

**TYRONE TOWNSHIP PLANNING COMMISSION**  
**Approved Regular Meeting Minutes**

**October 25, 2005          7:30 p. m.**

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

**CALL TO ORDER:** 7:30 p. m by Chairman Hasbrouck

**PLEDGE OF ALLEGIANCE:**

**CALL TO THE PUBLIC:** No response

**APPROVAL OF THE AGENDA:**

MOTION: Moved by Hanoute, seconded by Eastman, to approve the Agenda as presented.  
Motion carried by voice vote.

**APPROVAL OF THE MINUTES:**

MOTION: Moved by Hanoute, seconded by Radcliffe, to approve the October 1, 2005 Work Session Minutes as corrected. Motion carried by voice vote.

Page 4, Line 2: (...get mail **at** their property...)

Page 6, Line 6: (...to **go** got through the list...)

Page 6, Line 13: (...County Building Department **which** refusing a building permit...)

Page 6, Line 16: (There is **nothing** noting...)

**CORRESPONDENCE:**

- 1) October 18, 2005 - Letter from Gregory Milliken regarding Business Item #1

**SUBCOMMITTEE REPORT:**

- 1) Request of **Shannon Ridge**, represented by **Brent LaVanway** of Boss Engineering, for concept discussion of the expansion of Shannon Glen site condominium development. The new phase will contain 35 units to be serviced by wells and a community septic system.

Brent LaVanway explained that Shannon Ridge would be a new site condominium located next to the Shannon Glen site condominium south of Faussett Road. The property is zoned R-1 with 30,000 square foot lots. They are using the open space option so the site will have significant open space. There will be five lots bordering Ore Creek with a shared driveway extension for 4 of them. The road extension on the east side of the property will terminate in a cul-de-sac with another shared driveway extension for 4 parcels. The natural features on the site limit and dictate the proposed layout. There is a significant difference in elevation between the east road and the west shared driveway. The connection of the roads without destroying the natural features of the site is virtually impossible.

The lots have been oriented along Ore Creek and along the ridge lines to preserve the natural features of the site. Because we are limited in what we can do with the layout, the cul-de-sacs will be long. Detention ponds are proposed for the property and the plans will be submitted to the Road Commission and the Drain Commissioner after the Board review. The new road will be a private cul-de-sac serving more than 24 houses with connections to a new community septic site. The cul-de-sac lengths will be longer than 1200 feet, but there is language in the ordinance which allows a deviation and they are requesting that this evening. The International Fire Code does allow 30 units on a single access point and that is what is proposed.

Mr. Hasbrouck referred to a letter from the Drain Commissioner regarding an inspection and the unsatisfactory condition of the existing community septic site. Mr. Van Hecke said there had been discussion at the last sewer meeting about potential units which could be added to the township system. At some point in time, the Township would like to have municipal sewers go down Faussett Road and one of his concerns was that the location of the proposed new septic field at the back of the development wasn't the most likely spot to hook into a sewer system. The preferable spot would be closer to Faussett Road where the current community system field is. Review problems cited were the poor appearance of the site and unsecured lids over the active site.

Mr. LaVanway said there was some open space adjacent to the active Shannon Glen system, but it was his understanding that the area south of that didn't perk well. That was from the developer who told them the location didn't seem conducive to a community system.

Mr. Hasbrouck commented that Greg Tatara of the Drain Commissioner's office had dealt with several of these systems in the county and they have a pretty high failure rate. A system in Genoa Township with the same design and built at the same time by the same company lasted until all the houses were built and then it failed. The system owners determined it would be cheaper to connect to the municipal system than it would be to replace their community system. His concern is about installing another community system at Shannon Glen. He wanted to see some kind of cost analysis done by our Engineers or done by Boss for review by Tetra Tech. The original intent was to hook the Shannon Glen system into a municipal sewer system as stated in the original Shannon Glen Master Deed and Bylaws. This is a good time to consider it.

