

TYRONE TOWNSHIP PLANNING COMMISSION

Approved Meeting Minutes
March 10, 2009 7:00 p.m.

PRESENT: Dave Hanoute, Steve Hasbrouck, Ed Kempisty, Mark Meisel, Laurie Radcliffe

ABSENT: Gary Butler, Joe Fumich

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

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC:

Scott Dietrich, 13505 White Lake Road, informed the Planning Commission that a Political Meeting was held at the Herb Farm without a permit from the Township

APPROVAL OF THE AGENDA:

Moved by Radcliffe, seconded by Kempisty, to approve the Agenda as amended under Other Business from Members, Items 1, 2 and 3. Motion carried by unanimous voice vote.

APPROVAL OF THE MINUTES:

1) February 24, 2009 - Regular Meeting

Moved by Radcliffe, seconded by Meisel, to approve the February 24, 2009 Minutes as corrected. Motion carried by unanimous voice vote.

Page 5, Line 36: (...carving a pumpkins...)

Page 6, Line 1: Delete paragraphs 1, 2, 3, 4, and 5

Page 6, Line 37: (Mr. ~~Christenson~~ Christenson...)

Page 7, Line 7: (~~However~~ However)

Page 8, Line 2: (~~He now~~ asked how...)

Page 8, Line 26: (~~the~~ holding weddings...)

Page 9, Line 3: (to get a **clarification** ~~classification~~...)

Page 9, Line 11: (Mr. Kempisty **said** he understood...)

Page 9, Line 23: (Mr. Hanoute reminded ~~the~~ Mathews...)

Page 9, Line 30: (...has been ~~doing~~ is getting...)

Page 10, Line 10: (Mr. Hanoute said ~~they~~ if they...)

Page 10, Line 28: (Mr. Christenson **said**...)

Page 10, Line 33: (...application ~~the~~ ~~they~~ way they prepared it, that's the way ~~it is~~ ~~it's~~)

Page 11, Line 7: (...the events you ~~hold~~ ~~holding~~ ~~are not~~...)

Page 11, Line 33: (Mr. Mathews **said** he didn't know...)

Tyrone Township Planning Commission
Approved Meeting Minutes
March 10, 2009
Page 2

Page 11, Line 41: (Mr. Mathews said ~~so~~ his wife...)
Page 12, Line 2: (...run a business and they...)
Page 12, Line 22: (Here is a flyer....
Page 12, Line 43: (list it all of your activities so we can take action on **them** it)
Page 13, Line 18: (...he didn't want **to** come back...)
Page 13, Line 45: (before they meeting with the planner.)
Page 15, Line 9: (attached to Tyrone Memorial Gardens ~~to~~,...)
Page 15, Line 10: (...property in Section 9 ~~to~~,)
Page 15, Line 6: (~~Ms.~~ Mr Hodges commented...)
Page 16, Line 5: (At the **February 10, 2009** Public Hearing...)
Page 17, Line 44: (...~~that~~ noted **that** many of the items were ~~been~~ discussed...)
Page 18, Line 22: (~~Mister~~ Mr. Hanoute...
Page 18, Line 35: (...are allowed 64 **square** feet...)
Page 19, Line 21: (close to the cemetery and **compatibility comparability** to...
Page 19, Line 42: (Ms. **Radcliffe** Hodges agreed...)
Page 19, Line 44: (...activities while **they** ~~the~~ were sitting....)
Page 20, Line 15: (...on the White Lake **Road** side...)
Page 20, Line 23: (...if they felt ~~they~~ a high enough...)
Page 20, Line 46: (**April** ~~February~~ 2009.)
Page 21, Line 6: (... ~~a~~ a list of certain conditions...)
Page 21, Line 41: (...a woman ~~woman~~ who owns...)
Page 21, Line 43: (...as duplex **apartment** ~~aparament~~ housing...)

CORRESPONDENCE:

NEW BUSINESS:

OLD BUSINESS:

- 1) Tabled request of the Estate of Helen Bantle for land division of property at 9227 Parshallville Road.

