the matter disclose to the public body at a public hearing the matter under consideration, the nature of the potential conflict of interest and why he or she believes that he or she is able to act in the matter fairly, objectively and in the public interest. Nevertheless, the person or public body which appointed that public officer retains the authority to order that officer to recuse him or herself from the matter, subject to applicable law.

EX PARTE COMMUNICATIONS

Section 5. Recusal.

- A. A public officer shall recuse him or herself from any matter in which he or she has a conflict of interest, pursuant to the following:
1. Any person may request that a member recuse him or herself due to a conflict of interest. Such request shall not constitute a requirement that the member recuse him or herself;
 2. A public officer who has recused him or herself from a proceeding shall not sit with the board, deliberate with the board, or participate in that proceeding as a board member in any capacity;
 3. If a previously unknown conflict is discovered, the board may take evidence pertaining to the conflict and, if appropriate, adjourn to a short deliberative session to address the conflict; and
 4. The board may adjourn the proceedings to a time certain if, after a recusal, it may not be possible to take action through the concurrence of a majority of the board. The board may then resume the proceedings with sufficient members present.

In the case of a public officer who is an appointee, the public body which appointed that public officer shall have the authority to order that officer to recuse him or herself from the matter, subject to applicable law.

Section 6. Enforcement; Progressive Consequences for Failure to Follow the Conflict of Interest Procedures.

In cases where the conflict of interest procedures in Section 4 and 5 have not been followed, the Township Board may take progressive action to discipline an offending public officer. In the discipline of a public officer, the Township Board shall follow these steps in order:

- A. The Township Board shall meet informally, in private, with the public officer to discuss possible conflict of interest violation.
- B. The Township Board may meet to discuss the conduct of the public officer. The public officer may request that this meeting occur in public. If appropriate, the board may admonish the offending public officer in private.
- C. If the Township Board decides that further action is warranted, the board may admonish the offending public officer at an open meeting and reflect this action in the minutes of the meeting. The public officer shall be given the opportunity to respond to the admonishment.
- D. Upon majority vote, the Township board may request that the offending public officer resign from the commission or appointed position.

Section 7. Exception.

The recusal provision of Section 5 shall not apply if the legislative body of the township determines that an emergency exists and that actions of the public body otherwise could not take place. In such cases, a public officer who has reason to believe he or she has a conflict of interest shall disclose such conflict as provided in Section 4.

CONWAY TOWNSHIP

Standards of Ethics and Conduct

What follows is a compilation of all known professional standards, rules, laws and/or requirements known about this subject matter.

For any individual not otherwise covered, the following Standards apply.

1. A public official or employee shall not divulge to any unauthorized person confidential information acquired in the course of employment in advance of the time prescribed for its authorized release to the public.
2. A public official or employee shall not represent his or her personal opinion as that of this board or commission.
3. A public official or employee shall use personnel resources, property and funds under his or her official care and control solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.
4. A public official or employee shall not, directly or indirectly, solicit or accept any gift or loan of money, goods, services or other things of value for the benefit of any person or organization other than the Township that tends to influence the manner in which the public official or employee or any other public official or employee performs his official duties.
5. A public official or employee shall not engage in a business transaction in which he may profit from his or her official position or authority or benefit financially from confidential information he or she had obtained or may obtain by reason of such position or authority.
6. A public official or employee shall not engage in or accept employment or render services for any private or public interest when that employment or service is incompatible or in conflict with the discharge of his or her official duties or when that employment may tend to impair his or her independence of judgment or action in the performance of official duties.
7. A public official or employee shall not participate in the negotiation, award, or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates or other regulation relating to any business entity in which he or she has directly or indirectly a financial or personal interest.

All public officials and employees of Conway Township will abide by these Standards of Ethics and Conduct, as adopted by Conway Township on _____.

RISKS AND OPPORTUNITIES FOR TOWNSHIPS

Township officials should put in the needed time and effort required when considering wireless applications. Without great scrutiny, townships could end up with unnecessary, duplicative and unsightly towers that undermine the aesthetics and character of neighborhoods. In the worst cases, disastrous accidents—involving fires, explosions and even the collapse of towers—can result.

But by no means should township officials simply disparage the growth of wireless. Even if they do, they cannot patently refuse all applicants. Federal law recognizes wireless carriers as part of the nation's communications infrastructure. Communities must approve permits for new facilities when carriers prove a "substantial gap in coverage."

Townships should also see opportunity in wireless. It provides them a potential source of non-tax revenue and other options that can potentially benefit communities for years to come. Often existing permit and inspection fees are set below what the wireless carriers should—and would—pay. In addition, many townships are vastly under-assessing the taxable value of wireless facilities within their boundaries.

Still townships must exploit these opportunities fairly or the process can backfire. Lawsuits may follow, wireless customers (including the local electorate) could see diminished wireless service, and a viable, potentially tax-paying business will be alienated. Rather than impeding wireless applicants, officials must work to ensure that the township controls the issue.

THE SECRET TO SUCCESS: YOUR ORDINANCE

The key is to put in place measures that position the community to share in the industry's success. The best way for townships to do this is to update their current wireless ordinance to reflect the 21st-century wireless age (see sidebar). If handled correctly, townships can do this at no cost to the community—with the wireless industry fronting the additional cost, as it should.

For Oceola Township, doing their homework has been the key to moving into the wireless age with confidence. While the American Tower application is still under review, township officials know whatever the outcome of this application and those to come in the future, the township's interests are protected. "It has been an eye-opening process so far," says Bamber. "We're confident that going forward we're ready to handle wireless requests in a way that's both fiscally responsible and protects the safety and character of Oceola for future generations." ■

Sara (Sally) Hodges, ICP, IAP2, Senior Vice President, and Gregory Milliken, AICP, Principal Planner, McKenna Associates, Inc., Northville

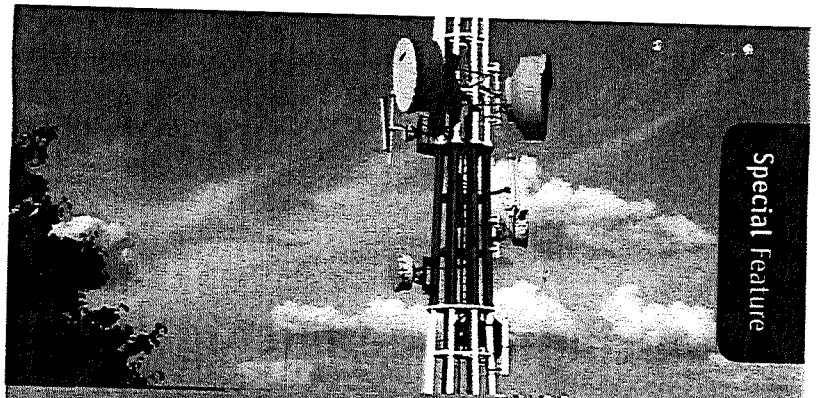


Contact Hodges at shodges@mcka.com or (888) 226-4326, and Milliken at gmilliken@mcka.com

(888) 226-4326.

McKenna
ASSOCIATES

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Special Feature

Elements of a good wireless ordinance

The key to any township's success in the age of wireless is a sound wireless ordinance, which should do these five things:

GIVE THE COMMUNITY CONTROL

A well-crafted ordinance should place the community in control of all matters related to the siting, construction and modification of the wireless facility. This sets up a "win-win-win" scenario in which the carrier gets what it truly needs for reliable service, the public is assured the nature and character of the community is protected, and the township can increase its revenue.

GIVE 'STANDING' TO CARRIERS ONLY

The ordinance should echo federal law in giving standing only to actual wireless carriers—not tower companies, which are normally separate entities. According to federal law, only carriers have a recognized "need," since only they provide the actual service to the public.

GIVE PRIORITY TO THE COMMUNITY'S NEEDS

The ordinance should expressly recognize the community's needs as superior to those of the carrier, since without the community's need for service the carrier has no "need" to provide service.

REQUIRE CO-LOCATION

The ordinance should require co-location whenever possible, not merely create incentives for it. Communities should require co-location except in cases in which it is proven not to work via an exhaustive inventory of all possible co-location sites, accompanied by a set of propagation studies for each, backed by the modeling information used to produce them.

ENSURE THE CARRIER PAYS

Simply, the ordinance should put in place a simple mechanism to ensure the carrier—not the community—pays the cost of reviewing applications. This becomes especially important in instances in which the carrier is denied or withdrawn its request.

This simple step can be achieved by requiring the applicant to place an escrow deposit with the township to cover the cost of expert assistance needed to review the application. The expert should be able to assist the community with the same technical capability that the industry's own experts possess.

CONWAY TOWNSHIP PLANNING COMMISSION BYLAWS OF

September 8, 2008 Adopted, effective immediately, September 8, 2008

1 Name & Purpose

- A. The name shall be the Conway Township Planning Commission, hereafter known as the "Commission".
- B. These Bylaws are adopted by the Commission to facilitate the performance of its duties as outlined in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, (M.C.L. 125.3501 et seq.), hereinafter "the Planning Act".
- C. These Bylaws are also adopted to facilitate the duties of the Commission for administration of a zoning ordinance as outlined in P.A. 110 of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 et seq.), hereinafter "the Zoning Act".

2 Membership

- A. Members: Members of the Commission are appointed by the Conway Township Board of Trustees pursuant to the Conway Township Planning Commission Ordinance of 1992, as amended. There shall be six members.
 - 1. First priority, each member shall represent and advocate within its best for the Township of Conway as a whole, putting aside personal or special interests.
 - 2. Second priority, each member shall represent a separate important segment of the Community, as appointed by the Conway Township Board of Trustees.
 - a. At least one citizen at large member
 - b. At least one citizen member representing environmental interests. Attend and/or be familiar with the desires and needs of the environmental organizations in Conway Township including but not limited to conservation clubs, garden clubs, lake and river landowner associations and the Michigan Department of Environmental Quality land and water programs.
 - c. At least one citizen member representing agriculture, forestry, and land use interests. Attend and/or be familiar with the desires and needs of the Farm Bureau, Soil Conservation District, Michigan Department of Natural Resources Forestry Division, United States Forest Service, Resource Conservation and Development Council, municipal planning and/or zoning boards.
 - d. At least one citizen member representing governmental municipal interests. Attend and/or be familiar with the desires

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Conway Township Planning Commission Meeting Minutes

March 14, 2011

Agenda	Items Discussed	Actions to be Taken
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Attendees	<ul style="list-style-type: none"> • Public: Ben Meredith from Verizon, Judd Chaille from AT&T, numerous audience members • Board Members present: Dennis Bowdoin, Cindy Dickerson, George Pushies, Scott Buell, John Harless, Londa Horton. • Absent: Dennis Sommers 	
Call to Order and Pledge to Flag	<p>Dennis Bowdoin called the Conway Township Planning Commission meeting to order at 7:30pm and led in the Pledge of Allegiance.</p> <p>Next meeting is April 11, 2011.</p>	
Minutes from last meeting	<p>Minutes from the February 14 meeting were reviewed. Scott Buell made a motion to accept the minutes, George Pushies second. All in favor, motion passed. One abstain.</p>	
Public Comment	<ul style="list-style-type: none"> • Open Public Hearing on AT&T cell tower. <ul style="list-style-type: none"> ○ Herm Yost asked, "Is the notice in the paper on the cell tower 100 x 100 plot big enough?" • Close Public Hearing at 7:37pm on AT&T cell tower. • Open Public Hearing on Verizon tower at 7:38pm. <ul style="list-style-type: none"> ○ Question asking where it's proposed. 10920 Sober Rd. ○ The Zoning Board of Appeals approved. ○ Jen Zeroge asked the timeframe to get it up and in working order. Ben Meredith stated it will take 45-60 days. ○ Mike Rife asked how far the area it will cover. Ben Meredith stated the radius is 3-5 miles out. Dennis Bowdoin stated that's approximately 23rds coverage out of the township and 1/3rd coverage in the township. • Close Public Hearing at 7:38pm on Verizon tower. 	

Conway Township Planning Commission Meeting Minutes

March 14, 2011

Agenda	Items Discussed	Actions to be Taken
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Call to Public	<p>Robin Sutliff at 6618 Nicholson Rd. approached Commission for allowing more Alpaca's than zoned for on her farm. She was advised to get a variance from the ZBA. She leases the farm with an option to purchase. Commissioners questioned her on pasture land, rotating pasture land available, etc.</p>	
Communications	<p>Cindy Dickerson reported:</p> <ul style="list-style-type: none"> • Wind Energy and Land Application zoning is now in effect as of March 15, 2011. • AT&T towers must ask for a variance for setback for the one outbuilding to the structure. There is no maintenance report, and need evergreens completely surrounding the structure with wood fence wherever evergreens cannot be planted. <ul style="list-style-type: none"> ○ Judd Chaille stated our zoning states two rows of evergreens. Commissioners request: <ul style="list-style-type: none"> ▪ He fills in more evergreens on south side of road ▪ Develop a Maintenance Report complete with a checklist including who signs off on the timeframe for fixing items in disrepair and make a quarterly report to the Commission. ▪ Dennis Bowdoin made a motion to table the AT&T tower until next month when Judd will bring the drawing of the screening on the south side, variances, verbiage on maintenance to include reports and letter from the Fire Chief for turnaround space. Londa Horton second. All in favor. 1 abstain. Motion passes. • Verizon presented by Ben Meredith who addressed Liminoff neighbor concerns of the tower site by providing pictures of the location. He can also provide environmental reports regarding the concern expressed at the last meeting regarding negative effects to birds and bees. Dennis Bowdoin expressed the concern that the tower doesn't service the entire township. Cindy Dickerson stated that Verizon does have the ZBA variance of the 3 items requested. <ul style="list-style-type: none"> ○ Dennis Bowdoin made a motion to send Verizon matter to the Township Board with the condition of the permit to include co-location at AT&T, the Letter from the Fire Chief for turn around, the maintenance agreement to include a quarterly report and bonding. Scott Buell 2nd. Question brought up when to request the bond, at the time of construction? The Planning Commission recommends to bring this up to the Board. All in favor, 1 abstain. Motion passed. 	<p>Verizon permit to be presented to Township Board.</p>

Conway Township Planning Commission Meeting Minutes

March 14, 2011

Agenda

Items Discussed

Actions to be Taken

General Discussion	<ul style="list-style-type: none"> • The conflict of interest brought up in the bylaws of the Planning Commission. The Planning Enabling Act doesn't state what conflict of interest is. • D1B states we must adhere to the discussion in the open meetings as described. If you recuse yourself from the Commission, then you speak as a member of the public. • Cindy Dickerson's position is that of ex officio member which states she can vote on both the Commission and the Board. She recommends that we look at bylaws. The Clerks role with the Planning Commission needs to be clarified by the Board. • Cindy Dickerson recommended developing a checklist type of jobaid for common procedures the Commission performs. We need guidelines, a reference guide. 	<p style="text-align: center;">Cindy Dickerson - The Clerks role with the Planning Commission needs to be clarified by the Board.</p>
Call to Public	<ul style="list-style-type: none"> • Conflict of interest issue questioned. 	
Adjournment	<ul style="list-style-type: none"> • George Pushies moved to adjourn and Scott Buell second. Motion passed. Meeting Adjourned at 9:35pm. 	

Judd Chaille

From: ROMSEK, JOHN G (ATTCINW) [JR1912@att.com]
Sent: Thursday, March 10, 2011 3:02 PM
To: Judd Chaille
Cc: Wende Chaille; Neff, Lisa
Subject: Conway Township Co-locate.

Judd, the proposed Verizon location is located ~ 5 miles from our existing Perry MI site 3141 and ~ 4.48 miles from the proposed new site 2274. Given the near equal spacing between the 3 sites, it is possible the Verizon proposed location could be used as a co-location in the future.

John Romsek
RF Engineer
AT&T Mobility Southeastern Michigan

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.449 / Virus Database: 271.1.1/3483 - Release Date: 03/10/11 07:34:00

Conway Township Planning Commission Meeting Minutes

April 11, 2011

Agenda	Items Discussed	Actions to be Taken
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Attendees	<ul style="list-style-type: none"> • Public: Herm Yost • Board Members present: Dennis Bowdoin, Dennis Sommers, Cindy Dickerson, George Pushies, Scott Buell, John Harless, Londa Horton. 	
Call to Order and Pledge to Flag	<p>John Harless called the Conway Township Planning Commission meeting to order at 7:30pm and led in the Pledge of Allegiance.</p> <p>Next meeting is May 9, 2011.</p>	
Minutes from last meeting	Minutes from the March 14, 2011 meeting were reviewed. Cindy Dickerson made a motion to accept the minutes, Scott Buell second. All in favor, motion passed.	
Call to Public	-0-	
Communications	Home Occupation and Land Division ordinances are being reviewed by the Township Board.	
Conway Park	<ul style="list-style-type: none"> • John Harless learned of land owned by Conway Township at Klein's cemetery which could be sectioned off and used for a future park. Discussion about the liability of methane gas from the previous refuse dumped at the site brought up by John Harless. Londa Horton commented that it would be nice to have a destination to ride bikes locally in our township. • Dennis Bowdoin applied for a \$100,000 grant to build a park at the airport designed to attract residents to aviation. Ball fields, soccer fields, tennis courts and basketball areas were discussed. 	John to put Klein cemetery on next month's agenda
Cell Towers	<ul style="list-style-type: none"> • John Harless brought up the question, "Should we open up the cell towers to residents to apply for a special use permit?" Dennis Bowdoin recommended we only bring it up at the time on an individual basis. • Discussion regarding how to hold Verizon and AT&T in compliance to zoning laws. Without that expertise on the Commission, we don't know if they are adhering or not. 	

Conway Township Planning Commission Meeting Minutes

April 11, 2011

Agenda	Items Discussed	Actions to be Taken
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Checklists	<ul style="list-style-type: none"> • Cindy Dickerson recommended that we develop a checklist or procedural steps for questions brought to the Township Clerk regarding our zoning ordinances, e.g. zoning for commercial, zoning for an industrial park, special use permits. Dennis Bowdoin recommended that we develop timelines and procedural steps during our review of the Master Plan in May. 	<p>John Harless to lead Commission in review of the Master Plan at May meeting.</p> <p>Cindy Dickerson to send all Commissioners Master Plan on CD.</p>
Citizen Survey	<ul style="list-style-type: none"> • Commissioners made the following recommendations regarding the Citizen Survey to go out with the Township Newsletter: <ol style="list-style-type: none"> 1. Delete from the 1999 survey: B5, F, G2, G4, G8, 2. Add from the Cohoctah survey #6 instead of G2, Add Green environment – recycling to #12. 	<p>Cindy Dickerson to make revisions to give to Kathy for the final Citizen Survey</p>
Special Use Permit Request	<ul style="list-style-type: none"> • Cindy Dickerson excused herself from the Commission/Board to become an audience member to explain her request for a Special Use Permit for her bookkeeping business. She currently has one client who comes to her house, but would like to expand the clientele. Dennis Bowdoin made a motion to approve the Permit and send it up to the Board for approval. Motion seconded by George Pushies. All in favor. Motion passed. Cindy returned to her place on the Commission/Board. 	<p>Cindy Dickerson to take Special Use Permit to Township Board for approval.</p>
Update from the Board	<ul style="list-style-type: none"> • Spring cleanup is May 7 • Recommendation was made to do a memorial for the years of service of Maurice Kingsley as the Conway Township Supervisor. Dennis Bowdoin suggested asking the Kingsley family to place Maurice's Governors' plaque in the Conway Township Hall display case. • We are accepting bids for lawn mowing • Conflict of Interest liaison issues will be looked at by Abby so that we are in compliance after the Commissioners review the by-laws and make the language clearer. • Township budget was approved. Commissioners received a raise in compensation. • Cindy Dickerson will add the Master Plan to the website. The zoning ordinances are already on the website. 	<p>All Commissioners are to review and make revisions to the by-laws of the Conflict of Interest.</p> <p>Cindy Dickerson will send them out to everyone.</p> <p>Cindy Dickerson to add Master Plan to website.</p>
Adjournment	<ul style="list-style-type: none"> • George Pushies made a motion to adjourn at 9pm, seconded by Scott Buell. All in favor. Motion passed. 	

**CONWAY TOWNSHIP CITIZEN SURVEY
1999**

This is **YOUR** chance to voice **YOUR OPINION**. Please return with-in 5 days.

A. General Information

A1. How long have you lived in Conway Township?

0 - 5 Years (50) 32.2%	21 - 25 Years (11) 7.1%
6 - 10 Years (29) 18.7%	26 - 30 Years (10) 6.5%
11 - 15 Years (17) 11%	Over 30 Years (25) 16.1%
16 - 20 Years (13) 8.4%	

A2. How many cars and/or trucks does this household own?

	Cars	Trucks
One	89	83
Two	35	26
Three	14	12
Four +	4	6

A3. What do you **LIKE** about Conway Township?

Rural and County Living 68
Quiet Atmosphere 9

A4. What do you **DISLIKE** most about Conway Township?

Roads 44
Growth 33
Traffic 5

B. Residential Attitudes

B1. Which of the following are reasons that you continue to live in Conway Township? (Circle all that apply)

1. Country Living	134	5. Close to Family & friends	5	9. Rural Character	96
2. Quality of School	70	6. Close to work	24	10. Life long resident	36
3. Large home sites	56	7. Reasonable taxes	54	11. Affordable	17
4. Central location	36	8. Good place to raise a family	94	12. Don't live in Conway	

B2. How do you feel about the rate of residential growth in Conway Township?
(Circle one)

- a. Much too fast b. A little too fast c. About right d. A little to slow
70 45 30 4

B3. Which lot size or density (for single family homes) do you think is appropriate for future residential development in Conway Township? (Circle all that apply)

- 34 a. Houses clustered on small parcels leaving open space and agriculture undeveloped
28 b. One house on 1 acre.
38 c. One house on 2 acres (current minimum)
46 d. One house on 2-5 acres
41 e. One house on lots larger than 5 acres.

B4. What type of residential development would you like to see? (Circle all that apply)

- 110 a. Large lots (2 or more acres) single family homes throughout the Township.
48 b. Subdivision for single family homes that preserve the natural environment and the open space.
8 c. Duplex, apartment and/or condominium development
5 d. Mobile home park community

~~B5.~~ Should we limit the length of a shared private drive? 45 yes 80 no

- a. 1000' (current) 36 b. 1200' 6
Less than 500' - 3 Less than Current - 3 1500' - 1

C. Agriculture Attitudes

C1. How many acres do you farm or lease? (Circle one)

- a. 10-39 acres b. 40-100 acres c. More than 100 acres d. Do not farm
21 15 5 105

C2. If you presently farm, how long do you plan to keep this land in agriculture? production

- a. 1-5 years b. 6-10 years c. More than 10 years
5 26

C3. Do you think residential development is interfering with agriculture in Conway?

Yes - 71 No 52

If yes, what types of interference are occurring?
(no comments listed here)

D. Natural Resources

D1. Do you consider the Township's natural resources (woodlots, wetlands, open space,) to be an asset to the community?

a. Strongly agree	b. Agree	c. Disagree	d. Strongly disagree
103	42	4	1

D2. Do you feel that the Township should enact special measures to protect its natural resources? (Circle one)

a. Strongly in favor	92
b. Somewhat in favor	46
c. Somewhat opposed	7
d. Strongly opposed	6

E. Commercial Attitudes

E1. Would you prefer to see more commercial development in Conway?

Yes	16	No	132
-----	----	----	-----

E2. In general, commercial development in the township should be: (circle one)

a. Strongly encouraged	5	b. Somewhat encouraged	36
c. Somewhat discouraged	31	d. Strongly discouraged	73

E3. Would you like to see more employment/job opportunities created in the Township?

a. Strongly in favor	11	b. Somewhat in favor	41
c. Somewhat opposed	41	d. Strongly opposed	50

F. Industrial Attitudes

F1. If there were going to be industrial development in the Township it should be:

a. Northwest Conway Township	6	b. Northeast Conway Township	1
c. Southwest Conway Township	13	d. Southeast Conway Township	13
e. Don't want industrial development in Conway Township	116		

G. Transportation

G 1. How many miles from your residence is the wage earner(s) place of employment

	Wage Earner One	Wage Earner 2
0-10 Miles	23	23
11 - 20 Miles	33	26
21 - 30 Miles	19	15
31 - 40 Miles	18	6
41 - 50 Miles	17	2
51 - 60 Miles	10	2
61 - 70 Miles	5	1
Over 70 Miles	5	0

G2. What city does the wage earner(s) report to work?

Howell	51
Fowlerville	31
Lansing	18
Brighton	14
Detroit	10
Wixom	7
Milford	7
Livonia	5
Webberville	5
From Home	9

add #6

(There were 24 other Cities with less than five)

G3. How would you rate the following transportation issues in Conway Township? (Circle x)

	Not a Problem	Minor Problem	Major Problem
a. Unsafe roads	56	54	22
b. Maintenance of roads	23	71	56
c. Adequate roads to serve newer residential devlp.	61	43	26
d. Control of new development along roads	54	42	29
e. Lack of paved roads	38	48	63
f. Vandalism of road signs	55	62	19
g. Vandalism of mail boxes	13	53	78
h. Other issues (please specify)	2	1	12

G4. Do you live on a gravel road? Yes 125 No 32

If yes, do you think the dust control applied in 1999 is effective?

Yes 92 No 28

G5. Are there any main Township roads you believe should be paved?
 Yes 92 No 45

If yes, please specify which road(s) should be paved
 Chase Lake Rd, Nicholson Rd., Owosso Rd
 (17 roads names)

G6. Would you favor a special assessment to pay for public road paving?
 Yes 63 No 73

G7. Do you live on a private road? Yes 13 No 140

~~G8. Should Private roads be limited in length? Yes 39 No 84~~
 If yes, what limit? 1200' 13 1500' 8 1000' 1 500' 7

G9. Do you use the Public Transportation (L.E.T.T.S) bus service?
 Yes 1 No 148

H. Emergency Services

H1. How would you rate fire protection services in Conway Township? (Circle one)
 a. Excellent b. Good c. Fair d. Poor
 30 75 25 5

H2. How would you rate police protection services in Conway Township? (Circle one)
 a. Excellent b. Good c. Fair d. Poor
 17 60 38 19

H3. How would you rate emergency medical services in Conway Township? (Circle one)
 a. Excellent b. Good c. Fair d. Poor
 17 73 29 7

I Land Use Planning

What concerns do you feel Conway Township should give priority to in its planning?

	Not a Priority	Low Priority	Moderate Priority	High Priority
a. Preservation of natural environment	9	5	49	87
b. Preservation of agriculture	4	7	42	96
c. Quality road system throughout Township	2	14	48	83
d. Growth management	6	14	47	74
e. Other	0	1	3	2

12. To what concerns should Conway Township give its planning?

a. Farmland preservation	5	13	41	82
b. Groundwater quality	0	5	29	110
c. Natural rivers and creeks	2	8	33	101
d. Public recreation lands	20	35	51	34
e. Unique wildlife habitats	6	19	48	67
f. Wetlands	11	20	37	68
g. Roadside trees	11	16	59	51
h. Open space	10	20	49	58
I. Drainage	4	12	51	57
j. Fire Protection	2	18	46	81
k. Residential home sites	22	27	57	29
l. Commercial development	60	31	23	23
m. Police protection	7	15	62	60
n. Quality road system	1	16	50	75
o. Schools	8	15	38	77
p. Traffic volumes	18	16	55	58
q. Traffic speeds	10	20	33	70
r. Dumping/litter	0	10	36	93
s. Junk vehicles	16	19	44	66
t. A new Township Hall	48	38	42	10

U. Green - recycling

13. Please indicate if you would strongly agree, agree, or disagree with the following statements.

	Strongly Agree	Agree	Disagree
a. Provide residents and newcomers with a variety of housing alternatives	16	45	77
b. Plan housing in a manner which preserves the natural features of the environment	91	41	10
c. Develop housing consistent with land uses elsewhere in the township	40	76	15
d. Preserve natural resources such as open space, woodlands, wetlands, and visual resources along roadways	90	42	15
e. Encourage development of commercial uses which serve the needs of Conway residents	12	48	83
f. Encourage development of industrial uses in appropriate locations	14	35	96
g. Retain wherever possible prime farmlands by protecting them from residential development through the concentration of residential growth	79	34	27
h. Promote an effective transportation and circulation network within and through the Township	22	68	45
i. Promote community involvement in the planning process	75	64	2

14. Additional comments on Conway Township issues:

- I feel the township is a beautiful place to live. But I do feel that roads are a major problem. --
- Township should enforce ordinances related to vehicles & other junk in yards -- Township should assume greater responsibility for enforcement of ordinances related to animal control i.e. dogs and cats.
- I realize growth is inevitable, but I don't believe the township should be planning to promote industrial or commercial in a mainly rural, agricultural community. --
- It is known that cities/villages tend to grow to the northwest. We are in the path of Fowlerville future. We need to put the effort now to be ready for the coming increasing pressure. -- Keep everyone involved.
- Preservation of farm land, open spaces, wet lands and wood lands is fine but who is going to pay for it.
- Commercial business should be limited to home based business
- No shoulders on roads in case of a car problem or walking
- Enforce litter laws
- Keep up the great work!
- Put lights on street corners.
- Keep industrial and commercial business out of Conway. Preserve the natural life.
- Strongly encourage family run home business. With some of the best dirt roads in the county. I don't understand why people complain. Police need to write more tickets on Fowlerville Rd. (speeding).
- The property taxes are getting to high and we're growing to fast.
- We looked all over for a place to retire and found around Fowlerville a very good place to live. We love the rural atmosphere. Keep up the good work,
- Keep out mobile and manufactured homes. Limit use of airport
- You will not make everyone happy - but try.