Mr. LaVanway thought an analysis for Shannon Ridge by itself wouldn't be very cost beneficial unless Shannon Glen participated and all the other Faussett Road properties were picked up between the development and the connection point to form a new sewer district. Mr. Hasbrouck said that the original intent was to have both developments hook up. Mr. Lavanway replied that there were 35 homes in the first phase, but only about 20 had been built so the first community system hadn't reached capacity yet.

Mr. Van Hecke asked why Shannon Ridge was using shared driveways instead of private roads to access the lots at the south end of the development. Mr. LaVanway said they wanted to preserve natural features by narrowing the area of disturbance to save more trees and preserve more natural topography. The length of the shared driveway and cul-de-sac together totaled about 1200 feet.

Mr. Hanoute asked why the building envelopes on lots 32 through 35 include wetlands. Mr. LaVanway said that would be changed. Right now, the lots have approximately 150 feet from

the front building setback to the wetland area so there should be enough room for a building. His concern was about connecting the roads. When asked about the gradient differential between the roads, Mr. LaVanway said it was a combination of the percent of grade and the amount of width they would have to take off. It was about 40 feet in 700 feet, which is about 6%, but that is traversing side slopes. You would have to take out virtually every tree on the site from cul-de-sac to cul-de-sac to accomplish that.

Mr. Hasbrouck asked what type of averaging Mr. LaVanway referred to. Any averaging from cluster development had to occur on top of the Township's open space requirements and the site plans didn't show any extra open space. Mr. Hanoute asked if the roads in the existing development were all 22 feet wide. The ordinance requires 24 feet and he wondered if the Planning Commission or the Board had approved that change. In regard to the shared driveway easement to the Nature Preserve, he wondered how much traffic they had anticipated and if a shared driveway was the proper solution. Mr. Hasbrouck commented that there were only two parking spaces at the end of the shared drive, but there might be additional parking back at the cul-de-sac.

Ms. Eastman recalled that we had limited shared driveways to four houses because of traffic volume, and if we have to access something that is open to the public would that mean the shared driveway is not an option? Mr. Hanoute said the concept of a shared driveway was to minimize access points on a public road for safety reasons. Now we have a shared driveway coming from a cul-de-sac where there is virtually no traffic and it appears it's more for the benefit of development economy than otherwise. It would be better to extend the cul-de-sac to provide more parking and handle a higher volume of traffic. Mr. Hasbrouck said that if the septic tanks were relocated there would be room there and it probably wouldn't exceed the maximum length.

Mr. Hartigan said that as he recalled the original plan, both septic fields were in the area where the phase one field is. That makes good sense for future tie-ins to a sanitary system, which the Township has committed to and has lines running already. He asked if Mr. LaVanway had hard evidence at this time about the perks at that original site. That needs to be looked at. He also recalled that it was the intent during the original approval to make sure that people could access the nature conservancy area via a public access with parking and he didn't believe that a shared driveway should be considered public access. The cul-de-sac shared driveway on the east should be designed as a connection for future development and the roads should be tied together.

Ms. Radcliffe was concerned about the increasing amount of traffic on Faussett Road from all the development in the area and wondered what the impact of 30 more homes might be. There are curves and hills that make the location a dangerous spot and she thought we might want to see a traffic study. Mr. Hasbrouck commented that the impact and traffic studies would all be part of the site plan review that Shannon Ridge would have to provide.

Mr. LaVanway said he wanted to do everything he could to prove to the Planning Commission that this was the best layout. Switching the shared driveways for extended cul-de-sacs could be done, but he felt strongly that connecting the roads would be a mistake. He asked everyone to go and tour the site with him. Looking at it on a sheet of paper doesn't do it justice.

Ms. Radcliffe asked if they were proposing one entrance for two separate subdivisions with two separate associations. Mr. LaVanway said yes. The road maintenance hasn't been worked out, but Shannon Ridge would take care of all their roads, with a fair share of the costs for Shannon Ridge going to Shannon Glen. The biggest reason they didn't want to expand the condominium was because they wanted to keep the septic systems separate and Mr. Mohr has been opposed to combining them from day one. The deed restrictions would remain the same.

