

TYRONE TOWNSHIP PLANNING COMMISSION
Approved Work Session Minutes

December 11, 2007

7:00 p. m.

PRESENT: Gary Butler, Bob Byerly, Joe Fumich, Dave Hanoute, Ed Kempisty, Mark Meisel, Laurie

CALL TO ORDER: 7:00 p. m. by Chairman Hanoute

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC: No response

APPROVAL OF THE AGENDA:

- 1) Mr. Meisel asked to remove Old Business Item 1, (LK-1 - Lake Front Single Family Residential District) from Agenda as that was accomplished at the November 13, 2007 Meeting.

Mr. Hanoute explained that the purpose of including the item on the Agenda was to check that the requested changes were made to the text conditionally forwarded to the Board. We just note that the material forwarded was or was not revised as requested.

- 2) Mr. Meisel asked to add discussion of packet procedures as Item 2 under Other Business from Members.
- 3) Ms. Radcliffe requested discussion of a phone call she received regarding the property at the intersection of White Lake and Old US 23 under Other Business from Members (Item 3).

MOTION: Moved by Meisel, seconded by Radcliffe to approve the Agenda as amended. Motion carried by unanimous voice vote.

APPROVAL OF THE MINUTES:

- 1) November 13, 2007 - Special Joint Meeting Minutes

Page 3, Line 48: (...not opposed to using shared driveways...)

- 2) November 13, 2007 - Work Session Minutes

Page 3, Line 6: (...needed to address were parking and roof...)

Page 3, Line 44: (...seconded by Byerly, to recommend to the Township Board preliminary site plan approval...)

Page 4, Line 17: (~~He wondered if a shared driveway for up to 4 parcels would prohibit someone from creating a private road or permit them to name shared driveways if they are constructed as roads.~~)

Page 4, Line 43: (...roads which could branch out from a private road cul-de-sacs.)

Page 6, Line 31: (...~~began wanted to begin~~ the discussion with...)

Page 6, Line 37: (Mr. Milliken noted general language legalese...)

Page 8, Line 29: (...would meet on December 18 20, 2007.....)

3) November 27, 2007 - Regular Meeting Minutes

Page 2, Line 1: (...our 12000foot length...)
Page 2, Line 42: (The Planning **Commission** asked...)
Page 3, Line 47: (...the White Lake Road intersection is **zoned** RE...)
Page 4, Line 39: (...if **someone some-one** wanted...)
Page 5, Line 16: (...the PUD Ordinance **was** too residential...
Page 5, Line 40: (...to **see if** he still...)

MOTION: Moved by Kempisty, seconded by Fumich, to approve the November 13, 2007 Regular Meeting Minutes, the November 13, 2007 Special Meeting Minutes, and the November 27, 2007 Regular Meeting Minutes as corrected. Motion carried by unanimous voice vote.

CORRESPONDENCE:

SUBCOMMITTEE REPORT:

1) Request of **Epiphany Community Church** for preliminary site drawing approval in order to request review and approval of the site drainage plans by the Livingston County Drain Commissioner

Mr. Hanoute explained to the applicants that this would be a preliminary approval only to allow for preliminary drainage review. Recommendations and approvals regarding drainage and drainage structures will be needed for final approval of the Special Land Use site conditions.

Planner Greg Milliken asked if there was any difference in the site plan being presented and the plan presented two years ago. Mr. Hanoute said the first plan showed a new church, expanded parking, and demolition of one of the accessory structures. The applicant is now requesting that the barn be used as a temporary church facility with the lower floor of the house used as an office facility.

The Subcommittee review was critical of the plans for two driveways side by side, the graveled surface parking area, the sight lighting, the landscaping, the provisions for storm drainage, the number of accessory buildings, and the lack of a master plan for future site development.

Mr. Drake, representing Epiphany, said that they had made some changes to address the previous Subcommittee concerns. The revised drawing shows the detention pond and the 25 foot paved section of the driveway. They are proposing to block off the old concrete driveway, but use some of it for handicapped accessibility to the house. Their plan is to pave the new driveway and parking area within 5 years.

Mr. Drake displayed a copy of the revised site drawing. He explained that they had prepared a master plan for the whole area using a campus approach. The main church building will be located on the north side of the parking lot, the barn will become a chapel, and the residence will be converted to housing on the main floor with an office in the basement. The Livingston County Building Department told them it would be easier to bring the downstairs into code compliance for an office than the upstairs. That is why the upstairs will remain as housing.

