

TYRONE TOWNSHIP PLANNING COMMISSION

**MEETING MINUTES
MARCH 27, 2014**

PRESENT: Mark Meisel, Deb Lee, Dave Wardin, Cam Gonzalez, Anne Linder, Ron Puckett, and Bill Wood

ABSENT: None

OTHERS PRESENT: Tyrone Township Planner Sally Hodges.

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

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC: None present

APPROVAL OF THE AGENDA:

Gonzalez moved to accept the agenda as presented. (Wardin seconded)
The motion carried by unanimous voice vote.

UNFINISHED BUSINESS #1: Review of Noise Regulation. Chairman Meisel reviewed materials provided related to Section 21.16 – Noise. He suggested amending the sound measurement language to better describe the standards and method for sound measurement. Using text he found while looking at other municipality’s noise ordinances, he thought the examples shown represented the better approaches. Linder asked what is used to measure sound. Meisel showed a typical sound pressure meter that the Township should purchase, suggesting one which recorded the sound information for later downloading and plotting was likely better for contested complaints. There was discussion about whether such an instrument would or could be loaned to residents if they had noise concerns with neighbor activities. It was decided this was a bad idea since the Township could not be sure the meter was not damaged, and because such an approach removes and independent person from determining if a real violation exists.

A definitions section was proposed for terms specific to this Section. Day and Night definitions were discussed. It was agreed to establish Day as the time typically allowed for construction work (7AM – 10PM) with the remainder being Night. To address the Michigan Fireworks Safety Act, it was proposed Day and Night be defined as set forth in the Act for Consumer Fireworks activities occurring the day before, the day of, and the day after national holidays (Day is 8AM – 1AM). It was agreed 1AM was too late for a typical day definition. To further address the Fireworks Safety Act, it is proposed a section be created for Fireworks Related Noise. This section would prohibit fireworks related noise between the hours of 1AM and 8AM, as discussed and agreed to during a meeting with K. Kremer, M. Cunningham, and C. Gonzalez. It would also exempt noise related to fireworks displays permitted by the Township Board. To further address the display events and 4th of July related gatherings, it is proposed fireworks be permitted 7 days before and 7 days after the 4th of July. It was noted these time restrictions appear to be in agreement with those discussed with K. Kremer and M. Cunningham, however we would need to make adjustments if the Township Board established other times in the regulatory fireworks ordinance.

A new Zoning Ordinance section covering “impulse noise” was proposed. This section would address very loud but very short duration noises which would appear much less objectionable if measured using the dBA method. Examples would be banging equipment, gun shots, and firecrackers.

The Planning Commission next reviewed suggested exclusions from the general noise regulations. The intent is to not make illegal noises created by reasonable or required activities. Examples are wild or domestic animals, religious bells or chimes, emergency sounds from vehicles, home and car alarms, and farming equipment. Wardin located an ordinance with some additional considerations, which after discussion, were incorporated into the proposed text. The existing Ordinance table showing acceptable sound levels was then reviewed. When compared to other municipalities, the levels established seem reasonable. Planner Hodges agreed. Wardin noted some differences in other ordinances between commercial and industrial district noise limits. After discussion, it was agreed we should add a column for industrial districts and allow +5 dBA more in those locations.

An approach for regulating retail sales of fireworks was then proposed. We have two considerations: (1) Sales within an existing building, subject to state approval, and (2) Temporary outdoor sales. The approach presented repeated many of the requirements set forth in the Fireworks Safety Act. After discussion, it was agreed an approach which focuses on location or district specific regulations and also references the requirements in the Fireworks Safety Act would likely be better. It was also agreed we needed some further research into, and enhancement of our temporary outdoor sales regulations. This topic will be revisited during the next meeting,

UNFINISHED BUSINESS #2 Open space calculation was next discussed. Planner Hodges, in correspondence dated 1/24/14, provided recommendations for consolidating the regulations similar to what was done with accessory structures, so the current footnotes to the schedule of regulations are also located in a single place – Section 21.51, and recommended general updates. While this approach was agreed to, the question was then offered whether we could not simplify the open space calculation. It was suggested a flat percentage might be an easier approach. This resulted in discussion about why open space is required, and how much open space should be required during land divisions. Due to time constraints, the calculation method will be further discussed during the next meeting.

ADJOURNMENT: The meeting adjourned at 9:20 p.m.

NEXT MEETING: April 8, 2014 - Regular Meeting

Respectfully submitted by:
Mark Meisel