

WHITE LAKE TOWNSHIP TOWNSHIP BOARD

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Township Board

FROM: Justin Quagliata, Staff Planner

DATE: October 11, 2022

RE: Section 61 Reviews

Section 61 of the Michigan Planning Enabling Act (the “MPEA,” Public Act 33 of 2008) requires Planning Commission review and approval of the location, character, and extent of new public streets, parks, open space, buildings, and other public facilities prior to construction/purchase in areas covered by a Master Plan. The MPEA does not require a public hearing for Section 61 reviews. The Section 61 review process begins by the Township Board referring the request to the Planning Commission. If the Township Board is not in favor of the request, it can choose not to refer it to the Planning Commission. If the request is referred, the Planning Commission will discuss and then either approve or deny the request. If the Planning Commission denies a request and the Township Board disagrees with the decision it can overrule the Planning Commission by a 2/3 majority vote. If the Planning Commission fails to act within 35 days after submission of the proposal to the Planning Commission, the project(s) are considered to be approved by the Planning Commission.

The Township Board plans to authorize construction and financing of a Public Safety Building to house both the Police and Fire departments, as well as a Civic Center (Township Hall) for municipal offices on a portion of Parcel Number 12-22-351-006. Additionally, Stanley Park Phase 1 development is slated to commence Spring/Summer of 2023 at 10785 Elizabeth Lake Road (Parcel Number 12-27-100-014). The ability of the Township to maintain acceptable levels of service and quality of life for existing and new residents is the focus of these development efforts. While the Township Board is committed to pursuing the aforementioned projects on its Elizabeth Lake Road properties, the Section 61 review process is a function of the Planning Commission and should be completed at this time. Staff suggests the Township Board initiate the Section 61 review of these projects by referral to the Planning Commission for its evaluation, which will be limited in scope as set forth in the MPEA.