In regard to the concerns about gravel parking, their plan was to improve the driveway and parking in stages. The first phase would begin in the spring, with second phase completion in 2 to 5 years. The first phase would involve converting the barn to a chapel, paving the first 25 feet of the driveway, and converting the downstairs of the house into an office. The driveway would remain gravel, but they would dig a deep enough bed to add more gravel and paving at a later date. The detention pond was shown larger than might be needed, but would become part of a revised detention area when the church and parking lot expanded within 5 to 10 years. As a temporary screening measure, a 6 foot tall privacy fence would be located on the north side of the parking lot until the church and new parking lot were constructed. A parking lot light would be located on the northwest corner of the parking lot and focused on the church so the neighbors won't be affected.

Mr. Kempisty suggested putting a berm over the abandoned driveway entrance and grassing it over when the new entrance is built. The Road Commission would probably require that the first 25 feet of the new driveway be paved at the least.

Mr. Milliken asked about the financial feasibility of achieving their goals. Mr. Drake said they estimated that the previous plan would cost the congregation about \$18,000. They have about \$18,000 in their building fund and have raised an additional in pledges \$11,000 from the members. They are applying for a grant from their denomination of \$16,000 to do the paving and the additional items shown on the drawing. The funding for the first phase is secure. Using a 10% a year growth factor, the congregation should be large enough to finance the Stage 2 revisions of paving and metal building tear down 2 to 5 years, and within 10 years should be able to complete the master plan and have a church on the site. The key to growth is moving out of the Fenton Community Center and into their own church.

The future church has been planned for 4,100 square feet with a seating capacity of 120 persons in the sanctuary. The building would also contain room for an office, two classrooms, a nursery, and a multiple purpose area. Mr. Hanoute asked how the parking area would relate to the main entrance, and the number of parking stalls required now and in the future. Mr. Drake said they planned to provide 145 parking spaces, more than required for the amount of future seating. There may even be the possibility of adding a few more spaces once the plan is finalized.

The parking area entrance would remain the same for all phases, but the parking surface and parking area would expand in two phases. Right now they have plans for 45 cars. The spur shown leading from the main entrance drive relates to the Phase 1 handicapped parking spots located immediately in front of the sanctuary entrance. The concrete is already existing and could remain, since the barn will be retained to function as a chapel or a place for religious instruction in the future.

The detention pond has not been sized, but they wanted preliminary approval of the plans before they went further with costs. The pond was engineered by Brivar at 5,000 square feet. Their concern wasn't so much with the Drain Commissioner as the Road Commission and what they would accept as an entry drive because of the location of the church across the street. Mr. Hanoute said that before they could have final approval, they would need to have the drainage reviewed based on the ultimate site development. The proposed size and location of the final parking area, church, and detention pond needed to be indicated on the site drawing.

Mr. Meisel informed the Planning Commission that the most important issue with the parcel was drainage. The wetland is a permanent pond and there is literally no drainage from that place. There are drainage problems on the west where the water forces itself under Runyan Lake Road. The development will take away some of the parcel's absorptive capacity. Given the topography of the parcel drainage is a huge issue. He asked to have a copy of the drainage review based on procedures followed by the Drain Commissioner's office provided for future review. Mr. Hanoute explained that the Drain Commissioner would not size the retention basin, but would review the calculations. Mr. Drake said they were looking for Special Use approval before they spent any more time and money on the project.

Mr. Milliken reviewed the Ordinance and noticed that another hearing would be required if the Special Land Use permit was not issued within 90 days of the previous hearing. Mr. Meisel thought a hearing should be required because of the substantial changes from the previous plan. The original application was withdrawn so this is a new application. The drainage concerns involve the church property, the neighboring parcels, and the loss of absorption relative to the church's development. There were concerns about the inundation of the church property from roads as well as the ability of the property to absorb more drainage. They will need to evaluate the drainage to and from the property. To do that, they will need to have a preliminary design with numbers for the detention pond capacity and outflow. There are drainage issues on all sides of the property. The Church's concern is they can't be sure the Township would accept their Special Land Use plan without a special use approval.

Mr. Hanoute explained that one of the Special Use requirements was a developed site plan. There are off-site water issues that they need to be aware of as well. Mr. Drake said a new drain was put in during the summer from Runyan Lake Road to the pond. Mr. Hanoute replied that the new drain wasn't shown on the site drawing, but there is still a concern about the road watersheds that terminate at their property. Mr. Byerly said he was involved in development of the new drainage ditch. It was put in to relieve flooding from Runyan Lake Road into the neighbor's yard. Mr. Meisel commented that there is still a lot of surface runoff and he is concerned about the parking lot runoff during the winter when the ground is frozen. Mr. Drake said that since the property was purchased in 2004, they haven't observed any standing water on the site.

