

TYRONE TOWNSHIP PLANNING COMMISSION

MEETING MINUTES

December 11, 2012

PRESENT: Mark Meisel, Mike Wood, Deb Lee, and Cam Gonzalez

ABSENT: Brandon Peabody, and Ron Puckett

OTHERS PRESENT: Tyrone Township Planner Sally Hodges, Planning/Zoning Administrator Vanessa Bader, and 1 other

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

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC:

APPROVAL OF THE AGENDA:

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

APPROVAL OF THE MINUTES:

Meeting Minutes for November 13, 2012

Lee moved to approve the minutes as amended. (Wood seconded)
The motion carried by unanimous voice vote.

OLD BUSINESS #1: Accessory Structure Regulations

Planner Hodges reviewed the consolidated regulations and changes that have been made.

Consensus to change "edge of water" reference on page 3 to "established edge of water" to match the paragraph above.

Hodges will make the necessary changes and changes to the chart as previously discussed and they will get a final review at the next meeting.

NEW BUSINESS #1: Medical Marijuana Regulations - Scheduled Revisit

Chairman Meisel gave an update on the current status of court cases and previous discussions with the Township Board. The courts have determined that dispensaries are illegal. He asked Planner Hodges and Commissioner Lee if they had any updates; they had none since the Wyoming case.

Lee - Questioned if dispensaries are not allowed, what would we regulate. Wood agreed.

Discussion on keeping on top of the issue, Commissioner Wood suggested to review quarterly for court decisions and new laws.

Planner Hodges found last moratorium was a 6-month duration started in July to wait out decisions on dispensaries. The Commission agreed that since dispensaries are illegal, no ordinance is needed at this time.

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Chairman Meisel will write a letter to the Township Board letting them know our recommendation and that it will be revisited quarterly.

NEW BUSINESS #2: Review of Cemetery Standards in FR/RE districts

Chairman Meisel reviewed Section 22.05.C. that states they are only allowed in the FR district, however Article 4 and 20 state both FR and RE. Concluded it was most likely a typo and the Township currently has cemeteries in both districts.

Meisel questioned if we needed a public hearing to make the change since this appeared to be simply a typographical error. Planner Hodges felt it did and should follow the amendment process. It could be combined with the accessory structures amendment public hearing.

Lee moved that Section 22.05 C. 1. include the RE district to remain consistent with the other two articles of the ordinance. (Wood seconded)

Motion carried by unanimous voice vote.

NEW BUSINESS #3: PC Action List - Future Meeting Topics

Reviewed the list of "Next to Address" items.

- Fireworks - Questioned whether or not to develop an ordinance regulating length of time and permitted hours surrounding the holidays. With the new State laws, some residents use them well after midnight and on week nights. Commissioner Woods questioned if we could enforce an ordinance. Zoning Administrator stated that by the time she wrote a letter and the resident responded, most likely the holiday time would be over and the problem would subside. She also said when she spoke with the Livingston County Sheriff's Department about our noise ordinance, they said that it would probably work better as a regulatory ordinance. They worked with Hartland Township to develop a noise ordinance that the police could enforce more easily and we could see what they developed. Bader and Hodges thought if we did something, a regulatory ordinance might be the way to go.
- Outdoor Wood Burners - Bader said she mentioned it to Clerk Kremer and he said to bring the issue to the Township Board and see if it's something they want the Planning Commission to work on. She has gotten several calls this fall from residents who wanted to put one in.
- Abandoned Buildings - Bader has received lots of complaints over the summer and it has been an issue for several years. Clerk Kremer also suggested bringing this to the Board. If dealt with, the township would be paying for the demolition and placing a lien on the property and the township would have to decide if that is something they are willing to pay for. Bader said she would bring this and the wood burners to the Board at their January meeting.

The Commission will start work on the next three items.

- Wind Generators - Chairman Meisel described that this would be an ordinance for residential or individual purposes, not a commercial wind farm. The Commission would start working on this next after current amendments are finished.
- Antenna Standards - These changes would bring our ordinance up to date with the 2006 Telecommunication Act amendments.
- Non-Conforming Building Expansions

Chairman Meisel brought up an issue regarding tree preservation that was talked about in the past and asked if it was something they wanted to address. This was discussed at length. Some commissioners felt a land owner should be able to clear cut their property if they wish.

Chairman Meisel stated an issue in the township where this was done and it created drainage problems for adjacent land owners.

Planner Hodges mentioned it could be hard to enforce as usually these regulations are targeted toward developers and not individual property owners, but ultimately you don't know who is going to develop their property.

Zoning Administrator Bader said she has seen it work in ordinances where it is in place for subdivisions. Most ordinances require buffers near existing roadways and other uses, so leaving some existing landscaping is most likely in the best interest of the developer. But again, it is in place for developers who come in to apply and have not yet cut any trees, and anyone could still cut down their trees and then come in for an application.

It was agreed not to pursue the issue further at this time.

NEW BUSINESS #4: Election of Officers

It was moved by Gonzalez to elect Meisel to continue as Chairman. (Lee seconded)

Motion passed by unanimous voice vote

It was moved by Gonzalez to table the Vice-Chairman position till more members were present. It was discussed that this item was on the agenda and absent members knew this election was taking place. Gonzalez decided to remove his motion from the table.

It was moved by Gonzalez to elect Lee as Vice-Chairman. (Wood seconded)

Motion passed by unanimous voice vote.

It was moved by Gonzalez to elect Wood as secretary. (Lee seconded)

Wood expressed future work commitments next year may prohibit him attending every meeting. Lee described what she has had to do as the current secretary and that the commitment was rather minimal. Meisel suggested Wood accept the position and we could revisit it in a few months if there are difficulties.

Motion passed by unanimous voice vote.

MISCELLANEOUS BUSINESS:

1) Other Business: Chairman Meisel updated the members on a possible project with TC Wireless. They have sent a drawing to our clerk and wanted to get an idea of the approval process for small scale wireless towers throughout the township. Zoning Administrator Bader said she and the clerk met with their representative the other day. They are planning 15-20 "micro-pops" in the township which are basically utility poles 47' above ground with an antenna on top. They would serve a small population of residents and would be located on private property. There are no ground structures. They could potentially serve 80% of our township and provided a map of residents who have inquired about the service and when it might be available.

Meisel and Bader had previously told TC Wireless that our ordinance would only allow these structures as a Special Use since they will not be collocated. The clerk suggested possibly amending the ordinance to allow for these "micro-pops" without going through the special use process, but still site plan review.

Wood commented that the drawing showed the pole would be 8' into the ground. He felt with our soils that 8' would not be enough. Aesthetics, power to the antennas, building codes, and fall

zones were also discussed. It was the consensus of the commission to not amend the ordinance and to require a special use permit due to safety and building code compliance concerns.

2) Township Board Actions: Chairman Meisel said, after talking with the supervisor, that a joint meeting may be appropriate to update the new trustees on the PIRO Zoning Ordinance amendments and the updated Master Plan draft.

3) Future Items: Accessory Structure amendments to be reviewed at the next meeting. Planner Hodges will also provide clarification changes for permitted districts for cemeteries, and would begin amendments for residential wind generators, clarification of non-conforming building standards, and antenna standards.

ADJOURNMENT: The meeting adjourned at 9:00 pm

NEXT MEETING:

January 8, 2013 - Regular Meeting

Vanessa Bader, Recording Secretary
Tyrone Township Planning Commission