Estate representative Attorney Dale Schaller told the Planning Commission that the Desine, Inc. Drawing, revised 3/02/09 showed the property as the parcel boundaries currently exist (Sheet 1-11) and the reconfiguration of the parcels to enlarge the easement between 9225 Parshallville Road (32-300-026) and 9165 Parshallville Road (32-300-024) so there is room to access the remainder of the Parent Parcel. The west boundary line of Parcel 32-300-026 (D) has been redrawn and the boundary line of Parcel 32-300-024 (C) has been extended to accommodate the required setback distance for the house located on Parcel 024.

Previously, an easement was set off for a "U" shaped driveway around Parcel 024. Later, the western side of the easement which accessed several parcels was severed. That strip has been attached to Parcel 024. Sheet 2-11 shows the adjustments as shaded areas. As the "U" shaped driveway easement was originally described, it went under the house on Parcel 024. A small portion of that easement, west of the house on 024, has been retained

Tyrone Township Planning Commission
Approved Meeting Minutes
March 10, 2009
Page 3

to provide a turning area for the owner of the home at 1959 Parshallville Road (32-300-030).

Mr. Hanoute commented that Parcel 32-300-024 (C) will be classified as a flag lot after the land division is completed and asked which parcels would be accessed from the shared driveway. Mr. Schaller told him the three parcels with shared driveway access were 32-300-030, 32-300-024, and 32-300-021 (9143 Parshallville Road).

Mr. Hanoute said the new easement and boundary realignments created some shared driveway issues. Front yard setbacks from shared driveways should be 50 feet. Any parcels with frontage on the easement require a 50 foot yard setback. Some of the setback lines may have to be revised on the shared easement location. Mr. Schaller said that the easement currently shown on the east side of Parcel 32-300-024 will be abandoned and Easement A shown on the east property line of the Parent Parcel (32-300-031) will serve the Parent Parcel (32-300-031) and new Parcel A with frontage on Parshallville Road. There is an existing easement adjacent to new Easement A which will continue to serve Parcel 32-300-026 (D - 9225 Parshallville Road).

Mr. Hanoute commented that the open space calculation for proposed Parcel A was based on a net area which did not include the easement that is being eliminated. The open space should be recalculated based on the new net parcel area. He recommended keeping the open space in the same location in case they would want to set off another easement in the future to directly access the rear of the property and abandon Easement A. The original request was for a land division, but we now have to consider four boundary realignments when we make a recommendation to the Board. Mr. Schaller explained that a Quit Claim Deed has been prepared to abandon the easement crossing the west side of Parcel A and it will be recorded with the other documents. Mr. Hanoute asked that any motion made should include the condition that any survey information provided should be acceptable to the Assessor.

The Planning Commission reviewed Zoning Ordinance Article 24.06 H and determined that a turn around would not be required for the driveway attached to 32-300-034 because the driveway was less than 1200 feet in length and served less than four parcels.

Moved by Meisel, seconded by Kempisty, to recommend to the Township Board approval for new Parcel A and boundary realignments for Parcel 32-300-026 (9255 Parshallville Road - D) and 32-300-024 (9165 Parshallville Road - C) as shown on Sheets 2-11, 3-11, and 4-11 of the Desine, Inc. survey revised 3/02/09, conditional upon amendment of the Parcel A open space calculation to increase the open space resulting from abandonment of the easement and also verification that the surveys provided are acceptable to the Township Assessor.

During discussion of the motion, Mr. Hasbrouck noted that all easements should be labeled as Ingress, Egress and Public Utility easements on the site drawings. Mr. Hanoute asked to have the building envelopes shown on the drawings for Parcel 32-300-024 (New Parcel C) and Parcel 32-300-026 (New Parcel D) since the building envelopes should be altered

Tyrone Township Planning Commission
Approved Meeting Minutes
March 10, 2009
Page 4

based on the boundary and driveway realignments. Parcels 32-300-028, and 32-300-014 with frontage on Parshallville Road have become corner lots. Mr. Schaller said 32-300-028 and 32-300-014 were always located next to the easement. Mr. Hanoute said the lot lines wouldn't have to change, but the shared driveway regulations would be in force and they need to show the new parcel setback lines based on the corner lot and shared driveway lot standards. That is a condition of the Zoning Ordinance and the approval. Ms. Hodges agreed that it was important to locate all the information so current and new owners are aware of the new setback situation. Mr. Hanoute said revised setbacks should be shown for any parcel adjacent to the shared driveway.

