

TYRONE TOWNSHIP PLANNING COMMISSION

PUBLIC HEARING - ORDINANCE #36

**Section 20.02.AA , Section 21.51, Section 21.52, Section 21.09, Section 21.15, and
Section 21.53**

March 8, 2005 8:00 p. m.

PRESENT: Sally Eastman, Joe Fumich, Dave Hanoute, Richard Hartigan, Steve Hasbrouck,
Laurie Radcliffe

ABSENT: S. Randy Laue

CALL TO ORDER: 8:45 p. m. by Chairman Hasbrouck

READING OF PUBLIC NOTICE: The public notice was read aloud by Secretary Radcliffe

CORRESPONDENCE:

There was no correspondence, but Donald Teggerdine requested and received copies of draft revisions 1 and 2 for Sections 20.02.AA and Section 21.51, and the draft copy of Section 21.53 in person.

PURPOSE OF THE HEARING:

The Public Hearing was called to hear comments regarding revisions to Section 20.02.AA - Open Space Area; Section 21.51 - Open Space Design Requirements; Section 21.53 - Ponds; and deletion of Section 21.09 - Driveway Access, Equivalent Grades; and Section 21.15 - Ingress and Egress Along Arterial Roads

COMMENTS FROM THE PLANNER:

For the benefit of the audience, Associate Township Planner Darrell Fecho explained that the Planning Commission makes amendments to the Zoning Ordinance from time to time as items come before them. They review the items and then create new zoning text that is more complete or more easily understood. Open space has created some problems for the Planning Commission and the township in terms of interpretation and general understanding.

A public hearing is required by state law for Zoning Text changes and is held at the Planning Commission level. Once the hearing input is received the Planning Commission will forward the final text revision to the Township Board and the County Planning Commission. It is up to the Township Board to adopt, modify, or reject the changes in the ordinance.

Associate Township Planner Greg Milliken explained that the Township requires that any parcel or lot created in the Township must dedicate a portion of that lot as open space. Many of the residents and applicants who come to the township have had difficulty interpreting the language, so we went through a process to make the language clearer. In terms of the requirements, both the existing and proposed language requires that you have open space on your property. The language requires that when you create a lot, there will be a certain portion that you can build on and a certain portion that will be dedicated open space. Two thirds of the lot will be developable and one third will be open space.

Within Ordinance Section 21.51 is language which describes how open space is calculated, where it can be located and exactly what can happen when it is located in certain areas. One of the major changes requires that the open space must be located on the newly

created parcel. The Planning Commission may allow it to be moved to another lot or to the parent parcel if there are significant things to protect. This is a new requirement which should help with the mathematics in determining the amount of open space required per parcel.

PLANNING COMMISSION DISCUSSION:

Mr. Hanoute noted that the proposed revision to Section 21.02.AA, Line 2, should read, "The required open space area shall be in addition to any developable area and shall be equal to one half (1/2) of the developable area for each lot, parcel or condominium unit." (Draft B - McKenna 3/8/05) and a "developable" definition should be included in the ordinance.

Mr. Hartigan explained that keeping the open space on the lot that is created made the mathematics simpler to use, so that it becomes one third (1/3) of the lot created. The other change was an increase in the amount of wetlands which could be included in open space. We also wanted to go back to the original intent of open space, "...to preserve land areas with tree cover, wetlands, woodlands, lowlands along streams, and other natural features worthy of scenic preservation and to provide buffer areas adjacent to property lines, public streets and roads, so as to maintain substantial yard areas and thereby assist in preservation of the rural character of the Township." (Section 21.51.A - Draft B).

During the Master Plan public visioning sessions and from the results of surveys we made a while back (2004), it was high on both priority lists to preserve the rural character of the community. That was one of the reasons we created the open space. We are trying to create visual buffers from the roadways that maintain rural character and create situations where open space on one development can be tied to open space on another development so it isn't fragmented, can become harmonious or contiguous, and will be preserved as open space forever. The process has been simplified and the formula should be easier to follow. Guidelines have been set so people will know what they should think about when they start laying out their lot splits and open space.

Ms. Eastman recalled that there had been a couple of occasions recently when people had asked to relocate their open space and asked if open space relocation language had been included in the revised language. Mr. Fecho said that the McKenna text (Draft B) didn't really deal with it at this point. He thought that relocation might be another topic for a future ordinance revision. He suggested going forward with the definitions and standards as they were written.