Mr. Van Hecke asked Mr. LaVanway for information regarding the section of the ordinance he was using which related to averaging. He seemed to be referring to Ordinance Section 8 - Open Space Preservation, but that also required preparation of a parallel plan. Mr. LaVanway said he was referring to footnote AA, page 20-7 which establishes the lot area for the zoning district. Mr. Hasbrouck explained that Section AA established the minimum lot size and open space area required for each parcel in the zoning district. His plan followed the basic requirements, and there was no additional cluster option open space shown in the plan.

Next, Mr. Hasbrouck asked if the width of Lot 35 at the water's edge met the ordinance requirements for minimum lot width. In this zoning district, the minimum lot width is 130 feet. Mr. LaVanway said that he had averaged the water front lot widths. Mr. Hanoute was especially concerned about the lot width at the water's edge. Mr. Hasbrouck further commented that the setback lines were intended to define useable area, but he had many of them located in the water. That change was previously requested at the Subcommittee meeting.

Mr. McKenna commented that the development was one big cul-de-sac and thought it would be important to stub some streets over to the east boundary line so eventual development on that side would help get rid of the giant cul-de-sac. Mr. Hartigan agreed that it was important. Mr. Hasbrouck noted that the land to the south has a permanent conservation easement on it and isn't developable, but there was a high ridge to the east that could be developed.

Mr. Hanoute said he wasn't comfortable with the concept plan. Mr. Hasbrouck suggested tabling the Shannon Ridge request or asking them to resubmit at a later date. Mr. LaVanway said he wanted to stick with the layout as presented with exception of the shared driveways. Mr. Hasbrouck told him that the proposed number of units on a cul-de-sac and the length of the cul-de-sac were violations of the ordinance. Mr. LaVanway said the ordinance allowed the Planning Commission to approve variations in this case. Mr. Hasbrouck explained the variations dealt with the road width more than the road length (24.03, Paragraph I) and Mr. Hartigan continued that variations were made to minimize wide embankment cuts for severe grades, to minimize the damage to mature trees or when wetlands had to be disturbed. His problem was with the cul-de-sacs exceeding the maximum length and the number of homes allowed for a cul-de-sac. As tough as the topography is, he still thinks there is an option to connect the cul-de-sacs together.

Mr. LaVanway said it could be done, but no one would like it and their design did meet the national Fire Code requirements. Mr. Hasbrouck told Mr. Lavanway that he could come back with other ideas, or take his plan to the Board if we turn it down, but he didn't think we are at that stage yet. He thought there were other options, especially with the potential for moving the septic system.

MOTION: Moved by Hanoute, seconded by Hartigan, to table the Shannon Ridge request until such time as they provide us with other conceptual options. Motion carried by voice vote.

Mr. LaVanway was asked to address the concerns raised by the Planning Commission and provide information, not necessarily a fully engineered study, regarding what would be required to connect to the municipal sewage system, increase cul-de-sac turning radii to 45 feet, and provide information about street tree replacement as the road system is revised.

Matt McGuire, a Shannon Glen resident, asked when they would have a chance to offer comments. Mr. Hasbrouck told him there would probably be a private road hearing and another hearing if a change in the sewer system was involved. Mr. McGuire said he was concerned to find out that their system might fail and asked questions about their options in case of failure.

- 2) Request of **James M. Stenz** and **Cristen L. Velliky** for state statute land division of property at 7090 Linden Road, RE parcel 29-300-013, to create three parcels accessed by a shared driveway.

Mr. Stenz and Ms. Velliky were unable to attend the meeting.

MOTION: Moved by Hartigan, seconded by Eastman, to schedule a Shared Driveway Public Hearing for the Stenz - Velliky land division for November 22, 2005 at 8:00 p. m. at the Township Hall and that the item be removed from the Agenda for discussion purposes, and to schedule the Brian Varcoe Public Hearing for the same date immediately following the Stenz hearing. Motion carried by voice vote.

#### **OLD BUSINESS:**

- 1) Memo from Mr. Milliken regarding revisions to Ordinance 25, the Land Division Ordinance, distributed at the Oct 11, 2005 meeting.

