

# Greenvale Township Planning Commission

## Policies and Procedures

Revision Dates 05/20/2022, 03/16/2023, 5/15/2025

## **Preface**

This handbook establishes policies and procedures for the Greenvale Township Planning Commission (hereafter *Planning Commission*) and clarifies the roles and responsibilities of Planning Commissioners. It is also intended to provide an orientation to new Planning Commission members.

These policies and procedures are not intended to supersede Minnesota State Statutes or Greenvale Township Ordinances; in all instances, state statutes and Township Ordinances shall take precedence.

This document will be reviewed periodically, and new policies and procedures will be added as the Planning Commission adopts them, *and the Town Board approves them.*

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## — Section I —

### Greenvale Township: Planning Commission

#### Ch. 1 — Purpose

This Planning Commission is established for the following purposes:

- A. To encourage sound and harmonious growth of the community and its environs and efficiency and economy in the provision of facilities and services, to ensure maximum returns for expenditure of public funds, and to avoid errors and waste resulting from unplanned and uncoordinated development.
- B. To plan for all physical development, to recommend any changes for the zoning plan for the Township of Greenvale and provide rules for the operation thereof.
- C. To prepare and maintain in current form a comprehensive plan with related studies, statement of policies, regulations and ordinances to guide the development of the Township of Greenvale.
- D. The Planning Commission is established under the authority granted by the provisions of Minnesota Statutes Section 462.354.

#### Ch. 2 — Establishment; Qualifications; Terms of Office

Pursuant to Minnesota Statute § 462.354, there is hereby established a Planning Commission, herein after referred to as a "Commission", which will consist of five (5) members appointed by the Town Board from among the residents of Greenvale Township.

A Member of the Town Board shall attend meetings on a one-year *up to three-year* rotating basis to observe the proceedings and serve as liaison with the Planning Commission.

Notification of all upcoming openings on the Planning Commission shall be made public. Commission members shall be appointed from among persons in a position to represent the general public interest. Geographic dispersion should be considered as part of the appointment process. No person shall be appointed with private or personal interests likely to conflict with the general public interest. If any Member shall find that the Member's private or personal interests are involved in any manner coming before the Commission, the Member shall disqualify themselves from taking part in action from the matter, or the Commission may disqualify the Member.

The term of Commission Members shall be three (3) years beginning on May 1 and ending on April 30 three (3) years after.

The Town Board of Supervisors shall appoint Commission Members in April with respect to the terms that commence on the following May 1.

No person shall be appointed to serve more than two successive terms on the Planning Commission; provided, however, if no other applicants apply for the position, the Town Board may waive the prohibition against serving more than two successive terms and in such case the Town Board may appoint the Member to serve one more additional successive term of three (3) years; provided further, existing Members shall nonetheless be eligible to be reappointed to serve two (2) additional 3 year successive terms, the duration of which would be determined by the Town Board.

### **Ch. 3 — Removal from Office; Vacancies**

Any Commission Member may be removed from office for just cause by a majority of the Town Board, provided that the Member is given ten business days advance notice in writing of the proposed action of the Board, and an opportunity for a public hearing before the vote is taken. In addition, the Town Board according to rules adopted by the Planning Commission may remove any Member for non-attendance at Planning Commission meetings without action.

It shall be the duty of the Chairperson of the Planning Commission to notify the Town Board promptly of any vacancies occurring in the membership. The Town Board shall fill such vacancies within 60 calendar days of the notification.

### **Ch. 4 — Officers; Rules; Employees; Salaries and Expenses**

The Commission shall elect a Chairperson from among the Members.

The Commission shall adopt rules for its governance and for the transaction of its business, and shall keep a written record of attendance at its meetings and of resolutions, transactions, findings and determinations, showing the vote of each Member on each question requiring a vote, or if absent or abstaining from voting, indicating such fact. The records of the Commission shall be a public record. Copies of the approved minutes of the Planning Commission meetings shall be transmitted by the Township Clerk to the Town Board at least twenty-four hours prior to the next regularly scheduled meeting of the Town Board following the meeting of the Planning Commission.

Subject to the approval of the Town Board and within limits set by appropriations or other funds made available, the Commission may employ such staff, technicians, and experts as may be deemed proper, and may incur such other expenses as may be necessary and proper for the conduct of its affairs.

Members of the Commission shall receive such salaries or fees for their services thereon, as set by the Town Board at the reorganizational meeting. Members may receive necessary travel per diem and other expenses, while on official business for the Commission, if funds are available for this purpose.

## **Ch. 5 — Time and Place of Meeting**

The Planning Commission shall have regular sessions at the times and on the days shown by the schedule of meetings. The schedule shall be adopted by resolution of the Board of Supervisors at the reorganizational meeting and shall be kept on file at the Township's primary office. Continued meetings of the Commission shall be set by the Commission on days and at times that the Commission may deem proper. All meetings shall be held in the Town Hall or at a place designated on the schedule by the Commission. If the Commission decides to hold a regular meeting at a time or place different from the time or place stated in its schedule of regular meetings, it shall give the same notice of the meeting that is provided for a regular meeting.

