

TYRONE TOWNSHIP PLANNING COMMISSION

Approved Public Hearing Minutes

Ordinance #36 The Zoning Ordinance Article 24.00 Private Road, Shared Driveway and Access Easement Standards

March 13, 2007 8:00 p. m.

PRESENT: Gary Butler, Robert Byerly, Dave Hanoute, Ed Kempisty, Mark Meisel, Laurie Radcliffe

ABSENT: Joseph Fumich

CALL TO ORDER: 8:00 p.m. by Chairman Pro Tem Hanoute

READING OF THE PUBLIC NOTICE:

The notice was read aloud by Ms. Radcliffe

CORRESPONDENCE:

- 1) February 13, 2007 - Letter from Township Attorney John Harris regarding the Private Road Ordinance
- 2) March 8, 2007 - Memo from the MTA regarding Private Road and Shared Driveway Maintenance

PURPOSE OF THE HEARING:

To receive comments regarding revisions and amendments to the text of Ordinance #36, Article 24.00 - Private Roads, Shared Driveway and Access/Public Utility Easement Standards. The Sections of Article 24.00 to be amended are:

24.03, 24.03.B, 24.03.C, 24.03.D, 24.03.F, 24.03.K, 24.03.N, 24.03.P, 24.03.Q and 24.04.B, 24.04.B.1, 24.04.B.2, 24.04.B.3 (deleted), 24.04.B.3, and 24.06, 24.06.A, 24.06.C, 24.06.P, 24.06.Q and 24.06.R from the November 2, 2006 revisions,
and
24.04.A, 24.04.B, 24.06.G, 20.06K, and 24.06.R, from the February 20, 2007 revisions and other sections which may be brought forward at the meeting

COMMENTS FROM THE PLANNER:

Tyrone Township Planner Greg Milliken commented that initially, the intent had been to shift the private road decision process from the Board to the Township Planning Commission, but that has since been discarded. Issues related to road design and construction have been revised. The sight distance standards were updated, references to the Livingston County Road Commission and AASHTO were coordinated, the limit on the number of lots allowed on a private road was removed, and measurement of private road length was clarified.

The Attorney has recommended consistency in sections 24.03 and 24.04 regarding the ability to modify the standards and recommended using references to AASHTO standards as an alternate to the LCRC standards. He recommended continued use of the AASHTO standards for 24.03.G because there were very limited LCRC standards for shared driveway design.

The Planning Commission approval recommendation to the Board was referenced in Section 24.06.K . After consideration, he felt that the section on adjacent properties (24.06.R) should be amended to require that any neighbor who wanted to use a shared driveway after it has been installed would have to bear the cost of converting the driveway to a road if the maximum number of driveway users has been reached as stated in 24.06.P

COMMENTS FROM THE PLANNING COMMISSION:

Mr. Meisel supported the Attorney's comments for Paragraph 2, Section 24.06 regarding the reference to AASHTO standards in connection with LCRC standards. Mr. Hanoute recommended that Section 24.03.A (2/20/07), line 3, be revised to require, "... the most current adopted Livingston County Road Commission design standards **for public roads**.

Mr. Milliken noted that Section 24.03.Q would allow adjacent property owners to use an existing private road if there was mutual agreement, but the use of an adjacent private road would not be a use by right for a new development.

COMMENTS FROM THE PUBLIC:

CLOSING PLANNING COMMISSION REMARKS:

There being no further discussion, Chairman Hanoute closed the hearing at 8:20 p.m.



Laurie Radcliffe, Secretary/
Tyrone Township Planning Commission



Barbara Burtch, Recording Secretary
Tyrone Township Planning Commission