Lot Sizes

- 10 acre parcels are ridiculous. If they only need one acre then 9 acres are just weeds.
- Homes on 10 acre parcels are a waste of land. I agree on 2 acre parcels.
- If the law states a house on 10+ acres (is it still the law?) why do I see clusters such as in #3a? A variance? Why? It makes many of us wonder how it happened.
- I would rather see 5 acre parcels instead of 2 acre parcels.
- 10 acre lots are a total waste of farmland.
- We do not want subdivisions and high density. We live here because it's still country. The neighbors aren't too close and there is still privacy.
- I think the 10 acre minimum in AR district is foolish.
- I think a landowner with 10 acres should be allowed to split his land into 5 acre lots and be able to sell the land. Five acres is big enough. The law making 10 acres unsplitable is unfair.
- Eliminate A/R District.

Land Use

- Keep rural – without heavy residential or business areas.
- Keep Cohoctah rural. Keep large scale development away as long as possible. Outsource as many services as possible. Avoid commercial development (7e-7i). Spend no money on recreational services – there are plenty in area.
- Please keep Cohoctah from becoming overpopulated! Keep the stores and fast food places out!
- A better township hall? Control growth to avoid turning the township into one more large subdivision. Keep it peaceful and rural-like it is. We love it here.
- Howell and Byron have all we need. I don't want to live in the slums!
- Keep Cohoctah Township "the country" not suburbia!
- I do not want to see any subdivisions or condos in our township. I like everything just the way it is. That's why I moved here.
- Please do not try to expand us. It has been proven many times that rural/farm land requires far less money for police, fire, etc.
- Keep rural and farm country.

- We live in the country for the country life – it's our job to keep it country!
- We enjoy the small-town life. Don't want to see that gone and see trailer parks, subdivisions, condos, etc. Why change a good thing? If people want more, then they should go to the City of Howell.
- Cohoctah is building too many subdivisions. Don't make us another Howell! That's why I live here!
- Five years ago when I was looking for a home I really liked this area because there was a lot of farm land and the houses were not sitting one on top of the other – plenty of space. I would have chosen a place closer to the city if I wanted fast food, gas stations, grocery stores, etc. I would not want to see this farm land turn into a development. Please do not change the zoning of property.
- We need some townships and areas in this county and part of the state that still have open land and farmland. We have plenty of gas stations, grocery stores, etc. in the county now. We would be very disappointed to see a junk yard on Oak Grove Road across from the Methodist Church. We feel fortunate to have a home here.

Recreation

- I would love not to have to pay double with the Howell Parks and Recreation.
- No more money to horse park! Participate in existing programs – too expensive and small to "recreate the wheel." Be a part of Howell Recreation!
- Get us in the Howell Recreation Authority. Too many "junkyards" in the township.
- Use of the park areas by everyone (not just 4-H), or support Howell Park System.

3. Which lot size or density (for single family homes) do you think is appropriate for future residential development in the Township? Check ONE.
- | | |
|--|-----|
| a. Houses clustered on small parcels leaving undeveloped open spaces | 38 |
| b. One house on 1 acre | 74 |
| c. One house on 2 acres | 108 |
| d. One house on lots of 10 acres or more | 133 |
| e. One house on lots of 20 acres or more | 19 |
4. Where might the Township consider higher density residential development? Check ALL that apply.
- | | |
|---|-----|
| a. Northwest Cohoctah Township | 45 |
| b. Northeast Cohoctah Township | 60 |
| c. Southwest Cohoctah Township | 51 |
| d. Southeast Cohoctah Township | 93 |
| e. Settlement i.e. Cohoctah, Cohoctah Center or Oak Grove | 132 |
| f. None | 145 |

Transportation

5. Do you live on a gravel road?

Yes - 282

No - 87

6. Are the issues below important enough to you to pay additional dedicated millage? Circle your priority.

	Not a Priority	Moderate Priority	High Priority
a. Additional gravel road maintenance	157	138	53
b. Paving existing gravel roads	224	62	63
c. Contributing money to the County Road Commission in order to Upgrade our existing County paved roads	188	116	36

Land Use Planning

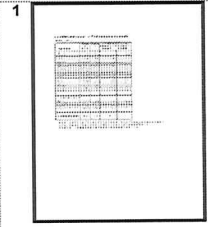
7. What do you feel the Township should give priority or consideration to in its planning? Circle your priority.

	Not a Priority	Moderate Priority	High Priority
a. Preservation of farmland	32	93	235
b. Preservation of natural resources	25	76	266
c. Growth management	65	113	177
d. Quality road system	61	172	124
e. Recreational facilities and Parks	176	135	42
f. Grocery Store	267	62	34
g. Gas Station	264	66	28
h. Fast Food	319	21	12
i. Full Service Restaurant	282	55	20
j. Convenience Store	260	72	19
k. Industrial Park Development	293	46	13
l. Subdivision Development	303	44	5
m. Condominium Development	325	26	6
n. Other (specify) <u>Car wash, single dwellings, small businesses</u>			

**LIVINGSTON COUNTY POPULATION CHANGE
2000 - 2010**

TOWNSHIPS	CENSUS 2000 revised	CENSUS 2010	CHANGE IN POPULATION CENSUS 2000 TO CENSUS 2010	
			NUMBER	PERCENT
Brighton	17,673	17,791	118	0.7%
Cohoctah	3,390	3,317	-73	-2.2%
Conway	2,732	3,546	814	29.8%
Deerfield	4,091	4,170	79	1.9%
Genoa	15,868	19,821	3,955	24.9%
Green Oak	15,618	17,476	1,858	11.9%
Hamburg	20,627	21,165	538	2.6%
Handy	4,032	5,120	1,088	27.0%
Hartland	10,996	14,653	3,667	33.3%
Howell	5,658	6,702	1,044	18.5%
Isco	3,039	3,801	762	25.1%
Marion	6,744	9,998	3,252	48.2%
Oceola	8,362	11,936	3,574	42.7%
Putnam	5,350	5,821	471	8.8%
Tyrone	8,459	10,020	1,561	18.5%
Unadilla	3,190	3,366	176	5.5%
CITIES AND VILLAGES				

*pop went up
from 2000 to
2010
by 814 people
in Conway
Township*



Conway Township Planning Commission Meeting Minutes

May 9, 2011

Agenda	Items Discussed	Actions to be Taken
Attendees	<ul style="list-style-type: none"> • Public: Shirley Yost • Board Members present: Dennis Bowdoin, Cindy Dickerson, George Pushies, Dennis Sommer, Scott Buell, Londa Horton. Absent: John Harless. 	
Call to Order and Pledge to Flag	Vide Chair Dennis Sommer led the meeting and called the Conway Township Planning Commission meeting to order at 7:30pm and led in the Pledge of Allegiance.	
Minutes from last meeting	Minutes from the April 11, 2011 meeting were reviewed. Scott Buell made a motion to accept the minutes, Dennis Sommer second. All in favor, motion passed. One abstain.	
Call to Public	<ul style="list-style-type: none"> • none 	
Communications	<p>Cindy Dickerson reported:</p> <ul style="list-style-type: none"> • Livingston Department of Planning approved the Home Occupation and Land Division Ordinances. • Genoa Township brown bag lunches are advertised <p>Dennis Bowdoin reported:</p> <ul style="list-style-type: none"> • <i>County Planning Connection</i> reports that Clinton County is now the fastest growing county in the State of Michigan, not Livingston County. • There is a Neighborhood Stabilization Fund which provides funds for the demolition of vacant buildings due to the poor economy. Call: 517.546.3240 for more information. Londa Horton recommended seeking funds for the farm on Allen Road where the owner abused animals. 	<p>Cindy Dickerson to report to the Board on the funds available from the Neighborhood Stabilization Fund for the demolition of vacant buildings.</p>

Conway Township Planning Commission Meeting Minutes
May 9, 2011

Agenda	Items Discussed	Actions to be Taken
Old and New Business	<ul style="list-style-type: none">• 74 Citizen surveys received. Dennis Sommer, Scott and Rhonda Buell volunteered to compile the results on June 8 at 1pm• Londa Horton secured a free older data projector from MVU for use by the Planning Commission. She will refund Dennis Bowdoin's \$35 deposit.• Advantage Livingston was held at Crystal Gardens in Brighton and attended by Kathy DeMarais, Mike Rife and Cindy Dickerson. Discussion that Fowlerville is not represented, but recommendation made to make an effort to have a presence at the meetings.• Soybean festival September 10 and 11 at the Fairgrounds <p>Bylaws:</p> <ul style="list-style-type: none">• Move D2 to number one item on the list.• 3C take out "leave the meeting or"• Dennis Bowdoin moved we recommend the Board hire an outside consultant for Verizon and At&T towers at the expense of At&T and Verizon due to the lack of expertise on the Commission. We would like this motion to be read into the minutes of the Board meeting. Scott Buell second. All in favor, motion passed.• Dennis Bowdoin moved the Board approve Abby look at the funding to make the changes in the Bylaws. Scott Buell second. All in favor, motion passed. <p>Master Plan – Commissioners to review a section each month. Dennis Bowdoin moved to table this review until next month. George Pushies second. All in favor, motion passed.</p>	<p>Scott Buell and Dennis Sommer will compile survey results June 8 at the Hall.</p> <p>Cindy Dickerson to ensure the motion to hire an outside consultant to look at the cell towers is recorded in the Board's minutes.</p>
Update from Board	<p>Cindy Dickerson reported:</p> <ul style="list-style-type: none">• Survey was sent out, but 2 Commissioners did not receive one• Board commented that a potential park could not be located at the Klein cemetery• Anna's Lawn Service was accepted to cut the lawn. She did not bid on the cemetery and the Hall so the bids are still open.• There is an ad in the paper for a bid on flower mulching for the Hall• Benjamin Cemetery was cleaned up as part of an Eagle Scout project. The Board donated \$400 to help cover the costs.• For the School Board member election - 43 voters turned out.	
General Discussion	<ul style="list-style-type: none">• Dennis Bowdoin's grant for a park at the airport was denied as the airport was not publically owned.	
Adjourned	<p>A motion was made by George Pushies to adjourn, Scott Buell second. All in favor. Motion passed. Meeting adjourned at 9:09pm.</p> <p>Next meeting is: June 13, 2011.</p>	

Conway Township Planning Commission Meeting Minutes
May 9, 2011

Agenda

Items Discussed

**Actions to be
Taken**

Conway Township Planning Commission Meeting Minutes

June 13, 2011 – version 3

Agenda	Items Discussed	Actions to be Taken
Attendees	<ul style="list-style-type: none"> • Public: Herm Yost, Mark Ruttman, Turk • Board Members present: Dennis Bowdoin, Dennis Sommers Cindy Dickerson, George Pushies, Scott Buell, John Harless, Londa Horton. 	
Call to Order and Pledge to Flag	<p>John Harless called the Conway Township Planning Commission meeting to order at 7:30pm and led in the Pledge of Allegiance.</p> <p>Next meeting is July 11, 2011.</p>	
Minutes from last meeting	<p>Minutes from the May 9, 2011 meeting were reviewed. Dennis Bowdoin motioned to accept the minutes with the one correction of Vide Chair to Vice Chair. Cindy Dickerson second. All in favor, motion passed.</p>	
Call to Public	-0-	
Communications	<ul style="list-style-type: none"> • Michigan Citizen Planner Advanced Academy participants need to get approval forms from Cindy Dickerson. • Cindy Dickerson reported on the Livingston County Planning Committee brown bag. <i>Complete Streets</i> was discussed taking a look at other uses for roads besides automobiles, e.g. bikes, walking, etc. We should consider this for the Master Plan and possibly implement in new subdivisions. • Dennis Bowdoin reported on the fine job done by attorney Abby Cooper with regard to fixing Cindy Dickerson's position as Township Clerk. By July 1st the Planning Commission needs to change their bylaws to change from 6 to 7 members to include an ex officio member appointed by the Board not a liaison. The Township Clerk will serve as an ex officio member with full voting rights and the same rights and privileges as all other members of the Commission. She/he will also be counted for purposes of a quorum. • Further, John Harless as a member of the Planning Commission and the ZBA cannot vote or participate in Public Hearings in the same manner. Due to recommendations of our attorney, we feel it beneficial to add two new members to the ZBA as outlined in the June 8, 2011 letter due to the voting issue. 	<p>John Harless and Cindy Dickerson: The Planning Commission bylaws need to be changed to reflect 7 members not 6 to serve on the Commission.</p> <p>Cindy Dickerson to report to the Township Board the recommendation to add two new members to the ZBA.</p>

Conway Township Planning Commission Meeting Minutes

June 13, 2011 – version 3

Agenda	Items Discussed	Actions to be Taken
	<ul style="list-style-type: none"> Dennis Bowdoin pointed out that Mike Rogers awarded the Congressional Medal of Honor to Fowlerville grad, Chris Parsons. **Note cost of overhead projector purchased by Dennis Bowdoin was \$25 not free as stated in May 9 meeting notes. 	
Land Divisions	<ul style="list-style-type: none"> Mark Ruttman to correct error in Doreen Carbary/Kubiak Farms land division to match correct parent parcel acreage, e.g. 80 acres vs. 190.8 acres in the Certificate of Survey. He will resubmit corrected paperwork. 	
Citizen Survey	<ul style="list-style-type: none"> 175 residents of Conway Township responded to the survey. 800 surveys were sent. Recommendation made by Herm Yost to put the perimeter roads outline map on the future survey so that residents can decipher township boundaries. The Commission will put the survey results in the Comprehensive Plan/Master Plan. Cindy Dickerson to put survey summation on the website and publically thank respondents in the newspaper inviting resident to attend a Commission meeting. 	<p>Cindy Dickerson to put survey summation on the website and publically thank respondents in the newspaper inviting resident to attend a Commission meeting.</p>
Master Plan Update	<ul style="list-style-type: none"> Update the stats in Section 1 <ul style="list-style-type: none"> Scott Buell to get road traffic numbers John Harless to get SEMCOG population changes Dennis Bowdoin recommends including rationale, e.g. 1 cut off main highway 4 lots off main road. Cindy Dickerson to bring LD Dickerson's screen to next meeting to work on revisions. All Commissioners to look at revisions for Section 2 and followup on Section 1 12/13/10 minutes reflects the following recommendations: <ul style="list-style-type: none"> <i>Cohoctah Township has approached us regarding how their Master Plan proposal impacts Conway Township. Letter to be written stating "No impact on Conway Township."</i> <i>We can develop our master plan within the next 24 months. Dennis recommended that we take our Ordinance Book and incorporate it into the Plan. Send out a newsletter prior to spring cleanup announcing three meetings/public hearings with the Commissioners and the public. We will capture a list of questions/ideas from the public via roundtable discussions</i> 	<p>Scott Buell to get road traffic numbers for Master Plan.</p> <p>John Harless to get SEMCOG population changes for Master Plan.</p> <p>Cindy Dickerson to bring LD Dickerson's screen to next meeting to work on revisions.</p>

Conway Township Planning Commission Meeting Minutes

June 13, 2011 – version 3

Agenda	Items Discussed	Actions to be Taken
	<p style="text-align: center;"><i>during the hearings.</i></p> <ul style="list-style-type: none"> • <i>Further Cohoctah Master Plan updates were provided in August 9, 2010 meeting minutes to the Commission.</i> **Note – Londa Horton does not have a copy. A hard copy was provided to Cindy Dickerson with the annual report in January 2011, now on file at the Township Hall. 	
Update from the Board	<ul style="list-style-type: none"> • Starting road projects and they are not yet complete. • Dust control is taking place on gravel roads. 	
Call to Public	<ul style="list-style-type: none"> • Cindy Dickerson to get pictures of Maurice Kingsley to make a plaque. 	
Adjournment	<ul style="list-style-type: none"> • George Pushies made a motion to adjourn at 9:10pm, seconded by John Harless. All in favor. Motion passed. 	

COOPER & RIESTERER, PLC

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June 8, 2011

VIA EMAIL

Conway Township Board
Conway Township Planning Commission
c/o Cindy Dickerson, Clerk
8015 N. Fowlerville Road
P.O. Box 1157
Fowlerville, MI 48836-1157

Re: **Planning Commission Bylaws and Voting**

Dear Board and Commission Members:

It is my understanding that the Board has requested an opinion on the following matters: (1) clarification on the voting rights and quorum issues regarding the Township Clerk as an ex officio member of the Planning Commission; (2) proposed changes to the Planning Commission Bylaws; (3) clarification regarding the non-participation requirement of MCL 125.3601(13) for ZBA members who are also on the Board or Planning Commission; (4) voting right of a Board and Planning Commission member on the same matter.

1. Clarification on the voting rights and quorum issues regarding the Township Clerk as an ex officio member of the Planning Commission.

The Michigan Planning & Enabling Act (MPEA), 2008 PA 33, MCL 125.3801 et seq., requires that a Planning Commission have 5, 7, or 9 members, and that one of those members be an ex officio member. § 3815(2), (5). I've included Article II of the MPEA, MCL 125.3811 through .3825 for your convenience. An ex officio member, as defined by statute, is a planning commission member "with full voting rights unless otherwise provided by charter, who serves on the planning commission by virtue of holding another office, for the term of that other office." § 3803(d). The Township Supervisor appoints the ex officio member, like the other Planning Commission members, with the approval of the Board. § 3815(1). In 2009, I prepared a draft Ordinance confirming the establishment of the Planning Commission, and setting forth in part appointments and terms of members, including the ex officio member, as required by the MPEA (hereafter referred to as "Planning Commission Ordinance). I've included a copy of my letter and the draft Planning Commission Ordinance. It is my understanding that the Board passed a version of this Planning Commission Ordinance sometime thereafter. I have asked Cindy Dickerson to look into this and provide me a copy.¹

¹ For the purposes of this letter, I will assume that a Planning Commission Ordinance exists in substantially similar form to the draft one prepared. If the Clerk's investigation determines that a Planning Commission Ordinance has not been adopted by the Board, then this should be made a top priority as such an ordinance is required by the MPEA, on the earlier of July 1, 2011 or the date when a new ordinance is adopted or an existing ordinance is amended under the MPEA for any purpose. § 3881(3)(b).

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There is no limitation in the statute that restricts the ex officio member's ability to be counted as a quorum. Likewise, the Planning Commission Ordinance does not impose any restrictions. In the Planning Commission Bylaws from 2008, there is a prohibition against counting a "Liaison" for purposes of a quorum; however, there is no restriction on the ex officio member. In fact, as discussed below, the Bylaws do not directly address the ex officio member as a required member of the Planning Commission.² Roberts Rules of Order are referenced in the Bylaws, which are binding as necessary to "keep order" over issues not specifically covered by the Bylaws. § 2(F)(8). Roberts Rules of Order Web Site has a list of Frequently Asked Questions, which includes the following: "Can ex-officio members vote, and are they counted in determining whether a quorum is present?" The guidance here confirms that such members have full voting rights, and the same rights and privileges as all other members. Citing Roberts Rules of Order Newly Revised (RONR) (10th Ed), p 466-67; p 480, 1. 18-27.³ The guidance identifies two instances in which ex officio members may not be counted for purposes of a quorum, neither of which is applicable to the current inquiry. I've attached a copy of this inquiry and guidance.

It is my understanding that the Board has appointed the Township Clerk as the ex officio member of the Planning Commission. As such a member, the preceding analysis of the rights will apply to her. The Bylaws provide at § 2(B) that the Clerk could be a Liaison to the Planning Commission, "if not already appointed Commission members." In the current context, however, the Clerk has been appointed an ex officio member, and therefore currently does not serve as a Liaison. It is my opinion that there are no restrictions on her voting rights and she should be counted for purposes of a quorum.

2. Proposed Changes to the Planning Commission Bylaws.

I have reviewed the proposed changes to the Bylaws in sections (2)(D), which are acceptable. It is my opinion, however, that further revision to the Bylaws is necessary in other sections. In 2009, when the Planning Commission Ordinance was presented, it was contemplated that the Bylaws would need to be revised to comply with the new ordinance and MPEA. It appears that this was never done. For example, the Bylaws provide at § 2(A) that the commission shall consist of 6 members, but the MPEA requires 5, 7, or 9 members and the Planning Commission Ordinance requires 7. The Bylaws do not include the ex officio member as one of its members, nor does it set forth the term limitations of this member. The MPEA sets forth requirements regarding diversity of its members at § 3185(3), which is different and more broad than that currently provided for in the Bylaws. The Bylaws recite as its governing document the 1992 resolution; however, this is rescinded by the Planning Commission Ordinance as required by the MPEA. The Planning Commission may decide to revise the Liaison section now that the Clerk is an ex officio member. Please let me know if you want further guidance from me on these additional revisions, and/or would like me to provide you with a draft for discussion.

² The Bylaws use the term "Ex-Officio" member at § 2(E)(7)(c)(8), which describes the Planning Commission Chair's duty to be an ex officio member of any committee of the Planning Commission.

³ I was not able to verify the citations noted here with the RONR.

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3. Clarification regarding the non-participation requirement of MZEA, MCL 125.3601(13) for ZBA members who are also on the Board or Planning Commission.

The Michigan Zoning & Enabling Act (MZEA), 2006 PA 110, MCL 125.3601(13), provides as follows:

A member of the zoning board of appeals who is also a member of the zoning commission, the planning commission, or the legislative body shall not participate in a public hearing on or vote on the *same matter* that the member *voted on* as a member of the zoning commission, the planning commission, or the legislative body. However, the member may consider and vote on other *unrelated matters* involving the same property.

(Emphasis added.) The statute does not define what is considered a “matter,” however there is some guidance provided by the Attorney General with references to several relevant cases. See attached. In Opinion No. 6742, dated December 4, 1992, the Attorney General looked at whether a county zoning commission member, who was also a member of the county zoning board of appeals, may participate in deciding a case before the zoning board of appeals when the member participated in the earlier decision issued by the county zoning commission. The opinion discussed the circumstances whereby, an applicant who was unsatisfied with a decision made by the planning commission regarding a zoning request, such as a special land use or planned unit development, the applicant was permitted by statute and ordinance to appeal that decision of the planning commission to the zoning board of appeals. The Attorney General cited cases supporting the right to an impartial decision maker when a decision was under review by the zoning board of appeals and that due process of the 14th Amendment requires that appellate bodies remain unbiased, and include members who have not participated in making the decision under review. Therefore, the Attorney General concluded that zoning board of appeals member must refrain from participating in the review of any decision in which that member previously participated as a member of the zoning commission.

It is my opinion that MCL 125.3601(13) stands for the same proposition. This Section would restrict a ZBA member from voting on an appeal from or review of a decision that the member made as a member of the Board or Planning Commission. The ZBA has jurisdiction to “hear and decide appeals from and review any administrative order, requirement, decision, or determination made by an administrative official or body charged with enforcement of a zoning ordinance.” MCL 125.3603(1). On the other hand, “unrelated matters,” or other issues or decisions involving “the same property” are not included in this restriction and the member may have full participation and voting rights in those instances. The rationale is that there is no due process concern on unrelated matters involving the same property as such ZBA member is not reviewing the merits of his or her own prior ruling. A variance is a good illustration of this point. Neither the Planning Commission nor the Board have jurisdiction to make a decision on a variance. That power lies with the ZBA. MCL 125.3604. Therefore, if a request for a variance is before the ZBA, this will necessarily be the first time that any member would have

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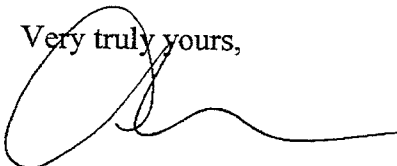
been asked to make a decision on "that matter," as there is no way that either the Planning Commission or Board would possibly have previously "voted on" the request for a variance.

4. Voting right of Board and Planning Commission member on the same matter.

The restrictions of MCL 125.3501 expressly relate only to a ZBA member. They do not apply to a member of the Board who is also a member of the Planning Commission. There is no statutory limitation on this person's voting rights as both a member of the Board and Planning Commission. Keep in mind that the dual position of both Board member and Planning Commission member is required by statute, and therefore there is no incompatibility of offices. The statute has designed the relationship in this manner, with full voting rights to the ex officio member as discussed above. The analysis and rationale set forth above illuminates why this is the case: namely, that with a majority of the decisions at the Board level, there are no due process concerns because for the most part, the Board does not act as an appellate entity. Even on the same matter or application, the member of the Planning Commission ultimately makes a different decision at the Planning Commission level than that person does at the Board level. For example, with special land uses, the Planning Commission "recommends" a certain action to the Board, but it is the Board that actually makes the decision on whether to approve or disapprove that permit request. An exception would be in the context of an appeal of a Site Plan decision pursuant to Section 14.06 of the Conway Township Zoning Ordinance. In this context, I believe that the due process concerns above would apply to restrict the voting of the Planning Commission member at the Board level where the Board is reviewing a final decision participated in by one of its members. In that case, it would be appropriate for the Board member not to elect to participate and thereby preserve the unbiased nature of the Board in its review.

I hope I have clarified these matters to your satisfaction. Please let me know if you have any questions or need any additional clarifications on the opinions discussed above.

Very truly yours,



Abby H. Cooper

Cc: Dennis Bowdoin (via email)

Attachments

Article II of the MPEA, MCL 125.3811 through .3825
Cooper & Riesterer, PLC Letter dated January 16, 2009, and draft Planning Commission Ordinance
Robert's Rules of Order Frequently Asked Questions
Attorney General Opinion No. 6742, dated December 4, 1992,

MICHIGAN PLANNING ENABLING ACT (EXCERPT)
Act 33 of 2008
ARTICLE II.
PLANNING COMMISSION CREATION AND ADMINISTRATION

125.3811 Planning commission; creation; adoption of ordinance by local unit of government; notice required; exception; adoption of charter provision by city or home rule village; effect of repeal of planning act; continued exercise or transfer of powers and duties of zoning board or zoning commission.

Sec. 11.

(1) A local unit of government may adopt an ordinance creating a planning commission with powers and duties provided in this act. The planning commission of a local unit of government shall be officially called "the planning commission", even if a charter, ordinance, or resolution uses a different name such as "plan board" or "planning board".

(2) Within 14 days after a local unit of government adopts an ordinance under subsection (1) creating a planning commission, the clerk of the local unit shall transmit notice of the adoption to the planning commission of the county where the local unit is located. However, if there is not a county planning commission or if the local unit adopting the ordinance is a county, notice shall be transmitted to the regional planning commission engaged in planning for the region within which the local unit is located. Notice under this subsection is not required when a planning commission created before the effective date of this act continues in existence under this act, but is required when an ordinance governing or creating a planning commission is amended or superseded under section 81(2)(b) or (3)(b).

(3) If, after the effective date of this act, a city or home rule village adopts a charter provision providing for a planning commission, the charter provision shall be implemented by an ordinance that conforms to this act. Section 81(2) provides for the continuation of a planning commission created by a charter provision adopted before the effective date of this act.

(4) Section 81(3) provides for the continuation of a planning commission created under a planning act repealed under section 85.

(5) Section 83 provides for the continued exercise by a planning commission, or the transfer to a planning commission, of the powers and duties of a zoning board or zoning commission.

