

TYRONE TOWNSHIP PLANNING COMMISSION

MEETING MINUTES JANUARY 10, 2012

PRESENT: Present: David Hanoute, Steve Hasbrouck, Mark Meisel, Brandon Peabody and Mike Wood

ABSENT: Ed Kempisty, Deb Lee

OTHERS: Tyrone Township Planner Sally Hodges

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

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC:

APPROVAL OF THE AGENDA:

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

APPROVAL OF THE MINUTES:

Regular Meeting Minutes for December 13, 2011

Meisel moved to approve the December 13, 2011 Planning Commission minutes as presented (Hasbrouck seconded). The motion carried by unanimous voice vote.

CORRESPONDENCE:

- December 14, 2011 sub-committee meeting – Shannon Ridge
- December 21, 2011 sub-committee meeting - Tanglewood

Meisel moved to suspend the order of business and move New Business items #1 and #2 ahead of the Old Business items in consideration of the applicants in attendance (Hasbrouck seconded). The motion carried by unanimous voice vote.

NEW BUSINESS #1: Lambrecht- Miller boundary realignment

Planning Commission and Planner Discussion:

- Lambrecht's accessory structure currently encroaches onto the Miller parcel, resulting in litigation in Genesee County Circuit Court;
- to resolve the encroachment, the applicants have submitted plans to realign the lot boundaries, so the Lambrecht accessory structure would be set back 20 feet from the property line;
- the applicants submitted additional information in response to the comments from the original review by McKenna Associates, dated November 30, 2011;
- read aloud the original review by McKenna associates and the applicants responses;
- read aloud additional comments from the McKenna Associates review dated Dec. 15, 2011;
- the applicants addressed all the concerns from the McKenna reviews, satisfied all requirements of the Zoning Ordinance, the parcels meet all the dimensional requirements, and subject to any comments by the P.C., Township Planner Sally Hodges would recommend the P.C. recommend approval of the Lambrecht-Miller boundary realignment to the Township Board;

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- the parcels were created prior to the adoption of the open space requirements in the Zoning Ordinance and are not subject to the open space requirements.

Public Comments:

- Attorney Richard Hamilton stated that a compromise was reached between both parties, they split the disputed property and adjusted the lines in order to meet the setback requirements of the Township and would like to get this matter resolved.

Wood moved to recommend to the Township Board approval of the Lambrecht-Miller boundary realignment at 11216 Hartland Road (Hasbrouck seconded). The motion carried by unanimous voice vote.

NEW BUSINESS #2: Shannon Ridge – land division

Brent LaVanway of Boss Engineering:

- requesting a proposed land division that would create a new 1.62 acre parcel (proposed parcel 2) located at the southwest corner of the Riverwalk Way cul-se-sac;
- the remaining 48.31 acre parcel (proposed parcel 1) is located at the southeast corner of Riverwalk Way cul-de-sac;
- would have frontage on both the cul-de-sac and Ore Creek;
- 0.81 acres of open space for proposed parcel 2 is located in the northeast corner of proposed parcel 1;
- the applicant submitted a waiver from the Livingston County Road Commission, this is a private road so they do not have jurisdiction over it;
- the applicant submitted approval from the Livingston County Health Department for the perk test that was done and was acceptable;
- a contour map of the property was submitted, including Shannon Glen and Shannon Ridge;
- the proposed road maintenance agreement was submitted, and a recommendation of the sub-committee meeting held on December 14, 2011;
- the road maintenance agreement is a separate document, to be signed before closing;
- a survey of the entire holdings for both Shannon Glen and Shannon Ridge was submitted;
- submitted a summary of the status of the ownership of this parcel, with current ownership being Shannon Ridge LLC.

Planning Commission and Planner Discussion with the applicant:

- read aloud the comments from McKenna Associates dated January 9, 2012;
- proof of ownership was not met in the original packet, still have questions regarding the chain of title information that was submitted as follow-up;
- must confirm whether the entire parent tract was conveyed if the owner is to be able to split the parcel;
- previously had some concerns with the legal description discrepancies, a revised site survey was submitted with all dimensions for proposed parcel 1 noted on the survey drawing – so this condition has been met;
- the locations of all existing structures, utilities, or access easements on the property and within 50 feet of the property boundary lines on adjacent property must be shown on the plan_(based on the aerial photo, there are single family homes on lot #17 and lot #33 that look like they are within 50 feet of the property boundary for proposed parcel 1, therefore they must be shown on the plan for proposed parcel 1) - this condition has not been met;
- suggest relocating the access easement so it is not in the wetlands;