## **Ch. 6 — Functions, Powers and Duties**

The functions, powers and duties of the Commission shall be, in general:

- A. To acquire and maintain in current form such basic information and background data as is necessary for understanding of the current Comprehensive Plan.
- B. To prepare and keep a current comprehensive general plan for meeting present requirements, and such future needs as may be foreseen.
- C. To establish principles and policies for guiding action affecting development in the Township and its environs.
- D. To prepare and recommend to the Town Board ordinances, regulations, and other proposals promoting orderly development along lines indicated as desirable by the Comprehensive Plan.
- E. To determine whether specific proposed development conforms to the principles and requirements for the Comprehensive Plan and the Ordinances.
- F. To keep the Town Board and the general public informed and advised as to all planning and development matters.
- G. To conduct such public hearings, as may be required to gather information necessary for the drafting, establishment, and maintenance of a Comprehensive Plan and Ordinances and regulations relating to it, and to establish public committees for the purpose of collecting and supplying information necessary for the Plan, or for the purpose of promoting the accomplishment of the Plan in whole or in part.
- H. To perform other duties which may be lawfully assigned to it, or which may have bearing on the preparation of or adherence to the Plan.

In connection with its duties, and within the limit of its funds, the Commission may make, cause to be made, or obtain maps, aerial photographs and surveys, and special studies of the location, condition, and adequacy of specific facilities of the Township and, as appropriate, its environs, including, but not limited to: studies on housing; commercial and industrial facilities; economic development; parks; playgrounds and other recreational facilities; schools; public and private utilities; traffic, transportation, parking and other studies as may be assigned by the Board of Supervisors.

All township employees shall, upon request within a reasonable time, furnish to the

Commission or its employees or agents such available records or information as may be required in its work

## **Ch. 7 — Plat Approval**

With respect to applications for plats, the Planning Commission shall hold the public hearing required by statute. The Planning Commission shall recommend to the Board whether the proposed plat should be approved or disapproved. If the Planning Commission has not made its recommendation in a timely fashion to allow the Board to approve or disapprove the proposed plat within the timeframes set by Minnesota Statute § 462.358, the Board may proceed to act on the application for the plat without the recommendation of the Planning Commission.

## **Ch. 8 — Building Permits**

No building permit for any structure to be erected on any property within the Township shall be issued until the application for the permit has been referred to the Planning Commission for review and a recommendation as to whether the building permit should be approved or disapproved and until the Planning Commission's review and recommendation has been made. An attested copy of the review and recommendation shall be forwarded to the Town Board prior to action by the Town Board in approving or denying the building permit. If the report and recommendation is not received by the Town Board in a timely manner so as to enable the Town Board to act on the building permit application within any timeframe set by law or ordinance the Town Board may nonetheless approve or disapprove the building permit application without the review and recommendation from the Planning Commission.

The review and recommendation of the Planning Commission is advisory only to the Town Board and shall not be considered dispositive of the action to be taken by the Town Board.

## **Ch. 9 — Zoning Changes**

No change shall be made in the present zoning of land, or in the zoning plan or future street or public land plan or regulations governing the platting of land, until the proposed change has been referred to the Planning Commission for a review and recommendation and until such review and recommendation has been made. No ordinance or resolution establishing any such plans or specifications shall be adopted by the Town Board until such ordinance or resolution has been referred to the Planning Commission for review and recommendation and until such review and recommendation has been made.

An attested copy of the Commission's reviews and recommendations shall be forwarded to the Town Board. If the reviews and recommendations are not received by the Town Board in a timely fashion so as to enable the Town Board to act on the matters within the timeframes required by law or ordinance, the Town Board may proceed to act on the actions without the reviews and recommendations of the Planning Commission.

The reviews and recommendations are advisory only to the Town Board and are not binding on the actions to be taken by the Town Board.

## **Ch. 10 — Recommended Public Works**

As a part of its duties, the Planning Commission, upon request by the Town Board, shall prepare a list of public works, which it believes are necessary and desirable to be constructed. Such list shall be arranged in order of preference with recommendations as to which projects shall be constructed with Township general funds and which with road and bridge funds, and such other methods of financing, as it deems advisable.



## — Section II —

### General Policies

#### Ch. 1 — Member Orientation and Training

A. Orientation. To assist new Planning Commissioners to learn their responsibilities and develop their understanding of planning and zoning, new Commissioners are strongly encouraged to:

1. Read the [Greenvale Township Zoning Ordinance](#);
2. Read the [Greenvale Township Comprehensive Plan Executive Summary](#);
3. Read "[Township Planning and Zoning: A General Overview](#)" (MAT Document PZ1000) and "[Zoning Decisions: Limitations and Pitfalls](#)" (MAT Document PZ2000), both available from the Minnesota Association of Townships (MAT) website at [www.mntownships.org](http://www.mntownships.org).
4. Obtain a copy of the Minnesota Association of Townships [Manual of Township Government](#), available from the MAT website or, upon request and Town Board approval, receive a hard copy of the manual.