History: 2008, Act 33, Eff. Sept. 1, 2008

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125.3813 Planning commission; effect of township ordinance; number of days; petition requesting submission of ordinance to electors; filing; petition subject to Michigan election law; violation.

Sec. 13.

(1) Subject to subsection (2), a township ordinance creating a planning commission under this act shall

take effect 63 days after the ordinance is published by the township board in a newspaper having general circulation in the township.

(2) Subject to subsection (3), before a township ordinance creating a planning commission takes effect, a petition may be filed with the township clerk requesting the submission of the ordinance to the electors residing in the unincorporated portion of the township for their approval or rejection. The petition shall be signed by a number of qualified and registered electors residing in the unincorporated portion of the township equal to not less than 8% of the total vote cast for all candidates for governor, at the last preceding general election at which a governor was elected. If such a petition is filed, the ordinance shall not take effect until approved by a majority of the electors residing in the unincorporated portion of the township voting thereon at the next regular or special election that allows reasonable time for proper notices and printing of ballots or at any special election called for that purpose, as determined by the township board. The township board shall specify the language of the ballot question.

(3) Subsection (2) does not apply if the planning commission created by the ordinance is the successor to an existing zoning commission or zoning board as provided for under section 301 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3301.

(4) If a township board does not on its own initiative adopt an ordinance under this act creating a planning commission, a petition may be filed with the township clerk requesting the township board to adopt such an ordinance. The petition shall be signed by a number of qualified and registered electors as provided in subsection (2). If such a petition is filed, the township board, at its first meeting following the filing shall submit the question to the electors of the township in the same manner as provided under subsection (2).

(5) A petition under this section, including the circulation and signing of the petition, is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488. A person who violates a provision of the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, applicable to a petition described in this section is subject to the penalties prescribed for that violation in the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

History: 2008, Act 33, Eff. Sept. 1, 2008

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125.3815 Planning commission; membership; appointment; terms; vacancy; representation; qualifications; ex-officio members; board serving as planning commission; removal of member; conditions; conflict of interest; additional requirements.

Sec. 15.

(1) In a municipality, the chief elected official shall appoint members of the planning commission, subject to approval by a majority vote of the members of the legislative body elected and serving. In a county, the county board of commissioners shall determine the method of appointment of members of the planning commission by resolution of a majority of the full membership of the county board.

(2) A city, village, or township planning commission shall consist of 5, 7, or 9 members. A county planning commission shall consist of 5, 7, 9, or 11 members. Members of a planning commission other

than ex officio members under subsection (5) shall be appointed for 3-year terms. However, of the members of the planning commission, other than ex officio members, first appointed, a number shall be appointed to 1-year or 2-year terms such that, as nearly as possible, the terms of 1/3 of all the planning commission members will expire each year. If a vacancy occurs on a planning commission, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until his or her successor is appointed.

(3) The membership of a planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire territory of the local unit of government to the extent practicable.

(4) Members of a planning commission shall be qualified electors of the local unit of government, except that the following number of planning commission members may be individuals who are not qualified electors of the local unit of government but are qualified electors of another local unit of government:

(a) 3, in a city that on September 1, 2008 had a population of more than 2,700 but less than 2,800.

(b) 2, in a city or village that has, or on September 1, 2008 had, a population of less than 5,000, except as provided in subdivision (a).

(c) 1, in local units of government other than those described in subdivision (a) or (b).

(5) In a township that on September 1, 2008 had a planning commission created under former 1931 PA 285, 1 member of the legislative body or the chief elected official, or both, may be appointed to the planning commission, as ex officio members. In any other township, 1 member of the legislative body shall be appointed to the planning commission, as an ex officio member. In a city, village, or county, the chief administrative official or a person designated by the chief administrative official, if any, the chief elected official, 1 or more members of the legislative body, or any combination thereof, may be appointed to the planning commission, as ex officio members, unless prohibited by charter. However, in a city, village, or county, not more than 1/3 of the members of the planning commission may be ex officio members. Except as provided in this subsection, an elected officer or employee of the local unit of government is not eligible to be a member of the planning commission. The term of an ex officio member of a planning commission shall be as follows:

(a) The term of a chief elected official shall correspond to his or her term as chief elected official.

(b) The term of a chief administrative official shall expire with the term of the chief elected official that appointed him or her as chief administrative official.

(c) The term of a member of the legislative body shall expire with his or her term on the legislative body.

(6) For a county planning commission, the county shall make every reasonable effort to ensure that the membership of the county planning commission includes a member of a public school board or an administrative employee of a school district included, in whole or in part, within the county's boundaries. The requirements of this subsection apply whenever an appointment is to be made to the

planning commission, unless an incumbent is being reappointed or an ex officio member is being appointed under subsection (5).

(7) Subject to subsection (8), a city or village that has a population of less than 5,000, and that has not created a planning commission by charter, may by an ordinance adopted under section 11(1) provide that 1 of the following boards serve as its planning commission:

(a) The board of directors of the economic development corporation of the city or village created under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636.

(b) The board of a downtown development authority created under 1975 PA 197, MCL 125.1651 to 125.1681, if the boundaries of the downtown district are the same as the boundaries of the city or village.

(c) A board created under the tax increment finance authority act, 1980 PA 450, MCL 125.1801 to 125.1830, if the boundaries of the authority district are the same as the boundaries of the city or village.

(8) Subsections (1) to (5) do not apply to a planning commission established under subsection (7). All other provisions of this act apply to a planning commission established under subsection (7).

(9) The legislative body may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the planning commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office. Unless the legislative body, by ordinance, defines conflict of interest for the purposes of this subsection, the planning commission shall do so in its bylaws.

(10) An ordinance creating a planning commission may impose additional requirements relevant to the subject matter of, but not inconsistent with, this section.

History: 2008, Act 33, Eff. Sept. 1, 2008 ;-- Am. 2010, Act 105, Imd. Eff. June 29, 2010

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125.3817 Chairperson, secretary, and other offices; election; terms; appointment of advisory committees.

Sec. 17.

(1) A planning commission shall elect a chairperson and secretary from its members and create and fill other offices as it considers advisable. An ex officio member of the planning commission is not eligible to serve as chairperson. The term of each officer shall be 1 year, with opportunity for reelection as specified in bylaws adopted under section 19.

(2) A planning commission may appoint advisory committees whose members are not members of the

planning commission.

History: 2008, Act 33, Eff. Sept. 1, 2008

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125.3819 Bylaws; adoption; public record requirements; annual report by planning commission.

Sec. 19.

(1) A planning commission shall adopt bylaws for the transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.

(2) A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.

History: 2008, Act 33, Eff. Sept. 1, 2008

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125.3821 Meetings; frequency; time; place; special meeting; notice; compliance with open meetings act; availability of writings to public.

Sec. 21.

(1) A planning commission shall hold not less than 4 regular meetings each year, and by resolution shall determine the time and place of the meetings. Unless the bylaws provide otherwise, a special meeting of the planning commission may be called by the chairperson or by 2 other members, upon written request to the secretary. Unless the bylaws provide otherwise, the secretary shall send written notice of a special meeting to planning commission members not less than 48 hours before the meeting.

(2) The business that a planning commission may perform shall be conducted at a public meeting of the planning commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of a regular or special meeting shall be given in the manner required by that act.

(3) A writing prepared, owned, used, in the possession of, or retained by a planning commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

History: 2008, Act 33, Eff. Sept. 1, 2008

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125.3823 Compensation; expenses; preparation of budget; acceptance of gifts.

Sec. 23.

(1) Members of a planning commission may be compensated for their services as provided by the legislative body. A planning commission may adopt bylaws relative to compensation and expenses of its members and employees for travel when engaged in the performance of activities authorized by the legislative body, including, but not limited to, attendance at conferences, workshops, educational and training programs, and meetings.

(2) After preparing the annual report required under section 19, a planning commission may prepare a detailed budget and submit the budget to the legislative body for approval or disapproval. The legislative body annually may appropriate funds for carrying out the purposes and functions permitted under this act, and may match local government funds with federal, state, county, or other local government or private grants, contributions, or endowments.

(3) A planning commission may accept gifts for the exercise of its functions. However, in a township, other than a township that on the effective date of this act had a planning commission created under former 1931 PA 285, only the township board may accept such gifts, on behalf of the planning commission. A gift of money so accepted in either case shall be deposited with the treasurer of the local unit of government in a special nonreverting planning commission fund for expenditure by the planning commission for the purpose designated by the donor. The treasurer shall draw a warrant against the special nonreverting fund only upon receipt of a voucher signed by the chairperson and secretary of the planning commission and an order drawn by the clerk of the local unit of government. The expenditures of a planning commission, exclusive of gifts and grants, shall be within the amounts appropriated by the legislative body.

History: 2008, Act 33, Eff. Sept. 1, 2008

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125.3825 Employment of planning director and other personnel; contract for services; use of information and advice provided by public officials, departments, and agencies.

Sec. 25.

(1) A local unit of government may employ a planning director and other personnel as it considers necessary, contract for the services of planning and other technicians, and incur other expenses, within a budget authorized by the legislative body. This authority shall be exercised by the legislative body, unless a charter provision or ordinance delegates this authority to the planning commission or another body or official. The appointment of employees is subject to the same provisions of law as govern other corresponding civil employees of the local unit of government.

(2) For the purposes of this act, a planning commission may make use of maps, data, and other information and expert advice provided by appropriate federal, state, regional, county, and municipal officials, departments, and agencies. All public officials, departments, and agencies shall make available

public information for the use of planning commissions and furnish such other technical assistance and advice as they may have for planning purposes.

History: 2008, Act 33, Eff. Sept. 1, 2008

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January 16, 2009

VIA EMAIL

Conway Township Board
c/o Cindy Dickerson, Clerk
8015 N. Fowlerville Road
P.O. Box 1157
Fowlerville, MI 48836-1157

Re: **Planning Commission Compliance with the MPEA**

Dear Ms. Dickerson:

Last fall, we were asked to review the Planning Commission Bylaws and to enumerate for the Township the duties of the Planning Commission under the new Michigan Planning & Enabling Act (MPEA), 2008 PA 33, MCL 125.3801 et seq. We have recently received a copy of the Resolution creating the Planning Commission in 1992, and are now able to provide the Township with the following requested information and direction.

1. **MPEA applies now:** The duties of the Planning Commission must meet the requirements of the MPEA as of September 1, 2008. § 81(3)(a)
2. **New Enabling Ordinance:** The MPEA requires that the Township Board repeal the resolution creating the Planning Commission from 1992 and adopt an enabling Ordinance that fully conforms to the requirements of the MPEA by the earlier of (1) July 1, 2011, or (2) the date when a new ordinance is adopted or an existing ordinance is amended under the MPEA for any purpose. § 81(3)(b). We recommend that the an ordinance be adopted now regarding the Planning Commission because of the immediate application of the MPEA, to ensure future compliance with the MPEA, and to clarify the duties for the Planning Commission members. A proposed ordinance is attached. Please not that there are some decisions that must be made by the Township Board, and/or the Planning Commission, before the ordinance can be adopted. These areas are discussed below.
3. **Bylaws:** The Planning Commission adopted Bylaws in September 2008 in an effort to take timely steps to comply with the MPEA. The attorney shall complete review and recommend revisions to these bylaws after decisions are made by the Township Board, and/or the Planning Commission, as outlined below.
4. **Appointment of Commission Members:** The 1992 Resolution now in effect requires that the Board appoint successor commission members within one month after the term of the preceding commission member has expired. We have recommended that this mandate similarly be added to the new ordinance because it gives the Board a deadline in which to make a decision. The MPEA requires that the commission members be representative of certain segments of the community. The

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MPEA also requires that the commission members be representative of the entire geography of the township to the extent practicable.

5. **Master Plan:** The MPEA requires that the Planning Commission review the master plan at least every five years. § 45(2). It has just been confirmed that the Planning Commission's last review of the master plan was July 17, 2005. *The Planning Commission should therefore schedule its next review no later than July 17, 2010.* The review must be to "determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes." § 45(2). Once the plan is amended, then the requirements of § 33 apply. The procedures for adopting a master plan, or for extending, adding, revising, or otherwise amending a master plan, are governed by § 39, 41, and 43. When the plan is amended, we recommend that the title "Comprehensive Plan" be changed to "Master Plan" because § 81(1) requires this reference.
6. **Conflict of Interest:** The MPEA requires that "conflict of interest" be defined by either the Township Board by ordinance or the Planning Commission in its bylaws (MCL 125.3815(9)). This definition will control when a Planning Commission member must abstain from participating. The Planning Commission has included a conflict definition in its bylaws.^a The Planning Commission has elected to take a relatively restrictive approach when it comes to defining conflicts that require abstention. If conflict of interest remains defined in the Planning Commission bylaws, that definition may be changed by the Planning Commission amending its bylaws by simple majority vote. Bylaws are easier to change, so it is a more flexible approach, allowing the Planning Commission to adjust its conflict of interest definition, if needed. If the Township Board defines conflict of interest by the proposed ordinance, then that definition may be changed only if the Township Board amends the ordinance by a vote of the majority of the Township Board. It is more difficult to change a conflict of interest definition in an ordinance, which may provide less flexibility, or as a more stable approach. In deciding which approach to take, the Board may also contemplate which body is more suited to define conflict of interest. We recommend that the Township Board and Planning Commission work together on this issue, with our additional input upon request.

A few additions or revisions to consider in defining conflict of interest (as is currently adopted by the Planning Commission) as follows: (1) broaden pecuniary benefit to include any pecuniary interest affected; (2) add a definition of any reasonable appearance of a conflict as determined by a majority vote of the remaining members of the Planning Commission; (3) include all cases where a member owns or has a financial interest in neighboring property. One possible definition for broad definition for "neighboring property" would be: "For purposes of this section, a neighboring property shall include any property falling within the notification radius for the application or proposed development, as required by the zoning ordinance or other applicable ordinance." Another, less broad definition could be: "For the purposes of this section, a neighboring property shall include any property immediately adjoining the property involved in the request."

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- Capital Improvement:** Any township may prepare and adopt a capital improvement program. But it is only mandatory if the township owns or operates a water supply or sewage disposal system. If the Township Board chooses to prepare a capital improvements program, and unless the Township Board exempts the Planning Commission from the requirement, the Planning Commission prepares and adopts the capital improvement program. A Planning Commission may recommend, to the Township Board, programs for public structures and improvements and for financing those projects, regardless of whether the Planning Commission prepares the capital improvements program. Two options outlined by the Michigan Township Association are:

(Default) Planning Commission adopts capital improvements plans:

To further the desirable future development of the Township under the master plan, the Planning Commission, after the master plan is adopted, shall annually prepare a capital improvements program of public structures and improvements, showing those structures and improvements in general order of their priority, for the following 6-year period. OR

(Option) Township Board designates capital improvements plan to board, supervisor or other official:

To further the desirable future development of the Township under the master plan, the Township Board, after the master plan is adopted, shall prepare or cause to be prepared by the Township Supervisor or by a designated nonelected administrative official, a capital improvements program of public structures and improvements, showing those structures and improvements in general order of their priority, for the following 6-year period. The prepared capital improvements program, if prepared by someone other than the Township Board, shall be subject to final approval by the Township Board. The Planning Commission is hereby exempted from preparing a capital improvements plan.

Please consider these matters, and any others that may not be presented above. Once we receive your input, we can incorporate the Township's preferred approach into the ordinance and bylaws for approval. As always, both Dale and I are available should you have any questions or concerns.

Very truly yours,

Abby H. Cooper

Cc: Conway Township Planning Commission
Dennis Bowdoin (via email)

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^a Planning Commission Bylaws (current Section 2(D)):

Incompatibility of Office.

1. Each member of the Commission shall avoid conflicts of interest and/or incompatibility of office. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
 - a. Issuing, deliberating on, voting on, or reviewing a case concerning him or her.
 - b. Issuing, deliberating on, voting on, or reviewing a case concerning work on land owned by him or her or which is adjacent to land owned by him or her.
 - c. Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.
 - d. Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to him or her.
 - e. Issuing, deliberating on, voting on, or reviewing a case concerning his or her spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parents in-law grandparents in-law, or members of his or her household.
 - f. Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is:
 - (1) an applicant or agent of an applicant, or
 - (2) Has a direct interest in the outcome.
2. If there is a question whether a conflict of interest exists or not, the Question shall be put before the Commission. Whether a conflict of interest exists or not shall be determined by a majority vote of the remaining members of the Commission.
3. When a conflict of interest exists, the member of the Commission, or Committee shall do all of the following immediately, upon first knowledge of the case and determining that a conflict exists:
 - a. declare a conflict exists at the next meeting of the Commission or Committee;
 - b. cease to participate at the Commission or committee meetings, or in any other manner, or represent one's self before the Commission, or others and
 - c. During deliberation of the agenda item before the Commission or committee, leave the meeting or remove one's self from the front table where members of the Commission sit, until that agenda item is concluded.
4. If a member of the Commission is appointed to another office, which is an incompatible office with his or her membership on the Commission, then on the effective date of the appointment to the other office, that shall result in an automatic resignation from the Commission. If a member of another office is appointed to the Commission, which is an incompatible office with his or her membership in the other office, then on the effective date of the appointment to the Commission, that shall result in an automatic resignation from the other office.

**ORDINANCE TO CONFIRM THE ESTABLISHMENT OF A
PLANNING COMMISSION WITH ZONING AUTHORITY**

ORDINANCE NO. _____

Preamble

An ordinance to confirm the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., of the Conway Township Planning Commission; provide for the composition of that Planning Commission; provide for the powers, duties and limitations of that Planning Commission; and repeal any ordinance or parts of ordinances or resolutions in conflict with this ordinance.

THE TOWNSHIP OF CONWAY, LIVINGSTON COUNTY, MICHIGAN, ORDAINS:

Section 1: Scope, Purpose and Intent

This ordinance is adopted pursuant to the authority granted the Township Board under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, et seq., to establish a Planning Commission with the powers, duties and limitations provided by those Acts and subject to the terms and conditions of this ordinance and any future amendments to this ordinance.

The purpose of this ordinance is to provide that the Conway Township Board shall hereby confirm the establishment of the Conway Township Planning Commission under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq.; to establish the appointments, terms, and membership of the Planning Commission; to identify the officers and the minimum number of meetings per year of the Planning Commission; and to prescribe the authority, powers and duties of the Planning Commission.

Section 2: Establishment

The Township Board hereby confirms the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., of the Conway Township Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq.,. The Conway Township Planning Commission shall have 7 members, which shall include one ex officio member. As of the effective date of this Ordinance, members of the Conway Township Planning Commission shall continue to serve for the remainder of their existing terms so long as they continue to meet all of the eligibility requirements for Planning Commission membership set forth within the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., except for the ex officio member whose remaining term on the Planning Commission shall be limited to his or her term on the Township Board.

Section 3: Appointments and Terms

The township supervisor, with the approval of the Township Board by a majority vote of the members elected and serving, shall appoint all Planning Commission members, including the ex officio member. The Planning Commission members, other than an ex officio member, shall serve for terms of 3 years each. An ex officio member's term on the Planning Commission shall expire with his or her term on the Township Board. No other elected officer or employee of the township is eligible to be a member

of the Planning Commission. An ex officio member has full voting rights. A Planning Commission member shall hold office until his or her successor is appointed. Vacancies shall be filled for the unexpired term in the same manner as the original appointment. Successors shall be appointed not more than one month after the term of the preceding commission member has expired.

Planning Commission members shall be qualified electors of the township, except that one Planning Commission member may be an individual who is not a qualified elector of the township. The membership of the Planning Commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the township, in accordance with the major interests as they exist in the township, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire geography of the township to the extent practicable.

Section 4: Removal

The Township Board may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing.

Section 5: Conflict of Interest

Decision needed on whether to include definition of conflict of interest in this Ordinance or in the Planning Commission's Bylaws. See attorney letter for considerations.

Section 6: Compensation

The Planning Commission members may be compensated for their services as provided by Township Board resolution. The Planning Commission may adopt bylaws relative to compensation and expenses of its members for travel when engaged in the performance of activities authorized by the Township Board, including, but not limited to, attendance at conferences, workshops, educational and training programs and meetings.

Section 7: Officers and Committees

The Planning Commission shall elect a chairperson, vice-chairperson, and a secretary from its members, and may create and fill other offices as it considers advisable. An ex officio member of the Planning Commission is not eligible to serve as chairperson. The term of each office shall be 1 year, with opportunity for reelection as specified in the Planning Commission bylaws. The Planning Commission may also appoint advisory committees whose members are not members of the Planning Commission.

Section 8: Bylaws, Meetings and Records

The Planning Commission shall adopt bylaws for the transaction of business. The Planning Commission shall hold at least 4 regular meetings each year, and shall by resolution determine the time and place of the meetings. Unless otherwise provided in the Planning Commission's bylaws, a special meeting of the Planning Commission may be called by the chairperson or by 2 other members, upon written request to the secretary. Unless the bylaws otherwise provide, the secretary shall send written notice of a special meeting to Planning Commission members at least 48 hours before the meeting. The business that the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Public Act 267 of 1976, MCL 15.261, et seq.

The Planning Commission shall keep a public record of its resolutions, transactions, findings, and determinations. A writing prepared, owned, used, in the possession of, or retained by a Planning Commission in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Section 9: Annual Report

The Planning Commission shall make an annual written report to the Township Board concerning its operations and the status of the planning activities, including recommendations regarding actions by the Township Board related to planning and development.

Section 10: Master Plan Authority and Review

Under the authority of the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., and other applicable planning statutes, the Planning Commission shall make a master plan as a guide for development within the township's planning jurisdiction. Final authority to approve a master plan or any amendments thereto shall rest with the Planning Commission unless the Township Board passes a resolution asserting the right to approve or reject the master plan. Unless rescinded by the township, any plan adopted or amended under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq., need not be readopted under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq.

The master plan shall address all issues and contain all subjects required by the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq. At least every 5 years, the Planning Commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan.

Section 11: Zoning Powers

The Township Board hereby confirms the transfer of all powers, duties, and responsibilities provided for zoning boards or zoning commissions by the former Township Zoning Act, Public Act 184 of 1943, MCL 125.271, et seq.; the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, et seq.; or other applicable zoning statutes to the Conway Township Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq. Any existing zoning ordinance shall remain in full force and effect except as otherwise amended or repealed by the Township Board.

Section 12: Capital Improvements Program

Decision needed on how or whether to prepare or adopt a capital improvements program. See attorney letter for considerations.

Section 13: Subdivision and Land Division Recommendations

The Planning Commission may recommend to the Township Board provisions of an ordinance or rules governing the subdivision of land. Before recommending such an ordinance or rule, the Planning Commission shall hold a public hearing on the proposed ordinance or rule. The Planning Commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the township.

The Planning Commission shall review and make recommendation on a proposed plat before action thereon by the Township Board under the Land Division Act, Public Act 288 of 1967, MCL 560.101, et seq. Before making its recommendation, the Planning Commission shall hold a public hearing on the proposed plat. A plat submitted to the Planning Commission shall contain the name and address of the

proprietor or other person to whom notice of a hearing shall be sent. Not less than 15 days before the date of the hearing, notice of the date, time and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the township. Similar notice shall be mailed to the owners of land immediately adjoining the proposed platted land.

Section 14: Severability

The provisions of this ordinance are hereby declared to be severable, and if any part is declared invalid for any reason by a court of competent jurisdiction, it shall not affect the remainder of the ordinance, which shall continue in full force and effect.

Section 15: Repeal

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. The resolution or ordinance establishing the Conway Township Planning Commission under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq.,

Section 16: Effective Date

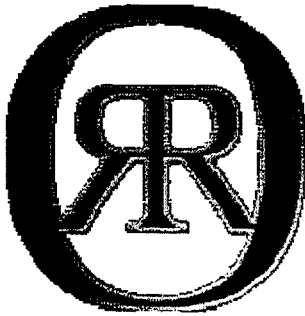
This ordinance shall take effect on the date of its publication.

CERTIFICATE

The undersigned, as the duly elected and acting clerk of the Conway Township, hereby certifies that this ordinance was duly adopted by the Township Board at a regular meeting of said board, at which a quorum was present, held on _____, and that copies of the ordinance were transmitted and published as directed.

Township Clerk

Township Supervisor



THE OFFICIAL Robert's Rules of Order Web Site

Frequently Asked Questions

CAUTION:

THE ANSWERS GIVEN HERE TO THE QUESTIONS PRESENTED ARE BASED UPON THE RULES CONTAINED IN *ROBERTS RULES OF ORDER NEWLY REVISED*. THESE RULES ARE, IN EFFECT, DEFAULT RULES; THAT IS TO SAY, THEY GOVERN ONLY IF THERE ARE NO CONTRARY PROVISIONS IN ANY FEDERAL, STATE OR OTHER LAW APPLICABLE TO THE SOCIETY, OR IN THE SOCIETY'S BYLAWS, OR IN ANY SPECIAL RULES OF ORDER THAT THE SOCIETY MAY HAVE ADOPTED. THIS FACT MUST ALWAYS BE KEPT IN MIND WHEN READING ANY OF THE ANSWERS GIVEN.

The questions in this chapter are based on queries repeatedly received on the Question and Answer Forum. Questions 1 through 20 derive from *Robert's Rules of Order Newly Revised In Brief*.

NAVIGATION	
➤	Short History of Robert's Rules
➤	About the Authors
➤	The Right Book
➤	How Your Organization Can Adopt Robert's Rules
➤	Frequently Asked Questions
➤	Official Interpretations
➤	Question & Answer Forum
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1. Is it true that the president can vote only to break a tie?
2. Can ex-officio members vote, and are they counted in determining whether a quorum is present?
3. Is it true that, once a quorum has been established, it continues to exist no matter how many members leave during the course of the meeting?
4. In determining the result of a vote, what constitutes a majority?
5. Can we round to the nearest number in computing the result of a vote?
6. Do abstention votes count?
7. What is a vote of no confidence?
8. How do you deal with a "friendly amendment"?
9. Isn't it true that a member who has a conflict of interest with respect to a motion cannot vote on the motion?
10. Should proxy votes be counted?
11. Must debate on a motion stop immediately as soon as any member calls the question?
12. Isn't it always in order to move to table a motion to the next meeting?
13. Can something be defeated by adopting a motion to table it?
14. How can I get an item on the agenda for a meeting?
15. Isn't it necessary to summarize matters discussed at a meeting in the minutes of that meeting in order for the minutes to be complete?
16. If minutes of a previous meeting are corrected, are the corrections entered in the minutes of the meeting at which the

- corrections were made?
17. Can votes be taken in an executive session?
 18. Is it possible to withdraw a resignation after it has been submitted?
 19. Can we hold our board meetings by conference telephone call?
 20. How can we get rid of officers we don't like before their term is up?

Question 1:

Is it true that the president can vote only to break a tie?

Answer:

No, it is not true that the president can vote only to break a tie. If the president is a member of the assembly, he or she has exactly the same rights and privileges as all other members have, including the right to make motions, speak in debate and to vote on all questions. However, the impartiality required of the presiding officer of an assembly (especially a large one) precludes exercising the right to make motions or debate while presiding, and also requires refraining from voting except (i) when the vote is by ballot, or (ii) whenever his or her vote will affect the result.

When will the chair's vote affect the result? On a vote which is not by ballot, if a majority vote is required and there is a tie, he or she may vote in the affirmative to cause the motion to prevail. If there is one more in the affirmative than in the negative, he or she can create a tie by voting in the negative to cause the motion to fail. Similarly, if a two-thirds vote is required, he or she may vote either to cause, or to block, attainment of the necessary two thirds. [RONR (10th ed.), p. 392-93; see also Table A, p.190 of *RONR In Brief*.]

Question 2:

Can ex-officio members vote, and are they counted in determining whether a quorum is present?

Answer:

"Ex officio" is a Latin term meaning "by virtue of office or position." Ex-officio members of boards and committees, therefore, are persons who are members by virtue of some other office or position that they hold. For example, if the bylaws of an organization provide for a Committee on Finance consisting of the treasurer and three other members appointed by the president, the treasurer is said to be an ex-officio member of the finance committee, since he or she is automatically a member of that committee by virtue of the fact that he or she holds the office of treasurer.

Without exception, ex-officio members of boards and committees have exactly the same rights and privileges as do all other members, including, of course, the right to vote. There are, however, two instances in which ex-officio members are not counted in determining

the number required for a quorum or in determining whether or not a quorum is present. These two instances are:

1. In the case of the president, whenever the bylaws provide that the president shall be an ex-officio member of all committees (except the nominating committee); and
2. If the ex-officio member is not a member, officer, or employee of the society (for example, when the governor of a state is made ex officio a member of a private college board).