Ms. Eastman said the Township had already instituted a fee for open space relocation and Mr. Hasbrouck felt that a reference to relocation should be included at some point in this document. Mr. Van Hecke read the language included as Section 21.51.A.5 in Draft A (Burtch/Van Hecke - 3/2/05). "The required open space may be relocated when the Planning Commission and Township Board finds that the original intent of the open space requirement may be met at another location within the project."

Mr. Hasbrouck asked that we include relocation language in the ordinance before we make a final motion and recommendation to the Board.

Mr. Hanoute asked to have the language in Section 21.51.J. (Draft B) revised to read, "The common open space may be located along road frontage in order to preserve and enhance significant natural features or connect open spaces."

Under Section 21.51.N (Draft B) he requested the following change. "A subdivision plat, any development subject to site plan review under this ordinance, or any land division that results in four (4) or more total parcels is subject to the following provisions **in addition to those above.**"

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PUBLIC COMMENTS:

Mr. Hasbrouck asked anyone wishing to make comments on any of the ordinance revisions to be recognized by the chair and state their name and address before making their comments.

Ed Siwik, 6225 Linden Road, asked questions about common open space area. The Planning Commission had indicated that if he purchased a parcel in a subdivision, he could have his common open space area located someplace else, so long as it is within the subdivision.

Mr. Hasbrouck asked if he was referring to a lot that already had open space on it or if the lot was being created. Mr. Siwik said it would be a lot he wanted to build on, but he needed more space because the building would encroach on the open land area. With the language of the common open space, a developer could come in, buy a large wetland area and allocate common space for every house in that development which then would increase the density of the subdivision and would have the amount of common space which could be allocated in a wetland.

Mr. Hanoute noted that the Township had some limitations. For one, only twenty five (25) or thirty five (35) percent of the open space could be located in wetlands. Mr. Siwik said there was another thing he had been told. He wanted to know how this (open space) applied to people who owned property around Lake Shannon. A realtor had told him that the Lake Shannon property lines go right into the lake at certain points. He asked if the lake was considered a wetland area.

Mr. Hasbrouck explained that the lake would be classified as submerged land. Mr. Siwik said his next question was if he owned lake front property that went out to the lake, would he have access to the open space. Could he sell a common interest to part of the open space in the lake so that he would satisfy his open space and then have somebody on the other side of the road that wanted to build a bigger house have some common open space in the water.

Mr. Hartigan explained that when developers come in with a site plan, which is reviewed by the Planning Commission, they cannot change the density. Whatever the zoning ordinance says is the density and the minimum lot size for the zoning district has to be maintained. Just because open space is created, it doesn't increase the density at all. What the developer could do, for example, would be to create ten lots with a lot area of two acres and another acre of open space on it for a three acre density. If the Planning Commission feels it is desirable, he could take all of those open space acres and move them to some other spot within that land to preserve some other portion of that site. That would be in a planned development or subdivision.

If you have an individual lot with open space on it, you have to keep the open space within that lot somewhere. You can't offer to sell part of your lot to someone else for open space. If the parcel was divided with a buildable area and open space, that open space must be maintained.

Mr. Siwik asked if there was a common open space area, and he didn't have a sufficient amount of open space on his land, if the open spaces within the subdivision would be allocatable to him to qualify his parcel of property if he didn't have sufficient open space. Mr. Hartigan said that he would have to have a sufficient lot area in order to build his house exclusive of open space.

Mr. Milliken said that the buildable area of the lot would have been determined at the time the subdivision was approved. Between his lot and the common area there would have been enough space or the plan would not have been approved. Mr. Hanoute said the point

was that open space was required only when you create a new parcel. If a lot has already been approved at some point and is on record in the township, he would not need open space. If the lot is large, and he wants to divide it and put two lots there, then open space has to be provided for the second parcel.

Mr. Hasbrouck commented that the hearing should move on and reminded Mr. Siwik that he could ask additional questions after other people had a chance to speak. Mr. Siwik said that was agreeable and asked where he could get sections of the ordinance. He was told they were available at the Township Hall and he could contact the Zoning Administrator or Planning Commission Recording Secretary. He was given a copy of the draft under discussion (Draft B).