B. Training and professional conferences. The Planning Commission recognizes that the acquisition and maintenance of a body of knowledge and skills related to planning and zoning is necessary and desirable to perform the job of Planning Commissioner. The Planning Commission therefore encourages and highly recommends periodic attendance at educational seminars, training sessions, and conferences. The following is the policy on attendance at such events:

1. Planning Commissioners must request approval from the Town Board to attend any training or informational meeting for which they intend to ask the Township for reimbursement for fees and/or mileage. Reimbursement is subject to availability of funds.
2. Planning Commissioners should notify the Planning Commission Chair and Township Clerk immediately of any educational or informational meetings at which there is the potential for a quorum of Commissioners so the meeting can be posted on the Township calendar.
3. Planning Commissioners shall, at the next regular meeting of the Planning Commission, make a report to the Commission about the information they received at any training or informational meetings they have attended.

#### Ch. 2 — Meeting Attendance

- A. Regular attendance at all scheduled Planning Commission meetings is expected. Attendance at regular Town Board meetings is strongly encouraged.
- B. If a Planning Commissioner is absent from regular Planning Commission meetings three (3) months in a row, or is absent from more than fifty percent (50%) of all scheduled Planning Commission meetings in a one-year period, then the Commissioner's position shall be considered vacant, and the Planning Commission Chair shall advise the Town Board that there is a vacancy on the Planning

Commission.

- C. If a Commissioner is unable to attend a scheduled Planning Commission meeting, they are requested to contact the Township Clerk or Planning Commission Chair in advance of the meeting to provide notice that they will be unable to attend.

### **Ch. 3 — Representing the Township**

Greenvale Township has an interest in ensuring that the Township is represented appropriately at public meetings outside of the community. The following policies govern Planning Commission attendance at meetings outside of Greenvale Township:

- A. If a Planning Commissioner is representing the Township in an official capacity (i.e., they are a presenter or speaker at an event at which they are identified as "a Planning Commissioner from Greenvale Township" or they intend to speak at an event as a representative of Greenvale Township), they must notify the Planning Commission and Town Board in advance of the event that they will be attending in this capacity.
- B. Planning Commissioners are free to attend, as a private citizen, public meetings in other communities on issues affecting Greenvale without notifying the Planning Commission or Town Board. Members should be cognizant, however, that if they identify themselves as a "Planning Commissioner from Greenvale," those in attendance may take what they say as a representation of the Township's view of the matter.  
Therefore, members are strongly encouraged to make clear at all times that they are speaking as private citizens and for themselves only.
- C. Contacting the Minnesota Association of Townships (MAT). Planning Commission members are encouraged to contact MAT concerning general questions of procedure or statutory requirements. However, MAT has a limited budget and limited staff, and has asked communities to coordinate with each other before contacting the organization for information. Before contacting MAT with a question, Planning Commissioners shall notify the Township Clerk about the general subject matter of their inquiry to ensure that the Township is not sending multiple requests for the same information. In general, requests should be limited to general questions about proper procedure or statutory requirements; as a rule, MAT will not advise Townships about policy matters.

### **Ch. 4 — Conflicts of Interest**

Refer to the MAT [Township Powers, TP-7010, "Conflicts of Interest Condensed Version"](#) or MAT [Township Powers, TP-7000, "Conflicts of Interest."](#)

### **Ch. 5 — Open Meeting Law**

Refer to Minnesota [State Statute 13D.01](#); the MAT Publication "Practical Guide to the Open Meeting Law"; and the [MAT Manual of Township Government, Chapter 7, "Open Meeting Law."](#)

### **Ch. 6 — Compensation and Reimbursement**

Planning Commission members are entitled to receive compensation and mileage reimbursement for all of the following:

- A. All official meetings of the Planning Commission

- B. Required site inspections
- C. Approved training sessions or informational meetings
- D. Compensation Rate will be set by the Township Board of Supervisors annually.

## — Section III —

### Roles and Responsibilities

#### Ch. 1 — Meeting Preparation

Preparation for Planning Commission meetings is essential. The Township does not have the luxury of regular staff to conduct research on issues that come before the Planning Commission, so much of this work must be done by individual Commissioners as part of their regular duties. Pertinent information presented to the Township Clerk between regular meetings should be sent to the members as soon as possible and compiled to create information packets.

- A. Information Packets. The Township Clerk will email Planning Commission members the packets by the end of business hours three (3) business days before the scheduled meeting. Requests for additional background information for items on the agenda may be made to the Township Clerk.
- B. Preparing for Meetings. Planning Commissioners are responsible for being prepared to discuss each item on the agenda for all Planning Commission meetings. In addition to reviewing permit application forms, this may include consulting Township Ordinances, conducting research and gathering information, contacting staff from other communities, consulting with planning and land use professionals, contacting county or state officials, and (where applicable) consulting county Ordinances and state statutes.

#### Ch. 2 — Conducting Inspections or Site Visits

#### Ch. 3 —Chair Responsibilities

The Planning Commission Chairperson shall be the presiding officer of Planning Commission meetings. In the absence of the Chairperson, the Vice Chairperson shall preside. The presiding officer is a full member of the Planning Commission and retains all the rights to speak, make and second motions, and vote on matters of Town business to the same extent as any other Planning Commissioner.