Moved by Meisel, seconded by Kempisty, to amend the prior motion to include two additional conditions. The first being to clarify all easements for the use of ingress, egress and public utilities as depicted for Easement A on Sheet 4-11 and transferred in kind to the other easements shown on Sheet 3-11, and secondly that the building envelope setbacks be shown on proposed Parcel A, and Parcel 014 as a result of the new shared driveway easement.

The Amendment was passed by unanimous voice vote and the Motion was passed by unanimous voice vote.

- 2) Agri-Business Special Land Use Permit request of Steve and Kathy Mathews for Heavenly Scent Herb Farm, 17370 White Lake Road (FR 13-400- 003), as shown by the application revised March 9, 2009.

Mr. Hanoute said that a list of uses on the site has been submitted by the Mathews as requested. The Mathews' Attorney, Chris Christenson, said Section 1 of the revised information shows the uses incorporated into a chart. Following the charts, they included a detail list for each activity.

The first chart lists all the on-going activities. These are the events the Mathews want to continue as they have been doing for years. Only one of the old events included alcohol and they thought they were in compliance. They realize now that may not have been in compliance and they understand they may not be able to offer that in the future. It was included because it was part of their brochure.

With regard to the other events, the Summer Fair has the maximum number of activities and attendance, but that is for the whole weekend. The May Day Faire is a weekend event also and the attendance is for the weekend, not for a particular day or time of day.

In response to a question from Mr. Hanoute, Mr. Christenson said the first matrix sheet lists the events they currently hold and the second sheet lists the events they would like to hold. They really came here to request approval for weddings and receptions. They included showers and graduations as a possibility following last weeks discussion, but they don't actually advertise for graduations. The Index items listed as "Incorporated by Reference" have already been provided. There is also a site plan for the property and a 2009 brochure to show what they do.

Tyrone Township Planning Commission
Approved Meeting Minutes
March 10, 2009
Page 5

Mr. Hanoute noted that no time was listed for the Teas. Weddings were listed as one per weekend which might add up to 40 per year. Mr. Christensen said the request was for a maximum of 20 weddings from April 1 to November 1. Mr. Hanoute recalled a cover letter indicating March through December. Mr. Christenson said that referred to all the events, including the Christmas Open House, but the weddings would only be done when you could hold events outside. Mr. Hanoute observed that they were also proposing one graduation party a weekend and asked if that meant they could have an event on Saturday and one on Sunday. Mr. Christenson said he supposed that would be possible, but they had already agreed to limit their request to 25 weddings per year or it could be limited to just 25 of the larger events.

Mr. Hanoute asked if alcohol would be served at weddings, receptions and graduations. Mr. Christenson said that would be only if serving it could be in compliance. If the rules don't permit them to serve it the way they have been, then that may not be allowed to do that. That would affect the desirability, but they want to be in compliance. Mr. Hanoute asked Mr. Christenson or the Mathews if they felt that all the ongoing events held over the years are in compliance and have been in compliance with the Ordinance. Mr. Mathews and Mr. Christenson both said, "Yes." Mr. Christenson said his interpretation of the Ordinance is that the Township's statute allows for public events. Mr. Hanoute told him that the Township had just created an Agri-Business Ordinance a couple of years ago. He was talking about ten years ago and going forward from then. Mr. Christenson replied that he wasn't sure of the status of the Ordinance ten years ago. Mr. Mathews told Mr. Hanoute they have been doing this for 20 years.

Mr. Christenson said that from 2008 forward, their uses were compliant with the requirements for public events. Agri-Business is defined in the Ordinance, but there is room for interpretation.. On-going educational events and touring, are all things that are permitted. Mr. Hanoute said they are permitted when they are Agri-Business related.

Mr. Hasbrouck commented that in some of the previous information received, there was a mention that the Mathews would hold free classes and educational type events sometime around 1990. He wasn't sure how much the current activities deviated, but they had received some type of approval in the past.

Ms. Hodges thanked the applicant for presenting the information in an understandable way and said it provides a basis for evaluating the uses. She looked at the material but hadn't had time to evaluate it.