Mr. Hanoute thought Mr. Siwik had brought up an interesting point. If he was the owner of a parcel with excessive open space that had been allocated to that parcel, why wouldn't he be able to sell the excess open space to someone else? Mr. Hartigan said the only way he could see that occurring was if an adjoining lot needed open space and it could be done with a lot realignment. The ordinance wasn't intended to allow someone to sell a corner of their property to someone else five (5) miles away. Mr. Hanoute commented that it wouldn't have to be deeded, it just had to be preserved in perpetuity. It would all be in the Township and the total density of the Township wouldn't change.

Mr. Hasbrouck considered that the proposed ordinance language giving the Planning Commission discretion to allow them to locate (open space) in another spot would apply.

Relocation will not be automatic. Mr. Hanoute replied that we had never contemplated open space in a lake either. But then, only twenty five (25) per cent of submerged lands are allowed as open space. Let's say Mr. Siwik owns a parcel on Lake Shannon and part of that parcel is submerged under Lake Shannon. The guy across the street owns a four acre parcel and wants to divide it into two 2 acre parcels. That means he needs an additional acre of open space. Why can't Mr. Siwik sell him his unassigned open space under the water if it is large enough to meet the requirement, since he doesn't need it?

Mr. Hartigan thought one of the problems would be restrictions which had been adopted as part of the condominium or subdivision development agreements even though the Planning Commission had included language which allowed open space to occur somewhere else than the parcel created.

The Recording secretary commented that the subdivision and site condominium lots with lake frontage currently on record in the Township did not extend into the water although there were a few metes and bounds land divisions which did. Mr. Hasbrouck noted that there were state rules which regulated riparian rights and Mr. Fecho explained that the state had established a date certain disallowing subdivisions from using bottom land. Even though you may now own land that goes under a lake or pond, when you divide it the state regulations come into play and you can't sell it. Mr. Hasbrouck commented that he wouldn't be able to support selling land like that to be used as some one else's open space, and that wasn't the intent of what we had tried to do.

Mr. Hartigan agreed with Mr. Hasbrouck but noted that there were some areas where people have gone into the business of selling land for wetland mitigation purposes. If you need to mitigate three acres on your lot, you might be able to buy some in Brownstown Township from an owner who will sell you the amount of land you need and turn it into wetland for you. That same concept could apply if you owned a farm and wanted to sell off all your land as open space. You could go into business as an open space broker.

Donald Teggerdine, 6700 Mabley Hill Road, commented that he owned sixty-six (66 acres) and used to own eighty (80) acres. At one time 'farm to market roads' were developed by people who owned farm land by giving up thirty-three feet of frontage to the county or township. That was two and one half (2 1/2) acres taken from his farm. If he wants to put

a roadway across that, he has to get permission and has to pay taxes to the center of the road and that, of course, makes him happy. Now, he has sixty-six (66) acres left and you folks want to take away twenty-two (22) of it for open space. You have the right to do whatever you want to do with twenty-two acres of my land including letting the rest of Tyrone Township walk on it, as is in your minutes.

Mr. Hasbrouck explained that the language was "may be allowed to," and that was at the discretion of the property owner. Mr. Teggerdine read the portion of the text which stated, "Open space may be made available for the for all residents of Tyrone Township," at the discretion of the Commissioners."

His first question was, "Who is going to pay liability insurance on the land that I own and get to pay taxes on, but you folks are in charge of.

Mr. Hartigan said that first of all, the density in the area where his property was located is one (1) house per three (3) acres. The maximum number of homes that you could put on sixty-six (66) acres would be twenty-two (22). So if each lot is three (3) acres, and they are sold off as three acre lots, two acres out of the three that is sold is the buildable portion and one acre is attached to it as open space. So in essence, you are still selling three acres of land. You can't put any more houses on the land than is allowed by the density requirements, so no one is taking away twenty-two (22) acres.

Mr. Teggerdine said that was dead wrong. When you (the Township) are in charge of it, you've got it. Look at the road frontage, the thirty-three (33) feet of road frontage that he pays taxes on, is that his? Mr. Hartigan asked him to go back to the sixty-six acres. You can only put twenty-two houses on that sixty-six acres based on the ordinance. Mr. Teggerdine said that by the ordinance, each lot was three acres, but you designate that one acre of that is open space, and that puts you people in charge.