Mr. McKenna noted that additional revisions were based on the land division comments made by Mr. Harris in his letter dated October 5, 2005, where he raised some questions about definitions. Mr. Hasbrouck recalled that at the Joint Meeting, the Board seemed agreeable to having the Planning Commission approve the Land Divisions and Site Plans, but there were still some issues with the other ordinances. Although Mr. Harris wanted to make some changes in the land division language, his letter stated that he felt it would be appropriate for the Planning Commission to review land divisions and site plans.

Mr. McKenna thought that private roads and land splits should go together. Mr. Hasbrouck explained that private roads and shared driveways were all done on a single site plan and generally approved at the same time as the land division. Mr. McKenna said he understood that you wouldn't want to approve land splits unless you know about the access for abutting properties. Provisions for maintenance, the basis for sharing maintenance with future users, and the funds for maintenance should all be considered with the land development when several parcels were involved.

Mr. Hasbrouck noted that the MTA was presenting a program which dealt with land division and road or driveway development combinations. He thought it would be a good program for

Planning Commission members to attend. Ms. Eastman volunteered to attend.

Mr. Hanoute commented that we had just had a land division where the Attorney would not allow us to consider the road when making the land division. Even though it was a nonconforming private road, the land division had to be approved because it met the parcel standards. We cannot use the road as a criteria by which to measure the application. The state land division act has three or four different criteria by which to judge if something meets standards or not in terms of land division and driveways or roads are not one of them. The parcel only has to have access.

Mr. Hasbrouck said that was because it was an existing road. For a new land divisions you have to have access, or some sort of easement to get there. That may not have to be a driveway or a road, but during the review process we make them aware they will need one, so they usually go ahead and design it then.

Mr. Hanoute asked for discussion of the "Lot Width" recommendation on page 3 of the Land Division ordinance. He had issues with that. The ordinance definition on page 2-13 wasn't broad enough to cover all the situations. Today we saw an example of that problem with the Shannon Ridge lake lots. They narrowed down at the lake because this language seems to suggest that the minimum lot width only has to be at the front setback line. Mr. Hasbrouck said that the lot width was only a minimum measurement, it couldn't get any smaller, but it could get larger. Mr. Hanoute felt that in the definition of lot width, there should be some reference to the minimum lot width and the fact that you can't go under that width. The minimum lot width should be maintained through the depth of the lot.

Mr. McKenna noted that the current width definition allowed the lots to come to a zero point. Mr. Hartigan said that he didn't have a problem with zero point lots when there were curves involved. He interpreted the ordinance to mean that the minimum lot width was required at a certain point. He didn't support creating multiple pointed lots to get more of them on a lake, but he didn't have a problem with encouraging people to design something other than squares when they lay out a subdivision. If we encourage them to follow the terrain and put in interesting road ways, you get those. Mr. Hanoute thought we should have something in writing that we could enforce. Mr. McKenna suggested requiring minimum lot width at the front and rear setbacks.

The Planning Commission asked Mr. McKenna to make the corrections to the land division document discussed during this meeting and then have it returned to the Planning Commission for final review before forwarding it to the Board with a recommendation.

**2) Review of the language recommended for inclusion in the Ordinance to better define useable floor area (UFA) related to the calculation of parking spaces (June 6, 2005 ver.)**

Mr. Hartigan said he didn't disagree with most of the proposed UFA definitions on page 3, but he didn't think that dedicated storage areas should be excluded. He thought that using 80% of gross square footage would be a better idea. For instance, in retail stores a large part of the area is usually dedicated to back up merchandise and that should be counted. But in the case of a warehouse, he could declare the entire thing as dedicated storage and wouldn't need any parking. He suggested removing "dedicated storage areas for supplies or merchandise" from the first sentence of the second paragraph. Mr. Hanoute thought it could be made even simpler by just using 80% of the gross area to compute the parking.