In addition to the duties and obligations outlined herein and in Township Ordinances, the Planning Commission Chair (or, in the Chair's absence, a designated member) shall be responsible for the following:

- A. Working with the Township Clerk to create an agenda for upcoming Planning Commission meetings.
- B. Maintaining regular communication with the Town Board Chair regarding Planning Commission business.
- C. Clarify any actions to the Town Board at each regularly scheduled Town Board Meeting; a Planning Commission liaison will be appointed to attend regularly scheduled Town Board Meetings.

- D. Identifying upcoming training or informational opportunities for Planning Commission members and alerting members to these opportunities.
- E. Ensuring compliance with Open Meeting Law requirements regarding availability of public documents during the meeting. (*See Minnesota Statutes §13D.01*)

#### **Ch. 4 — Township Clerk Responsibilities** *See Appendix E—Checklists*

- A. Accept and process application forms for upcoming meeting.
  - 1. The deadline for all applications shall be at noon at least ten (10) business days before the next Planning Commission meeting.
  - 2. Only complete applications that include all required information, supplemental exhibits, and fees shall be placed on the Planning Commission agenda for action.
  - 3. Consistent with State Statutes, incomplete applications shall be returned to the applicant within ten (10) business days of receipt, accompanied by a written explanation why the application is incomplete.
- B. Provide draft copies of Planning Commission meeting minutes to the Planning Commission and Town Board as required.
- C. Township Clerk to post approved Planning Commission meeting minutes to the Township website, and to include in the permanent Township records.

#### **Ch. 5 — Zoning Administrator/Planning Commission Chair Responsibilities** *See Appendix D—Checklists*

- A. Send out an email to the Planning Commissioners as to what Permits and Land Use items have been requested, so if Planning Commissioners want to see the original documents, they can come in to examine them.
- B. Compile and distribute information packets.
  - 1. Copies of permit forms shall be placed in Planning Commission members' packets no later than close of business three (3) business days before the Planning Commission meeting. Original application materials shall be available for Planning Commission members to examine during regular Township office hours or by arrangement with the Zoning Administrator/Planning Commission Chair.
  - 2. Draft minutes of the last Town Board meeting shall be placed in Planning Commission members' folders no later than close of business three (3) business days before the Planning Commission meeting.
  - 3. Any additional information relevant to items on the agenda shall be placed in Planning Commission members' folders as soon as available.
- C. Create meeting agendas. (in collaboration with Clerk and Chair)
  - 1. Items shall be placed on the agenda in the order in which they are received under the proper category, as follows:
    - a. Permit Requests. This item is reserved for building permit requests.
    - b. Other Land Use and Zoning Items. This item is reserved for land use and

zoning requests that do not require a building permit (e.g., lot splits, building right clusters, variance requests, lot of record verification, interim use permits, nonconforming use verification), as well as questions from the audience regarding land use and zoning items not on the agenda.

- c. Town Board Liaison
  - d. Old Business
  - e. New Business
  - f. Minutes Approval
  - g. Township Clerk Matters
  - The agenda shall include a version number to distinguish the final version from earlier versions.
- D. Record any changes or updates to the “Townships Buildable Site Book” within 30 days of receipt from the Dakota County Recorder.
- a. Changes will be noted on map, action taken will be recorded in notes section following each map, applicable papers regarding action taken will be filed following the notes section.
  - b. Clerk will report completion of updates to the Buildable Site Book to the Planning Commission at the next regularly scheduled meeting.

E. Compile copies of items for inclusion in the public notebook as required under the Open Meeting Law

## — Section IV —

### Operating Procedures

#### Ch. 1 — Permitting Procedures

The goal of the Planning Commission is to process permit applications and land use and zoning requests as expediently as possible while fulfilling its purpose to protect the health, safety, and welfare of the community. Consistent with this goal, the Planning Commission has adopted, and the Greenvale Town Board has approved, the following policies regarding the level of review required for various permit applications and land use requests:

##### A. Remodeling and repair projects.

1. The Zoning Administrator will determine whether the project requires Planning Commission and Town Board review. Generally, remodeling and repair projects do not require such review unless they enlarge the building, move or extend the outside dimensions of the building, or change the land use or occupancy of the building.
2. If the Zoning Administrator determines the permit application is complete and does not require Planning Commission and Town Board review, the Zoning Administrator may approve the permit, and applicants need not appear before the Planning Commission or Town Board. The *Zoning Administrator* will issue a permit per the usual procedure. Once a permit has been issued, applicants can obtain their permit from the Zoning Administrator after paying the appropriate permit fees. No work shall begin on the project until the applicant has paid for and obtained the proper permits.
3. If the Zoning Administrator determines the permit application does require Planning Commission and Town Board review, then the application will be forwarded to the Planning Commission per the Township's standard procedures for reviewing permits; in such cases, the applicant must appear before the Planning Commission and Town Board. No work shall begin on the project until the proper permits have been obtained.

