

TYRONE TOWNSHIP PLANNING COMMISSION

Approved Meeting Minutes
May 12, 2009 7:00 p.m.

PRESENT: Gary Butler, Joe Fumich, Dave Hanoute, Steve Hasbrouck, Ed Kempisty, Mark Meisel, Laurie Radcliffe

ABSENT:

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

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC:

- 1) Scott Dietrich, 13505 White Lake Road, asked the Planning Commission why some of the members made voted for a conditional approval recommendation for the Mathews Herb Farm when the Township's Attorney advised that the wedding uses don't meet the requirements for agri-business and are not directly related to agriculture or residential use. Then the Mathews told the County Health Department that their request had been approved.

Mr. Hanoute noted they were enforcement issues, but Zoning Administrator George Van Hecke wasn't available to answer questions about the status of the Mathew's kitchen and septic system approvals. Mr. Hasbrouck, the Board's Planning Commission representative, explained that Mr. Hanoute would have to request Mr. Van Hecke's presence at the Planning Commission meetings. Mr. Hanoute asked Mr. Dietrich to record his enforcement issues and give them to Mr. Van Hecke so he could follow through. Mr. Dietrich said that at this point, he just wanted to express his dissatisfaction with the vote of some of the Planning Commission members.

- 2) Marc McCaffrey, Treasurer of the Southwyck Hills Homeowners Association, noted that a review of the Tri-County Wireless request was listed under Future Agenda Items. He wondered if there would be open discussion of the request at this meeting.

Mr. Hanoute said the project wouldn't be discussed at this meeting, but would likely be on the next agenda (May 26, 2009). Mr. McCaffrey said he had noticed it under Future Agenda Items, and wanted to be present just in case there was a discussion.

APPROVAL OF THE AGENDA:

Moved by Butler, seconded by Kempisty to approve the Agenda as amended. The motion was carried by unanimous voice vote.

- 1) Mr. Kempisty asked to add some remarks about the Paintball project under Other Business from Members.
- 2) Mr. Meisel moved to revise the Agenda and locate "Adjournment" ahead of "Future Agenda

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Items," and to place "Board Action" after "Future Agenda Items." and to locate "Future Meetings" at the bottom of the Agenda.

APPROVAL OF THE MINUTES:

1) April 28, 2009 Meeting Minutes

Moved by Butler, seconded by Radcliffe, to approve the April 28, 2009 Meeting Minutes as corrected. Motion carried by unanimous voice vote.

- Page 1, Line 24: (...the Agenda as **amended** renumbered.)
- Page 2, Line 26: (Parcel **4704-300-006**.)
- Page 3, Line 38: (the activity ~~them~~ from the west side...)
- Page 4, Line 7: (Referred to **conditions** ~~conditions~~) ~~specifically associated~~)
- Page 4, Line 14: (...response to a questions...)
- Page 4, Line 22: (...suggested that the first year's ~~first year~~ approval...)
- Page 4, Line 30: (Note 7, (Sheet1)
- Page 4, Line 25: (come down and be **stored** ~~stowed~~.)
- Page 6, Line 11: (...of the **Motion** ~~Mtion~~...)
- Page 7, Line 2: (...paved and lighted **parking** ~~sparking~~...)
- Page 8, Line 16: (...which would **be** prepared...)
- Page 8, Line 37: (...**the** new field...)
- Page 9, Line 1: (Mr. Mathews estimated that daily summer fair attendance...)
- Page 9, Line 14: (...Outdoor Gathering **Permit**...)
- Page 9, Line 32: (The Ordinance...)
- Page 10, Line 4: (...a motocross ~~mete-cross~~)
- Page 10, Line 17: (~~where~~ there was less chance...)
- Page 10, Line 19: (Fenton **United Church Methodist**...)
- Page 11, Line 10: (State **Liquor** ~~Liqueur~~ Contorl...)
- Page 14, Line 1: (The amendments carried...)

CORRESPONDENCE:

OLD BUSINESS:

1) Review of the Planning Commission's front yard recreational vehicle storage tour of the Township and discussion of Ordinance revisions related to storage.

