

TYRONE TOWNSHIP PLANNING COMMISSION

APPROVED MEETING MINUTES

April 13, 2010

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

ABSENT: Gary Butler

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

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC:

APPROVAL OF THE AGENDA:

Moved by Kempisty, seconded by Radcliffe, to approve the April 13, 2010 Agenda as amended following correction of the date. Motion approved by unanimous vote.

APPROVAL OF THE MINUTES:

1) March 9, 2010 Regular Meeting Minutes

Moved by Radcliffe, seconded by Lee, to approve the March 9, 2010 Meeting Minutes as corrected. Motion approved by unanimous voice vote.

Page 3, Line 24: (...preschool license ~~from form~~ from the state...)

CORRESPONDENCE:

1) March 23, 2010 - Letter from Supervisor Schmidt requesting suggestions for reducing Township operating expenses for the 2010 - 2011 fiscal year to compensate for the Township's reduced income. Some of the Planning Commission comments concerned:

- The changes approved by the Board to reduce Planning Commission costs;
- Increasing Planning Commission fees to offset the revenue shortage;
- Extending an equal reduction in pay, benefits, and/or hours to all Township employees and officials;
- Serving as Planning Commission members without pay; and
- Forwarding any other recommendations directly to the Supervisor.

SUBCOMMITTEE REPORT:

OLD BUSINESS:

- 1) Review of the County Planning Department and County Planning Commission recommendations regarding proposed Article 21.19, Outdoor Storage, and a Planning Commission recommendation to the Board

Mr. Hasbrouck commented that the Article 21.19 Ordinance amendments would actually deregulate some of the Township's parking requirements in other sections of the Ordinance. It makes all of the recreational vehicles that are parked all over the place legal and reduces the ordinance enforcement requirements.

Moved by Meisel, seconded by Hasbrouck to forward the proposed revisions to Zoning Ordinance Section 2.01, Definitions, and Section 21.19, Outdoor Storage and related Parking, to the Township Board with a recommendation for adoption in order to update the current Zoning Ordinance. The motion was carried by unanimous voice vote.

- 2) Recommendation regarding the request of Tyrone Covenant Presbyterian Church, 10235 White Lake Road, for a Tyrone Tykes Christian Preschool Special Land Use Permit

Following the end of the Public Hearing, the Planning Commission discussed the Special Land Use Permit approval request.

Mr. Hasbrouck recalled that the church had made a previous request for a conditional permit, but hadn't followed through. He noted that Township Planner Sally Hodges of McKenna Associates stated that not everything required is shown on the site plan, but it does show most of what is needed for the request. He asked to have the actual location of the pipe connecting the facility to the sewer shown on the site drawing. The height of the fence surrounding the play area and the screening for the dumpster could be referenced as part of the narrative, but the no parking notation and the location of any proposed playground should be shown on the drawing.

Moved by Hasbrouck, seconded by Lee, to recommend to the Township Board approval of the Special Land Use Permit as requested by the Tyrone Covenant Presbyterian Church for the Tyrone Tykes Christian Preschool pending receipt of the additional information discussed. Motion carried by unanimous voice vote.

- 3) Finalization of the text for revised Zoning Ordinance Article 19.00, EI - Extractive Industrial, and establishment of a Public Hearing Date.

The Planning Commission was informed that a courtesy review from the Livingston County Department of Planning and comments from the Township Attorney were based on the March 18, 2010 version of the text and the Township's Engineer is currently reviewing the same draft.

Ms. Hodges explained that the revisions shown on the draft are the result of comments made at the review following the Public Hearing. To be consistent with the text revisions, she noted that the side and rear yard set back distances were lowered from

400 feet to 300 feet in the Schedule of Regulations (20.01) and the crushing revision was referenced in the Use Table (20.03).

During discussion of the County Planning review, the Planning Commission asked Ms. Hodges to:

- Replace the list of qualified experts with a single reference to a Civil Engineer in Article 19.06 (A.2);
- Specify that the cleaning and maintenance referenced in Section 19.07 (D.4) would be the responsibility of the pit owner; and
- Require a detailed reclamation plan, a site drawing, and a schedule showing when phases of the plan will be addressed and completed with periodic updates as the permit is reviewed or renewed.

The discussion was recessed at 7:30 p.m. for a Public Hearing and resumed following the conclusion of item 2 at 8:15 p.m..

In regard to Section 19.07 (D.4), County Planning recommended that the Township have a clear understanding of the operator's plan for development based on desirable future land uses. Ms. Hodges thought that most of the redevelopment comments referenced by County Planning on Page 2 of their April 6, 2010 report were required by the state. The revised Ordinance also references a reclamation plan and compliance with state and federal requirements in connection with annual renewals (19.05.E) and application plans (19.06.A.3). Extractive Industrial Regulatory Ordinance 19 should also require a reference to reclamation plans at some point.

Chairman Hanoute scheduled a Public Hearing for May 11, 2010.