##### B. Rebuilds in Case of Fire or Disaster.

1. The Zoning Administrator and Planning Commission Chair (or Vice Chair) will jointly review applications for buildings or structures being rebuilt after destruction by fire as soon as they are received. Incomplete applications will be returned within 15 business days and must be resubmitted.
2. If the building permit is for an exact rebuild of a conforming building or structure on its original foundation, and if the Zoning Administrator and the Planning Commissioner agree the proposal meets Township Ordinances, the Zoning Administrator may approve the permit, and applicants need not appear before the Planning Commission or Town Board. The *Zoning Administrator* will issue a permit per the usual procedure. Once a permit has been issued, applicants can obtain their permit from the Zoning Administrator after paying the appropriate permit fees. No work shall begin on the project until the applicant has paid for and obtained the proper permits.
3. Any one of the following will require that the application be forwarded to the Planning

Commission and Town Board for review per the Township's standard procedures for reviewing permits, in such cases the applicant must appear before the Planning Commission and Town Board at their next regularly scheduled meetings:

- The Zoning Administrator and the Planning Commissioner do not agree that the proposal meets Township Ordinances;
- Changes to the foundation or footprint of the building or structure;
- Changes to the location of the building or structure on the parcel;
- Changes in the physical dimensions of the building or structure (square footage, height, etc.); or
- Rebuilding a nonconforming building or structure.

Regarding nonconforming structures Minnesota Statutes state: "If a nonconforming building or structure is destroyed by fire or other peril to the extent of 50% of its market value, the Town Board may impose reasonable conditions upon a building permit in order to mitigate any newly created impacts on adjacent property" (M.S. 394.36, Subd. D).

*No work shall begin on the project until the applicant has paid for and obtained the proper permits.*

#### C. Other Permit Applications and Land Use Requests

1. A complete application must be submitted to the Zoning Administrator. For a request to be considered at the next Planning Commission meeting, the application must be received by close of business at least ten business days prior to the meeting. Generally, applications received after this time will not be acted on until the following meeting. If the Zoning Administrator deems an application incomplete, the Zoning Administrator may, at his or her discretion, accept the information needed to complete the application up until noon on Tuesday, one week before the Planning Commission meeting.
2. The applicant or a representative shall attend the Planning Commission meeting to represent the application. The Planning Commission will review the application and make recommendation to the Town Board for its next regularly scheduled meeting.
3. Building permit applications are forwarded to the Building Inspector, who reviews the plans, calculates the building permit fees, and does physical inspections of the structure or project.

### **Ch. 2 — Procedures for Regular and Special Planning Commission Meetings**

- A. Opening the meeting. The opening statement in Appendix B, or a substantially similar statement, shall be read by the Chair at the beginning of each regular or special meeting.
- B. Agenda. Agendas for regular and special Planning Commission meetings shall be created by the Chair and Township Clerk. Members may contact the Township Clerk or Chair to request that an item be added to the agenda for an upcoming meeting, ideally by noon Monday, one week before the meeting. The presiding officer may vary or alter the order of business. Agenda items may be added or deleted during agenda approval section at regular meetings *only*.

Agendas for regular meetings shall include the following categories of items:

- I. Call to order and Pledge of Allegiance



- II. Opening Statement
- III. Approval of agenda
- IV. Minutes Approval
- V. Township Board Liaison Report
- VI. Permit Requests. This item is reserved for permit requests. To be placed on the agenda, a complete application must be received by the Zoning Administrator by noon ten (10) business days before the Planning Commission meeting.
- VII. Other Land Use and Zoning Items. This item is reserved for
  - a. land use and zoning requests (e.g., lot splits, building right clusters, variance requests, lot of record verification) that do not require a building permit and for which complete applications were received by the Zoning Administrator by noon ten (10) business days before the Planning Commission meeting; and
  - b. questions from the audience regarding land use and zoning items not on the agenda and for which complete requests were received by the Zoning Administrator by noon ten (10) business days before the Planning Commission meeting
- VIII. New Business
- IX. Old Business
- X. Confirm Next Meeting Date
- XI. Adjournment

C. Procedures.

- 1. Rules of order. Planning Commission meetings shall be governed by the Parliamentary Rules of Order listed in Appendix A. The Planning Commission may from time to time adopt other rules of order to govern the conduct of its business. The presiding officer shall make the final determination on all questions of procedure and order.
- 2. Method of taking action. All actions of the Planning Commission shall be taken by motion, including the adoption of resolutions.
- 3. Voting. Approval of any action taken by the Planning Commission requires approval by a majority of the quorum. Voting with a recusal of a member is considered as removal from the quorum, and an abstention by a voting member considered a nay note.
- 4. Roll call vote. Any Planning Commission member may request a roll call vote for any issue on which a vote is made. In such instances, the recorder shall record the name and vote of each Individual Planning Commission member.
- 5. Dissenting votes. *At the request of any Commissioner who casts a dissenting vote, the reason for the dissenting vote shall be recorded in the minutes of the meeting.*

6. Continuing a meeting. The Planning Commission may by motion continue a meeting to a later time by announcing as part of the motion and recording in the minutes the date, time, and place of the reconvened meeting.
7. Audio recording. Unless the Planning Commission expressly states otherwise in the minutes of a particular meeting, any audio recordings of meetings by the Planning Commission are solely for the purpose of assisting the Township Clerk to develop accurate minutes. Such audio recordings are not part of the Town's official records. If a motion is passed to make an audio recording a part of the official record, the Town Clerk shall preserve the audio recording as part of the official record and make it available in the same manner as written minutes. The audio recording is to be destroyed after the approval of the minutes from that meeting.