Mr. Hartigan said that was not right. It is open space attached to the lot and it is the person who owns that lot who is responsible for maintaining it. That is theirs, not ours. We don't have anything to do with it. Mr. Teggerdine said he was dead wrong. When he had to go to court because somebody gets killed on that land, who is going to pay? Mr. Fecho said it would be the responsibility of the person who had title to the land. Three acres is considered to be the lot size necessary to meet the 'one home for three acres' density. You are allowed to build on two acres, because the ordinance also allows for a two acre buildable lot. Mr. Teggerdine said he understood all of that. Mr. Fecho continued that the one acre had to be designated as permanent open space, but it is not given to the Township.

Mr. Teggerdine said at the discretion of the township, he could farm it. At the discretion of the township, every body could walk on it. Who is in charge of it?. Mr. Hanoute said the township didn't have the discretion to allow people to walk on it. That is your discretion. You may give it over to the township. Mr. Teggerdine said that wasn't what was written in the ordinance. Mr. Hanoute replied that if that was his interpretation, it was wrong. Mr. Teggerdine said he was referring to Section 21.51 (I - Draft A, H - Draft B).

Mr. Hasbrouck explained that the section had been included for large site condominiums that like to come in and preserve with a cluster development where they could only use the two acres, if the density is three acres, and build all of the homes on a smaller area to save money on roads and infrastructure and then have the open space surrounding it. They might decide to dedicate it to the Township or the County or keep it as a private park. There is flexibility in the ordinance and the use is a discretionary thing.

Mr. Hanoute thought the language wasn't clear and needed to be changed. Mr. Teggerdine said they (the Planning Commission) could sit there and tell him that but when it is written on the paper you say at the discretion of you people. You can make it agricultural or have

everybody walk on it. What is written is the law. Going back to the piece along the side of the road, the thirty-three feet he has been paying taxes on since 1808, or whenever, who is in charge of that? He can't plant anything on it, he can't cut a tree, he can't dig in it, and he can't drive across it. It is just exactly like the open space.

Speaking to Mr. Teggerdine, Mr. Fecho said that the condition of the open space was that you could do certain things in there, but item H (Draft B) is actually the opposite of what you said. The open space may, permissive, be made available to the public if some one wants it to. The open space can be made available and the Planning Commission may, permissive, accept it as public.

Mr. Hanoute thought the language was the problem and Section 21.51. H. (Draft B) should include, "Open space may be made available for the use of all residents of Tyrone Township **at the discretion of the owner** unless the Planning Commission finds that..."

Mr. Hasbrouck agreed that should be done to make the section more specific and less confusing. That is what we are trying to do at this hearing, take care of these kinds of issues. Mr. Teggerdine said he wasn't confused for a minute. It was exactly like the thirty-three feet going down the edge of the road. You people have taken it away and haven't said thank you, but you have said, "Don, you can still pay the taxes."

Mr. Hartigan said he could appreciate Mr. Teggerdine's concern, but he didn't plan to take it away. The county has that right of way, and he resented the attitude that he was here with his hand in Mr. Teggerdine's pocket. Mr. Teggerdine said he could resent it if he liked, but he (Mr. Hartigan) did have his hand in his pocket. You took twenty-two of his acres and that is what he would fight about.

Ms. Eastman responded that we have not taken twenty-two of your acres. Until you create new parcels all of the property is still yours. Mr. Teggerdine said, "Unh-huh. I understand. Look at me I'm seventy years old. Real soon, I die, and my kids take over. My taxes go from \$2,000 to \$10,000. They can't keep it and Adler subdivides. I've got to look at what Alder's going to get and what he is going to give the kids. I can't grow corn any longer. You might even decide, I couldn't grow corn on that. You don't have my hat on, you have your hat on. Nobody farms anymore. Nobody cares about the land, except the farmer."

Mr. Hasbrouck pointed out that we have all seen a lot of development in this county. Mr. Teggerdine has probably been along Latson Road where the houses are only ten feet apart. We have tried to set some parameters to maintain some yard space where your grandkids and my kids and grandkids will have room to do things and also room where wildlife can still live so it doesn't become a Westland where you don't have any extra land on the homesites. That is what the intent is. Mr. Teggerdine said that could be done with the three acre building lot leaving the open space by the wayside. Mr. Hasbrouck replied that was basically the same thing unless some one needs to use a larger area of open space to protect something that they choose to protect. It gives the people developing land some flexibility.