4) Review of proposed recommendations to the Township Board for revisions of Regulatory Ordinance 21 - Extractive Industrial

Ms. Hodges reported that she had reviewed the text and suggested revisions to Regulatory Ordinance 21.00 in order to make the language consistent with the proposed revisions to Extractive Zoning Ordinance 19.00.

The Planning Commission decided to delay a recommendation on Extractive Regulatory Ordinance 21.00 until the Public Hearing for Zoning Ordinance 19.00 is held.

5) Review of proposed Planning Commission Fee Schedule revisions for approval by the Township Board

Ms. Hodges said the draft fee schedule (4/12/10) attempted to separate the various review fee components as necessary. The Township column includes Planning Commission meeting costs, subcommittee meeting costs and processing costs including publication. As a basis, she assumed \$45.00 per hour for staff time and overhead. The Planning Commission Chairman and Secretary were budgeted at \$75.00 per meeting, the Planning Commissioners at \$50.00 per meeting, and the Planning Consultant at \$93.00 per hour. Another option to consider would be counter fees and whether any advice should be given at the counter or not.

The various fees and costs were rounded off and the types of reviews were classified in terms of complexity. For example, Item 3 Subcommittee Meeting, costs, were calculated as one hour for Staff, one preliminary meeting for the Planning Commission chairman and two members, and the costs for the Planner as needed. The Planning Commission meetings last approximately three hours, so each hour of a Planning Committee Meeting would cost approximately \$400.00. The estimated allocation of time was based on the amount of time typically spent reviewing various requests. For a conditional rezoning, a Special Land Use review, a PUD review, and a plat or site condominium fee, Ms. Hodges estimated two hours of meeting time, but not necessarily at the same meeting. If there is a new plan submission, there would be a revision fee which would be approximately half of the original fee.

Mr. Hanoute asked for inclusion of a Public Hearing fee for items that will require them. Ms. Hodges noted that the proposed Public Hearing fee of \$200.00 was based on time spent in collecting addresses and preparing the mailings and postage. In addition to advertising costs, she recommended assessing an additional hourly review fee to the Public Hearing costs. She had estimated one and a half hours for private road and site plan reviews. Land splits were calculated at one hour and revised applications at half of the original cost.

Mr. Hanoute noted that there were several zoning categories that hadn't been included in the fee schedule. For instance, boundary realignments and relocation of open space.

Ms. Hodges said she had provided a Subcommittee Meeting fee and a final 'stamp fee' fee to cover conditional approval reviews. Each Planning Commission review category has a table of associated fees. For example, Rezoning lists a first review fee, a publication fee, and a planner fee in addition to a meeting fee. All of those fees would be charged at the time of application. Site plan review fees could include the final stamp review as part of the application fee.

To handle planning and engineer reviews based on hourly fees an escrow charge should be included. Mr. Hanoute suggested that the Chairman and Secretary could also meet to make the preliminary determination of the process to follow and determination of the fees to be applied.

During review of Item 2, Conditional Zoning, Mr. Hasbrouck asked if a Township Official should be included in the preliminary discussion. Mr. Hanoute reminded Mr. Hasbrouck that he could serve as a representative of the Planning Commission and the Township Board during preliminary subcommittee discussions.

Other comments concerned referencing all of the site plan review categories in the fee schedule, and whether to require public hearings for open space relocation. Further discussion and review was carried over to the next meeting for consideration of the expanded site plan review categories.

6) Review of the proposed PIRO Zoning Ordinance Text

Chairman Hanoute scheduled the discussion for the May meeting

NEW BUSINESS:

- 1) Amendment of the Planning Commission Bylaws, Section 3.00 - Meetings, to authorize a change in the number of required meetings from two per month to one per month

Moved by Meisel, seconded by Radcliffe to amend the Planning Commission Bylaws, Section 3.01, to hold Planning Commission meetings on the second Tuesday of each month, to delete the reference to meetings on the fourth Tuesday, and to correct the typo in that section. The motion carried by unanimous voice vote.

OTHER BUSINESS FROM MEMBERS:

Mr. Hanoute asked Mr. Hasbrouck for comments regarding the Heavenly Scent legal status. Mr. Hasbrouck said that the court upheld most of Township's conditions for the Special Use, except for the annual renewal. Ms. Hodges explained that once a special land use has been approved, the use is determined to be allowed until the conditions fail to be met or the permit is applied to a use that is temporary in nature.

ZONING ADMINSTRATOR'S REPORT:

ZBA REPORT:

TOWNSHIP BOARD REPORT:

ADJOURNMENT:

FUTURE AGENDA ITEMS:

PIRO Text review

Extractive Ordinance hearing and recommendation

NEXT MEETINGS:

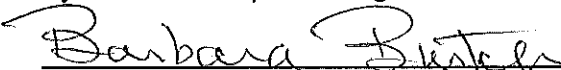
May 11, 2010 - Regular Meeting and Public Hearing

June 8, 2010 - Regular Meeting



Laurie Radcliffe, Secretary

Tyrone Township Planning Commission



Barbara Burtch, Recording Secretary
Tyrone Township Planning Commission