D. Minutes.

1. The Township Clerk (or, in the Township Clerk's absence, an appointed Recorder) shall take minutes of all regular and special Planning Commission meetings. For each item on the agenda, the minutes shall include a generalized summary of the issues discussed, a record of any motions or resolutions made (including who made and seconded the motion or resolution), and a record of the vote of each member. When referring to Planning Commissioners, applicants, or audience members who speak during the meeting, full names shall be used, and home address shall be included for applicants and audience members.
2. Minutes of a regular or special meeting are not considered official until they have been approved by a majority of the Planning Commission members who attended the meeting.

### **Ch. 3 — Procedures for Public Hearings.**

- A. Opening the meeting. Part I of the statement in Appendix C, or a substantially similar statement, shall be read by the Chair at the beginning of each public hearing.
  1. Purpose of hearing. The Chair shall explain the purpose of the public hearing (i.e., to consider a IUP application, an Ordinance change, etc.).
  2. Applicant statement. At the discretion of the Planning Commission, the applicant may be permitted to make a brief statement.
  3. Open hearing for public testimony. Part II of the statement in Appendix C, or a substantially similar statement, shall be read by the Chair before opening the hearing to take public testimony.
  4. Taking public testimony.
    - a. The applicant shall remain in the audience.
    - b. Testimony shall be taken following the order in which people signed in on the speaker's list.
    - c. At the discretion of the Planning Commission, audience members may be allowed to speak a second time on the matter before the Commission, but only after all other individuals on the speaker's list have had the opportunity to address the Commission.
    - d. Comments shall be limited to 5 minutes (more or less time may be allocated for comments by consensus of Planning Commission).

- e. All comments shall be addressed to the Chair. The purpose of the hearing is to take testimony from the public, not conduct a debate with the applicant. NO direct discussion should occur between the applicant and audience or between audience members except at the direction of the Chair.
  - f. Planning Commission member comments during the public hearing shall be limited to questions or to testimony for the record, and members should ask to be recognized by the Chair.
  - g. If a citizen raises a question during testimony, the Chair may answer the question, ask the Attorney to answer the question, or simply make note of the issue for the Planning Commission to discuss during the deliberation.
5. Closing the public hearing.
- a. The Chair shall ask for final comment three times before closing the meeting.
  - b. Once the public hearing is closed, no more public discussion or comment shall be permitted.
6. Planning Commission deliberation *(Note: The issue may be tabled and discussion and deliberation deferred to another meeting by a motion and simple majority vote.)*
- a. Discussion is limited to Planning Commission members.
  - b. The applicant shall not be part of the discussion unless directly asked a question by the Planning Commission. In such cases, their reply shall be directed to the Chair and shall be limited to the question at hand.
  - c. If the public hearing involves a request for a conditional use permit, interim use permit, or variance, the discussion shall include establishing conditions and/or performance standards in the event the permit or variance is granted.
7. Planning Commission recommendation. *(Note: The issue can be tabled for further discussion at another meeting by motion and simple majority vote.)*
- a. The recommendation should be in the form of a motion.
  - b. Written findings of fact for quasi-judicial proceedings should be prepared immediately documenting the following:
    - i. the issue under discussion;
    - ii. the nature of the recommendation to the Board (including the outcome of the vote);
    - iii. the facts as the Planning Commission finds them; and
    - iv. a description of applicable law and how it applies to the situation at hand.

B. Minutes.

- 1. The Township Clerk (or, in the Township Clerk's absence, an appointed Recorder) shall record and take minutes of all public hearings. The minutes shall

include a complete record of public comment, a generalized summary of Planning Commission members' discussion and deliberation on the matter, a record of any motions or resolutions made (including who made and seconded the motion or resolution), and a record of the vote of each member.

2. A draft of the minutes shall be transmitted to the Planning Commission within one week of the public hearing.
3. Minutes of public hearings are not considered official until they have been approved by a majority of the Planning Commission members in attendance at the meeting in question.
4. Township Clerk to post the Approved minutes to the Township website within 72 hours after they are approved.

#### **Ch. 4 — Public Participation**

- A. Public conduct. Everyone who attends a meeting shall at all times conduct themselves in a professional manner and shall not: speak until recognized by the presiding officer; engage in disorderly conduct; disrupt the proceedings; speak longer than the allotted time; speak to matters beyond the scope of the particular matter currently before the Commission; use profane language; or engage in any other activity which disturbs the peace and good order of the meeting. Any person who engages in any activity which disturbs the meeting may be asked to leave the meeting. If the person does not leave, the presiding officer or other Town officer or staff may contact law enforcement to have the person removed from the meeting.
- B. Audio or videotaping. Those attending meetings may use sound or video recording devices provided their use does not interfere with or disrupt the meeting and does not violate the constitutional rights of others.
- C. Written materials. Citizens may submit brief written comments or materials to the Planning Commission before or at a meeting and may ask that they be added to the record. The Planning Commission shall enter the information into the record as requested unless doing so would be unduly burdensome.
- D. Citizen Comments. Citizens requesting to address the Planning Commission shall present a completed public comment card when making the request. The comment card shall list the topic and the agenda item being commented upon. Citizen comments will be limited to 5 minutes (more or less time may be allocated for comments by consensus of Planning Commission).