Mr. Kempisty asked if the Mathews were in total Health Department compliance for their cafe. Mr. Hanoute said several of the uses were not in compliance. He suggested forming a Subcommittee now that there is more information. He asked the Mathews and Mr. Christenson if they would be willing to appear before a Subcommittee and openly discuss the issues in detail. He asked Mark Meisel, Steve Hasbrouck, and Ms. Hodges to meet with him as part of the Subcommittee, with the expense to be born by the applicant as it was not

Tyrone Township Planning Commission
Approved Meeting Minutes
March 10, 2009
Page 6

part of the original review fee. He suggested Tuesday or Wednesday of next week at 3:00 or 3:30 in the afternoon to discuss the magnitude of uses. Mr. Christenson agreed to the Subcommittee Meeting and said they had mentioned it before.

A date of March 18, 2009 at 3:00 p.m. was agreed to. Mr. Hanoute explained that the purpose of the meeting would be evaluation of the uses proposed and whether they qualify as Agri-Business or not. If they do, we can begin to formulate special use conditions to attach to the activities. It won't necessarily be a detailed site plan review because we don't know if we will have sufficient information on the site plan until we determine the uses that will apply to the site plan.

Mr. Hasbrouck said it would be nice to have more information about what they intended to do about alcohol and how it fits with state laws and code compliance. Mr. Hanoute said he got the impression they were backing away from alcohol. Mr. Christenson, said that wasn't definite, but they would want to be in compliance. The issue right now is that the state doesn't regulate non-licensed entities. The question is whether or not a license is required for that sort of event and that hinges on consideration. We may disagree about the interpretation of consideration, in which case it falls on the County for enforcement. The Mathews may need to go through the County to determine if they comply with the County's version of liquor compliance. If they can have it, they want it.

Mr. Hanoute said he believed the Township has the discretion, clearly stated in the Ordinance, to allow a use whether it is alcohol related or not. Mr. Meisel explained that whatever use we determine as mutually acceptable, alcohol as an option would be at our discretion and it would still require compliance with state or county regulations. They need to list the events where they want to have alcohol. Mr. Hanoute said he wasn't a teetotaler, but serving alcohol is one of the biggest objections we heard from township residents.

Speaking from the audience, Scott Dietrich asked if the March 18, 2009 meeting would be open. Mr. Hanoute explained that it was a Subcommittee Meeting. He could come and listen, but he wouldn't be asked to participate.

Mr. Hanoute recommended tabling the Mathews' request until the Subcommittee brings back a detailed recommendation to the Planning Commission, with anticipation of results by March 24, 2009 or April 14, 2009. The Subcommittee recommendations may require a new site plan or revisions to the current plan, but in that case the Subcommittee could make any of their recommendations conditional.

Moved by Meisel, seconded by Hasbrouck, to table the Special Land Use Permit request of Steve and Kathy Mathews, until such time as the application is ready for review by the entire Planning Commission, estimated to be the 14th of April. Motion carried by unanimous voice vote.

During discussion of information which would be useful at the Subcommittee Meeting, Zoning Administrator Van Hecke mentioned that the Township had a regulatory Ordinance related to outdoor gatherings and Mr. Hanoute suggested review of the Sound Ordinance

Tyrone Township Planning Commission
Approved Meeting Minutes
March 10, 2009
Page 7

(Article 21.16 - Noise). Mr. Christenson said they hadn't provided any noise information because they would have to hold an event first, take the sound readings, establish the sound level, and make adjustments accordingly.

- 3) Request of James Soldan and Greg Duberg for an Outdoor Recreation Special Land Use Permit to develop a Paint Ball Course on property at 10260 White Lake Road (RE and M-1 Parcel 04-300-006) as shown in the site drawings revised March 3, 2009.

Mr. Kempisty was told by Mr. Duberg that the cement blocks with flags in them were on the subject property. Mr. Kempisty said the road through that area appeared very wet and the pond had really grown. He asked if there would be enough room to get a road between the pond and the cemetery. Mr. Duberg said there would be. Mr. Hanoute commented that they would have to do some grading to get their drive in. Mr. Soldan told him their drive would parallel an existing drive and only one tree would have to come out. The parking will be located east of the driveway. Mr. Duberg commented that there would probably always be a problem there at this time of year, but they didn't plan to start operations until April or May and then continue until December.