Again, however, it should be emphasized that in these instances the ex-officio member still has all of the rights and privileges of membership, including the right to vote. [RONR (10th ed.), p. 466-67; p. 480, l. 18-27.]

Question 3:

Is it true that, once a quorum has been established, it continues to exist no matter how many members leave during the course of the meeting?

Answer:

No. Once a quorum at a meeting has been established, the continued presence of a quorum is presumed to exist only until the chair or any other member notices that a quorum is no longer present. If the chair notices the absence of a quorum, he or she should declare this fact, at least before taking any vote or stating the question on any new motion. Any member noticing the apparent absence of a quorum can and should make a *Point of Order* to that effect whenever another person is not speaking. It is dangerous to allow the transaction of substantive business to continue in the absence of a quorum. Although a Point of Order relating to the absence of a quorum is generally not permitted to affect prior action, if there is clear and convincing proof no quorum was present when business was transacted, the presiding officer can rule that business invalid (subject to appeal). [RONR (10th ed.), p. 337-38; see also p. 12-13 of *RONR In Brief*.]

Question 4:

In determining the result of a vote, what constitutes a majority?

Answer:

The word "majority" in this context means, simply, *more than half*. The use of any other definition, such as 50 percent plus one, is apt to cause problems. Suppose in voting on a motion 17 votes are cast, 9 in favor and 8 opposed. Fifty percent of the votes cast is 8 1/2, so that 50 percent plus one would be 9 1/2. Under such an erroneous definition of a majority, one might say that the motion was not adopted because it did not receive fifty percent plus one of the votes cast, although it was, quite clearly, passed by a majority vote. [RONR (10th ed.), p.

The following opinion is presented on-line for informational use only and does not replace the official version. (Mich Dept of Attorney General Web Site - www.ag.state.mi.us)

STATE OF MICHIGAN

FRANK J. KELLEY, ATTORNEY GENERAL

Opinion No. 6742

December 4, 1992

CONSTITUTIONAL LAW:

Due process and administrative hearings

Due process requires that a member of the county zoning commission serving as the statutorily-required member of a county zoning board of appeals refrain from participating in the review of any decision in which the member has previously participated as a member of the county zoning commission.

Honorable Robert Bender

State Representative

The Capitol

Lansing, MI

You have asked whether a member of a county zoning commission who is also a statutorily-required member of the county zoning board of appeals may participate in deciding a case before the zoning board of appeals when the member participated in the earlier decision issued by the county zoning commission.

County zoning is authorized by and is subject to the provisions of the county rural zoning enabling act, MCL 125.201 et seq; MSA 5.2961(1) et seq. The primary role of the county zoning commission is to prepare a proposed county zoning plan and a proposed county zoning ordinance for consideration by the county board of commissioners. Under the county zoning ordinance, the county zoning commission may also be assigned the responsibility for reviewing and determining whether to approve special land uses, planned unit developments and site plans. See, respectively, sections 16b(1); 16c(2) and 16e(2) of the county rural zoning enabling act.

As provided in MCL 125.218(2); MSA 5.2961(18)(2), the county zoning board of appeals is to include, among its members, a member of the county zoning commission:

One member of the board of appeals shall be a member of the county zoning commission. The term of a member of the county board of zoning appeals serving because of membership on the zoning commission shall expire upon termination of membership on the zoning commission.

Since the membership is explicitly required by the statute, there is no question of incompatibility of offices. See OAG, 1985-1986, No 6268, p 5 (January 24, 1985).

Under section 20 of the county rural zoning enabling act, an appeal may be taken to the zoning board of appeals regarding special land use and planned unit development decisions only if provided for in the zoning ordinance. Thus, there is nothing in the statutory framework which raises a constitutional question unless the county ordinance

designates the county zoning commission as a body to grant or deny approval of special land uses, planned unit developments and site plans and the ordinance empowers the county board of zoning appeals to review special land use and planned unit development decisions.

If the county zoning commission does deny a zoning request and that denial is appealed to the county zoning board of appeals, the question arises whether the prior participation of the member of the zoning commission in that decision disqualifies the member from participating in the review of that decision by the zoning board of appeals. Research discloses no appellate case on this specific issue in Michigan. ⁽¹⁾

However, Michigan courts have held that the right to an impartial decisionmaker is a required part of due process in administrative hearings. *Crampton v Dept of State*, 395 Mich 347, 351; 235 NW2d 352 (1975). In *Crampton*, at 353-354, the court discussed at length cases of the United States Supreme Court which found that due process required that where a review of an initial decision was mandated, the decisionmaker must be someone other than the person who made the decision under review:

(4) Prejudged Case because of Prior Involvement

The Court held in *In re Murchison*, 349 US 133; 75 S Ct 623; 99 LEd 942 (1955), that a Michigan one-man grand juror could not try for contempt witnesses who had appeared before him and whom he had charged with perjury and refusal to answer questions.

In *Goldberg v Kelly*, 397 US 254, 271; 90 S Ct 1011; 25 LEd2d 287 (1970), the Court held that procedural due process required that welfare recipients be afforded an evidentiary hearing before termination of benefits and declared that "of course, an impartial decision maker is essential". "[P]rior involvement in some aspects of a case will not necessarily bar a welfare official from acting as a decision maker. He should not, however, have participated in making the determination under review."

In *Morrissey v Brewer*, 408 US 471, 485, 489; 92 S Ct 2593; 33 LEd2d 484, 497 (1972), the Supreme Court held that a parolee is entitled to a hearing before a "neutral and detached" board before his parole is revoked and to a preliminary determination that there is probable cause to hold him pending that hearing. The preliminary determination "that reasonable ground exists for revocation of parole should be made by someone not directly involved in the case".

The Court [in *Withrow v Larkin*, 421 US 35, 58 n 25; 95 S Ct 1456; 43 LEd2d 712 (1975)] said that *Morrissey* "held that when review of an initial decision is mandated, the decisionmaker must be other than the one who made the decision under review" and indicated that *Goldberg* was a similar case. (Emphasis supplied.) (Footnotes omitted.)

In *Spratt v Dept of Social Services*, 169 MichApp 693, 699-700, 426 NW2d 780 (1988), the risk that the initial decisionmaker has already prejudged the matter under review was noted as the rationale for the requirement for another decisionmaker at the next stage of review:

The right to a hearing before an unbiased and impartial administrative decisionmaker is a basic requirement of due process and of MCL 24.279; MSA 3.560(179). Actual bias need not be shown to obtain disqualification of a hearing officer; rather, the situation must be one where the probability of actual bias is too high to be constitutionally tolerable. *Crampton v Dep't of State*, 395 Mich 347, 354; 235 NW2d 352 (1975). One situation presenting such an intolerable risk is where a decisionmaker is put in the position of reviewing a decision he or she initially made. *Id.* Because this situation poses an intolerable risk that the decisionmaker may have prejudged the case, due process requires a new decisionmaker. 395 Mich 351.

These decisions of Michigan's appellate courts, based, in part, on decisions of the United States Supreme Court, compel only one conclusion. In an administrative proceeding, the due process requirements of the Fourteenth Amendment and Const 1963, art 1, Sec. 17, include an unbiased decisionmaker who has not participated in making the decision under review.

It is my opinion, therefore, that due process requires that a member of the county zoning commission serving as the statutorily-required member of a county zoning board of appeals refrain from participating in the review of any decision in which the member has previously participated as a member of the county zoning commission.

Frank J. Kelley

Attorney General

(1 In OAG,)1983-1984, No 6219, p 281, 283 (April 17, 1984), which concluded that the zoning board of appeals in a home rule city could not be designated as the body to review and approve initial applications for planned unit developments under zoning legislation very similar to the county rural zoning enabling act, it was noted that because proceedings before this body are quasi-judicial in nature an "administrative tribunal may not serve as the reviewing body of its own orders or decisions."

<http://opinion/datafiles/1990s/op06742.htm>

State of Michigan, Department of Attorney General

Last Updated 11/10/2008 16:49:34

LAND DIVISION
ASSESSOR'S CHECK LIST

1. Parcel Number 470132100002, ~~003~~, ~~470132300004~~
2. Owner of record Kubiak Farms Property LLC
3. Parent parcel number 4701-32-100-002
4. Owner as of 3-31-97 Gordon & Doreen Carbery
5. Parent parcel acreage 80 ACRES
6. Current parcel acreage 80 ACRES
7. Divisions available as of 03-31-97 11
8. Previous divisions taken 0
9. Divisions available 11
10. Divisions requested 1
11. Divisions approved 1

Signed Karen A. Page
Conway Township Assessor

Date May 25, 2011

CONWAY TOWNSHIP

8015 N Fowlerville Road

PO Box 1157

Fowlerville MI 48836

Phone 517-223-0358

Fax 517-223-0533

PARCEL DIVISION APPLICATION

Please answer all questions and include all attachments.

Bring or mail to Conway Township at the above address. Must arrive 14 calendar days prior to the next scheduled Planning Committee meeting.

Approval of a division of land is required before it is sold, when a new parcel is less than 40 acres and not just a property line adjustment (Sec 102 e & f)

This form is designed to comply with Sec. 108 and 109 of the Michigan Land Division Act (formerly the subdivision control act P.A. 288 of 1967 as amended particularly by P.A. 591 and P.A 87 of 1997, MCL560.101 et.seg)

(Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.)

1. LOCATION of PARENT to be split: Address: 10829 Road Name Chase Lake Rd.

PARENT PARCEL IDENTIFICATION NUMBER: 01 32 100 002 ~~01 32 300 004~~ ~~01 32 100 004~~

Parent Parcel Legal Description (DESCRIBE OR ATTACH) Attached

2. PROPERTY OWNER INFORMATION:

Name: Kubiak Farms Property, LLC Address: 4965 Sherwood Rd.
Phone: (517) 468 3673 Zip code: 48892-9752 Webberville, MI

3. PROPOSED DIVISION(S) TO INCLUDE THE FOLLOWING:

- A. Number of new Parcels 1
- B. Intended use (Residential, Commercial, etc.) residential
- C. Each proposed parcel has depth to width ration of 4 to 1 or 1 to 1 as provided by ordinance.
- D. Each parcel has a width of 325' (not less than required by ordinance)
- E. Each parcel has an area of 2 A (not less than required by ordinance)
- F. The division of each parcel provided access as follows: (Check one)
 - Each new division has frontage on an existing public road. Road Name Chase Lake
 - A new shared driveway with attached maintenance agreement
 - A new private road with attached maintenance agreement. Proposed Road Name _____

G. Describe or attach a legal description of proposed new road, easement or shared driveway: N/A

H. Describe or attach a legal description for each proposed new parcel. Attached

4. FUTURE DIVISIONS being transferred from the parent parcel to another parcel.

Indicate number transferred 0

(See section 109(2) of the Statute. Make sure your deed includes both statements as required in 109(3 & 4) of the Statute.)

5. DEVELOPMENT SITE LIMITS (Check each which represents a condition which exists on the parent parcel:

- Waterfront Property (river, lake, pond, etc.) Includes wetlands
- Is within a flood plain Includes a beach
- Is a muck soils or soils known to have severe limitation for a site sewage system.

6. ATTACHMENTS: All the following attachments **MUST** be included. Letter each attachment as shown:

A. A scale drawing-not smaller than 1" to 100' for the proposed division(s) of the parent parcel showing:

1. Current boundaries (as of March 31, 1997), and
2. All previous divisions made after March 31, 1997 (indicated when made or none), and
3. The proposed division(s) and
4. Dimensions of the proposed divisions, and
5. Existing and proposed road/easement right-of-way(s), and
6. Easements for public utilities from each parcel that is a development site to existing public utility facilities, and
7. Any existing improvements (buildings, wells, septic systems, driveways, etc.) and
8. Any of the feature checked in question number 5.

B. Indication of approval, or permit from the appropriate county road commission, Michigan Department of Transportation.

Or respective city/village street administrator, that a proposed easement provides vehicular Access to an existing Road or street meets applicable locations standards.

C. A copy of any reserved division rights (Sec. 109(2) of the act) in the parent parcel.

D. A current paid Tax Bill. **(LAND DIVISION WILL NOT HAPPEN UNTIL ALL TAXES ARE PAID ON PARENT PARCEL.)**

E. A signed statement from the Township Assessor that the resulting parcels can be given a SID number.

7. IMPROVEMENTS- Describe any existing improvements (buildings, well, septic, etc., which are on the parent parcel or indicate none.)

N/A

05/25/2011

CONWAY TOWNSHIP

2010

PROPERTY #: 4701-32-100-002
CLASS: 101
TAXABLE VAL: 100,095

SCHOOL: 47030
PRE/MBT %: 100.0000
SEV: 186,580

TAXPAYER: CARBARY, GORDON & DOREEN E
10829 CHASE LAKE ROAD
FOWLERVILLE MI 48836-9788

MORTGAGE CODE:

PROP ADDRESS: 10829 CHASE LAKE RD

SUMMER TAX INFO

ADVALOREM TAX: 939.86
SP. ASSMENTS: 0.00
ADMIN FEE: 9.39
INTEREST: 0.00
TOTAL: 949.25

TOTAL PAID 949.25
DATE PAID 08/17/2010
BALANCE DUE 0.00

WINTER TAX INFO

ADVALOREM TAX: 1,558.80
SP. ASSMENTS: 0.00
ADMIN FEE: 15.58
INTEREST: 0.00
TOTAL: 1,574.38

TOTAL PAID 1,574.38
DATE PAID 02/22/2011
BALANCE DUE 0.00

TOTAL BALANCE DUE 0.00

LEGAL DESCRIPTION

SEC. 32 T4N, R3E, W 1/2 OF NW 1/4 80A

8. ACKNOWLEDGEMENT – The undersigned acknowledges that any approval of the within application is not a determination that the resulting parcels comply with other applicable ordinances, rules or regulations which may control the use or development of the parcels. It is also understood that ordinances, laws and regulations are subject to change and that any approved parcel division is subject to such changes that may occur before the recording of the division or the development of the parcel(s). The division should be recorded with the Liber and Page number on the survey.

Property Owner's Signature Joseph E. Kubiak Date: 5-25-11

Joseph E. Kubiak

Co-Owner's Signature Michael T. Kubiak Date: 5-25-11

Michael T. Kubiak

Edward J. Kubiak
Edward J. Kubiak

5-25-11
Date

For office use only:

Signature: _____ Application Completed Date: _____

Approval Date: _____

Denial Date: _____ Reason for denial: _____

Or please see attached for explanation of denial.

NORTHWEST CORNER SECTION 32
 T4N, R3E, CONWAY TOWNSHIP
 LIVINGSTON COUNTY, MICHIGAN
 FOUND REMON CORNER PER
 LSC #594m

CERTIFICATE OF SURVEY

NORTH LINE SEC. 32, CONWAY TWP. &
 CHASE LAKE ROAD

NORTH 1/4 CORNER SECTION 32
 T4N, R3E, CONWAY TOWNSHIP
 LIVINGSTON COUNTY, MICHIGAN
 FOUND REMON CORNER PER
 LSC #569m

PARCEL 2
 2.00 ACRES

PARCEL 1
 190.8 AC±

(DIMENSIONS SHOWN ARE COMPILED FROM
 CURRENT MEASURE, PREVIOUS SURVEYS BY
 GARLOCK-SMITH AND SURVEYS OF RECORD)

CENTER OF SECTION 32
 T4N, R3E, CONWAY TWP.
 (N.F.V.)

WEST 1/4 CORNER SECTION 32
 T4N, R3E, CONWAY TOWNSHIP
 FOUND REMON CORNER PER
 LSC #570m

EAST-WEST 1/4 LINE SEC. 32

E. LINE, W. 1/2, SW 1/4 SEC. 32, T4N, R3E
 S00°50'11"E
 1352.39'

LEGEND

- = SET 1/2" STEEL REROD WITH CAP : JKS 35999
- = FOUND CORNER MARKER
- (N.F.V.) = NOT FIELD VERIFIED

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE 2 ACRE PARCEL HEREIN PLATTED AND/OR DESCRIBED ON

LEGAL DESCRIPTIONS:

PARCEL 1 -190.8 ACRES

BEGINNING AT THE NORTHWEST CORNER OF SECTION 32, T4N, R3E, CONWAY TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN; THENCE S89°48'20"E 710.00 FEET ALONG THE NORTH LINE OF SAID SECTION AND THE CENTER LINE OF CHASE LAKE ROAD; THENCE S00°11'40"W 268.50 FEET; THENCE S89°48'20"E 325.00 FEET; THENCE N00°11'40"E 268.50 FEET; THENCE S89°48'20"E 852.30 FEET ALONG SAID NORTH LINE AND CENTER LINE; THENCE S00°11'40"W 777.86 FEET; THENCE S89°48'20"E 280.00 FEET; THENCE N00°11'40"E 777.86 FEET; THENCE S89°48'20"E 474.11 FEET ALONG SAID NORTH LINE AND CENTER LINE TO THE NORTH 1/4 CORNER OF SAID SECTION 32; THENCE S00°48'43"E 2645.99 FEET ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION TO THE CENTER OF SAID SECTION 32; THENCE N89°43'40"W 1311.81 FEET ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 32; THENCE S00°50'11"E 1352.39 FEET ALONG THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 32 TO A POINT ON THE CENTER LINE OF ALLEN ROAD; THENCE N81°48'23"W 1330.06 FEET ALONG THE CENTER LINE OF SAID ALLEN ROAD TO A POINT ON THE WEST LINE OF SAID SECTION; THENCE N00°44'17"W 1169.01 FEET ALONG THE WEST LINE OF SAID SECTION AND THE CENTER LINE OF STOW ROAD TO THE WEST 1/4 CORNER OF SAID SECTION 32; THENCE N01°11'55"W 2642.81 FEET ALONG THE WEST LINE OF SAID SECTION 32 AND THE CENTER LINE OF SAID STOW ROAD TO THE PLACE OF BEGINNING. BEING A PART OF THE NORTHWEST 1/4 AND A PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 32, T4N, R3E, CONWAY TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN CONTAINING 190.8 ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE NORTHERLY 33 FEET THEREOF AS IS OCCUPIED BY CHASE LAKE ROAD, ALSO BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE WESTERLY 33.00 FEET THEREOF, AS IS OCCUPIED BY STOW ROAD, ALSO BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE SOUTHERLY 33.00 FEET THEREOF, AS IS OCCUPIED BY ALLEN ROAD, ALSO BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

PARCEL 2 -2.00 ACRES

COMMENCING AT THE NORTHWEST CORNER OF SECTION 32, T4N, R3E, CONWAY TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN; THENCE S89°48'20"E 710.00 FEET ALONG THE NORTH LINE OF SAID SECTION AND THE CENTER LINE OF CHASE LAKE ROAD FOR PLACE OF BEGINNING; THENCE CONTINUING S89°48'20"E 325.00 FEET ALONG SAID NORTH LINE AND CENTER LINE; THENCE S00°11'40"W 268.50 FEET; THENCE N89°48'20"W 325.00 FEET; THENCE N00°11'40"E 268.50 FEET TO THE PLACE OF BEGINNING. BEING A PART OF THE NORTHWEST 1/4 OF SECTION 32, T4N, R3E, CONWAY TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN CONTAINING 2.00 ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE NORTHERLY 33 FEET THEREOF AS IS OCCUPIED BY CHASE LAKE ROAD, ALSO BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

Conway Township Planning Commission Meeting Minutes

July 11, 2011

Agenda

Items Discussed

Actions to be Taken

Agenda	Items Discussed	Actions to be Taken
Attendees	<ul style="list-style-type: none"> • Public: Herm and Shirley Yost, Paul Harmon. • Board Members present: Dennis Bowdoin, Cindy Dickerson, George Pushies, Scott Buell, Dennis Sommer, Londa Horton. • Absent: John Harless 	
Call to Order and Pledge to Flag	<p>Dennis Sommer called the Conway Township Planning Commission meeting to order at 7:30pm and led in the Pledge of Allegiance.</p> <p>Next meeting is August 8, 2011.</p>	
Minutes from last meeting	<p>Minutes from the June 13 meeting were reviewed. Dennis Bowdoin made a motion to accept the minutes, Scott Buell second. All in favor, motion passed.</p>	
Call to Public	-0-	
Communications	-0-	
Land Divisions	<ul style="list-style-type: none"> • Paul Harmon presented land division for Elwood and Norma Cole. Commission recommended to change the Assessor's Check List #9 from 13 Divisions available to 15. George Pushies moved to accept this land division and move it to the Township Board with the recommended amendment. Cindy Dickerson seconded. Motion passed. 	<p>Cindy Dickerson to check with Karen on the Assessor's Check list #9 changing it from 13 to 15 available divisions.</p>
Old and New Business	<ul style="list-style-type: none"> • Cindy Dickerson reported no progress yet on the bylaw update which is to include the attorney's suggestions. • 2010 Livingston County Annual Report on Dept. of Public Health reviewed. • New legislation has been introduced regarding the issue of gravel mining and says that <i>"an ordinance shall not prevent the extraction of valuable natural resources from any property unless very serious consequences would result from the extraction of those natural resources."</i> MTA testified against the bills and notified members of both committees that the legislation would significantly weaken existing local zoning ordinances related to the extraction of any natural resource. The bills would render zoning regulations which prevent the extraction of natural resources in any zone invalid unless <i>"very serious consequences"</i> can be proved to result from the proposed extraction. MTA has learned that the House is intending to vote on HB 4746 on Tuesday (June 21). • Master Plan followup: <ul style="list-style-type: none"> ○ Scott Buell will have road counts by next meeting ○ Recommendation to add a links page at the end of the Master Plan to keep statistics updated. ○ Next meeting John Harless will take Commission through charts he recommends be added to the Plan for Section 2. 	<p>All Commissioners are to review Section 3 and Section 4, land use, prior to the next meeting.</p> <p>Scott Buell to have road counts by next meeting.</p>

Conway Township Planning Commission Meeting Minutes

July 11, 2011

Agenda	Items Discussed	Actions to be Taken
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Update from the Board	<ul style="list-style-type: none"> • Cindy Dickerson reported that: <ul style="list-style-type: none"> ○ The Kubiak land division was approved. ○ Paul Harmon will assist in gaining the easement to the Stowe Road cemetery. ○ Neighborhood Stabilization Project on hold. ○ Comments need to be summarized in Citizen Survey and posted on the website. 	Cindy Dickerson to summarize comments in Citizen Survey and post on website.
General Discussion	<ul style="list-style-type: none"> • Londa Horton brought up "Sixty Minutes" program on amount of natural gas present in U.S. George Pushies commented on fracking which causes leakage of gas contaminants into water supply. 	
Adjournment	<ul style="list-style-type: none"> • George Pushies moved to adjourn and Scott Buell second. Motion passed. Meeting adjourned at 8:30pm. 	

Act No. 113
Public Acts of 2011
Approved by the Governor
July 20, 2011
Filed with the Secretary of State
July 20, 2011
EFFECTIVE DATE: July 20, 2011

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2011**

Introduced by Rep. Huuki

ENROLLED HOUSE BILL No. 4746

AN ACT to amend 2006 PA 110, entitled "An act to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 205 (MCL 125.3205).

The People of the State of Michigan enact:

Sec. 205. (1) A zoning ordinance is subject to the electric transmission line certification act, 1995 PA 30, MCL 460.561 to 460.575.

(2) A county or township shall not regulate or control the drilling, completion, or operation of oil or gas wells or other wells drilled for oil or gas exploration purposes and shall not have jurisdiction with reference to the issuance of permits for the location, drilling, completion, operation, or abandonment of such wells.

(3) An ordinance shall not prevent the extraction, by mining, of valuable natural resources from any property unless very serious consequences would result from the extraction of those natural resources. Natural resources shall be considered valuable for the purposes of this section if a person, by extracting the natural resources, can receive revenue and reasonably expect to operate at a profit.

(4) A person challenging a zoning decision under subsection (3) has the initial burden of showing that there are valuable natural resources located on the relevant property, that there is a need for the natural resources by the person or in the market served by the person, and that no very serious consequences would result from the extraction, by mining, of the natural resources.

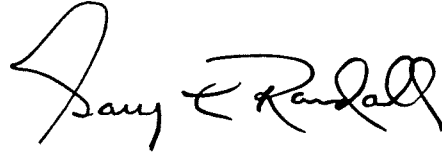
(5) In determining under this section whether very serious consequences would result from the extraction, by mining, of natural resources, the standards set forth in *Silva v Ada Township*, 416 Mich 153 (1982), shall be applied and all of the following factors may be considered, if applicable:

- (a) The relationship of extraction and associated activities with existing land uses.
- (b) The impact on existing land uses in the vicinity of the property.
- (c) The impact on property values in the vicinity of the property and along the proposed hauling route serving the property, based on credible evidence.
- (d) The impact on pedestrian and traffic safety in the vicinity of the property and along the proposed hauling route serving the property.
- (e) The impact on other identifiable health, safety, and welfare interests in the local unit of government.
- (f) The overall public interest in the extraction of the specific natural resources on the property.

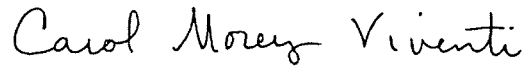
(6) Subsections (3) to (5) do not limit a local unit of government's reasonable regulation of hours of operation, blasting hours, noise levels, dust control measures, and traffic, not preempted by part 632 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.63201 to 324.63223. However, such regulation shall be reasonable in accommodating customary mining operations.

(7) This act does not limit state regulatory authority under other statutes or rules.

This act is ordered to take immediate effect.



.....
Clerk of the House of Representatives



.....
Secretary of the Senate

Approved

.....
Governor

LAND DIVISION
ASSESSOR'S CHECK LIST

1. Parcel Number 4701-10-200-002
2. Owner of record Elwood & Norma Cole
3. Parent parcel number 4701-10-200-002
4. Owner as of 3-31-97 Elwood & Norma Cole
5. Parent parcel acreage 160.00
6. Current parcel acreage 100.00
7. Divisions available as of 03-31-97 160
8. Previous divisions taken 0
9. Divisions available 13
10. Divisions requested 1
11. Divisions approved 1

Signed Karina Page
Conway Township Assessor

Date June 29, 2011

CONWAY TOWNSHIP

8015 N Fowlerville Road

PO Box 1157

Fowlerville MI 48836

Phone 517-223-0358

Fax 517-223-0533

PARCEL DIVISION APPLICATION

Please answer all questions and include all attachments.

Bring or mail to Conway Township at the above address. Must arrive 14 calendar days prior to the next scheduled Planning Committee meeting.

Approval of a division of land is required before it is sold, when a new parcel is less than 40 acres and not just a property line adjustment (Sec 102 e & f)

This form is designed to comply with Sec. 108 and 109 of the Michigan Land Division Act (formerly the subdivision control act P.A. 288 of 1967 as amended particularly by P.A. 591 and P.A 87 of 1997, MCL560.101 et.seg)

(Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.)

1. LOCATION of PARENT to be split: Address: 10740 Road Name Fowlerville

PARENT PARCEL IDENTIFICATION NUMBER: _____

Parent Parcel Legal Description (DESCRIBE OR ATTACH) Attached

2. PROPERTY OWNER INFORMATION:

Name: Elwood & Norma Cole Address: 10740 Fowlerville Road

Phone: (717) 223-9501 Zip code: 48836

3. PROPOSED DIVISION(S) TO INCLUDE THE FOLLOWING:

- A. Number of new Parcels 1
- B. Intended use (Residential, Commercial, etc.) Res.
- C. Each proposed parcel has depth to width ration of 4 to 1 or _____ to _____ as provided by ordinance.
- D. Each parcel has a width of 150 (not less than required by ordinance)
- E. Each parcel has an area of 87,120 (not less than required by ordinance)
- F. The division of each parcel provided access as follows: (Check one)
 - Each new division has frontage on an existing public road. Road Name Fowlerville
 - A new shared driveway with attached maintenance agreement
 - A new private road with attached maintenance agreement. Proposed Road Name _____

G. Describe or attach a legal description of proposed new road, easement or shared driveway: _____

H. Describe or attach a legal description for each proposed new parcel. To be furnished
by a licensed surveyor

4. FUTURE DIVISIONS being transferred from the parent parcel to another parcel.

Indicate number transferred 13

(See section 109(2) of the Statute. Make sure your deed includes both statements as required in 109(3 & 4) of the Statute.)