Mrs. Eastman wondered how frequently that would wind up with mammoth parking lots that weren't used. Mr. McKenna said there was a lot of new thinking on parking and said he would be able to provide some information for us. It wasn't about parking spaces or run off, as much as it was about better use of the land, better aesthetics, better looking buildings, and better operations. Mr. Hartigan thought you would get more exclusions using 80% than you would by counting bathrooms and stair wells. Mr. McKenna said he might even recommend 75%. If you let the builder determine the parking, he will usually put in what he needs. Mr. Hartigan said he had dealt with communities that allowed deferred parking. You set the guidelines for the amount of building UFA and use the extra area as green space until the building use changes and you might need to increase the parking.

#### **NEW BUSINESS:**

- 1) Comments regarding the Livingston County Drain Commissioner community septic system requirements

Mr. Hasbrouck said that the County had developed standards for community systems. They have provided minimum design standards, procedural standards, and review standards. They have detail sheets and minimum standards to be included for small systems and the project we reviewed today (Shannon Ridge) didn't meet the standards.

Mr. Van Hecke said that when Shannon Glen was originally designed, the Township was responsible for signing off on the construction. He wondered if Shannon Ridge would be a privately owned system under the new guidelines or if the Township would still have to be responsible again. Mr. Hasbrouck said he thought they were going to ask us to sign for the system. The Drain Commission recommended including a reference in the Township's Ordinance that the County standards would have to be met by developers building a community system. He thought it might be something we could add to the supplemental regulations. Mr. McKenna said they had been recommending ordinance references to community systems as a Special Use in residential districts and then you set up the standards to approve them.

Mr. Hasbrouck explained that the Drain Commissioner had originally operated some of the community systems. People would come and request an assessment district and ask the Drain Commissioner to operate them. The proposed Shannon Glen septic system sites probably weren't very good and he doubted if the existing system was in a good site either. In the long haul, the community systems will cost more to maintain and repair than taking a line from Faussett Road to the expressway. Mr. McKenna said the Township should define areas where community systems would be permitted. Mr. Hasbrouck thought they should be used in areas where sewers would be located in the near future, but they shouldn't be used to encourage rezoning to permit high density development. They should be a temporary option not a permanent one. To be used as a permanent system you would need to set aside large areas for rebuilding and replacement.

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

Mr. Hartigan commented that the revisions to Article 28.00 had a positive effect on the ZBA reviews and they were following the standards closely.

**OTHER BUSINESS FROM MEMBERS:**

- 1) Establishment of a November 22, 2005 shared driveway Public Hearing Date for Brian Varcoe's land division request.

Scheduled under Subcommittee Report #2

- 2) Regional Planning Report from Laurie Radcliffe

Ms. Radcliffe reported on her meetings with the Southern Lakes Planning Initiative. At the last meeting they were given a resolution to turn over to the Board for their signatures in support of the goals of the Initiative.

- 3) Shanghai Planning Report

Mr. Fumich reported that during his trip to China, he had visited the Shanghai Planning Center where they had scale model of the entire city and the suburbs laid out so you could walk around it and view the various areas of the city. They were working on a ten year plan which showed how the model would change in the future. For transportation they showed skyway super highways three levels high with traffic going every which way.

**NEXT MEETINGS:**

November 8, 2005 - Work Session

November 15, 2005 - Subcommittee Meeting

November 22, 2005 - Regular Meeting

**ADJOURNMENT:** 9:40 p. m.

  
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Laurie Radcliffe, Secretary  
Tyrone Township Planning Commission

  
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Barbara Burtch, Recording Secretary  
Tyrone Township Planning Commission



CORRECTIONS TO THE MINUTES:

Page 1, Line 14: (...Chairman **Hasbrouck** Hanoute)

Page 2, Line 22: Delete the sentence beginning at line 22

Page 3, Line 22: (~~Ms. Mr.~~ Eastman...)

Page 3, Line 24: (Mr. Hanoute said **the** his concept...)

Page 5, Line 5: (...increase ~~any~~ cul-de-sac turning **radii** ~~radius~~ to 45 feet...)

Page 6, Line 35: (...support ~~a~~ creating **multiple** ~~a lot of~~ pointed lots...)

Page 7, Line 44: (...taking a line ~~to~~ from Faussett Road...)