Mr. Hanoute observed that if it isn't mandated, open space won't remain open. People will build things in it and that's what we are trying to avoid. Mr. Hasbrouck reminded Mr. Teggerdine that the thirty-three foot easement wasn't part of the hearing tonight because the township didn't have any control over the right of way. His own property had a thousand (1,000) feet of road frontage, but if he didn't use his neighbor's road frontage he couldn't get to town. Road frontage was something that society established many years ago and we are trying to do the right thing again by having open space.

Doug Ridenour, 9154 Linden Road, said he had heard about the open space and the intent to maintain the integrity of the ruralness of the township. His parcel of property, before he purchased it, had taxes on it of \$680 a year. Now his taxes are \$8,000 a year

for the same chunk of property. He has lived in the township for forty (40) years and he would love to maintain the parcel of property for himself and maybe his kids. When his taxes are \$600 a month and every developer in the countryside is trying to buy his parcel, it is hypocritical as far as the open space. When things are that out of skew, it is a lot of money to pay just for taxes. He would love to maintain it, but every year the taxes go up the legal amount they can go up and what is he going to do? He is going to sell. How are we maintaining the integrity of open space with these costs that are completely out of control? It can become a very big burden and they go up exponentially larger every year. If your taxes go up 1.8 percent a year, 1.8 percent of \$680 is a lot less than \$1.8 of \$8,000. He is saying he would love to have the property for ever, but there comes a point of diminishing returns. As a Planning Commission have you thought of that? Do you think all the residents have unlimited capital? It's like you want your cake and eat it too. You want all this great open space but you want every individual to pay for it. Do you realize the cost and burden to the residents of the Township? Not every resident is making \$500,000 a year. If you look at the fixed costs of what it takes to maintain that property, you know, tax wise it is completely out of hand. Does the board have any comment on that?

Mr. Hasbrouck asked Mr. Ridenour if he thought the section of the ordinance we are discussing has an impact on his taxes and what he felt the correlation was. Mr. Ridenour said the assessments are just going up and he wondered what he could do five years from now when somebody offered him five million (5,000,000) for his land. Will he struggle to pay his taxes or take the five million and run and then have three hundred houses put in there?

Mr. Ridenour said that wasn't his intention and that isn't what he wanted to do. It's not a laughing matter. Mr. Hanoute said he didn't see the correlation between his taxes and open space. The open space is going to disappear when he sells his land and when it's platted out with three hundred houses in there, there won't be any open space left. That won't protect the integrity of the open space.

In response to a question from Mr. Milliken, Mr. Ridenour said his land had some woods that were high and dry. Mr. Milliken said for the purposes of discussion we would assume that his land was in the three acre zoning district (FR). If this rule wasn't there and the property was sold, it would be developed with three hundred 3 acre lots and the developers could clear it all, tear down all the trees and make it a level development of three acre lots. With this rule, it could be with the Planning Commission's direction, three hundred 2 acre lots with all of the open space clustered around the prime natural features on your site. That's how it protects the open space. It is the same density, with the same number of houses as would be there before, but the best features of your site, the woods, the high ground, the lakes, or what ever you have, would be protected by what is here in the ordinance. That's the purpose.

Mr. Fecho said that the Planning Commission had certain powers, but they had no say over taxability or assessability. There are some other programs, like PA 116, that provide lower tax rates. Mr. Ridenour said that he was already paying the Homestead rate. Mr. Fecho commented that this was a different program. He would have to sign an agreement that he would not develop the property within a specific period of time. It is a program which has been designed for land preservation if there is no intent to develop the land. It gives you some tax incentives to not sell the property because the taxes are too high, but that is beyond the scope of this Commission. What we are taking about tonight is the design of the property if it is cut up.

Gary Edwards, 7546 Ore Knob Drive, said he had just been through a land division so he has had experience with the ordinance. He felt that having the open space as part of the individual lot would certainly make the calculations easier. When he first started, he tried to locate open space somewhere else and it really started getting confusing. He didn't find it overly burdensome to have the one-third open space requirement. If you think about any

parcel of land, it is highly unlikely that the house and the garage and the pole barns would cover more than two-thirds of the viable acreage. That is all we are saying, that one-third of the lot however big it is, whether it is a ten acre piece or a three acre piece, one third of it has to remain without a house or a garage or a pole barn on it, and it will.

