March 2, 2023

**Update on Planning Commission and Board of Trustees Meetings RE: Nye PUD Submittal at 3151 Niles Road.**

The special use and PUD information for the Nye submittal will NOT be on the Board of Trustees March 6th agenda for reasons listed below.

Stating that they felt they met all of the requirements, the petitioner for the Nye PUD project (owner, developer and engineer for the project) has requested clarification on the reasons for Planning Commission no votes on the PUD project that was addressed at the public hearing which took place February 14th.

According to the Township Attorney, when a project is denied, due process entitles a petitioner to be made aware of the reasons for a no vote, in accordance with the ordinance. Identified no vote reasons, allow the petitioner to better understand the justification for denial and give the ability to revise the project plan, if so desired. If the petitioner chooses to present a revised or new plan, they are required to re-submit the project plan which would require a new public hearing.

On consideration of the petitioner’s request and their legal rights, it is advised that at the Planning Commission regular March 14th meeting, the commissioners set a special meeting date for the sole purpose of identifying the specific reasons that the PUD project received a no vote.