

## TYRONE TOWNSHIP PLANNING COMMISSION

### Approved Regular Meeting Minutes

June 14, 2005      7:30 p. m.

**PRESENT:** Sally Eastman, Joe Fumich, Dave Hanoute, Richard Hartigan, S. Randy Laue, Laurie Radcliffe

**ABSENT:** Steve Hasbrouck

**CALL TO ORDER:** 7:30 p. m by Vice-Chairman Hartigan

**PLEDGE OF ALLEGIANCE:**

**CALL TO THE PUBLIC:** No response

**APPROVAL OF THE AGENDA:** Approved as presented

**APPROVAL OF THE MINUTES:** May 24, 2005, approved as corrected:

Page 4, Line 34: (...~~adjust~~ adjust the plan based on...)

Page 5, Line 5: (...forwarded by McKenna on April ~~19~~ 9, 2005.)

Page 6, Line 23: (Mr Hanoute asked ~~the~~ Mr. Fecho to provide...)

**CORRESPONDENCE:**

**SUBCOMMITTEE REPORT:**

**OLD BUSINESS:**

**1) Joint Meeting**

The Township Board has agreed to meet with the Planning Commission on June 28, 2005 for a joint meeting. To date, items to be discussed are the proposed Urban Services District Map; adoption of a Regulatory Ordinance, Zoning Ordinance amendment, or Procedural Manual to keep track of legal documents associated with land divisions, special use permits, and site plan reviews; and review of the options available for Township recovery of damages to local roads resulting from development traffic.

Vice-Chairman Hartigan asked Township Planner Darrell Fecho to present the discussion of the Urban Services Map. The staff will present the site condominium and land division concerns, and the Recording Secretary will report on information from State Senator Valde Garcia's office in regard to compensation for road damage resulting from development.

**2) Discussion of the report from the Livingston County Planning Department and the Livingston County Planning Commission regarding the Ordinance Revisions for Section 20.02.AA - Open Space, Section 21.51. Open Space Design, and Section 21.53 - Ponds.**

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Township Planner Darrell Fecho observed that Tyrone Township was on the cutting edge of managing density and the open space concept being used was new and fairly sophisticated. He noted that:

- Many of the issues brought up in the County Planning Department review indicated that they were not aware of the purpose of the open space;
- The use of open space to regulate developmental density was presented to the County Planning Department and the County Planning Commission when the ordinance was adopted in 1997;
- The township still provides for an additional open space option and parcel area reduction in connection with Cluster Developments as required by the State;
- The open space language had been reviewed by the Township Attorney prior to adoption;
- County Planning did not question the ability of the Township to control density by establishing minimum parcel sizes for each zoning district;
- Courts have become more liberal in making decisions in favor of developers in recent years;
- County Planning Department and County Planning Commission reviews and comments were not binding and the recommendations did not have to be followed by the Township Board;
- The County Planning Commission members didn't appear to understand the difference between minimum parcel size and zoning density;
- The Township Attorney should review the language again as the County requested; and
- He didn't feel that the Ordinance language warranted further review by the County.

Planning Commission members commented that:

- No one from the Planning Commission had attended the County Planning Commission meeting;
- The Township could replace the open space concept with a fixed minimum parcel area for each township zoning district;
- The County Planning Commission was probably uncomfortable with the flexible parcel size requirements and misunderstood the intent of open space;
- They agreed with Mr. Fecho that there didn't seem to be a conflict between the open space requirements and the state's Cluster Development statute;
- The language in Section 21.51 should be clarified as recommended by the Livingston County Planning Department; and
- They should forward the proposed ordinance language to the Board without any changes.

MOTION: Moved by Hartigan, seconded by Eastman, to recommend to the Township Board adoption of the Zoning Ordinance Amendments as proposed. Ayes: All. Nays: None.

Mr. Laue agreed to present the revisions to the Board. Vice-Chairman Hartigan asked Mr. Fecho to prepare a memo for the Board explaining why the Planning Commission recommended approval contrary to the County recommendations. In regard to the attorney review issue, the Planning Commission noted that the open space language had been reviewed before the ordinance was adopted; developers and residents have complied with the

conditions of Ordinance Sections 20.02.AA and 21.51 since adoption; no one has challenged the requirements to date; and the County hadn't offered to pay for an Attorney review. If the Township Board thought another review was necessary, they would request it.

The meeting was recessed at 8:00 p. m. for a public hearing and reconvened at 8:25 p. m.

- 3) Discussion of the proposed PIRO zoning ordinance forwarded from McKenna, Inc. (4/19/05).

Vice-Chairman Hartigan rescheduled the discussion for another meeting.

- 4) Comments regarding the Special Land Use request of Epiphany Community Church

The Planning Commission reviewed the letter provided by McKenna Associates and considered the options listed in their Special Land Use Review 2, dated June 14, 2005.

The Planning Commission members noted that no unfavorable comments about the use had been expressed at the Public Hearing, and the owner of the adjacent parcel on the north commented he was concerned about drainage from Runyan Lake Road not the use of the property. It was the consensus of the Planning Commission that the proposed use would be suitable for the location.

Rather than recommending conditional approval to the Board at this time, the Planning Commission encouraged the developer to prepare final site plans as the basis for establishment of Special Land Use permit conditions. Once the plans had been reviewed by the Planning Commission, the Special Use request could be forwarded to the Township Board for review and approval. Mr. Brish, Epiphany representative, thought that he would be able to have the plans completed within 120 days.

MOTION: Moved by Laue, seconded by Fumich, to table the request for 120 days.  
Motion carried by voice vote.

#### **NEW BUSINESS:**

- 1) Review of McKenna Inc.'s recommendations for definitions of "useable floor area" (6/25/05 version).

Vice-Chairman Hartigan rescheduled review of the recommendations until the next available meeting.

#### **ZONING BOARD OF APPEALS REPORT:**

#### **OTHER BUSINESS FROM MEMBERS:**


#### **NEXT MEETINGS:**

June 21, 2005 - Subcommittee Meeting

June 28, 2005 - Joint Meeting

August 9, 2005 - Regular Meeting

**ADJOURNMENT:** 8:35 p. m.

  
Laurie Radcliffe, Secretary  
Tyrone Township Planning Commission

  
Barbara Burtch, Recording Secretary  
Tyrone Township Planning Commission