Mr Siwik said something had popped into his mind about the three acre zoning district. He asked if that covered the entire township of Tyrone. Mr Hasbrouck explained that we had a variety of zoning districts which are shown on the Zoning Map.

Mr. Siwik said he had another question then. That is one of the big problems other people have told him about is, for lack of a better word, the Mobile Home Park around Parshalville Road. That thing is a quarter full and they are starting to build more. The density of that thing is unbelievable. Now, with this zoning are we precluding something like that being built in your zoning districts?

Mr. Hartigan observed that the Park was court ordered. Mr. Hasbrouck explained that is was generally not our intent to allow that type of density. Mr. Hartigan recalled that the Planning Commission originally turned the project down, but it is the result of a court order that the project was located there. Mr. Siwik asked Mr. Hartigan if he was saying a builder or a developer could take the Township to court and possibly prevail. So then, this legislation (open space) is not directed to protect the people. If a developer comes in and wants a property bad enough, he can sue and in all probability the Township doesn't have the amount of money to take it through the court system so they will capitulate one way or another.

Mr. Hartigan explained that the Township had an insurance policy and insurance company to fight the battles, but that is beyond the scope of what we are trying to do here. Mr. Siwik said he just was trying to determine if something like that could be in the Zoning Districts. Mr. Fumich said it would depend on the substance of the suit and Mobile Home Parks are the ones that generally end up in court. Otherwise, our Zoning regulations are pretty well protected.

Mr. Hasbrouck asked if there were additional comments regarding the Open Space language.

Since there were no additional comments, Mr. Fecho recommended continuing with the other items on the agenda.

Referring to the items to be deleted, he said that Section 21.09 was a text which had been changed by another amendment and was really a housekeeping item. That section will note 'Deleted' in the ordinance. Mr. Hasbrouck commented that the same circumstances applied to Section 21.15. Both sections had been incorporated into the new language in Section 24.00 (Private Road, Shard Driveway, and Access Easement Standards).

Mr. Fecho recommended assigning a new number (21.53) to 'Ponds.' The other sections in Article 21.00 were in alphabetical order for the most part and the new sections that were out of alphabetical order should be added at the end. It was better to note that the older sections (21.09 and 21.15) were reserved and the text had been deleted. That would help locate the information in the future if the earlier text has to be referenced when reviewing older plans. Unless you are redoing and entire ordinance, it is better to just vacate a section and leave it there.

'Ponds' (21.53) is a new section which has been discussed at length and the text was available for review. Most of the language is new.

Mr. Hasbrouck explained that the Planning Commission felt that ponds needed to be regulated. Recently an issue had come up in regard to a site condominium where one

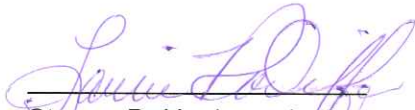
resident had built a waterfall in a detention pond. Eventually, the Drain Commissioner, the Planning Commission and township residents all got involved, so we felt that we needed some rules to apply and a process by which the Zoning Administrator would be able to issue a land use permit for ponds. Although it isn't lengthy, it does require a site plan for approval. Mr. Milliken noted that the requirements are administrative which was one of the key considerations in drafting the ordinance.

There were no further comments regarding the open space or pond language from the Planning Commission or the audience.

Ms. Eastman asked to make a comment before the meeting closed. She said that this issue (open space) has obviously been a hot button issue for some people but we don't come here to control people's lives although she wasn't going to talk about anybody but herself. This is a very difficult job. She tries every meeting to balance what is right for the land, what is right for the individual property owner, and what is right for the future residents of the Township. If you don't think I take it seriously, and you don't think I deliberate over every decision, then you don't know me and you don't know the affection I have for the Township.

Chairman Hasbrouck thanked Ms. Eastman for her comments and closed the hearing.

CLOSURE: 9:00 p. m.



Steven B. Hasbrouck, Secretary
Tyrone Township Planning Commission



Barbara Burtch, Recording Secretary
Tyrone Township Planning Commission

CORRECTIONS TO THE MINUTES:

- Page 2, Line 9: (...shall be in addition to any developable **area are**...)
- Page 7, Line 22: (pay **his has** taxes or take the five million...)
- Page 8, Line 16: (Mr. Hartigan **noted** observed that...)
- Page 8, Line 30: (**Mobile Mobil** Home Parks...)