## **Ch. 5 — Procedure for Requesting Attorney Representation at a Meeting**

Any Commissioner may request that the chair ask for attorney attendance at a regular or Special Planning Commission meeting. The Chair will email the request to the Town Board. The Planning Commission may request attorney presence at all Public Hearings for CUPs and IUPs, with the potential to request the attorney for other matters at their discretion. If the Town Board approves the spending of funds, then the Planning Commission can engage an attorney for that specific purpose.

## **Appendices**

## — Appendix A — Rules of Order

The following are permitted motions. The motions or points are listed below in established order. When any one is pending, Commissioners may not introduce another that is listed below it, but may introduce another that is above it. Where motions require a second, motions are considered dead if there is no second. In the case of tie votes, motions fail.

<b>Motion</b>	<b>Say. . .</b>	<b>Second?</b>	<b>Debatable?</b>	<b>Amendable?</b>	<b>Vote required?</b>
To adjourn	"I move that we adjourn"	Yes	No	No	No vote unless someone objects, then majority vote
To recess	"I move that we recess until. . ."	Yes	No	Yes	No vote unless someone objects, then majority vote
To end debate	"I call the question"	Yes	No	No	2/3 vote
To table an item	"I move we table this item until. . ."	Yes	Yes	Yes	Majority or general assent
To postpone consideration	"I move we postpone this motion by. . ."	Yes	Yes	Yes	Majority
To amend a motion	"I move to amend this motion by. . ."	Yes	Yes	Yes	Majority
To offer a friendly amendment	"I offer a friendly amendment to. . ."	No	Yes	Yes	Must be accepted by members who made and seconded original motion, then becomes part of main motion to be voted on
To take action or introduce business	"I move that. . ."	Yes	Yes	Yes	Majority
To limit debate	"I move we limit debate to. . ."	Yes	Limited	Yes	2/3 vote
To suspend the rules	"I move we suspend the rules and. . ."	Yes	No	No	2/3 vote
Challenge a ruling by the Chair	"I appeal the ruling of the Chair"	Yes	Yes	No	Majority
<b>. Point</b>	<b>Say. . .</b>	<b>Second?</b>	<b>Debatable?</b>	<b>Amendable?</b>	<b>Vote required?</b>
Raise a question of procedure	"Point of order"	No	No	No	No vote – Chair decides
Request Information	"Point of privilege"	No	No	No	No vote—Chair replies

**— Appendix B —**  
**Opening Statement for**  
**Regular Planning Commission Meetings**

I now call the <MONTH> <DAY> <YEAR> regular meeting of the Greenvale Township Planning Commission to order.

The Planning Commission is an appointed body that makes recommendations to the Town Board on Planning and zoning issues. Our recommendations are advisory only. The elected Town Board makes the final decision on all issues brought before us.

To be acted upon at tonight's meeting, applications for permits were due to the Zoning Administrator by noon 10 business days before tonight's meeting. Applications received after that time will be placed on next month's agenda. However, if you have questions about a late application, we're happy to address them this evening under \_\_\_\_\_ on our agenda.

I'd like to remind everyone that this is a public meeting, not a public hearing. Public meetings are open to the public to observe. Therefore, comment from the audience is generally limited to those with business pending before the Planning Commission.

If you did not do so, please take a minute to sign in on the attendance sheet at the back of the room. The Township is required by law to keep a record of audience members in attendance at all public meetings.

Finally, please silence your cell phone and any other electronic devices.



## — Appendix C —

### Opening Statement for Public Hearings

#### **Part I**

I now call the <MONTH> <DAY> <YEAR> special meeting of the Greenvale Township Planning Commission to order. The only item on tonight's agenda is \_\_\_\_\_ .

Before we begin, I ask that you silence cell phones and other electronic devices as a courtesy to the Planning Commission and to other people in the audience. If you feel the need to take a phone call or have a conversation, we ask that you step outside.

The Planning Commission is appointed by the Town Board to make recommendations to the Board on Planning and zoning issues. Our recommendations are advisory only. The final decision on issues brought before us is made by the elected Township Board.

With certain types of applications such as this one, it's also our responsibility to conduct a public hearing. The purpose of the hearing is to ensure that everyone with an interest in this matter has an opportunity to present testimony and evidence in support of his or her position.

We'll begin tonight with an explanation of the application that is before us. We'll then allow a brief statement by the applicant before we open the floor to public comment.

#### **Part II**

Before I open the public hearing to take comment, I want to explain some of the procedures for tonight's hearing.

First, you should be aware that our job as the Planning Commission is to review applications based on the regulations that exist in our Ordinances and the laws of the State of Minnesota. We do not have discretion to change or ignore those rules as part of our review process.