- the intent of the “access easement to be relocated” depends upon the need to relocate it for use by the Nature Conservancy if and when development occurs, suggest changing note to “access easement to be relocated as may be required in the future”;
- the boundary surveys prepared by Boss Engineering must be sealed by a registered professional civil engineer or land surveyor;
- proof that all taxes have been paid in full must be provided;
- the Road Maintenance agreement must be executed as a condition of land division approval;
- the open space being provided meets the requirements of our ordinance;
- the legal descriptions are ended with the phrase “Within the open space area no permanent structures may be built” change this to “shall be built”;
- there are no plans to further develop the community septic, the Master Deed of Shannon Glen would have to be amended;
- the description for the 66 foot wide driveway easement is incorrect, it says McGuire Road and it should be Faussett Road;
- need language for access and easement rights to the sedimentation basin located on the private parcel;
- was going to do the title work to see if the easement was ever recorded for the sedimentation basin, if not, before they sell the property they will record an easement on the 1.62 acres that is in the purchase agreement already, and the easement will be prepared by the time they go to the Township Board;
- there is an underground pipe that extends from the basin to the wetlands that also requires an easement;
- as a condition of approval, should require recording the easements prior to meeting with the Township Board;
- the chain of title diagram was made by the attorney and this is the entire Shannon Glen and Shannon Ridge property parcel 1 and parcel 2 combined;
- subject to the few remaining items, underlined above, being address, Planner Sally Hodges recommended that the P.C. recommend approval to the Township Board.

Meisel moved to recommend the Township Board approve the requested land division by Shannon Ridge conditional upon the following items being addressed to the Planning Commission and Township Board’s satisfaction: 1) The Township Board is to verify ownership to their satisfaction; 2) Need to verify that lot #17 and lot #33 do not have features within 50 feet of the property boundary lines. If they do, the drawing provided needs to include the locations of all existing structures, utilities, or access easements on the property and within 50 feet of the property boundary lines on adjacent property; 3) On the plans, need to acknowledge that the access easement into the wetlands is satisfactory as it exists, but require that the note on the drawing that currently reads “existing temporary 66 foot wide easement for ingress/egress (to be relocated)” be amended to “to be relocated as may be required in the future”; 4) The boundary surveys prepared by Boss Engineering must be sealed by a registered professional civil engineer or land surveyor before presentation to the Township Board; 5) proof that all taxes have been paid in full must be provided; 6) The Road Maintenance agreement must be executed as a condition of land division approval; 7) For the sedimentation basin area contained within proposed parcel 2, easements need to be prepared to address the basin and the access to it, as well as the pipe and outlet flowing into the wetland; and 8) The legal descriptions are ended with the phrase “Within the open space area no permanent structures may be built” and must be changed to “shall be built” (Hasbrouck seconded). The motion carried by unanimous voice vote. Hanoute will review the revised plans from Shannon Ridge to make sure all the conditions have been met, before sending to the Township Board for approval.

OLD BUSINESS #1: Review proposed Zoning Ordinance amendment for Contractor's Storage in the FR/RE Districts

Planning Commission and Planner Discussion:

- added a new #9 Maximum Size Accessory Building;
- reviewed and made minor changes to the proposed Zoning Ordinance amendment for Contractor's Storage in the FR/RE districts;
- Township Planner Sally Hodges will make the above changes for the next Planning Commission meeting on February 14, 2012.

Motion by Meisel to forward the proposed Zoning Ordinance Article 4 and Article 22 for Contractor's Storage in the FR/RE districts to the Livingston County Planning Commission for review as amended (Peabody seconded). The motion carried.

OLD BUSINESS #2: Master Plan:

Planning Commission and Planner Discussion on the Master Plan:

- reviewed: Status of Master Plan Update and Proposed Schedule for Completion;
- will ask the Township Board to attend the next Planning Commission meeting in February to discuss the Future Land Use Map;
- when document is complete, it is sent to the Township Board for permission to distribute to the neighboring communities for comment, there is a 62 day comment period, then a public hearing will need to be held (June /July);
- reviewed and made minor changes to the Goals and Objectives section;
- will remove road names from the road improvement section;
- reviewed and made changes to the Master Plan draft: Industrial Development Analysis, Existing Land Use Analysis, Land Use Analysis (to be further revised), and Transportation System Analysis sections.

Township Planner Sally Hodges to make changes as discussed.

MISCELLANEOUS BUSINESS:

- 1) Other Business Items: none
- 2) Township Board Actions: approved Sun Communities requested consent agreement changes.
- 3) ZBA Report: none
- 4) Future Items – resume review of the Master Plan (Community Facilities), accessory structure draft (from Meisel)

ADJOURNMENT: The meeting ended at 9:55 pm

NEXT MEETINGS:

February 14, 2012 - Regular Meeting

Lorie Thielen, Recording Secretary
Tyrone Township Planning Commission