Mr. Hanoute asked the Planning Commission members if they thought there was enough information for a public hearing. Mr. Milliken thought most of the comments would be about drainage as it was in the first hearing. It would be difficult to satisfy the Planning Commission concerns or public concerns based on the information provided so far. There are a few site plan issues, but drainage is the biggest one. Those are details related to the site plan, not the Special Use. He suggested holding off on a Public Hearing until the drainage plan can be developed.

Mr. Hanoute reminded the applicants that the drainage information should be developed based on their Master Plan for the property. The pond should be sized and built calculated based on the ultimate uses shown on the site Master Plan. The complete drainage plan should be submitted before the Planning Commission can schedule a Public Hearing. They need to consider the increase in the amount of water coming to and from their property because of increased impervious surface especially when the ground is frozen. Water coming onto your site from elsewhere is a pass through, but the plans will have to show a drainage pond large enough to detain all the water long enough to release it at the standard agricultural rate.

As part of the final plan, they would need a photometric plan to show that the light at the north corner of the parking area would be adequate. He doubted the light would satisfy their needs and would be difficult to shield from the White Lake Road traffic, let alone the neighbors. He suggested putting the parking lot lights on the south side of the parking area and turning them down to focus on just the parking lot.

A drainage review and a Public Hearing Date could be scheduled for the same meeting. As soon as the drainage plan is ready, it would be forwarded to the Township's Engineer for review and recommendation prior to Planning Commission review.

MOTION: Moved by Meisel, seconded by Fumich, to table the Epiphany Community Church preliminary site drawing approval until we receive sufficient additional information to evaluate drainage plans. Motion carried by unanimous voice vote.

The meeting was recessed at 8:10 for the proposed Master Plan amendments Public Hearing and reconvened at 8:25 p.m.

- 2) Request of **Pat Dagenais** for land division of property at 6358 Denton Hill Road, FR parcel 36-200-032, to create two parcels. Each parcel will have access to Denton Hill Road as approved by the Livingston County Road Commission

Mr. Hanoute noted that the drawing had been revised to reduce the size of proposed Parcel 1; the open space was calculated correctly and had been relocated to the front yard of Parcel 1; the setbacks were correct, and the request met all the requirements of the Ordinance.

However, the Parcel 1 Legal Description did not contain an Open Space reference as required by the Ordinance. He asked to have an Ordinance date attached to the open space maintenance language with a copy forwarded to the Surveyor.

In regard to a question about the driveway, Ms. Dagenais said that the Road Commission had given her options for the location of the driveway, but she preferred to locate it on the north property line of the new parcel.

MOTION: Moved by Meisel, seconded by Butler, to recommend to the Township Board approval of Pat Dagenais' land division request for property at 6358 Denton Hill Road, FR parcel 36-200-032, to create Parcel 1 (7.56 acres net) and Parcel 2 (14.18 acres gross) as shown on the site drawing prepared by W. J. Angus and Associates (12/13/07 rev.), subject to additional Open Space language for Parcel 1 as required by Tyrone Township Zoning Ordinance Article 21.51 in effect on this date. Motion carried by unanimous voice vote.

OLD BUSINESS:

- 1) Recommendation regarding proposed revisions of Zoning Ordinance **Article 7.00** "LK-1 Lake Front Single Family Residential District" and other related sections of the Ordinance. Livingston County has recommended approval of the revisions.

The Planning Commission reviewed the revisions to the LK-1 Ordinance as referenced in the Livingston County review and asked the Recording Secretary to forward the revised text (12/12/07) as moved by Mr. Meisel and Mr. Butler at the November 13, 2007 meeting.

- 2) Discussion of the proposed revisions to Zoning Ordinance **Article 24.00** "Private Road and Shared Private Driveway and Access Easement Standards" and review of the Fenton Township Fire Department and Hartland Township Fire Department access recommendations.

Mr. Byerly explained that the Fenton and Fenton Township Fire Departments were not concerned about cul-de-sac length. Fenton does restrict road length within the city because of fire hydrant spacing.

Mr. Milliken said that changes had been made to reflect the International Fire Code recommendations for Fire Apparatus Access Roads forwarded from Fenton Township by Mr. Byerly. The Fire Code standards for the "T" turn around had been applied to the Shared Driveway Ordinance (24.06.I) Mr. Hanoute said he favored using the 28 foot turning radius referenced in the Fire Access text rather than the 44 feet recommended by the Hartland Fire Authority.