5. DEVELOPMENT SITE LIMITS (Check each which represents a condition which exists on the parent parcel:

- | | |
|---|--|
| <input type="checkbox"/> Waterfront Property (river, lake, pond, etc.) | <input type="checkbox"/> Includes wetlands |
| <input type="checkbox"/> Is within a flood plain | <input type="checkbox"/> Includes a beach |
| <input type="checkbox"/> Is a muck soils or soils known to have severe limitation for a site sewage system. | |

6. ATTACHMENTS: All the following attachments **MUST** be included. Letter each attachment as shown:

A. A scale drawing-not smaller than 1" to 100' for the proposed division(s) of the parent parcel showing:

1. Current boundaries (as of March 31, 1997), and
2. All previous divisions made after March 31, 1997 (indicated when made or none), and
3. The proposed division(s) and
4. Dimensions of the proposed divisions, and
5. Existing and proposed road/easement right-of-way(s), and
6. Easements for public utilities from each parcel that is a development site to existing public utility facilities, and
7. Any existing improvements (buildings, wells, septic systems, driveways, etc.) and
8. Any of the feature checked in question number 5.

B. Indication of approval, or permit from the appropriate county road commission, Michigan Department of Transportation.

Or respective city/village street administrator, that a proposed easement provides vehicular Access to an existing Road or street meets applicable locations standards.

C. A copy of any reserved division rights (Sec. 109(2) of the act) in the parent parcel.

D. A current paid Tax Bill. (**LAND DIVISION WILL NOT HAPPEN UNTIL ALL TAXES ARE PAID ON PARENT PARCEL.**)

E. A signed statement from the Township Assessor that the resulting parcels can be given a SID number.

7. IMPROVEMENTS- Describe any existing improvements (buildings, well, septic, etc., which are on the parent parcel or indicate none.)

8. ACKNOWLEDGEMENT – The undersigned acknowledges that any approval of the within application is not a determination that the resulting parcels comply with other applicable ordinances, rules or regulations which may control the use or development of the parcels. It is also understood that ordinances, laws and regulations are subject to change and that any approved parcel division is subject to such changes that may occur before the recording of the division or the development of the parcel(s). The division should be recorded with the Liber and Page number on the survey.

Property Owner's Signature Norma M Cole Date: _____

Co-Owner's Signature _____ Date: _____

For office use only:

Signature: _____ Application Completed Date: _____

Approval Date: _____

Denial Date: _____ Reason for denial: _____

Or please see attached for explanation of denial.

June 29, 2011

To Whom It May Concern:

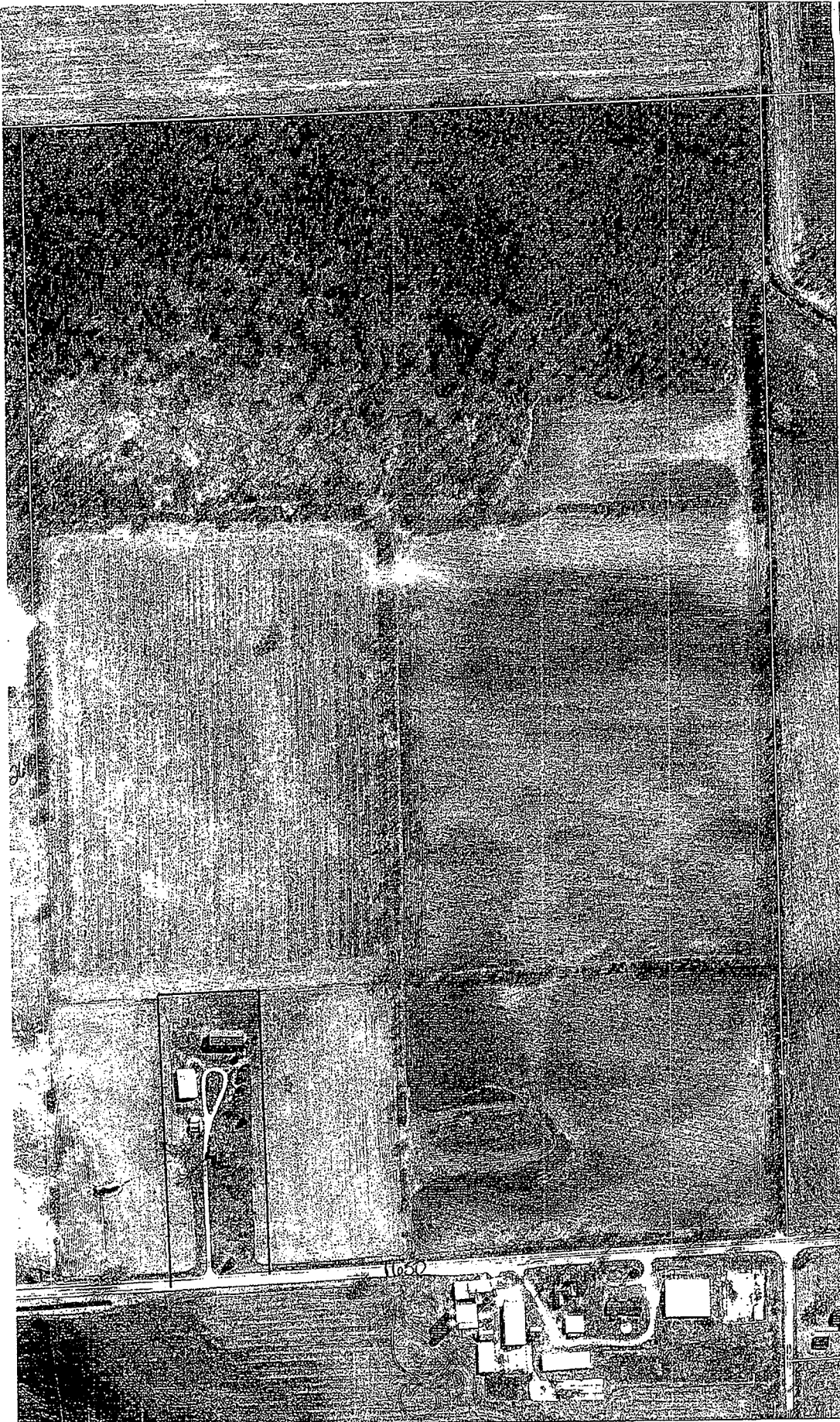
I Norma Cole hereby authorize Paul J. Harmon of Harmon Real Estate, LLC to act on my behalf in order to obtain the land division for our property located at 10740 Fowlerville Road.

Should have any questions please contact me at 223-9501.

Sincerely,

Norma M. Cole

Norma Cole



Copyright Power Survey, 2005
Printed March 11, 2011



Livingston County, Michigan
Information Technology Department



P-1- House - 210x660 = 3.26
P-2- remainder approx. → 96.7 Acres

* must maintain 25 feet
Side yard for out building

Conway Township Planning Commission Meeting Minutes

August 8, 2011

Agenda	Items Discussed	Actions to be Taken
Attendees	<ul style="list-style-type: none"> • Public: Herm and Shirley Yost, one other resident • Board Members present: Dennis Bowdoin, Cindy Dickerson, George Pushies, John Harless, Dennis Sommer, Londa Horton. • Absent: Scott Buell 	
Call to Order and Pledge to Flag	<p>John Harless called the Conway Township Planning Commission meeting to order at 7:30pm and led in the Pledge of Allegiance.</p> <p>Next meeting is September 12, 2011.</p>	
Minutes from last meeting	<p>Minutes from the July 11 meeting were reviewed. Dennis Bowdoin made a motion to accept the minutes, Dennis Sommer second. All in favor, motion passed.</p>	
Call to Public	-0-	
Communications	<p>Cindy Dickerson reported:</p> <ul style="list-style-type: none"> • Bill 4746 Act 113 is now in effect regarding the mining of minerals on personal property, e.g. gravel pits. • USDA Forest Service grants are available to encourage growth of trees for local units of government. 	
Land Divisions	-0-	

Conway Township Planning Commission Meeting Minutes August 8, 2011

Agenda	Items Discussed	Actions to be Taken
Old and New Business	<p>Cindy Dickerson reported:</p> <ul style="list-style-type: none"> • Bylaw update: Ordinance 21 was changed by Abby Cooper, attorney. Dennis Bowdoin moved to approve Abby's changes in addition to the changes noted below and to send them to the Township Board. George Pushies second. All in favor, motion passed. <ul style="list-style-type: none"> ○ Typo "full disclosure". ○ F1B change ○ Discussion over page 4, item 3C, "During deliberation of the agenda item before the Commission or committee, leave the meeting or remove one's self (leave the meeting was stricter than remove one's self). ○ Page 4, item F2 site inspections should be Jeff Soli's responsibilities. Strike the word "orally" regarding an oral presentation of the site inspection to the Commission. Insert, "An oral presentation may be requested by the Commission." <p>John Harless will update charts in the Master Plan.</p> <p>Scott Buell completed the transportation traffic flow data report.</p> <p><u>Documentation Issue</u> Cindy Dickerson received a complaint of a gentleman building a pole barn in front of his house which was not approved. This issue surfaced the need for a process to document complaints.</p> <p><u>Verizon Cell Tower</u> Cindy Dickerson reported that Verizon is waiting for the land owners to discover how the trust will handle the Verizon cell tower construction.</p> <p><u>Citizen Survey</u> Dennis Bowdoin commented that one of the open ended comments to the Citizen Survey he thought referenced the wrong township as it referenced the library, etc. Lots of comments regarding those wanting police protection and citizen complaints regarding speeding vs. those wanting better roads. George Pushies moved to maintain the Citizen Survey with summary comments for public viewing for three years. Motion seconded by Dennis Sommer. All in favor, motion passed.</p> <p><u>Conway Township Park</u> George Pushies motioned to transform the N.W. corner of the township hall property into a public park for the township. Dennis Sommer seconded. All in favor, motion passed.</p>	<p>Cindy Dickerson to note changes to the Conway Township Planning Commission Bylaws of September 8, 2008 as noted herein to report to the Township Board.</p> <p>John Harless to update Master Plan charts.</p> <p>Cindy Dickerson to retain Citizen Survey with comments for 3 years.</p> <p>Cindy Dickerson to take to the Township Board the motion to transform N.W. corner into a public park.</p>

Conway Township Planning Commission Meeting Minutes

August 8, 2011

Agenda	Items Discussed	Actions to be Taken
Update from the Board	<p>Cindy Dickerson reported:</p> <ul style="list-style-type: none"> • Road projects updated: <ul style="list-style-type: none"> ○ Marsh road completed ○ Chase Lake road still in progress ○ Sober road still in progress • The Township Board amended the purchasing policy and eliminated the old law. • Larry Parsons was sent to an ordinance enforcement workshop. • Norma Cole's land division was approved. 	
General Discussion	<p>John Harless commented that he will be distributing the work load amongst all Commissioners in the future.</p>	
Adjournment	<p>George Pushies moved to adjourn the meeting at 8:26pm, seconded by Cindy Dickerson. All in favor, motion passed.</p>	

CHAPTER 4

EXISTING LAND USE

Existing land use in Conway Township is illustrated on Map 4-1. The land use inventory was based on Michigan Resource Information System (MIRIS) land use data compiled from 1985 aerial photograph and updated from 1990 aerial photography by SEMCOG. The Conway Township Planning Commission reviewed and updated the inventory.

Agriculture

Conway Township has 24,138 acres of land encompassing approximately 37.7 square miles. Agricultural uses including cropland, pasture, confined feeding, orchards and horticulture comprise 65.28 percent (15,757 acres), the highest single percentage of land cover in Conway Township. Agricultural lands are evenly distributed throughout the township. Livingston County has approximately 33 percent of its total acreage covered by croplands.

TREND

decided - sect 1

Agricultural trends have for many years indicated that the number of farms is shrinking while their average size grows. Overall, total farm acreage has dwindled as urban developments have gradually taken over. Farm acreage in Livingston County has ~~demised~~ by 36,621 acres in the fifteen-year period between 1982 - 1997; this is equivalent to the loss of one entire township and nearly 3/4 of another. The State of Michigan has experienced a 2% loss in total farm acreage from 1991 - 1997. In the ten year period between (1987 - 1997) there has been a 4% loss in total farm acreage. Michigan has lost 535 farms (1 % of total) between 1992 - 1997 and 5,145 (9% of total) in the ten-year period between 1987 - 1997.

Source: 2001 Livingston County Data book and Community Profile,

Woodlands

Woodlands make up 7.8 percent (1883) acres) of Conway Township. This land use category includes deciduous and coniferous woodlots of upland character. Woodland areas are scattered throughout the township with several large parcels of over a hundred acres located in the northeast quadrant of the township. In Section 15 an eleven-acre tract of pine exists.

Vacant/Undeveloped

Vacant/Undeveloped open areas represent 8.05 percent (1947 acres) of total land area in Conway Township. These areas are covered by herbaceous or shrub vegetation and are fairly evenly distributed throughout the township. The county percentage of land in vacant areas is 19.6 percent.

Wetlands and Waterways

Over 14.4 percent (3477 acres) of Conway's land is officially classified as wetlands (3,451 acres) and waterways (26 acres). It should be noted that lowland hardwoods are not officially classified with wetland areas, but they are often considered wetlands subject to MDNR permit requirement. Many of the township's wetlands exist in relatively large contiguous areas rather than in small pockets. Most of these areas are primarily associated with the river channels and drainage ways. Wetlands and waterways comprise percent of the county's total land cover.

Residential

Almost 4.2 percent (1006 acres) of Conway's land is used for low-density single family dwellings. (Note: This is a large increase from 1990 when only 451 acres were being used for low-density single-family dwellings.) Residential areas are distributed relatively evenly throughout the township with a slightly higher concentration in the southern half. The county has about 13 percent of its land dedicated to residential uses.

Commercial/Public

Commercial/Public land uses represent the smallest percentage (.27 percent) of land use cover type with 66 acres. Air transportation (Maple Grove airfield) comprises the vast majority (64.9 acres) of this land use category with the remaining labeled commercial strips.

CONWAY TOWNSHIP ACREAGE IN LAND USE 1995			
	Acres	% of Township Total	% of County Total
Agriculture	15,757	65.3	33.06
Public	60	0.23	0.60
Commercial	6	0.02	0.35
Single Family Homes	1,006	4.15	12.7
Vacant/Undeveloped	1,947	8.1	19.6
Waterways & Wetlands	3,477	14.4	18.33
Woodlands	1,883	7.8	12.2
High Density Residential			0.35
Industrial			1.12

Recreation			1.00
Limited Excess Highway			0.66

CHAPTER 5

TRANSPORTATION

Local and regional traffic flows depend upon the smooth operation of the existing thoroughfare system. Conway's road system is limited to country primary and secondary roads and to private roads. Conway Township has 68.25 miles of roadway with 13.07 miles (19.2%) of paved surface. Gravel surface makes up the remaining 55.18 miles (80.8%) of the township municipal roadway network. Twenty-four (24) hour traffic counts for Conway Township's roads are presented below and illustrated on Map 5- 1

Source: Livingston Department of Financing Update March 2001

<u>MAIN ROAD</u>	<u>DIRECTION</u>	<u>CROSSROAD</u>	<u>TRAFFIC</u>	<u>YEAR</u>
Bell Oak	West of	Nicholson	88	2000
Chase Lake	East of	Fowlerville	1123	2000
Chase Lake	East of	Herrington	408	2000
Chase Lake	East of	Nicholson	993	2000
Chase Lake	West of	Fowlerville	1376	2000
Chase Lake	West of	Nicholson	719	2000
Chase Lake	West of	Owosso	981	2000
Fowlerville	North of	Chase Lake	4227	2000
Fowlerville	North of	Hayner	2060	2000
Fowlerville	North of	Mohrle	1866	2000
Fowlerville	North of	Sober	1335	2000
Fowlerville	South of	Chase Lake	4830	1999
Fowlerville	South of	Hayner	3464	2000
Fowlerville	South of	Sober	1766	2000
Hayner	East of	Fowlerville	1216	2000
Hayner	East of	Robb	1071	2000
Hayner	West of	Robb	1022	1999
Herrington	North of	Chase Lake	206	2000
Herrington	North of	Sherwood	299	2000
Mohrle	East of	Fowlerville	141	2000
Mohrle	East of	Nicholson	200	2000
Mohrle	West of	Fowlerville	417	2000
Nicholson	North of	Bell Oak	257	2000
Nicholson	North of	Chase Lake	514	2000
Nicholson	South of	Bell Oak	408	2000



Livingston County Road Commission

Transportation Data Management System



Form View

Export XLS

Table Counts

81 Records Found

Loc ID	County	Community	On	From	To	At	Dir	Latest
1000	Livingston	Conway Twp	FINLAN	PIERSON	MOHRLE		2-WAY	90
1001	Livingston	Conway Twp	FINLAN	MOHRLE	VOGT		2-WAY	60
1039	Livingston	Conway Twp	FOWLERVILLE	CHASE LAKE	SHERWOOD		2-WAY	3550
1044	Livingston	Conway Twp	FOWLERVILLE	HAYNER	MOHRLEE		2-WAY	2210
1049	Livingston	Conway Twp	FOWLERVILLE	VOGT	HORN		2-WAY	1870
1051	Livingston	Conway Twp	FOWLERVILLE	KILLINGER	HAYNER		2-WAY	2920
1061	Livingston	Conway Twp	FOWLERVILLE	MOHRLE W	VOGT		2-WAY	1940
1076	Livingston	Conway Twp	FOWLERVILLE	SHERWOOD	KILLINGER		2-WAY	3260
1081	Livingston	Conway Twp	FOWLERVILLE	SOBER	LOVEJOY		2-WAY	1510
1084	Livingston	Conway Twp	FOWLERVILLE	HORN	SOBER		2-WAY	1750
1274	Livingston	Conway Twp	GRANT	MILLER	GREGORY		2-WAY	120
1275	Livingston	Conway Twp	GRANT	NICHOLSON	MILLER		2-WAY	110
1289	Livingston	Conway Twp	GREGORY	CHASE LAKE	SHERWOOD		2-WAY	190
1290	Livingston	Conway Twp	GREGORY	GRANT	CHASE LAKE		2-WAY	180
1299	Livingston	Conway Twp	GREGORY	ALLEN	GRANT		2-WAY	270
1306	Livingston	Conway Twp	GREGORY	SHERWOOD	KILLINGER		2-WAY	140
1312	Livingston	Conway Twp	GREGORY	KILLINGER	PIERSON/FINLAN		2-WAY	120
1420	Livingston	Conway Twp	HAYNER	FOWLERVILLE	MARSH		2-WAY	930
1428	Livingston	Conway Twp	HAYNER	MARSH	ROBB		2-WAY	850
1431	Livingston	Conway Twp	HAYNER	ROBB	OWOSSO		2-WAY	720
156	Livingston	Conway Twp	BELL OAK	STOW	NICHOLSON		2-WAY	120
157	Livingston	Conway Twp	BELL OAK	HERRINGTON	STOW		2-WAY	120
1624	Livingston	Conway Twp	KILLINGER	GREGORY	FOWLERVILLE		2-WAY	280
1747	Livingston	Conway Twp	LOVEJOY	FOWLERVILLE	BLIVEN		2-WAY	380
1749	Livingston	Conway Twp	LOVEJOY	BLIVEN	OWOSSO		2-WAY	250



Livingston County Road Commission



Transportation Data Management System

Form View | Export XLS

81 Records Found

Loc ID	County	Community	On	From	To	At	Dir	Latest
1793	Livingston	Conway Twp	MARSH	MOHRLE	SOBER		2-WAY	190
1794	Livingston	Conway Twp	MARSH	HAYNER	MOHRLE		2-WAY	120
1903	Livingston	Conway Twp	MILLER	ALLEN	GRANT		2-WAY	30
1906	Livingston	Conway Twp	MOHRLE	FOWLerville N	FOWLerville S		2-WAY	2050
1907	Livingston	Conway Twp	MOHRLE	FINLAN	FOWLerville N		2-WAY	420
1908	Livingston	Conway Twp	MOHRLE	FOWLerville S	MARSH		2-WAY	220
1909	Livingston	Conway Twp	MOHRLE	NICHOLSON	FINLAN		2-WAY	300
1910	Livingston	Conway Twp	MOHRLE	STOW S	NICHOLSON		2-WAY	200
1911	Livingston	Conway Twp	MOHRLE	HERRINGTON	STOW N		2-WAY	200
1912	Livingston	Conway Twp	MOHRLE	STOW N	STOW S		2-WAY	260
1919	Livingston	Conway Twp	MOYER	HERRINGTON	STOW		2-WAY	80
1928	Livingston	Conway Twp	NICHOLSON	ALLEN	GRANT		2-WAY	660
1932	Livingston	Conway Twp	NICHOLSON	BELL OAK	PIERSON		2-WAY	330
1933	Livingston	Conway Twp	NICHOLSON	SHERWOOD	BELL OAK		2-WAY	430
1934	Livingston	Conway Twp	NICHOLSON	CHASE LAKE	SHERWOOD		2-WAY	540
1935	Livingston	Conway Twp	NICHOLSON	GRANT	CHASE LAKE		2-WAY	570
1948	Livingston	Conway Twp	NICHOLSON	PIERSON	MOHRLE		2-WAY	280
1958	Livingston	Conway Twp	NICHOLSON	SOBER	LOVEJOY		2-WAY	160
1959	Livingston	Conway Twp	NICHOLSON	VOGT	SOBER		2-WAY	160
1967	Livingston	Conway Twp	NICHOLSON	MOHRLE	VOGT		2-WAY	220
2192	Livingston	Conway Twp	PIERSON	NICHOLSON	FINLAN		2-WAY	60
2316	Livingston	Conway Twp	ROBB	CHASE LAKE	SHERWOOD		2-WAY	160
2317	Livingston	Conway Twp	ROBB	ALLEN	CHASE LAKE		2-WAY	120
2318	Livingston	Conway Twp	ROBB	SHERWOOD	HAYNER		2-WAY	90
2433	Livingston	Conway Twp	SHERWOOD	FOWLerville	ROBB		2-WAY	200

1 2 3 4



Livingston County Road Commission 
 Transportation Data Management System

Form View | Export XLS

81 Records Found

Loc ID	County	Community	On	From	To	At	Dir	Latest
2434	Livingston	Conway Twp	SHERWOOD	GREGORY	FOWLerville		2-WAY	210
2436	Livingston	Conway Twp	SHERWOOD	NICHOLSON	GREGORY		2-WAY	190
2437	Livingston	Conway Twp	SHERWOOD	STOW	NICHOLSON		2-WAY	140
2438	Livingston	Conway Twp	SHERWOOD	ROBB	OWOSSO		2-WAY	100
2441	Livingston	Conway Twp	SHERWOOD	HERRINGTON	STOW		2-WAY	170
2479	Livingston	Conway Twp	SOBER	FOWLerville	MARSH		2-WAY	90
2480	Livingston	Conway Twp	SOBER	NICHOLSON	FOWLerville		2-WAY	240
2483	Livingston	Conway Twp	SOBER	STOW	NICHOLSON		2-WAY	90
2484	Livingston	Conway Twp	SOBER	MARSH	OWOSSO		2-WAY	200
2486	Livingston	Conway Twp	SOBER	HERRINGTON	STOW		2-WAY	90
2542	Livingston	Conway Twp	STOW	BELL OAK	MOHRLE		2-WAY	80
2544	Livingston	Conway Twp	STOW	BRIMLEY	SOBER		2-WAY	70
2545	Livingston	Conway Twp	STOW	MOHRLE	BRIMLEY		2-WAY	130
2546	Livingston	Conway Twp	STOW	CHASE LAKE	MOYER		2-WAY	280
2547	Livingston	Conway Twp	STOW	ALLEN	CHASE LAKE		2-WAY	210
2551	Livingston	Conway Twp	STOW	SHERWOOD	BELL OAK		2-WAY	130
2552	Livingston	Conway Twp	STOW	MOYER	SHERWOOD		2-WAY	180
2553	Livingston	Conway Twp	STOW	SOBER	LOVEJOY		2-WAY	90
2669	Livingston	Conway Twp	VOGT	FINLAN	FOWLerville		2-WAY	50
2670	Livingston	Conway Twp	VOGT	NICHOLSON	FINLAN		2-WAY	40
2894	Livingston	Conway Twp	FOWLerville	ALLEN	CHASE LAKE		2-WAY	4620
294	Livingston	Conway Twp	BRIMLEY	HERRINGTON	STOW		2-WAY	70
481	Livingston	Conway Twp	CHASE LAKE	FOWLerville	ROBB		2-WAY	560
484	Livingston	Conway Twp	CHASE LAKE	GREGORY	FOWLerville		2-WAY	1020
496	Livingston	Conway Twp	CHASE LAKE	NICHOLSON	GREGORY		2-WAY	850

1 2 3 4



Livingston County Road Commission



Transportation Data Management System

Form View Export XLS

81 Records Found

Loc ID	County	Community	On	From	To	At	Dir	Latest
499	Livingston	Conway Twp	CHASE LAKE	STOW	NICHOLSON		2-WAY	540
506	Livingston	Conway Twp	CHASE LAKE	ROBB	OWOSSO		2-WAY	440
515	Livingston	Conway Twp	CHASE LAKE	HERRINGTON	STOW		2-WAY	280
65	Livingston	Conway Twp	ALLEN	NICHOLSON	MILLER		2-WAY	240
72	Livingston	Conway Twp	ALLEN	STOW	NICHOLSON		2-WAY	210
73	Livingston	Conway Twp	ALLEN	HERRINGTON	STOW		2-WAY	150
1 2 3 4								

Conway Township Planning Commission Meeting Minutes September 12, 2011

Agenda	Items Discussed	Actions to be Taken
Attendees	<ul style="list-style-type: none"> • Public: Herm and Shirley Yost, • Board Members present: Dennis Bowdoin, Cindy Dickerson, George Pushies, Dennis Sommer, Londa Horton, Scott Buell • Absent: John Harless, 	
Call to Order and Pledge to Flag	<p>Vice Chair, Dennis Sommer called the Conway Township Planning Commission meeting to order at 7:30pm and led in the Pledge of Allegiance.</p> <p>Next meeting is OCTOBER 10, 2011.</p>	
Minutes from last meeting	<p>Minutes from the August 8 meeting were reviewed. Dennis Bowdoin made a motion to accept the minutes, Cindy Dickerson second. All in favor, motion passed.</p>	
Call to Public	-0-	
Communications	<p>Dennis Bowdoin reported:</p> <ul style="list-style-type: none"> • Livingston County Planner is holding a brown bag lunch and learn on Low Impact Development Techniques. <p>Cindy Dickerson reported:</p> <ul style="list-style-type: none"> • The Michigan Dept. of Ag contacted Kingsley Farms on July 21st regarding manure run-off in response to an environmental complaint. One possible resolution would be the installation of a filter strip to manage the manure. • August 12th a Public Hearing was held regarding the construction of a new home at 7379 Sober Rd. by Primo and Janet Marrocco who had applied for a variance from the Livingston County Public Health Dept. The property owners are requesting to install a Norweco pre-treatment system. The variance was approved with the stipulation that they cannot split the property of 30 acres and they must use an alternative sewage treatment method. • September 15, 2011 a public meeting on the Grand River Avenue traffic flow study was conducted at Genoa Charter Township Hall. 	
Land Divisions	-0-	

