

TYRONE TOWNSHIP PLANNING COMMISSION

MEETING MINUTES NOVEMBER 8, 2011

PRESENT: Present: David Hanoute, Steve Hasbrouck, Mark Meisel, Ed Kempisty, Deb Lee, Brandon Peabody, and Mike Wood.

OTHERS: Tyrone Township Planner, Sally Hodges

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

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC:

Don Peitz, 13520 White Lake Road, said he would like to address the Planning Commission during discussion of the public hearing Zoning Ordinance amendments.

Jay Dehl, 8305 Ledgewood Ct., would like to know if the P.C. would be making changes to the Zoning Ordinance and allow an accessory building without having a primary residence on the property. Hanoute responded that subject is not being considered at tonight's meeting.

APPROVAL OF THE AGENDA:

Meisel recommended postponement of New Business #1: Resolution for Laurie Radcliffe to recognize her years of service on the Planning Commission, until a future meeting that she would be able to attend. Meisel suggested that the Board alter the order of business on the agenda and address New Business item #2 first.

Meisel moved to approve the meeting agenda as amended (Wood seconded). The motion carried by unanimous voice vote.

APPROVAL OF THE MINUTES: Regular Meeting Minutes for October 11, 2011

Kempisty moved to approve the October 11, 2011 Planning Commission minutes as presented (Peabody seconded). The motion carried by unanimous voice vote.

NEW BUSINESS #2: Ruck - land split

Planning Commission, Mr. Ruck, and Planner Discussion:

- requesting to split 2 acres from a 10 acre parcel at 6112 McGuire Road, zoned RE;
- the 2 acre parcel is 186 feet wide, which meets the minimum lot area, but does not meet the minimum lot width of 200 feet;
- the calculation for the open space has been provided and is located on the back of the parent parcel;
- a shared driveway design sheet was provided;
- a blowup of the entranceway was requested at the subcommittee meeting, to show that emergency vehicles can pull in and back around if necessary;
- the pillars are not shown on the drawing;
- the driveway will cut in front of the pillars;
- contacted Hartland-Deerfield fire authority and they proposed an emergency drive on the south border, which will have a locked gate with a lock box;

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- the original proposal took the driveway into the yard beyond the pillars, but the revised proposal is for the driveway entrance to be before the pillars, a few trees were moved;
- a maintenance agreement was provided.

Conditions:

- the applicant needs to change the width of proposed Parcel A-2 to meet the 200 foot minimum lot width, and revise the plan and legal descriptions accordingly;
- needs to provide proof of ownership;
- confirmation of the location of any wetlands or if there are no wetlands that needs to be certified on the survey;
- need to add the location of the pillars to the plan;
- need documentation from the fire department regarding the locked gate as opposed to a turn-around;
- on the survey, need to amend the description of the open space to indicate that no structures will or can be constructed on the open space and ensure it via a deed restriction.

Hasbrouck moved to recommend that the Township Board grant approval for the Ruck land split at 6112 McGuire, once the above conditions have been met. (seconded by Peabody). The motion carried by unanimous voice vote.

NEW BUSINESS #3: Bidelman – boundary realignment

Planning Commission, Mr. Bidelman, and Planner Discussion:

- the applicant submitted responses to items in the letter sent by Tyrone Township's Planner, Sally Hodges;
- suggested moving the easement a few feet to the north so it will run along a common property line, instead of being split on both parcels – this is a comment, not a requirement;
- Delta suggested moving the private driveway to the north and off the septic field;
- the applicant clarified the reason for the parcel split and clarified that the driveway is actually a private driveway and not a shared driveway;
- a maintenance agreement is not needed for a private driveway;
- proof of ownership and proof that tax payment is current is required;
- all of Planner Hodges' comments have been addressed;
- need to be able to tell what happens with the shared driveway in terms of drainage, contour lines are needed for this;
- after the drawings are revised and resubmitted, Hanoute will review them to make sure all the concerns and conditions are met;

At 7:30 p.m. the meeting was recessed for the Public Hearing.

At 8:30 p.m. the Public Hearing concluded. The regular P.C. meeting resumed.