In this case, we are charged with . . . *[explain applicable statutory or Ordinance requirements]*.

We understand there may be strong feelings on both sides of the issue before us. We're committed to conducting a fair and open process and providing everyone with an opportunity to be heard, but we insist that everyone participate in an atmosphere of civility and mutual respect.

One person will have the floor at a time. You'll be called on to speak in the order you signed in on the speaker's list.

Please come up to the microphone before speaking, state and spell your name, and state your address for the record. By law, we have to create a complete record of this hearing, and your comments will not be recorded unless you are near the microphone.

There is a 5-minute time limit on comments. Please observe this limit so everyone has a chance to speak.

I will not call on a speaker a second time until everyone has the chance to speak for the first time.

All comments should be addressed to the Chair. The purpose of this hearing is to take testimony from the public, not conduct a debate or cross-examine the applicant.

Everyone who attends a meeting shall at all times conduct themselves in a professional manner and shall not: speak until recognized by the presiding officer; engage in disorderly conduct; disrupt the proceedings; speak longer than the allotted time; speak to matters beyond the scope of the particular matter currently before the Commission; use profane language; or engage in any other activity which disturbs the peace and good order of the meeting. Any person who engages in any activity which disturbs the meeting may be asked to leave the meeting. If the person does not leave, the presiding officer or other Town officer or staff may contact law enforcement to have the person removed from the meeting.

## **— Appendix D — Zoning Administrator Checklists for Planning Commission**

### **Reviewing Applications**

**Deadline:** close of business at least ten (10) business days before the Planning Commission meeting.

1. Application:
  - Are all sections filled out?
  - Is the information provided complete?
  - Is the application signed?
2. Shoreland—if property is in shoreland, have applicant contact SWCD or appropriate agency before the Planning Commission meeting.
3. Site plan—review *carefully* for all required structures and setbacks.
4. Supplemental materials—use the checklist for the type of permit.
5. Application fee and escrow—must be paid at the time of application.
6. Other permits that may be required (indicate in OFFICE USE portion of application form):
  - *Ag Building*
  - *Decks*
  - *Driveways*
  - *Fences*
  - *Solar Arrays*
  - *Fireplaces*
  - *Interim Use Permit (IUP)*
  - *Mechanical*
  - *Non-Conforming Use Expansion*
  - *Other Building Permits*
  - *Plumbing*
  - *Re-roof*
  - *Septic*
  - *Siding*

➤ *Windows*

7. Complete a review form—one copy to applicant and one copy to file.
8. Complete the OFFICE USE ONLY portion of the permit.

**Incomplete applications**—Return to applicant within fifteen (15) business days of receipt, accompanied by written explanation why application is incomplete. Keep a copy of the application and the letter for the file.

## **-Appendix E- Township Clerk**

### **Creating Agenda** (in collaboration with Administrator and Chair)

1. Discuss agenda with Chair—Do not send out the agenda without first consulting with the Planning Commission Chair and getting a list of items to be included on the agenda.
2. Agenda item categories—Place items in the proper category in the order they are received:
  - Permit Requests. This item is for building permit requests only. Only *complete* applications that were submitted *on time* shall be placed on the agenda under this item.
  - Other Land Use and Zoning Items. This item is for land use and zoning requests that do not require a building permit (lot splits, clusters, variances, lot of record verification, nonconforming use verification, etc.).

This is also where late applications should be placed if people have questions.

- Old Business
  - New Business
3. Draft agenda—Distribute to Planning Commission the end of business hours three business days before the meeting, by e-mail and in their folders.
  4. Version numbers—Include a version number or date on each new version of agenda.
  5. Final agenda—Distribute to Planning Commission by noon the day of the meeting, by e-mail and in their packets. Planning Commission may amend the agenda at the meeting.

## **Creating Packets**

Place copies of materials in Planning Commission members' packets and in the public notebook as follows:

### **After close of business the day before the Planning Commission meeting**

1. Permit forms
  - Application form
  - Site plan
  - Proof of ownership
  - Any attachments to the permit (except for building plans or other building code-related materials)

Original application materials must be available for PC members to examine during regular Township office hours or by arrangement with the Zoning Administrator

2. Tentative agenda (include version number on bottom)
3. Draft minutes of last regular Town Board meeting

### **As soon as available:**

1. Final agenda (include version number on bottom)
2. Draft minutes of previous Planning Commission meetings
3. Any "group e-mails" sent to the entire Planning Commission by the Clerk or by Planning Commission members
4. Any additional information relevant to items on the agenda

## **Public Hearings**

1. Prepare the following Items and place at back table:
  - Attendance sheet
  - "Public Hearing Procedures" handout
  - Speaking list (Clerk's table)
  - Public notebook
2. Audio record the meeting (including Planning Commission discussion/deliberation)
3. Prepare draft minutes for Planning Commission Chair to review
4. Distribute reviewed draft minutes to Planning Commission and Town Board one week after meeting
5. Prepare final approved minutes based on Planning Commission corrections and approval
6. Post approved minutes to website