Conway Township Planning Commission Meeting Minutes

September 12, 2011

Agenda	Items Discussed	Actions to be Taken
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Old and New Business	<p>Bylaw changes from the August meeting were officially signed by the Planning Commissioners and returned by the Clerk. The Township Board has no decision on this.</p> <p>Dennis Bowdoin made motion to request funds for Planning Commissioners to hold a second meeting each month to conduct the Master Plan review at the regular rate of compensation until the project is completed. Meetings are not to exceed two hours in duration. –Or- the Township Board can seek bids for a professional planner to update the Master Plan. Motion seconded by Scott Buell. All in favor. Motion passed.</p> <p>Cindy Dickerson is taking a class on Complete Streets which draws awareness of everyone that uses the road, e.g. equestrian trails, bike paths, jogging paths, etc. The Planning Commissioners need to consider planning for this in the future Master Plan.</p> <p>George Pushies suggested we may want to have a presence at the upcoming Fowlerville Business Expo.</p> <p>John Harless and Cindy Dickerson went to Dawn Patrol and solicited 12 pledge signatures toward building a heritage gazebo with stepping stones for the Conway Heritage Park project. The Township Board is requesting a detailed plan of the project before approval is granted.</p> <p>Cindy Dickerson moved to have the basement removed at 6096 N. Gregory which has been vacant and not finished for at least 5 years and to take the matter to the Township Board. Dennis Bowdoin seconded the motion. All in favor. Motion passed.</p> <p>Cindy Dickerson researched the matter of requiring Kenneth Ott to purchase a Special Use Permit for his trucking business. George Pushies moved to send the issue to the Board for action, second by Dennis Bowdoin. All in favor. Motion passed.</p> <ul style="list-style-type: none"> 7/19/05 Ott's appeared before the Board concerning possible requirement to obtain a Special Use Permit 8/8/05 Debbie Ott approached Maurice Kingsley regarding having 2-3 trucks at their residence and was told it was probably okay. 9/12/05 the Planning Commission informed Ott's they were required to obtain a Special Use Permit and not to exceed 3 tractors or 2 trailers on the property in question. 9/20/05 Kenneth Ott was told by the board he needed a Special Use Permit for his trucking operation. 	<p>Dennis Bowdoin and Cindy Dickerson to present Master Plan review motion to the Township Board.</p> <p>John Harless and Cindy Dickerson will assist in providing a detailed site plan of the concept of a Conway Heritage Park for submission to the Board.</p> <p>Cindy Dickerson to present removal of vacant unfinished basement at 6096 N. Gregory to the Board.</p> <p>Cindy Dickerson to present requirement of Kenneth Ott to obtain a Special Use Permit to the Board.</p>
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Conway Township Planning Commission Meeting Minutes

September 12, 2011

Agenda

Items Discussed

Actions to be Taken

	<p>Cindy Dickerson researched the matter concerning <u>Mr. Body's four trucks at his residence</u>. George Pushies moved to send the issue to the Board, second by Dennis Bowdoin. All in favor. Motion passed.</p> <ul style="list-style-type: none"> 9/12/05 -He was told by the Planning Commission he must house two trucks inside and can have two trucks outside not to exceed four trucks. This was conditional and to be reviewed in one year to discuss screening. <p><u>Freedom Net tower</u> issue came before the Board and they were told they need a Special Use Permit and it requires a Public Hearing. Dennis Bowdoin moved to send the issue of putting the antennae installation on top of an existing tower structure, subject not to come back to the Planning Commission unless a new issue arises, to the Board. Second by Scott Buell. All in favor. Motion passed with five yes and one no vote.</p> <ul style="list-style-type: none"> The process requires that they submit the application for a Special Use Permit to the Planning Commission, upon approval it goes to the Board for a Public Hearing. The Board can then approve the Permit or send it back. This is documented in Zoning Ordinance 13.2 of C2. <p><u>At&t was not successful in their purchase of T-Mobile.</u> Therefore it was speculated that At&t did not want to appear as possessing a monopoly of cell phone towers and therefore will not pursue the construction of a cell tower in Conway Township.</p> <p><u>Zoning Ordinance 6.06D speaks to the issue of requiring the location of a garage or outbuilding in the yard to be constructed behind the house.</u> Due to the nature of the wetland typography in Conway Township some landowners request a variance. The recommendation was made for all Commissioners to research this ordinance.</p>	<p>Cindy Dickerson to present to the Board the issue of having an annual review of Mr. Body's trucking operation.</p> <p>Cindy Dickerson to present to the Board Special Use Permit and Public Hearing requirement for the Freedom Net tower.</p> <p>All Commissioners to research Zoning Ordinance 6.06D</p>
<p>Update from the Board</p>	<p>August 2011 meeting:</p> <ul style="list-style-type: none"> 8377 Sober Rd. property owners sent a letter regarding removal of the burned house. Marilyn Bailey has done nothing regarding conforming to the Zoning Requirements for her hobby kennel. 8614 Allen Road was inspected by the Building Department. This is the property with the burned barn that did not properly care for their animals. Cindy Dickerson made a form to document formal complaints as part of the Township Ordinance Enforcement 	

Conway Township Planning Commission Meeting Minutes September 12, 2011

Agenda	Items Discussed	Actions to be Taken
	Policy. Citizens may file an anonymous complaint. The Township Supervisor is to check out the complaint and give the form back to the Township Clerk to file for future reference.	
Call to the Public	-0-	
Adjournment	George Pushies moved to adjourn at 9:45pm, second by Scott Buell. All in favor. Motion passed.	

Conway Township
Planning Commission Meeting

September 12, 2011

(All here)

- 1) Call to order & Pledge to Flag 7:30 pm, Vice Chair Dennis Sommer -
- 2) Minutes of the 8/8 meeting approval min. Dennis & Cindy - approved.

- Call to Public

3) Communications

- Dennis B. - Livingston County Planner Sept. 28 ^{NOON} Brown Bag. Low impact development techniques.
- Cindy - Kingsley farm - Min. Dept. of Ag. contacted regarding use of farm from farm. July 31 inspection ~~note~~. response to environmental complaint. Filled out strip part of manure mgmt. system.

4) Land Divisions

a) none

6) Old and New Business

a) Bylaw

b) Master Plan Section 4

c) Complete Streets

d) Harless Park update

e) 6096 N Gregory

f) Otts

g) Body

h) Freedom Net Tower

i) At&t

j) Zoning Ordinance 6.06 D

7) Update from the Board

8) Call to the Public

9) General Discussion

10) Adjournment

Aug. 1st 7379 Saker Rd Public Hearing
Livingston County Dept. of Public Health - applied for
Variance - Construct new home. Property
owner is NORWECO pre treatment system
requesting - Aug 12 - public hearing held.
Require a Sanitation
approved - site conditions.
Cannot split property of 30 acres.
* alternative methods of sewage
treatment

Sept. 15, 2011 Public Meeting ⁱⁿ Grand River Ave.
Study traffic flow at Terra Charter Township Hall

Bylaw were officially signed by Commissioners
Bd. has no decision on this.

Master Plan review - done by Commission
Dennis B. request funds 2nd meeting
each month until complete at reg. rate
of pay not to exceed \$2k. per meeting. until
completed.
- or - seek ~~for~~ ^{for} bids for professional
Planner. Scott 2nd - motion passed.

Conway Township Planning Commission Meeting Minutes

October 10, 2011

Agenda	Items Discussed	Actions to be Taken
Attendees	<ul style="list-style-type: none"> • Public: Herm Yost and one resident • Board Members present: Dennis Bowdoin, Cindy Dickerson, George Pushies, Scott Buell, Londa Horton, Dennis Sommer • Absent: John Harless 	
Call to Order and Pledge to Flag	<p>Vice Chair, Dennis Sommer called the Conway Township Planning Commission meeting to order at 7:30pm and led in the Pledge of Allegiance.</p> <p>Next meeting is November 14, 2011.</p> <p>Master Plan meeting is October 24, 2011 from 7-9pm</p>	
Minutes from last meeting	<p>Minutes from the September 12 meeting were reviewed. Dennis Sommer made a motion to accept the minutes, Cindy Dickerson second. All in favor, motion passed.</p>	
Call to the Public	-0-	
Communications	<p>Cindy Dickerson read a letter from the Dept. of Ag. dated 9/8/11 regarding the Kingsley farm. They are to construct a new waterway storage structure to be completed October 2011. Dept. of Ag. will conduct an inspection of the waste water storage on October 27, 2011 at 10am.</p>	
Land Divisions	-0-	

Conway Township Planning Commission Meeting Minutes
October 10, 2011

Agenda	Items Discussed	Actions to be Taken
<p>Old and New Business</p>	<ul style="list-style-type: none">• Cindy Dickerson and Dennis Sommer attended the Low Impact Development meeting. There are issues in Greenoak Township regarding detention and retention ponds not being maintained after the developers leave. Comment was made to offer developers extra land as a reward to continue maintenance.• Master Plan Meeting – The Township Board approved extra meetings with compensation until the Master Plan is completed. The Planning Commission will meet the third Monday of every month from 7-9pm. George Pushies is in charge of the donut brigade.• Ott Special Use Permit – The public hearing is next Tuesday at the Township Board meeting. Dennis Bowdoin made a motion that the Board approve the Special Use Permit as long as nothing comes up for the Planning Commission's review and with the following restrictions:<ul style="list-style-type: none">○ No more than 4 trucks/trailers/tankers allowed.○ The vehicles must be currently registered, licensed, insured and with plates.○ Snowplow trucks or other trucks that are not tankers are to be kept inside the barn.○ If material transported is covered by DOT or NFPA rules, it must comply with those rules, e.g. cannot park gas trucks inside, and must have an annual review of the Special Use Permit. <p>Londa Horton second. All in favor. Motion passed.</p> <ul style="list-style-type: none">• 9380 Vogt Road ZBA – Board allowed the building of a garage in front/side of a home due to special site conditions on the property.• Zoning Ordinance 6.06D – discussion regarding placement of garages in front of homes is at the discretion of the Commission, e.g. may waive restrictions. A site plan should be presented to the Commission when making the request.<ul style="list-style-type: none">○ Jeff Soli will be invited to the next meeting to clarify Special Use Permit allocation. The Commission desires a site plan submission by the requester and review prior to approval of the Permit.	<p>October 24, 2011 at 7pm is Master Plan meeting for all Planning Commissioners.</p> <p>Cindy Dickerson to present Ott Special Use Permit restrictions to the Board.</p> <p>Cindy Dickerson to invite Jeff Soli to the next meeting.</p>

Conway Township Planning Commission Meeting Minutes

October 10, 2011

Agenda	Items Discussed	Actions to be Taken
Update from the Board	<ul style="list-style-type: none"> • 8614 Allen Road – the vacant house that abused animals, lawyer is investigating what can be done to the property. Owners are still paying property taxes. • 8377 Sober Rd. – Abby, the attorney, sent a letter to the family to have them take action on the burned out house. • Marilyn Bailey was contacted to come before the Board regarding complying with the Zoning Ordinance of maintaining a hobby kennel. • N. Gregory Rd. vacant, uncovered basement owner was contacted by the Township Supervisor asking them to come before the Board. • Issue on Lovejoy Rd. with property containing oil drums. This is a Hazmat issue. • The Township Clerk and Supervisor started using the Complaint form to track issues. • Conway Township Hall parking lot repavement was tabled for next year. 	
Call to Public	-0-	
General Discussion	<ul style="list-style-type: none"> • Londa Horton brought up the construction of windmill energy power in Breckenridge. George Pushies commented that 137 windmills were up and the sites will be completed by end of the year. The blades pivot and have a flat pitch in case of destructive winds exceeding 40 mph. • Londa Horton inquired about the building of modular homes in this township. Discussion ensued about the difference between HUD and Michigan Building Code homes. Michigan Building Code homes can be researched from the Building Dept. and must have: <ul style="list-style-type: none"> ○ 4/12 minimum roof pitch ○ 1040 square feet secured to the foundation ○ No steel frame, instead 2 x 4 or 2 x 6 ○ Be aware of financing on a HUD modular. After 15 years, the structure could be worthless. 	
Adjourn	<ul style="list-style-type: none"> • George Pushies moved to adjourn at 9:06pm, second by Scott Buell. All in favor. Motion passed. 	

Conway Township Planning Commission Meeting Minutes

November 14, 2011

Agenda	Items Discussed	Actions to be Taken
Attendees	<ul style="list-style-type: none"> Public: Herm Yost, Jeff Soli, and two other residents. Commissioners present: Dennis Bowdoin, Cindy Dickerson, George Pushies, Dennis Sommer, Scott Buell, Londa Horton, John Harless. 	
Call to Order and Pledge to Flag	Vice Chair Dennis Sommer led the meeting and called the Conway Township Planning Commission meeting to order at 7:30pm and led in the Pledge of Allegiance.	
Minutes from last meeting	Minutes from the October 10, 2011 meeting were reviewed. Dennis Bowdoin made a motion to accept the minutes, Cindy Dickerson second. All in favor, motion passed.	
Call to Public	<ul style="list-style-type: none"> none 	
Zoning Ordinance Clarifications	<ul style="list-style-type: none"> Commissioners discussed with Officer Jeff Soli the intent and wording of Zoning Ordinance Section 6.05. The Ordinance does allow for the building of a pole barn prior to a house or even without a house on land within the Township. With regard to Zoning Ordinance 6.06D – in the placement of a garage in front of a home, the Commission requests that a site plan be presented to the Commission prior to action for a review. Zoning Ordinance 6.14 specifies the illegal dumping of garbage. Neighbors had complained of a resident on Robb Rd. illegally dumping garbage on the side of the garage. Officer Soli will respond and warn the resident. <p>Complaint Process Recommendation: Dennis Bowdoin moved to follow the process outlined below as part of the complaint process for Conway Township, Londa Horton second. All in favor, motion passed.</p> <ol style="list-style-type: none"> Complaint goes to Officer Soli first Officer visits the residence, warns the residents that they are out of compliance with the Zoning Ordinances of Conway Township and gives them approximately 15 days to rectify the issue. If the issue is not rectified within the specified timeframe, Officer Soli issues a citation. 	<p>Officer Soli to respond to Robb Rd. garbage complaint.</p> <p>Cindy Dickerson to take Complaint Process recommendation to the Township Board for approval.</p>
General Discussion	<ul style="list-style-type: none"> Ott's were granted a Special Use permit by the Township Board Mr. Body does not need a Special Use permit with one truck on the property. 	

Conway Township Planning Commission Meeting Minutes

November 14, 2011

Agenda	Items Discussed	Actions to be Taken
Master Plan Update	<ul style="list-style-type: none"> Dennis Bowdoin pointed out three items to include in the Master Plan as witnessed from the Cohoctah Master Plan. <ol style="list-style-type: none"> Deceleration lanes Screening for commercial Low impact development 	
Synagro Letter	<ul style="list-style-type: none"> Cindy Dickerson received a letter from Synagro regarding the land across from the Township Hall being treated with biosolids. They have gained approval of disposing of waste water treated biosolids. Metal tests of the waste were provided. 	
Livingston County Street Address Ordinance	<ul style="list-style-type: none"> GIS wants to redo address numbers in conflict that do not follow a uniform plan. They need an Ordinance to do so. Page 12 #3 is in conflict with the Conway Township Zoning Ordinance with regard to a shared driveway versus a private road. Page 11 A4 verbiage notes that an easement becomes a private street. Cindy Dickerson moved to table this discussion until all members had a chance to thoroughly review the letter. Dennis Bowdoin second. All in favor, motion passed. 	All Commissioners read Livingston County Street Address Ordinance and become familiar with what is in conflict with our zoning ordinances.
General Discussion	<ul style="list-style-type: none"> George Pushies moved that the Conway Township Board confer with Scott Buell, road expert, prior to road issue decisions. Dennis Bowdoin second. All in favor, motion passed. Cindy Dickerson sent out MTA Conference logistics. The early bird registration discount expires in December. John Harless expressed interest in attending. 	Cindy Dickerson alert Board of motion to confer with Scott Buell prior to road issue decisions.
Update from the Board	<ul style="list-style-type: none"> Cindy Dickerson received a letter regarding Kingsley's manure management issue. October 21, 2011 an inspection was conducted by Michigan Dept. of Ag. They will follow-up on November 18, 2011. Cindy Dickerson received a letter from Brian Jonckheere, Livingston County Drain Commissioner, requesting data on private drainage tiles/ditches, etc. from our township. He in return would supply a drain map and share with all involved parties. 	
Call to Public	-0-	
Adjourn	<p>George Pushies moved to adjourn at 9:05pm. Scott Buell second. All in favor, motion passed.</p> <p>Next meeting is Monday, November 21 regarding continued work on the Master Plan.</p>	

Conway Township Planning Commission Meeting Minutes

November 14, 2011

Agenda	Items Discussed	Actions to be Taken
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Master Plan Progress Report

October 24, 2011	Dennis Bowdoin, Cindy Dickerson, George Pushies, Dennis Sommer, Scott Buell, and Londa Horton met at Conway Township Hall and reviewed and revised verbiage in the previous Master Plan. Work progressed from the initial pages through page 20. The next meeting is scheduled to resume November 21, 2011.
Issues	Due to the variety of data used in the Master Plan and the data sources, there is conflicting data in many of the graphs. It was recommended that links to data sources be provided so that the most recent data would be secured at the time.
Be sure to include	<p>Dennis Bowdoin pointed out three items to include in the Master Plan as witnessed from the Cohoctah Master Plan.</p> <ol style="list-style-type: none"> 1. Deceleration lanes 2. Screening for commercial 3. Low impact development

Conway Township Planning Commission Meeting Minutes

December 12, 2011

Agenda	Items Discussed	Actions to be Taken
Attendees	<ul style="list-style-type: none"> • Public: Herm Yost, Jim Kecugh, Mike Kelly, Craig Horton, Bob Carur, Dan Keo • Commissioners present: Dennis Bowdoin, Cindy Dickerson, George Pushies, Dennis Sommer, Scott Buell, Londa Horton, John Harless. 	
Call to Order and Pledge to Flag	Chairman John Harless led the meeting and called the Conway Township Planning Commission meeting to order at 7:30pm and led in the Pledge of Allegiance.	
Minutes from last meeting	Minutes from the November 14 and 21 meeting were reviewed as well as the October 24, 2011 Master Planning meeting. Dennis Bowdoin made a motion to accept the minutes, Denny Sommer second. All in favor, motions passed.	
Call to Public	<ul style="list-style-type: none"> • none 	
Communications	<ul style="list-style-type: none"> • The MTA conference deadline is December 12, 2011 and will include Mort Crimm as the keynote. The conference is scheduled for January 25-27, 2012. • Members of the public were asked to sign-in to the meeting. 	
Land Divisions	<ul style="list-style-type: none"> • There is a boundary settlement request on behalf of Craig Horton and Mike Kelly at 9165 Grant Road. Londa Horton excused herself from the Planning Commission on this issue as a relative is involved. Craig Horton assumed the lot line was located at the old fence erected by his grandfather on the property. He then constructed a barn on the property which is now owned by Mike Kelly. The barn was erected outside of the current lot line. Craig and Mike, with the help of the real estate broker, Dan Keo, have agreed to the boundaries of a redrawn lot line so that the barn is included on the property purchased by Mike. The barn is only 15 feet from the lot line instead of the required 25 feet. Dennis Bowdoin made a motion to table this issue until it goes to the ZBA for hardship reason. Scott Buell seconded. All in favor. John Harless was excused as he is on the ZBA. Motion passed. Londa Horton resumed her position on the Planning Commission. 	Cindy Dickerson to prepare documentation required to process the boundary line to go to the ZBA. There is a \$150 fee.

Conway Township Planning Commission Meeting Minutes December 12, 2011

Agenda	Items Discussed	Actions to be Taken
<p>Old and New Business</p>	<ul style="list-style-type: none"> • December 19, 2011 is the next Master Plan meeting at 7pm. • Livingston County Addressing Ordinance – the county wants our input on how this can be changed. Dennis Bowdoin made a motion that the following be changed: <ul style="list-style-type: none"> ○ C3 needs a definition of a shared private drive ○ P. 12 B3 – take ‘road’ out and replace with ‘drive’ ○ P. 11 A4 – take out ○ P. 8S – strike the last sentence. Each carrier on a tower does not need an address. ○ If they make an amendment to this document, all townships must approve it. • Motion seconded by Scott Buell. All in favor. Motion passed. 	
<p>Update from Board</p>	<ul style="list-style-type: none"> • Evette Hughes home occupation application to run a home tie dye business was approved. • Chare Lake Road pavement was paid. • 9069 Gregory Rd. vacant basement owner was sent a letter by Supervisor, Mike Rife, regarding out of compliance. • Sober Road home burnt out was sent a letter as well. Will be followed up by a letter from Attorney Abby. • No response to Mike Rife’s letter to Marilyn Bailey regarding the hobby kennel. • The bank is paying the taxes on the home next to Chet Dietrich’s on Allen Road and there is still a mortgage on it. Abby will send a letter regarding the burnt out barn. • There are oil barrels on Lovejoy Road to which Mike Rife responded with a letter. No response, so Abby is following up with a letter. • Planning Commissioners George Pushies and Scott Buell were asked and agreed to stay on the Commission for another 3 year term. • Cindy Dickerson needs election workers. • John Harless expressed the desire to step down as Chairman due to health issues. • A Verizon representative came to the township office requesting permits. The previous company we had worked with went bankrupt. Cindy Dickerson gave him Jeff Solis’ number for a Land Use Permit. They want to pursue the tower in the spring. • Dennis Bowdoin discussed the weeds, garbage, etc. general ordinance. We can currently issue a civil infraction, clean it up and assess the home owners’ taxes as a result. 	

Conway Township Planning Commission Meeting Minutes

December 12, 2011

Agenda	Items Discussed	Actions to be Taken
Call to Public	<ul style="list-style-type: none"> • Herm Yost commented on the disappearance of a road sign on Chase Lake Road regarding restricted roadway. It was offered that professional truck drivers have to know where restricted roads are. • Dennis Bowdoin mentioned that there is a ruling that Federal Law overrules the Michigan Medical Marijuana law. 	
Adjourn	<p>George Pushies moved to adjourn at 8:47pm. Scott Buell second. All in favor, motion passed.</p> <p>Next meeting is Monday, December 19, 2011 regarding continued work on the Master Plan.</p>	

Master Plan Progress Report

November 21, 2011	Dennis Bowdoin, Cindy Dickerson, George Pushies, Dennis Sommer, Scott Buell, and Londa Horton met at Conway Township Hall and reviewed and revised verbiage in the previous Master Plan. Work progressed from page 20 through ½ of the document. The next meeting is scheduled to resume December 19, 2011.
Status Update	Scott Buell provided updated road usage data maps to include.

December 19, 2011	Dennis Bowdoin, Cindy Dickerson, George Pushies, Dennis Sommer, Scott Buell, and Londa Horton met at Conway Township Hall and revised verbiage in the previous Master Plan. Work progressed through chapter 6, <i>Goals and Objectives</i> to page 34.
Next Meeting	January 16, 2012 at 7pm

Send Mike min.

Conway Township
Planning Commission Meeting
December 12, 2011

- 1) Call to order & Pledge to Flag 7:30pm - John Heilless led; 5 residents
- 2) Minutes of the November 14 2011 meeting - Denny B & Denny 2nd approved.
- 3) Minutes of November 21 2011 master plan meeting - 1/2" then
Oct 19 meeting approved
Dennis B. & Denny 2nd.
Oct 24 meeting
- Call to Public
- 4) Communications
 - deadline MTA Dec. 12 Conference - Jan. 25 - 27 - Meet Cim
Keynote
 - residents sign in & put in min.
- 5) Land Divisions Boundary Dist to go to VBA over Sethack
for variance. - tabled until
next meeting.
- a) 4701-33-400-003, 9165 Grant Road (issue)
- 6) Old and New Business Linda ret'd.
 - a) Master Plan update Jan 16 next Master Plan 7pm
 - b) Livingston County Addressing Ordinance County wants our input on how
can be changed. B3 - shared private driveway
- 6) Update from the Board needs to be addressed. p. 12 B3 - take
road out & put drive in, p. 4 A4 to take that out,
- 7) Call to the Public p. 8 SA. - why does each carrier need an
address. - strike last sentence
- 8) General Discussion if amendment - all townships must approve - ~~city~~
~~words~~
- 9) Adjournment ~~fit B3~~
Recommendations to Bd.
Dennis B. - Seth 2nd - motion passed.

need a definition

Update from Board

- art shows - home occupation application, 1 customer
per mor. - Evette Hughes, approved
- ~~total~~ pd. for Chase Lake 1/2 paved rd.
- 9069 Gregory - no response to letter
Lover Rd. - house burnt - Abby
will send a letter.
- Mrs. Bailey - Hobby kernel - no response
- note to Chet - mortgage - bank paying taxes - Abby send letter - add
rd.

- Get barrels or Lowery - letter sent - no response.
Abby & send letter

- Geo Pashis & Scott Buel asked & agreed to stay
on board for another term. 3 yr. term.

- 4 elections coming up - Cindy needs election
works, \$9/h.

- John Horless - severe health issues - may have to
step down as chair still wants to
participate. May have to move.

- Weitzer - cop. came to office wanting permits -
previous CO. went bankrupt. - gave
Jeff Seli's # \rightarrow Ben Contractor to Weitzer
for land use permit
they want to pursue tower in spring.

- Woods, garbage - general ordinance
existing ordinance - we allow our protocol &
then go to court

Dennis - a general ordinance - we can issue a
civil infraction, clean it up & ~~assess~~ then take
as a result. Assess.

- Call to public - Kern - we to have sign
restricted roadway. Professional Truck
drivers have to know where restricted roads
are.