Planning Commission comments concerned:

- Five of the Planning Commission members lived on lakes;
- The majority of Lake Tyrone storage was located on the street side of the property;
- There was some roadside storage at Lake Shannon, but it was well screened because of the wooded lots;
- Lake Shannon also had vacant areas where numerous boats were stored;
- Some lots were too steep to move boats around or store them on the side;
- There wasn't a lot of storage in driveways;

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- Lake Shannon does not have boat storage by-laws;
- The cost of rental storage
- Enforcing conditions that have never been enforced
- The Township Ordinance which forbids front yard storage (street side) storage;
- Seasonal outdoor storage as opposed to permanent outdoor storage;
- Confusion about Township requirements and yard definitions;
- The amount of storage relative to the size and configuration of the parcel;
- Limiting the number and type of recreational vehicles stored on a single parcel;
- Storage difficulties associated for parcels with lake access rather than lake frontage;
- Difficulties in adopting an Ordinance for the Township as a whole;
- The number of lakefront and lake access properties outside of the LK-1 Zoning District and the variation in parcel areas;
- The convenience of storing recreational vehicles in the front yard;
- The number of unlicensed and non-useable vehicles stored on Township property;
- Restricting storage to parcels of a certain size or location;
- Whether regulations should be enforced by the Township or neighborhood associations;
- The cost associated with enforcement;
- The Township's previous standards for enforcement;
- The visual impact on the public of moving storage into front yards;
- Requiring current licenses on any vehicle or equipment which requires licensing;
- Requiring a state of repair which will allow vehicles to operate at a moment's notice;
- Allowing exceptions if neighbors sign an agreement to that effect;

Mr. Hanoute asked Ms. Hodges to review our current Ordinance, some of her examples , and tonight's discussion to provide some preliminary recommendations for the Planning Commission to review. She asked about allowing some sort of front yard storage in cases where there isn't enough side yard setback and the back is inaccessible, to allow one vehicle, or snowmobile, or trailer or other unit can be stored forward of the house. Mr. Butler asked about the situation where the garage was so full of material, that people had to store their cars in the driveway. What about junk stored in the back yard on lake lots, where it has high visibility, or limiting the number of vehicles that can be stored on the lake, and renting slips to off-lake residents. Allowing variances for the number of garages or attachments to a residence to increase covered storage areas or a variance to allow storage structures in a front yard; Requiring Lake Associations to regulate storage.

2) Review of Township Parcels to be rezoned to PCS

The Planning Commission determined that OS (Office Service) parcels would not be included in the rezoning of B-1, B-2, and ES - Expressway Service parcels to PCS.

Pineridge, parcel 09-100-002, has mixed zoning (RE and B-2). The building within the B-2 portion of the parcel has been demolished and the parcel is vacant. The property is designated for commercial use on the Future Land Use Map.

Ms. Hodges thought that once the parcels were identified, the Planning Commission should

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invite the property owners to meet with the Planning Commission to discuss the new Zoning District created to replace B-1 and B-2. We can explain the impacts of the change, and hear their concerns before we propose the rezoning.

Woody's Towing, Parcel 17-400-006, is zoned ES and the future Land Use Map shows PCS/PIRO uses at the intersection of Center Road and Old US 23. Mr. Hasbrouck informed the Planning Commission that the Township Board recently approved the site as a used care sales license address in addition to existing auto repair and party store uses. Parcel 29-200-007 is zoned B-2 and the Future Land Use Map shows the parcel as Residential. The parcel is vacant at the present time. Ms. Hodges recommended rezoning the property to residential use rather than B-2 use, because that is what is shown on the Future Land Use Map.

Mr. Hanoute asked what would happen if the parcel owners refused to participate in the rezoning. Ms. Hodges said the Township has the legal authority to rezone property within the Township based on the Township's Master Plan.

RAMCO Leasing (Pennington Gas), Parcel 29-400-007, is zoned B-2 but shown as medium density single family detached residential on the Future Land Use Map. The facility is used as a distribution center for Pennington

Young Construction, (Parcel 29-400-06), is zoned B-2, but shown as medium density single family residential on the Future Land Use Map. It is currently used for inclosed contractor storage

The Planning Commission discussed reconsideration of the Future Land Use Map classifications for property south of Center Road along the Old US 23 frontage. The proximity to US 23 would have an adverse affect on residential development, a commercial area had already been allowed for the PUD development, and there is already commercial development in the area. They asked Ms. Hodges to come up with suggestions for the US 23 frontage other than residential use.