Mr. Duberg told the Planning Commission that the wetlands were shown on the drawings. The DNR doesn't have any concerns with the pond up front. The issue is building something over the stream. Mr. Hanoute said the wetlands are associated with the stream which makes them regulated. That pond could be regulated as well if it is within a certain distance from the wetland or the water course. Mr. Duberg said their Engineer checked with the DEQ and they told him the stream wouldn't even come into play. Mr. Hanoute asked them to contact Tom Kolhoff and get a letter to that effect. Mr. Duberg didn't believe the stream would come into play except as part of the playing area. They didn't plan to put anything across it.

During the discussion of the revised site drawings (March 3, 2009 and March 9, 2009) Mr. Duberg and Mr. Soldan told the Planning Commission:

- They plan to use a construction trailer as a permanent office site and a removable storage trailer for equipment;
- They will put skirting around the bottom of the office trailer and the existing trees will screen the trailers from White Lake Road;
- Attendance will be limited to 100 persons per session with two games on each course;
- Younger players will probably be delivered and picked up by parents;
- They planned to use a gravel drive and gravel parking to avoid permanent structures on the site;
- Site conditions this year are too unsettled to permit paving;
- Paving the access and parking areas would increase the amount of runoff into the wetlands;
- Their plan is to not disturb any property grades at this time;
- The entrance area is generally flat with a slope towards White Lake Road;
- Porta-potties will be cleaned as needed;
- They have located an area for picnic tables;

Tyrone Township Planning Commission
Approved Meeting Minutes
March 10, 2009
Page 8

- The would like to limit the height of new fencing to 4 feet to accomodate the number of deer which travel through the site;
- Netting will be used to enclose the small paintball courts and block off the cemetery on the north side of the RE parcel;
- The hours of operation will be from 8:00 a.m. to 6:00 p.m daily;
- The operational season will be from April through October;
- Coordination with the cemetery will be difficult;
- Cemeteries are advised 2 or 3 days in advance of internments while the paintball fields are booked 2 or 3 weeks in advance;
- There is usually one referee for each ten paint ball players; and
- The site will be posted.

Ms. Hodges and the the Planning Commission asked the applicants to:

- Locate the trailer footprints on the map;
- Provide a landscape plan to show existing screening and what will be added;
- Provide a topographical survey of the front of the site to support grading and drainage plans;
- End any parking surface at least 50 feet from the adjacent property line;
- Consider planting trees or shrubs at the end of the parking lot to screen the neighbor's property;
- Plant screening materials along the edge of the entrance drive closest to the cemetery to screen the view of the porta-potties and the test range;
- Revise the parking lot entrance to control traffic coming and going from the site;
- Reduce the distance between parking spaces from 39 feet to 24 feet;
- Provide 50 parking spaces for 100 persons;
- Clarify the meaning of "sessions" and "time period;"
- Show the maximum parking intended and eliminate references to future parking;
- Request approval for variances to the Ordinance driveway and parking lot paving standards from the ZBA;
- Show drainage courses on the site plan and indicate the direction of sheet flow;
- Provide a driveway profile and show where the drainage will go;
- Provide a topographical survey of the parking area to show where the drainage will go;
- Include runoff calculations and grades to prove the rate and direction of water flow;
- Show the size of any drain that will carry water to the creek;
- Locate the sites on the drawing where the netting will hang;
- Provide a detail of the dumpster enclosure and consider relocating it to the east side of the parking area rather than the front;
- Locate the porta-potties behind the trailer to screen them from the drive and the cemetery;
- Clean the porta-potties at least once a week;
- Provide a larger sign detail and consider a "V" sign or a berm to improve visibility;
- Request a ZBA variance for fencing height less than 6 feet;
- Show the origin and connection of electrical service;
- Describe or detail the method of marking the game field with ribbons;

Tyrone Township Planning Commission
Approved Meeting Minutes
March 10, 2009
Page 9

- Consider the use of ramps instead of stairs for access to the office trailer;
- Require an annual permit as a means to insure compliance with the approved plans;
- Maintain an acceptable decibel level;
- Address the location and condition of the wetlands;
- Secure a soil erosion control permit from the Livingston County Drain Commissioner;
- Make sure the Livingston County Road Commission has approved the entrance for commercial use;
- Request a Livingston County Health Department waiver for sanitary facilities;
- Prepare plans for alternate fencing and road construction if needed; and
- Provide an MDEQ evaluation of the pond and the stream.