Conditions:

- the east-west portion of the driveway easement must be shifted to the north so that it is contained within Parcel 1-B. The applicant needs to have the drawing revised and the description rewritten for the adjustment on the easement location;
- the building envelopes need to be shown on the drawing for each parcel; all the front, side and rear yard setbacks need to be indicated for each parcel;
- certification that there are no wetlands must be noted on the drawing, not "per owner";
- note 11 needs to be certified on the drawing, not "per owner";

- topographical contours should be shown on the drawing;
- location of public utility easements need to be shown on the drawing and in the legal description.

Hasbrouck moved to recommend that the Township Board grant approval for the Bidelman boundary realignment at 10183 Hartland Road, once the above conditions have been met. (seconded by Wood). The motion carried by unanimous voice vote. Hanoute to review the new drawing when submitted.

NEW BUSINESS #4: Hicks – boundary alignment

Planning Commission, Mr. Hicks, and Planner Discussion:

- Hanoute recused himself from this request because the company he works for was involved in the surveying of the property. Meisel declared his proximity to the site and requested PC members consent he did not have a conflict of interest. PC agreed unanimously. Meisel assumed chairman pro-tem role for this application;
- applicant wants to add 7,032 square feet of land to lot 19 of McClatchey’s Runyan Lake Estates;
- applicant describes the 7,032 square feet of land as a gap between proposed Runyan Lake East Condo and the owners parcel;
- lot 19 previously had a single family dwelling on it;
- lot 19 has a depth to width ratio that exceeds 4:1; adding the 7,032 square feet of property brings it more into conformance and closer to a ratio of 4:1;
- the objective of what Mr. Hicks wants to do makes a lot of sense;
- according to the Land Division Act, unplatted land cannot be added to a platted lot or subdivision without going through a replat or circuit court action;
- there is an unplatted piece attached to lot 19, a rectangular piece, we can do a boundary alignment between this and the unplatted portion; this would then be combined under one tax id for ownership and zoning purposes
- we cannot change the legal description of lot 19 (because it is contained within a plat), but can change the legal description of the parcel as it is utilized for zoning purposes and taxation;
- the wetland that’s delineated on the drawing stops at lot 19;
- the setback for the house required to prevent sight obstructions to the water is not shown.

Conditions:

The plans must be revised and resubmitted before being placed on the Township Board’s agenda to address the following:

- the applicant needs to provide a new legal description for the remaining parent parcel (031), which is the description for the proposed Runyan Lake East condominium site;
- the applicant needs to provide a new legal description for the combination of lot 19 and the land being added to it for zoning and taxation purposes;
- the regulated wetland limits needs to be confirmed on the survey, including lot 19;
- the building envelope needs to be delineated across lot 19 on the survey drawing;
- the building envelope must reflect the view setbacks as provided on the proposed site condominium units (so you don’t obstruct the view for neighbors).

Peabody moved to recommend that the Township Board grant approval for the Hicks boundary realignment at 10265 Carmer Road, once the above conditions have been met, for zoning and taxation purposes because it will create a less non-conforming lot. (seconded by Hasbrouck).

The motion carried by unanimous voice vote. Hanoute abstained from the vote. Meisel declared his pro-tem position ended and returned the Chair to Hanoute.

NEW BUSINESS #5: Cider Mill Crossing

Jon Coleman: representing Sun Communities:

- Cider Mill Crossings was in foreclosure due to back taxes not being paid;
- the property was auctioned off on Sept. 28, 2011, with Sun Communities being the highest bidder;
- the property was deeded to Sun Communities on Oct. 28, 2011;
- a Consent Judgment was entered into back in March 2001;
- asking for an amendment to the Consent Judgment;
- the proposed amendment addresses: pre-owned manufactured homes, single section manufactured homes, garages and storage sheds, previously met Consent Judgment requirements, advertising/signage, and lease-to-own program.

John McLaren: representing Sun Communities:

- passed out a 15 page handout to the P.C. members;
- gave a presentation on the above handout;
- wants to amend the Consent Judgment to allow pre-owned manufactured homes to be installed, 15 years old or newer, provided that home exteriors similarly match appearance of existing homes;
- wants to amend the Consent Judgment to allow single section manufactured homes meeting 1,200 square foot floor size requirement to be installed;
- wants to amend the Consent Judgment to remove requirement for 90 garages and state that they must maintain only the existing quantity of garages (20) and allow for storage sheds 144 square feet or smaller for each site;
- wants to amend the Consent Judgment to state the prior consent agreement requirements have been met (reference page 11 of handout);
- wants to amend the Consent Judgment to allow for necessary signage (reference pages 12-13 of handout);
- wants to amend the Consent Judgment to formally allow their lease-to-own program.

