

TYRONE TOWNSHIP PLANNING COMMISSION

APPROVED JOINT MEETING MINUTES

August 10, 2010

PRESENT: Dave Hanoute, Steve Hasbrouck, Ed Kempisty, Jim Kolhoff, Keith Kremer, Dave Kurtz, Deb Lee, Mark Meisel, Brian Miles, Brandon Peabody

ABSENT: Suzanne Anderson, Don Peitz, Laurie Radcliffe,

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

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC:

APPROVAL OF THE AGENDA:

Moved by Meisel, seconded by Hasbrouck, to approve the Agenda as presented. The motion carried by unanimous voice vote.

APPROVAL OF THE MINUTES:

1) July 13, 2010 - Regular Planning Commission Meeting Minutes

Moved by Kempisty, seconded by Lee, to approve the minutes as corrected. The motion carried by unanimous voice vote.

Page 3, Line 35: (...for Subcommittee and er Planning Commission meetings.)

CORRESPONDENCE:

SUBCOMMITTEE REPORT:

NEW BUSINESS:

1) Review of the Planning Commission Application Process

Chairman Hanoute noted that the Application Form used during the initial Planning Commission contact was revised to include separate boxes for Zoning District, Tax Status and Escrow information and the Review List was enlarged.

During further discussion of the application information, comments concerned:

- Replacing 'Planning Commission Review' with 'Project Description' in the lower portion of the application form;
- Requiring the applicant's signature or initials on the check list as confirmation of the required information;
- Removing the @ symbol from the ordinance address line and replacing it with the word "at," and

- Requiring a new application each time a request is revised and/or new review fees are required;

Mr. Hanoute explained that review of the Process Check Lists actually precedes completion of the signed application. It is discussed by the Recording Secretary and the applicant to determine the specific requirements for their particular request and to provide consistency in the information provided.

As part of the review process, the Recording Secretary:

- Discusses the request and marks the checklist information needed to complete the request;
- Calculates the Application Fees and Escrow funds required for Planning Commission review as shown on the Fee Schedule;
- Notes the requirements specific to the request on the Review Application form and retains a copy of the application form and checklist;
- Will note the status of the review on the Flow Chart;
- Consults with the Planning Commission Chairman or Township Planner regarding concept or sub-committee meetings; and
- Requires completion of all required Planning Commission, consultant, and agency reviews prior to forwarding requests and recommendations to the Board.

Supervisor Brian Miles was concerned about ways to create the right expectations about the amount of time needed to complete the review process. Mr. Hanoute replied that when complete information is received, the review time isn't difficult to calculate. Time limits should be referenced as "not less than" a specified period because the actual review date depends on the complexity of the project, receipt of all of the information required for the review, and the items already scheduled for the Planning Commission Agenda. Currently, the Planning Commission requires the submission of an application at least 21 days in advance of their meeting.

There was also a brief discussion of developing a procedure for Board members to follow when requesting review of an application when the information required by the Planning Commission was not completed or incorrect information was provided and the request was not forwarded to the Board.

Chairman Hanoute recessed the meeting at 7:30 p.m. to hold the scheduled PIRO - Planned Industrial, Research and Office Ordinance Public Hearing. The meeting was reconvened at 8:25 p.m.

Continuing with a discussion of the Review Process and the Flow Chart, Chairman Hanoute noted that the need for a Subcommittee or Concept review was determined at the time of application. Professional developers will frequently make a request for a concept review before providing any specific site drawings or information. This type of review would typically include the Planner, the Engineer and a Township official in addition to Planning Commission representatives.

Once the Chairman, the Planner, or the staff determines that a request is ready for Planning Commission review, it is scheduled for the next available meeting date. If a Public Hearing is required, it will be scheduled by the Planning Commission during an open meeting. After the hearing is completed, the Planning Commission will move on to

make a decision to recommend approval, approval with conditions, tabling, or denial of the request. If an application is recommended for approval subject to conditions, a Planning Commission member would review the project after the conditions have been met before it is forwarded to the Township Board for their review. If the Board has concerns or disagrees with something, they can table the request or send it back to the Planning Commission. If tabling is required, an additional fee may be charged.

Requests might be tabled if a Planning Commission member has an objection or feels more specific information is required, or the Public Hearing uncovers information that wasn't presented. Mr. Meisel commented that there have been some applicants who demanded that the Planning Commission review their request whether the information was complete or not. In that case, the applicant's request is referenced in the recommendation to conditionally approve, deny, or table the request.

Mr. Hanoute felt that if the tabling was the result of a shortcoming on the part of the Planning Commission, an additional fee wouldn't be justified. If it is the applicant's responsibility there should be an additional fee. Mr. Meisel said that sometimes the information requested from other planners or agencies isn't clear and as the documents are discussed, they may have to be returned for clarification. In other cases, answers to specific questions may not be the information requested. In cases like that, the request would be tabled until the correct information is provided. Mr. Hasbrouck noted that agency reviews sometimes take longer than expected, for instance in the case of sewers, and the request is tabled pending receipt of information. Mr. Hanoute said that the line between tabling and approving subject to conditions could be very narrow based on the type and amount of information needed.