Mr. Hanoute thought that the visibility and maintenance of markers and netting should be referenced as a condition of approval. He asked the Planning Commission members to prepare a list of conditions to be included in the Special Use Permit. He told the applicants the Planning Commission would make a recommendation as soon as the completed material is presented.

Moved by Meisel, seconded by Radcliffe, to table the request until such time as the applicant is ready for the final request. Motion carried by unanimous voice vote.

OTHER BUSINESS FROM MEMBERS:

Consideration of Agenda Items which have been postponed from other meetings:

1) Lake Front recreational Vehicle Storage

Ms. Hodges provided information dated January 1, 2009 regarding Lake Front recreational vehicle storage. Mr. Schmidt had asked the Planning Commission to address the problems especially prominent in the lake zoning districts to accommodate the storage someplace other than lake lot side yards or rear yards. She had forwarded a set of regulations she happened to be working on for a similar situation.

The sample ordinance permits storage of recreational vehicles in the front (roadside) yard only; the yard area covered by the stored recreational vehicle(s) is included in the maximum lot coverage calculation; connection to utilities is prohibited; the storage of junk is prohibited; and the size of commercial trucks and trailers is limited. They also regulate watercraft stored above the ground in the water; trailers, motor homes, hoists and boat houses. The lakeside is reserved for lake views. People believe they have a right to store their own things on their own property so the eyesore factor becomes a constant problem.

Mr. Hasbrouck asked to have the recreational vehicle discussion included as an Agenda Item. Mr. Hanoute scheduled review for the April 14, 2009 Planning Commission meeting and asked Ms. Hodges to prepare some preliminary language for the Planning Commission to discuss.

Tyrone Township Planning Commission
Approved Meeting Minutes
March 10, 2009
Page 10

- 2) Discussion of the Livingston County Planning Department review of the Article 11.00 -PUD and Article 12.00A - PCS texts, dated December 15, 2008.

Ms. Hodges said that the County Planning Department noticed there was a difference in this PUD text (11/20/08) and a previous text regarding the use of the term "developable area" referenced in Table 11.1

Mr. Hanoute commented "developable area" impacts open space requirements which are based on net developable area not gross site area. Ms. Hodges said that was referenced on page 11-5, Item 2 of the proposed PUD Ordinance and page 11-4, Table 1.1. The term was used in the table to distinguish the percentage of a site which could be allotted for PCS uses as referenced in Footnotes (a) and (d).

Mr. Hasbrouck asked about the way regulated wetlands would be handled if they came through into a PUD. Mr. Hanoute said they wouldn't be used as a calculation factor to determine the percentage for other uses. Footnote (d) references Section 11.03.F.2 which excludes wetlands, open space and public rights of way from the net PUD site area.

Mr. Hanoute requested forwarding a copy of the texts and the County recommendations to the Board with a second request for comments prior to submission to the Livingston County Planning Commission for review and recommendation. Mr. Hasbrouck suggested clarifying the schedule and Mr Hanoute requested that comments be returned in time for the April 14, 2009 Meeting.

Ms. Hodges said the Planning Commission will still need to hold a Public Hearing for the Schedule of Regulations before forwarding the PCS and PUD texts to the County Planning Commission. Ms. Hodges suggested review of the documents, the schedule of regulations, and the Board Comments at the next Planning Commission Meeting (March 24, 2009). Following the comments, the Schedule of Regulations Public Hearing could be scheduled. After the hearing, the related documents could be sent to the County Planning Commission.

Mr. Hanoute excused himself from the meeting and asked Vice-Chairman Meisel to continue.

Ms. Hodges recalled that the Attorney had made comments about auto repairs in the PCS district. His concern was whether all the auto uses were defined and whether auto service stations could become something else over time. She suggested revisions to provide for categories of use: automobile service station, automobile fueling station, automobile minor repair, and automobile major repair. The terms would be added to Article 2 - Definitions and the PCS text.