- Medical marijuana - Federal law
overrules Nat. law

Geo & Scott - appear

5)

Londa excused self - Relative

Mr Horton

- Old Fence + Brush - Thought was lot line

Survey showed different - Boundary line runs through middle of barn

~~Mr.~~ Mr. Kelly - is owner

Dan Keo - real estate broker for Mr. Kelly

★ Dennis moved to table to go to ZBA for
Hardship Reason

Scott - 2nd

all in Favor - ~~Motion~~ Motion passed

5. for

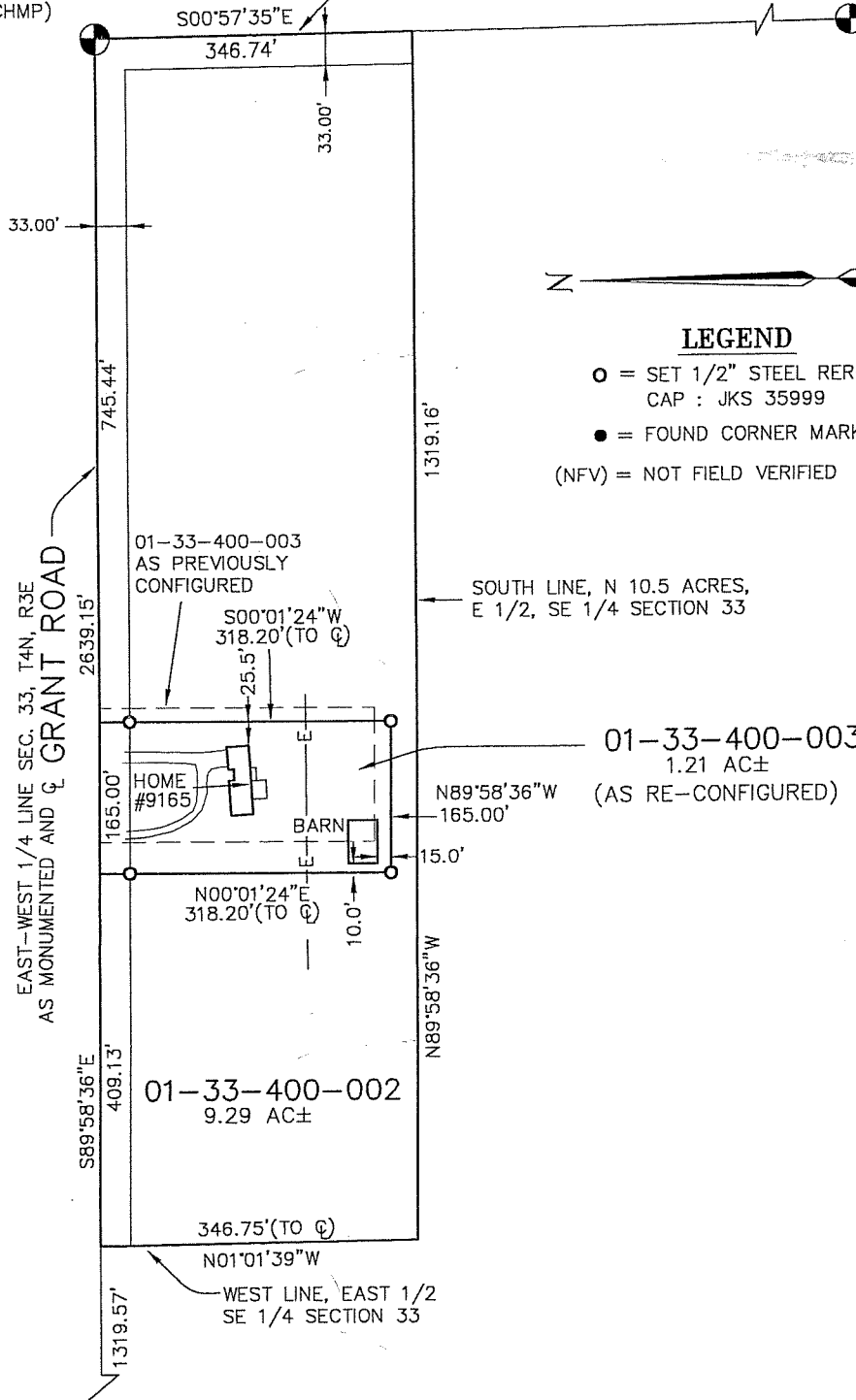
John excused from vote

CERTIFICATE OF SURVEY

EAST 1/4 CORNER SECTION 33
T4N, R3E, CONWAY TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN
FOUND REMON PIPE AND CAP
PER LSC 274m (CHMP)

EAST LINE SECTION 33, T4N, R3E AND
GREGORY ROAD

SOUTHEAST CORNER SECTION 33
T4N, R3E, CONWAY TOWNSHIP
(NFV)



LEGEND

- = SET 1/2" STEEL REROD WITH CAP : JKS 35999
- = FOUND CORNER MARKER
- (NFV) = NOT FIELD VERIFIED

CENTER OF SECTION 33
T4N, R3E, CONWAY TWP.
LIVINGSTON COUNTY, MICH.
FOUND 1/2" REROD PER MULTIPLE
SURVEYS OF RECORD. NOTE: FOUND
DDN'L REROD 16.4' EASTERLY
40'E SPIKE IN E/S U. POLE 47.75'
S75'W SPIKE IN NW/S 28" HICK. 102.65'
N300'E SPIKE IN SE/S 10" MAPLE 38.38'
6' WEST OF C/L-C/L INTERSECTION

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND HEREIN PLATTED AND/OR DESCRIBED ON 10/06/2011, AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/7,500 OR BETTER,

RECONFIGURED PARCEL 01-33-400-003 (1.21 ACRES)

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 33, T4N, R3E, CONWAY TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN; THENCE N89°58'36"W 745.44 FEET ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION AND THE CENTER LINE OF GRANT ROAD FOR A PLACE OF BEGINNING; THENCE S00°01'24"W 318.20 FEET; THENCE N89°58'36"W 165.00 FEET; THENCE N00°01'24"E 318.20 FEET; THENCE S89°58'36"E 165.00 FEET ALONG SAID EAST-WEST 1/4 LINE AND CENTER LINE TO THE PLACE OF BEGINNING. BEING A PART OF THE NORTH 10.5 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 11/4 OF SECTION 33, T4N, R3E, CONWAY TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN CONTAINING 1.21 ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE NORTHERLY 33.00 FEET THEREOF, AS IS OCCUPIED BY GRANT ROAD, ALSO BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

RECONFIGURED PARCEL 01-33-400-002 (9.29 ACRES)

BEGINNING AT THE EAST 1/4 CORNER OF SECTION 33, T4N, R3E, CONWAY TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN; THENCE S00°57'35"E 346.74 FEET ALONG THE EAST LINE OF SAID SECTION AND THE CENTER LINE OF GREGORY ROAD; THENCE N89°58'36"W 1319.16 FEET ALONG THE SOUTH LINE OF THE NORTH 10.5 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE N01°01'39"W 346.75 FEET ALONG THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE S89°58'36"E 409.13 FEET ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION AND THE CENTER LINE OF GRANT ROAD; THENCE S00°01'24"W 318.20 FEET; THENCE S89°58'36"E 165.00 FEET; THENCE N00°01'24"E 318.20 FEET; THENCE S89°58'36"E 745.44 FEET ALONG SAID EAST-WEST 1/4 LINE AND CENTER LINE TO THE PLACE OF BEGINNING. BEING A PART OF THE NORTH 10.5 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 11/4 OF SECTION 33, T4N, R3E, CONWAY TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN CONTAINING 9.29 ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE NORTHERLY 33.00 FEET THEREOF, AS IS OCCUPIED BY GRANT ROAD, ALSO BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE EASTERLY 33.00 FEET THEREOF, AS IS OCCUPIED BY GREGORY ROAD, ALSO BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

Parcel Number:

4701-33-400-003

OWNERS ADDRESS:

MORTON, VERLYN C & DARLEEN

4300 BROWDER HOLLOW RD

LENOIR CITY, TN 37771-0110

PROPERTY ADDRESS:

9165 GRANT RD

FOWLERVILLE, MI 48836

DATE PRINTED: 11/16/2011

2011 LEGAL DESCRIPTION:

SEC 33 T4N R3E PART OF NE 1/4 OF SE 1/4, BEG AT A POINT ON E/W 1/4 LINE, W
729.8 FT FROM E 1/4 COR OF SEC, TH S 300 FT, TH W 145.2 FT, TH N 300 FT, TH
E 145.2 FT TO POB, 1AC

LAND USE PERMIT
Conway Township
(517)223-0358

47 01 33 400 002

Permit No. 089-01 Date 11/2/01
Owner Craig Hart Telephone 223-9628
Site Address 9165 Grant City Fountainville
Contractor Same Telephone _____
Address Same City _____
On the south side of Grant between Gregory and Nichols roads.
Subdivision _____ Lot No. _____
Size of lot: Front 145 Rear 145 Side 300 Side 300
Acreage 1.16 Zoning District Classification Residential
Tax Code No. 9165 Grant
Application is made to Build pole barn

Dwelling Deck Hardship Mobile Home Sign
 Addition Swimming Pool Commercial
 Garage Accessory Bldg Industrial

Type of Construction: Brick Stone Frame Cinder Block Steel Other
Foundation: Basement Full Part Poured Block Walkout Conventional Crawlspace Slab
Size of Building: Front 48 Rear 48 Depth 32 Height _____
Estimate Value \$ _____ Total Square Feet _____
Building Setback: ~~25~~ 25 feet from front property line. 12 feet from rear line. _____ waterfront.
25 feet to nearest side line. 45 feet to farthest side line.

Attach scale drawing (scale not smaller than 1" to 100') showing the following: dimensions of property, all roads adjacent to property (indicate private or county); easements; lakes and streams; all structures; existing or proposed septic tank and field; existing or proposed well; dimensions from buildings to property line; dimensions of proposed building.

For sign, attach drawing showing dimensions of sign, and for a wall sign, the facade to which it will be attached.
 Attach proof of ownership of property. (Tax bill, Warranty deed or Land contract)

I hereby certify that all information and data attached to and made part of this application are true and accurate to the best of my knowledge and belief. I understand that there may be deed restrictions that may apply to this project. A Land Use Permit is valid for a period of 12 months from the date of issue. Any modification to location, size, or dimensions must be approved by Conway Township. I understand that issuance of this Land Use Permit does not waive the requirements for Building, Driveway, Health or any other permits required by law.

Applicant is required to call for inspection after ground has been broke for the applied for use.

Applicant Signature Craig Hart Date 11/2/01

Approved Disapproved Date 11/2/01

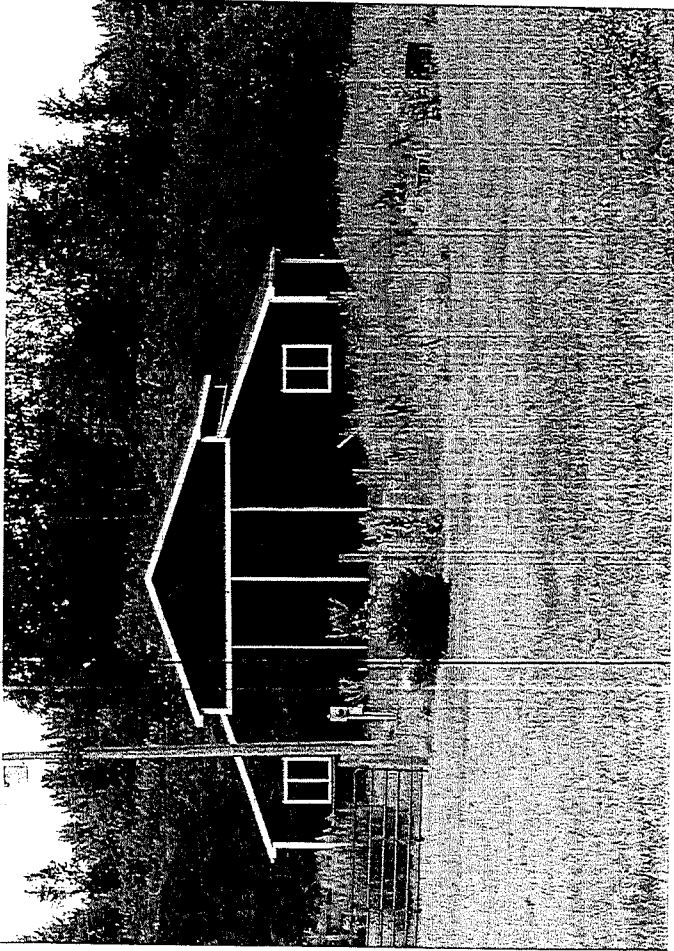
Conditional _____

FEES
Land Use \$35.00
#2 Insp \$25.00
Total Paid \$60.00

25
Waived
court

11/11

33-400-003





Londa Horton <londahorton@gmail.com>

Boarder adjustment

1 message

Cindy Dickerson <cindy@conwaytownship.com>

Wed, Nov 16, 2011 at 3:13 PM

To: Dennis Bowden <dennisb@cac.net>, Denny Sommer <denny.sommer@live.com>, George Pushies <pgejp@hotmail.com>, John Harless <harlessjohnh@yahoo.com>, "londahorton@gmail.com" <londahorton@gmail.com>, "Scott Buell (sbuell@ymail.com)" <sbuell@ymail.com>

Okay,

I had Jack Smith from Garlock-Smith drop off a survey for 9165 Grant Road. The issue is Verlyn Horton owned this house on his 11 acres. The house is on 1 acre and he lost it to the bank, but he still owns the remaining parcel.

He built a very nice pole barn on this property in 2001 the problem is that part of this pole barn sits on the vacant land. Still with me???? It gets better!

Mr. Smith was hired by the new home owner to get a boarder adjustment done so the barn is legally on his property. So Mr. Horton has been working with Mr. Smith and the new home owner. Mr. Horton is only going to sell .24 acres to the new home owner and that leave the barn with only 15 ft instead of 25 ft from the lot lines.

So Mr.. Smith is coming before the Planning Commission to try and see what needs to be done.

I have the survey here at the office if you want to stop by some time and get your copy. Kathy and I did find the original Lane Use Permit so I have a copy of that also. And I have a picture of the ban, did I say it was a very nice barn...lol, wish I had it on my property.

Anyway just giving you a heads up for next month.

Also just to let everyone know that I turned in my resignation as the ex officio member last night. Sorry to tell you this over an email but with the 2012 Election season coming and it being the BIG ONE I need to focus on that duty. I didn't think it would be far to not give the Planning Commission position the attention is needed.

Cindy Dickerson, Clerk

Conway Township
PO Box 1157
8015 N Fowlerville Road
Fowlerville MI 48836

Conway Township
Michael B. Rife
Supervisor

Telephone (517-294-2438)

Facsimile (517-223-0533)

Office Phone (517-223-0358)

Hello All

The Livingston County Information Technology Department/Geographic Information Systems Division (GIS) has been working on this project since 2002. They took over what the Road commission started in 1949. Now they are running into resistance, from places that don't want their address change. Without an ordinance they have no power to require them to change their address.

The County Commissioners would like to pass this in January.

The 1851-Act 156 (MCL 46.11)

COUNTY BOARDS OF COMMISSIONERS (EXCERPT)

Act 156 of 1851

46.16f Ordinance, resolution, rule, or regulation of affected township.

Sec. 16f.

An ordinance, resolution, rule, or regulation of an affected township in effect at the time a consolidation under sections 16b and 16c is effective continues in full force as an ordinance, resolution, rule, or regulation of the territory that comprised the former township to which it applied until it is repealed or amended by the consolidated township board.

This will be only the third County Ordinance; first 1960 Doge License Ordinance, second Air Space Ordinance, now Addressing Ordinance.

A recent email;

Donald Arbic DArbic@co.livingston.mi.us to bernieg67, Nov 10 (4 days ago)

Ladies and Gentlemen:

Thank you all for attending yesterday's meeting. My team and I have much to consider and look forward to your further feedback.

The question of how many known address errors came up during the meeting. Ms. Konarska-Blough reports there are a total of 400 known errors in the GIS database in the areas for which the county provides addressing services. As mentioned yesterday, heretofore unknown addressing errors are periodically discovered.

Several weeks ago I administratively ordered the GIS staff to suspend correction activities until such time as the issue of ordinance adoption is resolved. Assuming adoption on our time line and the small GIS staff resumes work in March at its former pace, there is enough work to take them to mid-2015 or thereabouts to complete.

Don/LVCD

LIVINGSTON COUNTY, MICHIGAN

Ordinance No. _____

LIVINGSTON COUNTY
ADDRESSING ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE NAMING OF STREETS AND NUMERIC ADDRESSING OF BUILDINGS, POSTING OF STREET SIGNS, AND DISPLAY OF ADDRESS NUMBERS; TO DESIGNATE AUTHORIZED LOCAL OFFICIALS RESPONSIBLE TO ADMINISTER THE ADDRESSING ORDINANCE AND REGULATIONS AND TO ENFORCE VIOLATIONS; TO DESIGNATE VIOLATIONS TO BE MUNICIPAL CIVIL INFRACTIONS; TO ADOPT A SCHEDULE OF FINES; TO PLACE THE MUNICIPAL CIVIL INFRACTIONS VIOLATIONS BUREAU AT THE GEOGRAPHIC INFORMATION SYSTEMS MANAGEMENT DEPARTMENT; TO ADOPT A SAVINGS CLAUSE; AND TO PROVIDE AN EFFECTIVE DATE.

THE COUNTY OF LIVINGSTON ORDAINS:

SECTION 1. PURPOSE, SCOPE, DEFINITIONS AND ADMINISTRATION

A. Purpose

The purpose of this Ordinance is to establish a system of assigning and correcting addresses in Livingston County to facilitate the locating of structures in order to protect the public health and safety by prompting reduced response times by police, fire, ambulance, and other emergency services; to provide for more efficient delivery of County services, such as building inspections, soil evaluations, health inspections, property tax administration, property mapping, and other county affairs; and to provide for efficient U.S. mail and parcel delivery in Livingston County.

B. Scope

This Ordinance shall be effective and enforceable throughout Livingston County, except in the jurisdiction of those cities, villages, or townships that have previously enacted or subsequently enact an ordinance that addresses the general subject matter of this ordinance.

C. Definitions

1. "Address" means the combination of a set of numbers, a street prefix (i.e., N., S., E., or W., if applicable), a street name, a street suffix (e.g., Ave., Rd., St., Dr., Cir., or Ct.), a street post-directional (i.e., N., S., E., or W., if applicable), an apartment or suite designation if applicable, and an apartment or suite number if applicable.

2. "Address number" means a set of numbers based upon the formula that begins at 0 base points along the East-West baseline and North-South meridian as assigned by the Addressing Official as part of an address. Numbering systems currently in effect in incorporated and unincorporated villages would be changed or modified only at the request of local units of government or to the extent necessary to correct numbering errors found during the process of mapping Livingston County.

3. "Street" or "road" means any vehicular way which is a state, county, or municipal roadway, or is shown on an approved and recorded subdivision plat or site plan, or is a private road that serves more than two existing lots.

4. "Principal structure" shall include but not be limited to: residential buildings, office buildings, commercial buildings, industrial buildings, public buildings, utility structures, and buildings used for storage, including, but not limited to garages, pole barns, utility meters and other accessory structures.

D. Administration

The Director of the Livingston County Information Technology Department shall appoint a person from that department to be the County Addressing Official. The Addressing Official shall have overall responsibility for administration and coordination of this Ordinance and the Livingston County Street Naming and Addressing Policy, including enforcement.

SECTION 2. STREET NAMES AND ADDRESSING

A. Incorporation of Policy

The County Addressing Official shall coordinate all numeric addressing, including the assignment of numeric address corrections, and the Livingston County Road Commission shall be responsible for naming, renaming, and sign identification of all streets within the County, pursuant to the Livingston County Street Naming and Addressing Policy as adopted and from time to time amended by Resolution of the County Board of Commissioners, which Policy is incorporated by reference.

B. Display of Address

The property owners or residents of all principal structures on each parcel of land are required to display an address number in the manner prescribed in the Livingston County Street Naming and Addressing Policy, incorporated by reference. In the event an address number has been corrected by administrative action of the Addressing Official, the property owner or resident shall so notify the U.S. Postal Service, and display the new correct address, within 60 days of receipt of a Notice of Address

Correction.

C. Road Names

The provisions of this Ordinance shall apply to both public and private roads. Every road, public or private, that exists in Livingston County on or after the effective date of this ordinance shall be posted or signed with, a name that shall be registered with and approved by the Livingston County Road Commission in the manner prescribed in the Livingston County Street Naming and Addressing Policy, incorporated by reference. The Livingston County Road Commission shall be the sole final authority for street or road naming.

D. Posting of Street Signs

The property owners or residents with addresses on a private road shall erect and maintain a suitable sign identifying the private road at the intersection of the private road and the adjoining public road in the manner prescribed in the Livingston County Street Naming and Addressing Policy, incorporated by reference.

E. Assigned Number and Address Corrections

Existing, or previously assigned or displayed address numbers, public road and private road names that do not comply with this Ordinance and the Livingston County Street Naming and Addressing Policy, incorporated by reference, may be corrected either (1) at the request of the property owner(s) or his/her agent(s), but only upon approval of the Addressing Official, or (2) such change may be initiated by the County Addressing Official. When a correction is initiated by the Addressing Official, the property owner(s) shall be notified, in writing, that a new number has been assigned. Address corrections become effective upon receipt of Notice of Address Correction. A resident who does not put a change of address in with the United States Postal Service and who does not display the new correct address within 60 days after receiving the Notice of Address Correction will be in violation of this ordinance and subject to penalty as provided by Ordinance.

SECTION 3. DESIGNATION OF VIOLATIONS OF THIS ORDINANCE AS MUNICIPAL CIVIL INFRACTIONS.

- A. Pursuant to the authority set forth in 1851 PA 156, as amended, being MCL 46.11(j), and Chapter 87 of 1961 PA 236, as amended, being MCL 600.8701 et seq., a violation of any provision of this Ordinance shall be a municipal civil infraction.
- B. The sanction for any violation of this Ordinance, which is a municipal civil infraction, shall be a civil fine as provided herein, plus any cost, damages,

expenses and other sanctions, as authorized under Chapter 87 of 1961 PA 236, as amended, and other applicable laws.

- C. The County Addressing Official, deputies of the Livingston County Sheriff, and other persons specifically designated by the Director of the Livingston County Information Technology Department, are the County officials authorized to issue municipal civil infraction citations and municipal civil infraction violation notices for violations of this Ordinance
- D. In addition to enforcement of violations of this Ordinance as municipal civil infractions, enforcement of violations of this Ordinance may be accomplished by civil action, along with any other remedies provided by law. Violation of this Ordinance is hereby declared a nuisance, per se, and adjudication of responsibility for a municipal civil infraction violation of this Ordinance shall not preclude other civil proceedings to abate such nuisance.
- E. Each day a violation exists constitutes a separate infraction.

SECTION 4. SCHEDULE OF FINES FOR VIOLATIONS

- A. Fines to be established by County Board Resolution

The County Board of Commissioners shall by Resolution adopt a schedule of fines for violations of this Ordinance, which may be amended by subsequent Resolution. For purposes of establishing an initial schedule of fines, the following schedule is adopted.

- B. Fines for Municipal Civil Infraction Citations

1. A person, corporation or firm who violates any provision of this Ordinance and is found responsible at the district court for a municipal civil infraction citation, shall pay a civil fine of not less than \$75.00 nor more than \$500.00, plus costs and other sanctions, for each infraction.
2. Repeat offenses shall be subject to increased fines as set forth below. As used in this subsection, "repeat offense," means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision of this Ordinance, committed by a corporation, person or firm within any 24-month period and (b) for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense shall be as follows:
 - (i) The fine for any offense that is a repeat offense shall be no

less than \$200.00 plus costs and other sanctions.

- (ii) The fine for any offense that is a second repeat offense shall be no less than \$300.00 plus costs and other sanctions.
- (iii) The fine for any offense that is a third or subsequent repeat offense shall be no less than \$500.00 plus costs and other sanctions.

C. Fines for Violation Notices

A person, corporation or firm who, as a result of violating any provision of this Ordinance receives a municipal civil infraction violation notice, upon a determination of responsibility thereon, shall pay an initial civil fine at the Livingston County Municipal Civil Infractions Violations Bureau of \$50.00.

1. In the case of another offense within one year of the date of the initial infraction, the civil fine shall be \$75.00. (This shall be known as the second offense.)
2. In the case of another offense within one year of the date of the second offense, the civil fine shall be \$150.00. (This shall be known as the third offense.)
3. In the case of another offense within one year of the date of the third offense, the civil fine shall be \$500.00. (This shall be known as the fourth offense.) All subsequent offenses shall be subject to a civil fine of \$500.00.

SECTION 5. ESTABLISHMENT OF MUNICIPAL CIVIL INFRACTIONS VIOLATIONS BUREAU

The Municipal Civil Infraction Violations Bureau, for disposition of violation notices issued under this Ordinance, shall be located at the Livingston County Geographic Information Systems Management Division, 304 E. Grand River Avenue, Suite 101, Howell, MI 48843.

SECTION 6. REPEALER.

All ordinances in conflict are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 7. SEVERABILITY.

The various parts, sections and clauses of this ordinance, inclusive of the Policy incorporated by reference, are hereby declared to be severable. Should any part,

clause, sentence, paragraph or section of this ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this ordinance.

SECTION 8. SAVINGS CLAUSE.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

SECTION 9. EFFECTIVE DATE.

The provisions of this ordinance are ordered to take effect after publication.

I, Margaret Dunleavy, Livingston County Clerk, certify that this ordinance was adopted by the Livingston County Board of Commissioners and published on

Margaret Dunleavy
Livingston County Clerk

Approved as to form:
COHL, STOKER & TOSKEY, P.C.

Timothy M. Perrone

**LIVINGSTON COUNTY
STREET NAMING AND ADDRESSING POLICY**

**SECTION 1
GENERAL PROVISIONS**

A. OBJECTIVES

The purpose of this County-Wide Street Naming and Addressing Policy is to establish standards for naming roadways, posting street signs and assigning numbers to all dwellings, principal buildings, businesses and industries; and to assist emergency management, first responders, the United States Postal Service and the public in the timely and efficient provision of services to residents and businesses of Livingston County.

This policy is written and adopted to eliminate addressing confusion and to create a standard system by which addresses may be assigned and maintained from this time forward. It is not the objective of this policy to correct all erroneously addressed structures. All addresses and road names within the municipalities identified in Sec. 1, B., ADDRESSING RESPONSIBILITY (below) as addressed by the Livingston County Information Technology Department are subject to correction notwithstanding the length of time such address or road name has existed. Corrections of addresses and road names will be made when non-conformity interferes with the accurate dispatch of emergency vehicles or postal delivery as outlined in Section 5 of this policy.

No policy can anticipate every condition or question related to individual circumstances. Livingston County reserves the sole right to revise or rescind this policy or any portion thereof as it deems appropriate. Amendments to this policy will be communicated to the community through official notices.

B. ADDRESSING RESPONSIBILITY

The Livingston County Information Technology Department/Geographic Information Systems Division (GIS) is responsible for addressing the following entities:

Cohoctah Township	Iosco Township
Conway Township	Marion Township
Deerfield Township	Oceola Township
Genoa Township	Putnam Township
Green Oak Township	Tyrone Township
Handy Township	Village of Fowlerville
Hartland Township	Village of Pinckney
Unadilla Township (DTE Energy Customers Only)	

The following entities are responsible for addressing the area within their boundaries:

Brighton Township	City of Brighton
Hamburg Township	City of Howell
Howell Township	
Unadilla Township (Consumers Energy Customers Only)	

C. EFFECTIVE DATE

This policy is effective upon initial adoption and adoption of subsequent amendment or amendments by Resolution of the Livingston County Board of Commissioners. The policy shall be reviewed on an annual basis, or more often as deemed necessary, by GIS in conjunction with representatives of 911/Central Dispatch, the U.S. Postal Service, and the local governmental units responsible for addressing areas within Livingston County. This policy may be amended from time to time by Resolution of the Livingston County Board of Commissioners and shall be revised as necessary to be non-conflicting with locally approved addressing policies and ordinances.

SECTION 2 ADDRESS REQUESTS

A. REQUIREMENTS

The following must be submitted at the time of application for an individual address:

1. Completed application form.
2. Proof of ownership/copy of deed.
3. Land use permit issued by the local governmental unit where the address is to be assigned.
4. Site plan/survey showing location of principal dwellings and drive.
5. Current tax parcel identification number.
6. Copy of driveway permit or waiver
7. Closest existing address on left, right and across the street from property to be addressed.
8. A fee for each address requested. Livingston County address issuance fees are established by the Board of Commissioners.

B. ADDRESS REQUEST FOR NEW DEVELOPMENTS

The application for addressing subdivisions, condominiums, and mobile or manufactured home developments requires a final site plan showing all road names and location of roads be presented to the addressing official. Additional access roads in the development shall be required to have street names on the final site plan. The street names shown on the site plan must be approved by the Livingston County Road Commission prior to address assignment. The site plan shall also show the site/unit/lot number for each site along with the location of each meter that requires an address.

The developer will be responsible for the addressing fee for all lots, units, or meters included in the development at the time of application.

Official addresses shall be issued for each individual site/unit/lot by the addressing office at the time a building permit is applied for. The owner will be required to submit a copy of a land use permit and a site plan to obtain the address.

**SECTION 3
NUMERIC ASSIGNMENT**

A. FRONTAGE INTERVAL/ADDRESS STYLE

The addressing system within the townships is based on a baseline meridian structure. The county is divided into four quadrants based on the following roads: Oak Grove Road/Pinckney Road/Toma Road as the meridian; and Mason Road/Golf Club Road/Commerce Road as the baseline. See Appendix A.

Livingston County uses a formula developed by Detroit Edison. Addresses are generally based on 1000 address numbers per mile. When divided by 5280 feet per mile, this calculates to one address number for each five (5) foot (+/-) interval. Addresses are assigned based on the location of the driveway entrance, not the front of the structure.

For townships previously addressed by Consumers Energy now under the addressing jurisdiction of Livingston County GIS, the Consumers Energy formula of one address number for each ten (10) foot (+/-) interval will be followed. Townships under this formula include: Cohoctah, Deerfield, and Tyrone.

The villages of Pinckney and Fowlerville use a city block address range style with approximately 50 addresses per block. The meridian for the Village of Pinckney is Howell St; the baseline is Main St/M-36. The meridian for the Village of Fowlerville is Grand Ave/Fowlerville Rd; the baseline is Grand River Ave. See Appendix A.

B. ODD/EVEN NUMBER LOCATION

The location of odd and even address numbers applies to townships and villages.

North of the baseline, even numbers shall be on the easterly side of the roads;
Odd numbers shall be on the westerly side of the roads.

South of the baseline, even numbers shall be on the westerly side of the roads;
Odd numbers shall be on the easterly side of the roads.

East of the meridian, even numbers shall be on the southerly side of the roads;
Odd numbers shall be on the northerly side of the roads.

West of the meridian, even numbers shall be on the northerly side of the roads;
Odd numbers shall be on the southerly side of the roads.
See appendix A.

C. FRACTIONAL, ALPHANUMERIC, HYPHENATED ADDRESSES

There shall be no use of fractional addresses, alphanumeric address numbers or hyphenated address numbers. This also applies to apartment numbers and suite numbers.

D. COMPONENT ORDER

Components of a street address shall always be in the following order: address number, directional prefix (if any), street name, street type/suffix, post-directional (if any), designation of apartment or suite, and apartment/suite number.

E. DIAGONAL STREETS

Diagonal streets shall be treated as either north-south or east-west streets. Once orientation is established, it shall be used the entire length of the road. The orientation will not change even if the road changes direction.

Within developments it is advisable to consider the direction of the beginning of the road. For example, if it originates off a north/south road and begins by going east before meandering in any other direction, it is generally considered an east/west road.

F. CIRCULAR STREETS

A circular street/road is one that returns to the same origin point or to the same originating road. Circular streets shall be numbered beginning at the low numbered intersection and continuing to the other end of the road. The outside of the circle is numbered first and the inside is then numbered to match and mix with the outside. This will result, in most cases, with fewer numbers on the inside of the circle and with larger spaces between the inside numbers.