Mr. Kempisty recalled that the last conditional approval was made pending receipt of a list of about four items. He was told that the request was forwarded to the Board for approval as soon as the items were received, and it was approved. The Recording Secretary said that when the conditions for approval have been met, the site drawings are signed by the Planning Commission Secretary and a list of completed conditions is included when the request is forwarded to the Board. If a Board member requests review of the material before it meets the Planning Commission's requirements, it is forwarded without the Secretary's signature and with a copy of the correspondence to the applicant listing the conditions which need to be met.

Mr. Meisel noted that the new Planning Commission meeting schedule would make it more difficult to assess the amount of time for review and approval of a request. Since the Planning Commission meets once a month it could take a minimum of six weeks before the Board would see the application if everything went through without a hitch.

Mr. Hanoute asked to have the signature information in Item III of the Application Review Process outline relocated to Item IV. Mr. Kremer asked for time information on the application material in addition to a date stamp on each page of the site drawings.

During review of the Fee Schedule, Ms. Hodges told the Planning Commission and Board Members that the fee schedule proposals were based on:

- Comparison with fees charged by other Townships;
- An averaged amount of time spent in reviewing requests;

- The Staff rate, including an allowance for office overhead, the Planning Commission per diem rates, and her hourly meeting and transportation costs;
- Hourly rates for Planner and Engineer reviews were referenced;
- Estimating the average amount of discussion per request at one (1) hour per meeting;
- Estimating one (1) hour for boundary realignments, open space realignments, and land divisions;
Estimating one and one-half (1 1/2) hours for site plans and land divisions requiring shared driveways or private roads;
Estimating two (2) hours per request for plats and site condominium developments, and ;
- Estimating three (3) hours for rezoning, conditional rezoning, special land use and PUD reviews.

Ms. Hodges noted that the breakdowns shown on the proposed Fee Schedule would not need to be included in the published fee schedule. The proposed fees were comparable with others in Livingston County, although some were higher and some were lower. Brighton charges \$2,000.00 for any type of application. Her fees for meeting attendance are included in the averaged meeting application costs.

Mr. Hanoute commented that escrow fees are also required for any request which requires a written review by the Township's Planner or Engineer. Currently, the base escrow fees are \$2,000.00, \$5,000.00 and \$10,000.00 depending on the size of the project and the extent of the reviews. Additional escrow fees are collected as needed and any unused fees are returned to the applicant once the project is approved and completed.

3) Comments regarding the proposed Planned Industrial, Research and Office Zoning District (PIRO) text

The Recording Secretary explained that following a Public Hearing, comments about the the proposed PIRO Ordinance text may need to be discussed before the language is forwarded to the County Planning Commission for review and comment.

Mr. Kurtz thought the plan's direction and concept was acceptable, but the language and the zoning map were nebulous.

Mr. Meisel said the intent was to allow for flexible use within the PIRO Zoning District and to allow some input from the Township. Zoning Districts and the ability to rezone have to be consistent with the Master Plan which is why the Township has to redo the Master Plan and the Future Land Use map periodically.

Moved by Meisel, seconded by Hasbrouck, to forward the PIRO text as reviewed and revised following the August 10, 1010 Public Hearing to the Livingston County Planning Commission for approval. Motion carried by unanimous voice vote.

4) Review of the Tyrone Township Planning Commission's Future Projects List

The Planning Commission and Township Board Members reviewed the outstanding items on the Project List (8/10 ver). The following items were selected for future review. 1 - Master Plan finalization (Item 28), 2 - Strategies for improving wireless service (Item 29), 3 - Kennel Ordinance revisions (Item 12), 4 - Accessory Building area limits (Item 21); 5 - Review of two story dwelling first floor minimum area requirements (Item 22), and 6 - Derelict, Dangerous, and abandoned building regulatory ordinance recommendations for Board consideration.

Mr. Hasbrouck asked Ms. Hodges to describe the services that McKenna provides for wireless communication reviews. Ms. Hodges said that McKenna has recently partnered with 'The Center for Municipal Solutions', wireless experts who provide advanced expertise for wireless reviews paid for by the applicant. McKenna's wireless program includes a model ordinance and advice to municipalities on matters of height, location, and other technical aspects of wireless facilities such as RF antennas and industry specific knowledge. Their service provides 5 hours of free time to help the community tailor and adopt the model ordinance, including attendance at one meeting for adoption of that ordinance. The program does not encourage or discourage cell towers because wireless facilities depend on the market, but it helps in providing locations for towers based on recommendations from qualified engineers.

ZBA REPORT:

TOWNSHIP BOARD REPORT:

ADJOURNMENT:

NEXT MEETINGS:

September 14, 2010

October 12, 2010

November 9, 2010

FUTURE AGENDA ITEMS:

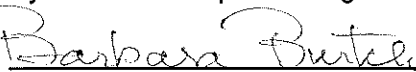
Recommendations for Revisions to the Regulatory Extractive Ordinance

Recommendations to the Board regarding the PIRO Ordinance

Finalization of the Master Plan and Future Land Use Map Revisions



Laurie Radcliffe, Secretary
Tyrone Township Planning Commission



Barbara Burtch, Recording Secretary
Tyrone Township Planning Commission