Mr. Hasbrouck observed that the only place where used vehicle sales were allowed was in connection with new vehicle sales. He wondered how classic car repair facilities would be handled. Ms. Hodges said that could be included as a Special Use in the PCS or PIRO District. Mr. Kempisty asked about sales of new or used tractors and farm implements. Ms.

Tyrone Township Planning Commission
Approved Meeting Minutes
March 10, 2009
Page 11

Hodges said those were uses that would be removed to the new Industrial (PIRO) district. Lawn and garden tractor sales, service and repairs were referenced in Item 12A.03.G. - Greenhouse and landscape material sales.

Mr. Hasbrouck referred to PCS Article 12A.03.Q which restricted major repair to dealerships. Mr. Meisel thought that was because the PCS district was focused on retail and the Township wanted to regulate uses which would impact retail sales. Ms. Hodges said that out of warranty repair facilities could be located in the PIRO district. Mr. Hasbrouck requested revision of PCS Article 12A.03.Q to refer to collision, **painting** and major repair....” The Planning Commission determined that dealers selling only used vehicles could be located in the PIRO district as well.

Mr. Meisel asked to have the revised automobile definitions and the PCS texts reviewed at the April 14, 2009 Public Hearing.

Mr. Hasbrouck wondered where an activity like putt-putt golf would be located based on the new Ordinance. The Planning Commission felt that it would be covered by Article 12A.03.W and the Section of the Ordinance which related to activities of the same nature or class (Article 21.44). Generally, most outdoor recreational uses might not be suitable for a PCS district but some might be allowed as accessory to a principal use. For instance, putt-putt golf in connection with an ice cream store, but the Planning Commission should consider limitations for an outdoor use considered accessory to a principal use.

3) Corrections of the Minutes

Township Clerk Keith Kremer suggested that the Planning Commission consider correcting the minutes by forwarding their recommendations to the Recording Secretary prior to the meeting dates. The Planning Commission commented that the minutes of public meetings are usually corrected in public, corrections at a meeting allow the members to reach consensus on the corrections quickly, less time would be spent in recording and revising corrections, the public would know what revisions had been made, and regular meeting minutes didn't take long to correct.

ZONING ADMINISTRATORS REPORT:

Mr. Van Hecke said the Board had incorporated the use of an Ordinance Violation Affidavit which permits the Township to lien property if a Zoning violation is not corrected.

ZONING BOARD OF APPEALS:

Mr. Meisel reported that the last ZBA meeting involved an accessory structure built without a Land Use Permit or Building Permit because the property owner was told that his builder had secured the permits. The ZBA allowed the accessory building.

Mr. Hasbrouck questioned whether Hartland Township did or did not allow multiple structures on lots at Lake Tyrone. Mr. Meisel said the ZBA found sporadic locations where

Tyrone Township Planning Commission
Approved Meeting Minutes
March 10, 2009
Page 12

there were multiple buildings. Some were in Hartland and some were in Tyrone, but they weren't able to find anything in Hartland's Zoning Ordinance that specifically restricted the number. They found language about accessory buildings, but nothing specific for lake front lots.

BOARD ACTION:

Mr. Hasbrouck asked the Planning Commission members to turn in their time sheets, preferably every month. It was hard for the Board to estimate the Planning Commission expenses when they weren't turned in regularly. Mr. Hasbrouck was told the Planning Commission has been under budget restraints for the last three years. They have not attended any seminars or training sessions and the Subcommittee hasn't met for a year, so the expenses would just be the ones associated with meetings.

FUTURE AGENDA ITEMS:

NEXT MEETINGS:

March 18, 2009 - Subcommittee Meeting

March 24, 2009 - Regular Meeting

April 14, 2009 - Regular Meeting and Public Hearing

April 28, 2009 - Regular Meeting

ADJOURNMENT: 10:30 p.m. by Vice-Chairman Meisel



Laurie Radcliffe, Secretary
Tyrone Township Planning Commission



Barbara Burtch, Recording Secretary
Tyrone Township Planning Commission