Mr. Hanoute suggested inviting the property owners to the first meeting in June to explain the procedures and review the rezoning with them. Mr. Hasbrouck asked if there had been any advice from the Township's attorney regarding the Irish Hills PUD which was developed as a Zoning District. Ms. Hodges said the simplest approach would be to include a zoning map note that Irish Hills is subject to the terms of an earlier agreement.

3) Review of the PIRO (Planned Industrial, Research, and Office) Ordinance status and finalization of the text

Ms. Hodges said the September 4, 2009 text was previously discussed in regard to the sub-areas within the PIRO district. Originally the PIRO district was considered as an overlay, but the Planning Commission thought that would be too complicated. She suggested revising it to reference three components: Research and Office, Light Industry, and General Industry. Mr. Meisel asked if there were **notes** of the previous discussion.

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- PUD would allow any or all of the uses in any combination;
- PIRO would serve as a guideline for locating the uses within the PUD or within the PIRO area;
- There would have to be standards to apply in making the determination;
- The method for creating and allocating the wetlands open space had not been determined;
- A minimum open space fund of 30% per development had been discussed;
- A minimum parcel size of three acres had been discussed with consideration of open space flexibility;
- The problem is how to organize the PIRO space;
- Ms. Hodges thought heavy industry in this location would be a resource industry like trucking or warehousing;
- Uses which could provide a buffer between industrial and single family residential uses;
- The first development may set a strategy for the rest of the development;
- Ways to establish buffers when parcels are developed by individual owners over time;
- Limiting the access from US 23 frontage;
- Some of the proposed open space areas provide excellent wildlife habitat;
- Providing a mechanism for locating and/or funding PIRO open space;
- Managing the appearance of the PIRO area from the road;
- Requiring a site plan prior to construction, and
- Establishing lot coverage maximums for buildings and/or impervious surface.

NEW BUSINESS:

OTHER BUSINESS FROM MEMBERS:

- 1) Mr. Kempisty commented that the Planning Commission went to great lengths regarding the conditional approval recommendation for the paintball development. He wondered who was in charge of making sure the developers met the conditions. They were working on it before the Board approved it. Mr. Hasbrouck said they would still have to get agency approvals. They would have to get a soil erosion permit from the Drain Commissioner, and the Board used the items on the Planning Commission list as an item of approval.

Mr. Hanoute suggested that the Board authorize the Zoning Administrator review the development's compliance with the conditions and report back to the Planning Commission. The reality is that if they have dust or drainage problems that aren't fixed, they will have trouble running their business or getting their permit renewed. Mr. Hanoute commented that the Board has the power to send the Township's Engineer out there to review the construction of the driveway and parking area. It is the duty of the applicant's engineer to certify that any construction complies with Township regulations, and forward that information to our Engineer. If our Engineer determines that it does not meet the Township's requirements, the project Engineer will be liable for the cost.

- 2) Mr. Meisel reported that the ZBA granted a gravel drive variance for the paintball park, not to

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exceed the temporary period the Planning Commission imposed, not to exceed 4 years. The basis was the fact that it is a temporary seasonal use at an outdoor location, and there would be minimal impact on the neighbors.

Mr. Meisel said he didn't know if the ZBA reviewed a revised set of drawings based on the Planning Commission's comments. Mr. Meisel said he would cross-check the drawings to see if any of the corrections had been made.

ZONING ADMINISTRATORS REPORT:

ZONING BOARD OF APPEALS:

BOARD ACTION:

Mr. Hasbrouck reported that the Board has sent out request for proposals to various engineering firms to determine if they want to make a change or not.

FUTURE AGENDA ITEMS:

Tri-County Wireless Review

PIRO Review

Forwarding PUD and PCS recommendations

Outdoor Storage Review

NEXT MEETINGS:

May 26, 2009 - Meeting

June 9, 2009 - Meeting

June 23 Meeting

ADJOURNMENT:



Laurie Radcliffe, Secretary
Tyrone Township Planning Commission



Barbara Burtch, Recording Secretary
Tyrone Township Planning Commission