Planning Commission and Planner discussion with Sun Communities representatives:

- manufactured homes would be vinyl sided or wood sided with pitched shingled roofs;
- have 144 repossessed homes within their portfolio of vacant homes throughout the U.S.;
- asked for a list of 4 or 5 other Sun Community developments, that the P.C. members could visit;
- concerns that this is an existing community which is relatively new and the possibility of bringing in smaller and older homes which could adversely impact the existing residents;
- there is a minimum home size of 1,200 square feet;
- the value of a full neighborhood is worth a lot more than the value of what it is now;
- single section manufactured homes are 16 feet by 76 feet or 1,216 square feet;
- single section manufactured homes would only be on the interior sites and no more than 10% would be single section homes, would maintain the aesthetics of current homes;
- will put the standards in appearance (vinyl sided or wood sided with shingled roof) in the Consent Agreement, so they will be standards the Township can rely upon;
- Sun Communities is looking to bring in 20 pre owned, vacant homes;
- there are currently 262 developed sites at Cider Mill and 20 sites with homes and garages; almost every home there now has a storage shed;

- the banners are made out of a strong vinyl and considered temporary/permanent; would have grommets on each side and connected to 4 by 4 pvc vinyl posts; verbiage would depend on what the special is at the time;
- to be more consistent with what is permitted under the Zoning Ordinance, it was suggested to possibly use a permanent sign structure with changeable faces; treat specials as temporary signs;
- the Zoning Ordinance permits a real estate development sign up to 32 square feet and a community identification sign of 64 square feet;
- would like to have a time period of 1 to 3 years for the banners;
- it would be a minimum one year lease, including lot rent;
- sewer O&M is based on metered flow from the site ???
- emergency access is not designed for vehicles to be coming and going, there is no deceleration lane, there are no stop signs; this needs to be taken care of; there are two posts there and a cable should be there, gate is not locked; it has a fire department lock box there for the fire department to access.
- storage shed sizes and the location of the storage sheds are big concerns;
- no decisions will be made on this tonight, this will be further discussed at the next P.C. meeting and recommendations will be made to the Township Board at that time.

Concerns from the public:

Scott Dietrich, 13505 White Lake Road: concerned with bringing in older homes from bankruptcy or auction to lease out and a concern for the amount that will be brought in; concerned with placement of single section manufactured homes within current development.

Rick Chouinard, 6100 Linden Road: concerned with placement of the single section manufactured homes within current development, so it does not look like a campground; concerned with amending the Consent Judgment and getting away from what the residents wanted to begin with; and concerned with the banner placement and it looking like a circus.

Charlie Callaghan, 9225 Faussett Road: asked if the Township Board is doing anything to protect the residents from what has happened to Cider Mill Crossings and prevent it from happening again and the residents getting stuck with the bill; concerned with development being purchased at foreclosure and them bringing in old manufactured homes; since new manufactured homes are down in production; wants concrete figures from Sun Communities, not "about or roughly this many"; has paid for the previous developers mistakes and does not want to pay again.

OLD BUSINESS #1: Master Plan

Due to time constraints the Master Plan will be further reviewed at the next Planning Commission meeting

- A summary of the visioning session results was given. The results will be further discussed at the next P.C. meeting;
- The Master Plan vision session results will be placed on the township's website.

MISCELLANEOUS BUSINESS:

Motion by Meisel to forward the proposed Zoning Ordinance amendments to the County Planning Department for review and comment. (seconded by Hasbrouck). The motion carried by unanimous voice vote.

Future Items: 1) Continue to review Master Plan; 2) Resolution for Laurie Radcliffe to recognize her years of service on the Planning Commission; 3) Cider Mill Crossings.

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ADJOURNMENT: The meeting ended at 10:29 pm

NEXT MEETINGS:

December 13, 2011 - Regular Meeting

Lorie Thielen, Recording Secretary
Tyrone Township Planning Commission