Referring to the requirements on Page 24-13 , 24.06.H and I, Mr. Hanoute commented that many municipalities did not require any turn around for a shared driveway 200 feet or less in length. Mr. Milliken said the length requirement was 150 feet in Fenton Township. He suggested adding language to the Ordinance which would allow the Township to waive the turn around requirement for driveways 150 feet or less in length.

The Planning Commission discussed the current private road cul-de-sac limit of 1,200 feet (p.24-5, Section 24.03.G) and the length of a quarter section (2,640 ft). Mr. Hanoute asked if there should be any road length limit if there were no hose limitation requirements referenced in the Fire Apparatus standards.

Mr. Milliken commented that at some point, the Township might want to start encouraging the use of multiple access points for longer roads. As he reviewed other ordinances, the two consistent length numbers he found were 1,000 (75%) or 2,650 (25%). If you use 2,650, the quarter section length would serve as some logical geographical reference to the maximum length of a cul-de-sac. In previous scenarios, the Planning Commission had discussed side-by-side stub streets which would form a looped system. Longer cul-de-sacs could be designed to provide a through system. He recommended connecting the ends of cul-de-sacs as a way of establishing a street system. The cul-de-sac definition required the length to be measured from the front building line of the farthest parcel so the road could be curved or straight depending on the development.

Mr. Hanoute asked what would happen in the case of a development with only one road. Mr. Milliken suggested requiring another access point for any road over 2,650 feet. Mr. Hanoute said the more he thought, the more he felt that we shouldn't limit any cul-de-sac road length to encourage flexibility. Mr. Meisel thought there should be ordinance language to establish the intent of the ordinance which would allow discretion, describe how we established the number, and what we were trying to accomplish with that number. Mr. Hanoute suggested having a specific number with language allowing alteration of the number at the discretion of the Planning Commission.

Mr. Van Hecke noted that we always request LCRC review for private roads and wondered if there was any thing about the proposed length which would keep the Road Commission from even considering the use as a public road. Mr. Hanoute asked if the LCRC had a limitation on cul-de-sac length. Mr. Milliken said the length issue comes out of the fire standard. If there

are more than 30 units, there would have to be 2 exits (2000 International Fire Code). Mr. Milliken said that originally the Township had a limit on the number of units at 24. Over time, there have been variances to that requirement. Mr. Meisel said the fire code has requirements for the number of units for single entry road. We could require emergency access in the case of a single entry cul-de-sac. Mr. Hanoute commented that if we wanted to follow the Fire Code we could reference the code as amended in the Ordinance to regulate cul-de-sacs and the maximum number of units allowed for a cul-de-sac.

Mr. Milliken was asked to make the changes as discussed and prepare a final Private Road Ordinance Draft.

MOTION: Moved by Butler, seconded by Byerly, to approve the proposed Article 24.00 revisions and forward the draft to the Board with the additional changes recommended. Motion carried by unanimous voice vote.

- 3) Recommendation regarding the proposed revisions to Tyrone Township's **Master Plan and Future Land Use Map**. Livingston County has recommended approval of the proposed revisions.

MOTION: Moved by Meisel, seconded by Byerly, to adopt the revisions to the Tyrone Township Master Plan for the Public Utilities text as shown on Pages 62-63 (7/2/07 revision) including proposed Map 6 and the revisions to the Future Land Use text as shown on Pages 77-88 (4/30/07 revision) including proposed Maps 7, 8 and 9 conditional upon correction of the typographical error shown on Page 79 by removing the "less than" symbol (<) in reference to Medium Density Single Family Detached Residential Lakeside. Motion carried by unanimous voice vote.

NEW BUSINESS:

OTHER BUSINESS FROM MEMBERS:

- 1) Election of Officers

All Planning Commission Members being present the following Officers were nominated and elected by unanimous voice vote to serve until the 2008 Election: Chairman - Dave Hanoute; Vice-Chairman Mark Meisel; Secretary Laurie Radcliffe

Chairman Hanoute made the following appointments: ZBA Representative - Mark Meisel; Subcommittee Members in addition to Mr. Hanoute - Joe Fumich and Gary Butler with Ed Kempisty as an alternate.

- 2) Packet Procedures

Mr. Meisel said an area of concern he wanted to discuss was the timeliness of receiving packets. About 2 years ago we had agreed to get packets out earlier in the week, so there would be a week of review prior to the meeting. We are back to getting packets on Thursdays. He wanted the Planning Commission to require that packets be sent out earlier. Friday, Saturday, and Sunday wasn't enough time for review of all the material.