G. CUL-DE-SACS

Cul-de-sacs shall be addressed using the system based on the baseline/meridian structure, odd/even numbers on the appropriate sides of the street and meeting at the mid-point or the back of the cul-de-sac.

H. CORNER LOTS

Corner lots shall be addressed to the road the driveway accesses. The assigned address will be determined by the site plan presented at the time a building permit is requested. Display of address numbers on the structure shall face the road to which the home is addressed.

I. EASEMENTS/STACKED ADDRESSES

Houses sharing a common drive/easement shall be addressed to the main road from which the easement is accessed and using the numbering system applied to the main road. Local zoning ordinances governing the requirement to name private drives/easements vary. The addressing official will consult the local government prior to assigning a new address sharing a common drive/easement.

J. SINGLE FAMILY RESIDENCES

A single-family residence shall receive its own individual address determined by the basic rules for distance and direction.

K. DUPLEX RESIDENCES

A duplex shall be addressed with each unit receiving its own individual address determined by the basic rules for distance and direction.

L. APARTMENT BUILDINGS

Apartment buildings, where one entrance provides access to a number of apartments, shall be numbered with the main building receiving one address and each individual apartment being assigned apartment numbers as secondary location indicators. The apartment number assigned should indicate the floor location (e.g. Apt 204 is the fourth apartment on the second floor). Alphanumerical numbers are not to be used.

Apartment buildings with multiple entrances, where each entrance provides access to a limited number of apartments, shall require an address for each individual entrance. Each individual apartment shall be assigned an apartment number indicating the floor location. Alphanumerical numbers are not to be used.

Apartments that are accessed by a separate door for each unit shall be addressed with each unit receiving its own individual address determined by the basic rules for distance and direction.

M. MANUFACTURED HOME COMMUNITIES

Each individual manufactured home shall be assigned its own individual address following the basic rules for distance and direction. This generally results in leaving four (4) to eight (8) numbers between adjacent sites.

N. TOWNHOUSES

Townhouses that are individually owned and not part of an apartment complex shall be assigned an individual address for each unit as determined by the street allowing main access to the building and following the basic rules for distance and direction.

Townhouses where one entrance provides access to multiple units shall fall under the apartment category and shall be addressed as apartments, with the main building receiving one address and each individual townhouse being assigned apartment numbers as secondary locators. Alphanumerical numbers are not to be used.

O. CONDOMINIUMS

Condominiums shall be assigned an individual address for each unit as determined by the street allowing main access to the building and following the basic rules for distance and direction.

An apartment building or townhouse complex converted to a condominium shall be required to be addressed with an individual address for each unit.

P. INDIVIDUAL COMMERCIAL BUILDINGS

Individual commercial buildings shall be given one address to the road/street on which the driveway access is located as determined by the basic rules for distance and direction. When a business faces a main road, but is accessed from a secondary road, an address will be allowed to the main road if the primary entrance faces the main road.

It is preferable for an individual building housing more than one business to be issued a separate address for each unit. However, an individual building housing more than one business has the option of using suite numbers when the interior units do not have external access doors to the street. If an individual building housing more than one business includes an external access door for each unit, then each unit shall be assigned an individual address as determined by the street allowing main access to the unit.

A large retail complex/superstore that houses one main retail business with additional smaller retail spaces within (i.e. grocery store with cleaners, bank, hair salon etc.) shall be assigned one address for the use of all businesses located within the main structure. This address shall be posted on the outside of the main building in a manner legible to the public as well as emergency responders.

Q. STRIP COMMERCIAL BUILDINGS

Strip commercial buildings shall require an address to be reserved for each individual entry door. Careful planning shall be taken to reserve enough numbers for future divisions of businesses. Each business shall receive its own individual address. If a

business is large enough to use space accessed by two or more doors, the business shall be assigned the number that corresponds to its primary entrance.

Addresses shall be determined by the street/road from which the business is accessed. On corner lots, when a business faces a main road but is accessed from a secondary road, an address will be allowed to the main road if the primary entrance for the units faces the main road. When each unit has an individual entrance, the building will be addressed to the road on which the majority of the entrances are located.

R. MISCELLANEOUS STRUCTURES

Outbuildings and/or utility meters required to have an address shall be given their own individual address, generally four (4) to six (6) numbers from the main residence. Outbuildings having their own access drive shall be assigned an address following the basic rules for distance and direction.

S. WIRELESS COMMUNICATIONS TOWERS

* A wireless communications tower shall be assigned one address determined by the basic rules for distance and direction. Each additional carrier shall obtain a suite number.

**SECTION 4
DISPLAY OF ADDRESSES**

All principal buildings shall be required to display an address number in the manner prescribed in this policy.

A. RESPONSIBILITY FOR DISPLAY OF ADDRESS NUMBERS

It shall be the responsibility of each and every property owner, trustee, lessee, agent and occupant of each residence, apartment building, business or industry to post and maintain, at all times, address numbers as required under this policy. All addresses shall be displayed in such a way they are unobstructed and legible from the traveled roadway.

B. PLACEMENT OF ADDRESS NUMBERS

When a cluster box is used for mail delivery, it will only be required for the address to be displayed on the structure.

1. Manufactured homes located within a development shall display the address number in numerals of at least four (4) inches in height and on the side of the home facing the access road.
2. Structures located within a subdivision, condominium or within a city or village within 50 feet from the edge of the road right-of-way shall:
 - a. Display the assigned address number in numerals no less than four (4) inches in height on the structure in such a manner it is visible from the road.
 - b. The address numbers not less than two (2) inches in height shall also be displayed on both sides of the mailbox.
 - c. The numbers shall be reflective numbers on a contrasting background.
 - d. The address shall not be obstructed in any way by any form of landscaping, other mailboxes or newspaper delivery boxes.
 1. When the mailbox is obstructed, it will be required that an address sign be displayed at the road, following the standards listed for structures located more than 50 feet from the road.
3. Structures located more than 50 feet from the edge of the road right-of-way shall comply with the previous requirements listed for structures within 50 feet of the edge of the right of way (Section 4 B.2) and in addition shall:

- a. Display the assigned address number on a post, fence or wall or other permanent structure no farther than ten (10) feet back from the edge of the traveled roadway.
- b. The address shall be composed of numbers not less than four (4) inches in height.
- c. The sign shall be composed of reflective numbers on a contrasting background.
- d. The numbers shall be not less than four (4) feet and not more than seven (7) feet above the ground.

Failure to display the address for new construction following the county standards, as posted within this policy, will be grounds for withholding issuance of a Certificate of Occupancy by the Building Department in accordance with the governing Building Code and Ordinance provisions.

SECTION 5 ADDRESS CORRECTIONS

Whenever an error in a numeric address or street name comes to the attention of the Information Technology Department, that department shall initiate proceedings to correct the error.

Address corrections become effective within 60 days of receipt of Notice of Address Correction. The Addressing Official serves notice of address correction on the property owner via United States Postal Service. The address correction notice shall be signed by the Addressing Official and contain the name, business address and business telephone number of a county official the property owner may contact to request information, have questions answered or call special circumstances to the attention of the Addressing Official. Address corrections require two-party policy compliance verification.

A resident who does not put a correction of address in with the United States Postal Service and/or who does not display the new correct address thereafter will be in violation of this policy and subject to penalty as provided by ordinance.

A. NUMERIC CORRECTION

Addresses shall be corrected if one or more of the following conditions are met:

1. The existing address number is not in sequence and/or does not run consecutively in the same direction as the county address system.
2. The existing address number has the incorrect parity (odd/even) as determined by the county address system.
3. The existing number is such that the assignment of address numbers for new buildings is not practical and in keeping with the requirements of this policy. Addresses out of range by more than 35 (+/-) numbers shall be corrected to the proper range as needed and to accommodate new growth.
4. When an easement becomes a named private street, the structures must reflect the new road name using correct numerical range for the new street.
5. An existing address is duplicated or otherwise violates this policy.

In the case of a numeric address correction, the following procedure shall be followed:

1. The reason for the numeric change shall be documented with date and reporting party.

2. A new numeric address shall be determined using the county address assignment standards.
3. The property owner or owners shall be contacted in written form using the governing assessor's information to identify ownership.
4. Notification shall also be sent to the following:
 - a. Township/village assessor
 - b. United States Postal Service
 - c. Utility companies
5. The resident shall be responsible for supplying their individual phone, financial, and other service providers with a copy of the official change of address form.

B. STREET NAME CORRECTIONS

Street names shall be corrected if one or more the following criteria exist:

1. Street name is a duplicate of another street within a designated postal area or within Livingston County and interferes with the accurate dispatch of emergency vehicles or postal delivery.
2. One road has two commonly used names or where portions of what appears to be the same road have two or more names.
3. A shared driveway or an easement servicing multiple buildings shall be named to comply with the local zoning ordinance. The shared driveway/easement shall also meet the private road standards set by the Livingston County Road Commission. *drive*
4. All property owners along a street request a new street name in order to resolve interference with accurate dispatch of emergency vehicles or postal delivery and the street meets local zoning ordinance and Livingston County Road Commission standards.
5. The street name and approach have been previously approved by the Livingston County Road Commission but the new street name was never used in the issuance of addresses.

In the case of a street name change, where the street is not part of a platted subdivision or condominium development, the following procedure shall be followed:

1. The reason for street name change shall be documented with date and reporting party.
2. The property owner or owners will be contacted in written form using the governing assessor's information to identify ownership.
3. Within 60 days of notification, the owners of land accessed by the street to be re-named shall submit to the Livingston County Road Commission, the following items:
 - a. A central person of contact for the owner group.
 - b. A proposal of three different name choices complying with the street naming requirements, and have been agreed upon by all of the affected property owners.
 - c. A list of all residents comprising the owner group with their current addresses and phone numbers.
4. The new street names will be researched and one will be assigned according to the primary preference of the owner group. If submitted street names do not comply with the street naming standards, the Livingston County Road Commission will work with the central contact of the owner group to discuss alternatives.
5. Within 60 days of the original notification, if a new approved street name has not been accepted by all of the owners, a street name will be assigned by the Livingston County Road Commission.
6. Upon approval of the new street name by the Livingston County Road Commission, a new address will be assigned to each property. The address change notification form will be mailed to each property owner affected by the change.
7. Notification of any new addresses, including street names, will be sent to:
 - a. United States Postal Service
 - b. Village or township offices
 - c. Affected school district
 - d. Livingston County Clerk
 - e. Utility companies

In the case of a street name change located within a subdivision or condominium the following procedure shall be followed:

1. The reason for street name change shall be documented with date and reporting party.
2. The property owner or owners will be contacted in written form using the governing assessor's information to identify ownership.
3. Within 60 days of notification the owners of land accessed by the street to be re-named shall submit to the Livingston County Road Commission the following items:
 - a. A central person of contact for the owner group.
 - b. A proposal of three different name choices complying with the street naming requirements, and have been agreed upon by all of the affected property owners.
 - c. A list of all residents comprising the owner group with their current addresses and phone numbers.
4. The new street names will be researched and one will be assigned according to the primary preference of the owner group. If submitted street names do not comply with the street naming standards, the Livingston County Road Commission will work with the central contact of the owner group to discuss alternatives.
5. Within 60 days of the original notification, if a new approved street name has not been accepted by all of the owners, a street name will be assigned by the Livingston County Road Commission.
6. Upon approval of the new street name by the Livingston County Road Commission, the governing municipality shall pass a resolution approving the new street name as required by MCL Section 560.226 (Land Division Act, PA 288 of 1967, as amended).
 - a. If the street is in a subdivision, the approved resolution shall be recorded at the Livingston County Register of Deeds office and shall be mailed to the State of Michigan Department of Licensing and Regulatory Affairs – Office of Land Survey & Remonumentation.
 - b. If the street is in a condominium development, an amendment to the Master Plan shall be recorded at the Livingston County Register of Deeds office.

7. A copy of the approved resolution shall also be sent to the Livingston County Information Technology Department. Upon receipt of the approved resolution, a new address will be assigned to each property. The address change notification form will be mailed to each property owner affected by the change.
8. Notification of any new addresses, including street names, will be sent to:
 - a. United States Postal Service
 - b. Village or township offices
 - c. Affected school district
 - d. Livingston County Clerk
 - e. Utility companies

C. SUSPENSION OF PROCESS

For good cause, the Addressing Official may suspend the address correction process at any point for up to 90 days. Suspension of process longer than 90 days or in addition to the original 90 days requires the advice and consent of the 9-1-1 Central Dispatch/Emergency Management Director.

**SECTION 6
STREET NAME REQUIREMENTS**

A. STREET/ROAD DESIGNATION

Every existing, proposed, or constructed roadway that provides, or will provide, access to multiple buildable lots shall be identified as a street/road in accordance with the local zoning ordinance and the standards set by the Livingston County Road Commission.

B. STREET NAMING RESPONSIBILITY

Application for new street names, or to reserve street names for a development, is to be made through the Livingston County Road Commission.

The applicant must submit to the Livingston County Road Commission:

1. A proposal of three different street name choices.
2. New developments require a list of all street names being requested and a site plan showing the layout of the streets.

A final site plan showing the layout of the approved street names shall also be submitted to the appropriate addressing agency for approval.

C. NAMING NEW ROADS

When application is made for a new road name, the name will be compared to the Livingston County Road Commission database to check for duplication. Street names may be reserved for one (1) year. All street names will conform to the standards set in this policy.

D. RESERVING STREET NAMES FOR NEW DEVELOPMENTS

A written request to reserve new street names must be presented to the Livingston County Road Commission for each new development. These street names will be reviewed and reserved in the road name inventory, if approved.

In a development in which any given street constitutes a loop and in which a portion of that loop crosses over another street creating an intersection, each segment of the loop divided by that street shall be designated by a separate name.

Additional street names shall be selected for access roads within commercial developments even if addresses are not issued to these streets. The street names selected shall follow the standards listed in this policy and shall be shown on the final site plan.

Street names become final upon the issuance of a road approach construction permit, final plat approval, or the recording of the final site condominium documents.

Street names may be reserved for one (1) year. If one of the requirements to finalize the street name is not satisfied within the one (1) year, a written request for a one (1) year extension of the street name reservation may be submitted to the Livingston County Road Commission. If such a request is not received, the names will no longer be reserved.

E. STREET NAME SELECTION

The following standards will be used:

1. Street names will be easy to pronounce and easily recognizable in emergency situations.
2. No street name may duplicate, in sound or pronunciation, any other roadway already in use, previously approved, or slated for use in the preliminary stages of a project application anywhere within Livingston County.
3. Streets that are an extension of an already existing street shall maintain that street name.
4. No special characters in road names such as hyphens, apostrophes, or dashes will be allowed.
5. Use of frivolous or complicated words, or unconventional spellings will not be allowed.
6. Names that may be offensive (slang, double meanings, etc.) will not be allowed.
7. Names with the same theme (i.e., flowers, birds, trees) are suggested for naming streets in an entire subdivision or condominium development, as means of general identification.
8. Vanity street names that do not conform to the County address style will not be allowed.
9. No street name shall contain the words North, South, East, West, or any combination thereof. Directional compass points are used only as a prefix.
10. Streets shall not be named after any business that accesses the street.

F. PREFIXES

Directional prefixes will be used only when necessary, such as for distinguishing regions of a continuous road traversing several municipalities from either a baseline or meridian. Secondary streets that cross a main road shall not use a directional. A street/road may have no more than one directional prefix. Acceptable prefixes are North, East, South, West.

G. SUFFIXES

Each approved street name shall require a street suffix. Only one street suffix will be allowed per street name. The street name shall not be allowed to use North, East, South or West as a suffix. All street suffixes will be abbreviated in compliance with the United States Postal Service (USPS) Standards. If the last word of a street name is an acceptable suffix according to USPS Standards, then it will be used as a street suffix and abbreviated accordingly.

There are numerous suffixes to choose from, including but not limited to:

Avenue	Landing
Bend	Lane
Boulevard	Meadows
Cove	Mountain
Drive	Ridge
Estates	Shore
Glens	Trail
Hills	Valley
Lake	View

The street suffixes listed below will carry the following designations:

- | | |
|--------|---|
| Circle | A thoroughfare that returns to the same origin point or to the same originating road. |
| Court | A permanently closed road such as a cul-de-sac. <ul style="list-style-type: none">• When there is an extension of a cul-de-sac it shall be required the extension continue with the existing name.• New developments should avoid using the suffix Court for any cul-de-sac that has the future option to be extended. |
| Loop | A thoroughfare that returns to the same originating road (the suffix Circle may also be used in this situation). |
| Road | A secondary thoroughfare that is accessible from both its origin and terminus. The suffix road is predominantly used for public county and state roads. |

Street

A major thoroughfare accessible from both its origin and terminus.
The suffix street is predominantly used within city/village limits.

H. POST-DIRECTIONALS

A directional shall only be used as a prefix. The street name shall not be allowed to use North, East, South or West at the end of the street name or as a suffix.

SECTION 7 STREET NAME SIGNS

Guidelines for signs shall be dictated by the Michigan Manual of Uniform Traffic Control Devices (MMUTCD) prepared by the Michigan Department of Transportation in conjunction with the Michigan Department of State Police.

A. LOCATION OF SIGNS

All public and private roads in Livingston County shall be identified by a Street Name sign and shall display the proper street name. Street Name signs shall be installed at all intersections.

B. DESCRIPTION OF STREET NAME SIGNS

1. SIGN COLOR

The Street Name sign shall be retroreflective or illuminated to show the same shape and similar color both day and night. The legend and background shall be of contrasting colors. Street Name signs should have a white legend on a green background. A border, if used, should be the same color as the legend (Section 2D.38 MMUTCD).

2. SIGN HEIGHT

In business districts Street Name signs should provide a minimum of seven (7) feet of clearance between the top of the curb and the bottom of the sign. In rural areas signs should provide a minimum of five (5) feet of clearance between the bottom of the sign and the traveled roadway (Section 2A.18 MMUTCD). It is recommended rural street signs have a clearance of nine (9) feet to prevent vandalism.

3. SIGN LETTERING

Lettering on ground-mounted Street Name signs should be at least six inches in capital letters, or six inches (6 in) upper case letters with four-and-a-half inch (4.5 in) lower-case letters (Section 2D.38 MMUTCD).

On multi-lane streets with speed limits greater than 40 mph, the lettering on ground-mounted Street Name signs should be at least eight inches (8 in) high in capital letters or eight inches (8 in) upper case letters with six inch (6 in) lower-case letters (Section 2D.38 MMUTCD).

For local roads with speed limits of 25 mph or less, the lettering height may be a minimum of four inches (4 in) (Section 2D.38 MMUTCD).

Supplementary lettering to indicate type of street (e.g., Street, Avenue, Road, etc.) or the section of the City (such as NW) may be in smaller lettering, at least three (3) inches high. Conventional abbreviations (see Section 1A.14 MMUTCD) may be used except for the street name itself (Section 2D.38 MMUTCD).

4. SIGN PLACEMENT

In business districts and on principal arterials, Street Name signs should be placed at least on diagonally opposite corners. In residential areas, at least one Street Name sign should be mounted at each intersection. Signs naming both streets should be erected at each intersection. They should be mounted with their faces parallel to the streets they name (Section 2D.38 MMUTCD).

C. STREET SIGN INSTALLATION AND MAINTENANCE

1. PUBLIC ROADS

The applicable public agency is responsible for all street signs on streets/roads designated as public.

2. PRIVATE ROADS

The property owners along private roads are responsible for installing street signs at the intersections of all private and public streets in compliance with this policy.

SECTION 8 DEFINITIONS

APARTMENT BUILDING

A single building comprised of three or more dwelling units used as rental property.

CONDOMINIUM

A building in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered, and maintained by a corporation created pursuant to the provisions of the appropriate statute.

An individual dwelling unit under individual ownership in a multiple unit development with common elements in which are owned by the owners on a proportional, undivided basis.

DUPLEX RESIDENCE

A building divided into two dwelling units each of which has an independent entrance either directly or through a common vestibule.

MANUFACTURED HOMES

A detached residential dwelling unit designed, after fabrication, for transportation on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling, complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations.

SINGLE FAMILY RESIDENCE

A dwelling meant for occupation by a single family.

STRIP COMMERCIAL BUILDING

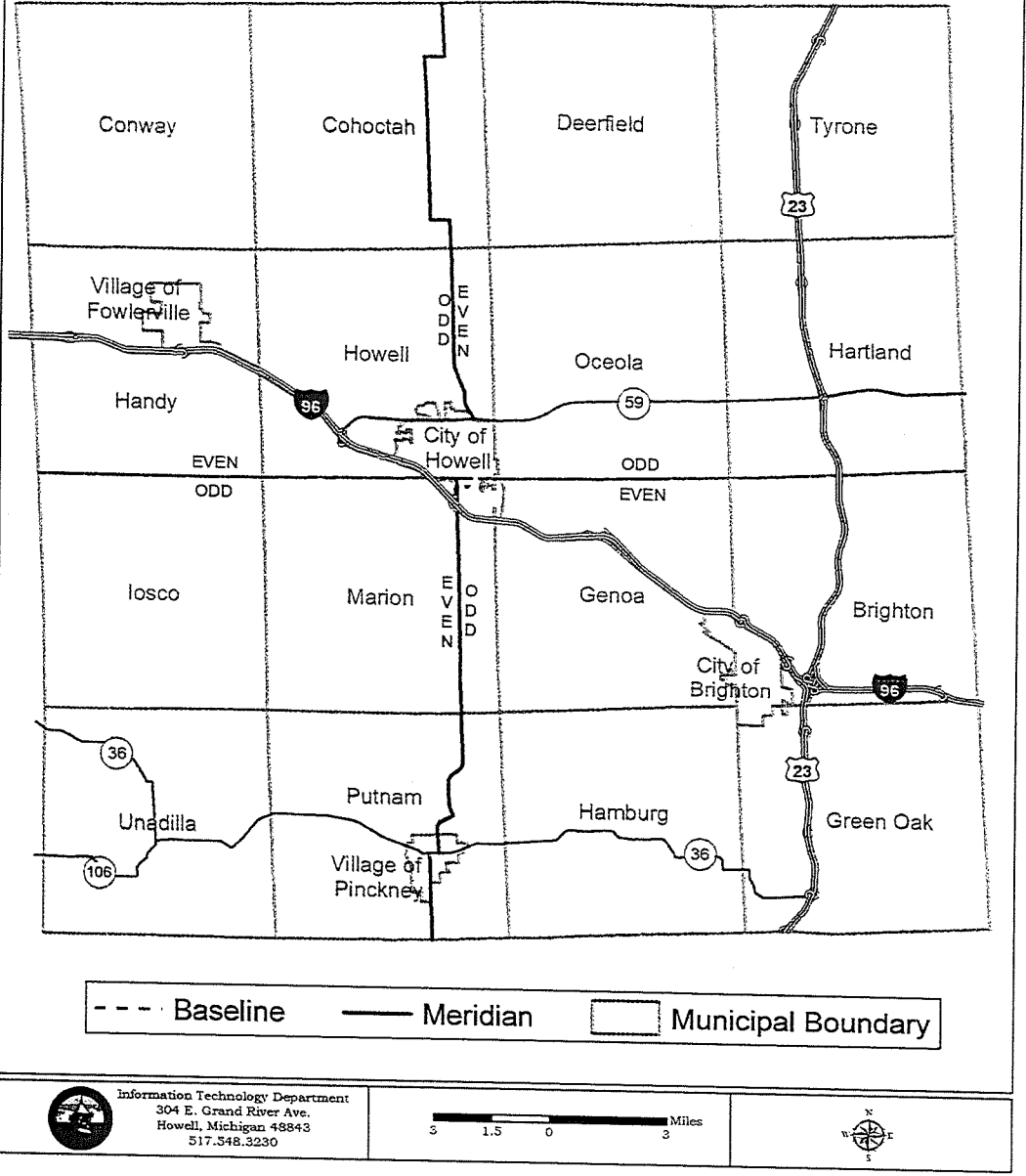
A single building with multiple accesses leased by square footage and allows interior business to vary in size.

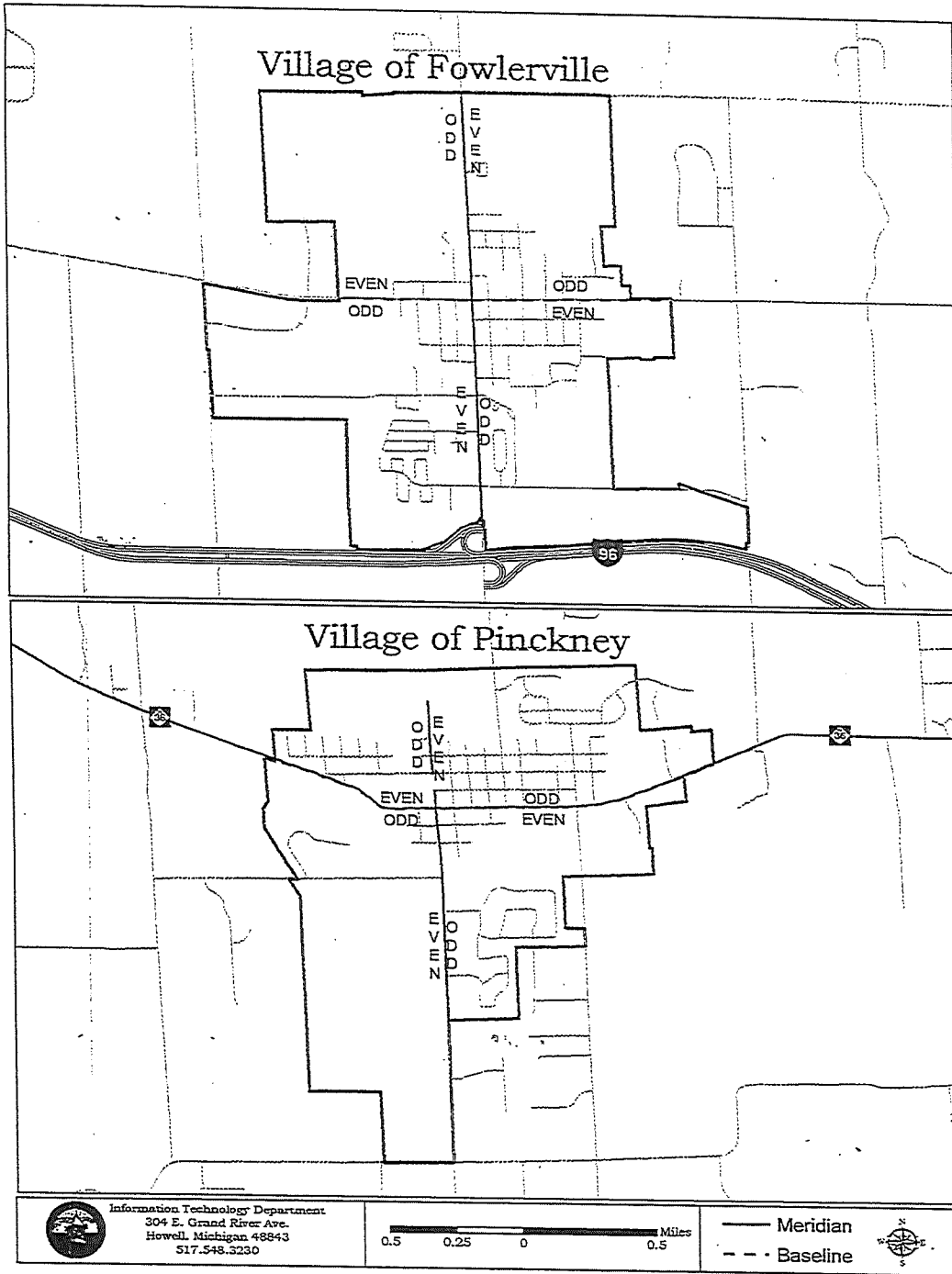
TOWNHOUSES

A building comprised of more than one narrow, multi-story unit. Each unit has its own entrance. A townhouse may be part of an apartment building or a condominium.

APPENDIX A

**Livingston County Addressing
Baseline and Meridian**





Conway Township
Planning Commission Meeting
Regular Meeting Sign In

Dec 12 2011

Please Sign In

1	John Keough
2	MIKE KELLY
3	Craig Horton
4	Paul Casius
5	HERMAN YOST
6	
7	
8	
9	
10	
11	
12	
13	