

Helena Township
Planning Commission
Special Meeting
April 23, 2020
3:00 p.m.

Escrow Policy Motion

Under Section 2.01.02(A)(3) of the Zoning Ordinance, the Planning Commission has determined that review of this amended site plan application will require the review of qualified professionals, including attorneys, in order to assist in the review process and to provide a legal opinion to help interpret the ordinance as to whether the amendment requested is permitted by the ordinance. Therefore, an escrow account is necessary. As such, the applicant shall deposit funds into an escrow account with the Township's Treasurer in the amount of \$5,000 to cover the professional costs associated with this application. This amount shall be held in escrow in the applicant's name and shall be used solely to pay these additional costs. Any unexpended funds held in escrow shall be returned to the applicant following final action on the application. Any actual costs incurred by the Township in excess of the amount held in escrow shall be billed to the applicant and shall be paid by the applicant prior to the issuance of any permit.

While Section 2.01.02(A)(3) of the Zoning Ordinance provides that a request for interpretation to the Zoning Board of Appeals by the Planning Commission is not subject to basic zoning fees, the professional costs to be covered by the escrow account are not basic zoning fees, and will be limited to professional costs necessary to process the application and provide advice necessary to decide the applicant's request.

Motion made by: *Bonnie Robbin*

Motion supported by: *Joe Bessil*

Ayes: *ALL -*

Nays: *NONE -*