Recording Secretary Burch explained that the target date for mailing packets was Tuesday or Wednesday with next day delivery. They were delivered to the Post Office in time to make next day delivery, but there have been occasions when some of the packets don't get delivered in a timely manner by the Post Office. One way to get them delivered sooner would be to require receipt of all documents at least 4 to 6 weeks prior to the meeting date.

Mr. Meisel suggested setting an Agenda at each meeting for the following meeting with no exceptions. If an emergency comes in, the Chairman would have the discretion to add it to the meeting or not. If we set the meeting Agenda tonight, there would be a week to work on the material for the next meeting. The Recording Secretary reminded Mr. Meisel that there were three packets a month to prepare, so it was difficult to devote a full week to packet preparation.

Mr. Hanoute said that setting the Agenda too far in advance would be difficult because requests might be forwarded from a Subcommittee Meeting.

Mr. Meisel said the Subcommittee requests could be held until such time as they were approved for the Agenda at a Planning Commission Meeting. That would allow him and others who weren't on the Subcommittee time to review the information and ask questions if necessary. Another bottleneck he was trying to break was attempting to get material to the Board for their next meeting. If an approval recommendation from the Planning Commission goes to the Board, it should be forwarded within a week rather than the next day. We should tell applicants that they won't be able to get anything on the next Board Meeting, and they will have to wait until some other meeting.

Mr. Fumich felt that he had enough time to review the papers. He usually gets his two days before the meeting. He asked for suggestions of ways to get the packets delivered sooner when there are time constraints. Mr. Hanoute said he appreciated Mr. Meisel's concerns and suggested sending more material electronically. Ms. Radcliffe suggested letting the minutes wait until after the packets were sent out because they took so long to prepare.

Mr. Hanoute suggested holding only one meeting a month as a way to reduce costs and provide more time to review requests. That had been done in the past. It was only after we experienced intense development in the Township that we went to two meetings and then to a Subcommittee review. Mr. Meisel said he wanted to deal with the pressure of getting material immediately to the Board and the pressure of having to deal with material delivered by the mail system.

Another discussion problem about the way we get our packets is the money spent to mail them. There is a strong belief that we should be able to pick the packets up at the Township. If we pick them up at the Township, or elect to use that option, they would need to be prepared earlier, than they currently are. The packets need to be ready before Thursday. Picking them up in the building on Thursday still wouldn't give him enough time for review. He has stopped in several times to pick up his packet and was always told they weren't ready. He would like to see the process more adaptable to other people's schedules.

Mr. Hanoute asked the members to consider packet recommendations for the Joint Meeting. One of the reasons the packets were being mailed was the decision made by an earlier Board to limit the number of building keys in circulation.

3) Individual Member Meetings with an Applicant

Ms. Radcliffe asked for advice about an invitation to lunch that she received from a prospective developer with an interest in property with access from White Lake Road. Mr. Hanoute said the lunch could be worthwhile because she would be able to see some of the PUD projects he had completed elsewhere. As long as the purpose of the meeting and the name of the individual or group requesting the meeting was public knowledge, he didn't feel there would be a problem. It is a good idea to see as many types of development as possible.

Mr. Hanoute said he had samples of two PUD ordinances that had been provided by the developer's project engineer. He asked the Planning Commission members to review them for future comment based on their fit with the Township Master Plan. There were some good ideas and some not so good, but any document is only as good as the people enforcing it.

3) Introduction of Ms. Hodges

Mr. Milliken informed the Planning Commission that he would not be working with the Township in the future. A baby would be arriving after the new year and he would be managing the Kalamazoo Office which would greatly increase conflict with Planning Commission meeting nights. He introduced Sally Hodges, a McKenna Associates Planner, who will begin working with the Planning Commission.

Ms. Hodges told the Planning Commission she was located at the Northville Office and has worked with Hartland and Oceola Townships in Livingston County. She will share the work with Senior Planner Sarah Traxler. Mr. Milliken said he planned to continue with the PUD project until the final draft was prepared. He reminded the Planning Commission that in order to make any further revisions to the Future Land Use Map, the process would have to follow the same time table as the Master Plan amendments.

ZONING ADMINISTRATOR'S REPORT:

ZONING BOARD OF APPEALS REPORT:

BOARD ACTION:

FUTURE AGENDA ITEMS:

NEXT MEETINGS:


January 8, 2008 - Work Session

January 15, 2007 - Subcommittee Meeting

January 22, 2007 - Regular Meeting

ADJOURNMENT: 9:45 p.m.


Laurie Radcliffe, Secretary
Tyrone Township Planning Commission


Barbara Burtch, Recording Secretary
Tyrone Township Planning Commission