

1 **TYRONE TOWNSHIP PLANNING COMMISSION**

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3 **APPROVED MEETING MINUTES**
4 **MAY 12, 2015**

5
6 **PRESENT:** Mark Meisel, Cam Gonzalez, Anne Linder, Allen Pool, Ron Puckett, and Bill Wood.

7
8 **ABSENT:** Dave Wardin

9
10 **OTHERS PRESENT:** Tyrone Township Planner Sally Hodges, and Planning & Zoning
11 Administrator Nikki Fleckenstein.

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

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15 **PLEDGE OF ALLEGIANCE:**

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17 **CALL TO THE PUBLIC:** No comments for topics not included on the agenda were received.

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19 **APPROVAL OF THE AGENDA:**

20 Gonzalez moved to approve the agenda as presented. (Pool seconded) The motion carried by
21 unanimous voice vote.

22
23 **APPROVAL OF THE MINUTES:**

24 Gonzalez moved to approve the minutes of 4/14/15 as presented. (Pucket seconded) The motion
25 carried by unanimous voice vote.

26
27 Linder moved to suspend the order of business to consider new business before old business
28 (Pool seconded) The motion carried by unanimous voice vote.

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30 **NEW BUSINESS #1 – Fraski (West) Trust Land Division Discussion**

31 The Planning Commission offered their suggestions to bring the proposed land division and
32 drawing into compliance with our ordinances. Our suggestions were:

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- The area identified for open space is consistent with the open space intent, however more
35 detail regarding the open space is needed. All wetlands included in the open space must
36 be identified, and no more than 35% of the total open space can be wetlands.
 - Two drawings are needed – one showing the current property configuration and a second
37 showing the post land division configuration.
 - Show the existing driveway on the drawing.
 - Provide a topography map (Township can provide using GIS).
 - Access location approval from the LCRC is needed.
 - We noted the developable remainder for Parcel A shown in the table was incorrect.
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44 The land division request will be formally reviewed during a future meeting.

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46 **NEW BUSINESS #2 - Recommendation re: > 4:1 proposed amendments**

47 Planner Hodges reviewed minor changes included in her 5/11/15 memo.

48
49 A public hearing was scheduled for June 9, 2015 for this topic and also a proposed amendment to
50 our noise regulations to include standards for identifying excessive noise without the use of
51 measurement devices

53 **NEW BUSINESS #3 - Approach for Ron Gordon: PUD amendment or rezoning?**

54 The purpose of this discussion was to determine the best approach for Mr. Gordon's desire to
55 continue his trailer sales business. Should the existing PUD agreement be amended, or should
56 the property be rezoned to PCS as it is Master Planned? The use will remain adjacent to his
57 residential development, so residents should be heard via a public hearing. The Planning
58 Commission concluded the best approach for both parties was to recommend amendment of the
59 PUD agreement. This provides the most flexibility for both Mr. Gordon and Tyrone Township in
60 establishing the standards applicable to the use. Each party has the ability to negotiate to arrive at
61 a mutually beneficial site plan. A few elements which need to be worked out are lighting, the future
62 of the barn, and the driveway surface requirements. This recommendation will be communicated
63 to Mr. Gordon for his consideration.

64
65 **NEW BUSINESS #4 - Urban Farming - Review for needed amendments**

66 This topic was brought to the Planning Commission's attention during the 4/21/15 joint meeting. A
67 new GAAMPS category has been created – category 4. Taken directly from the MTA Urban
68 Farming presentation, a Category 4 site is determined:

If there are more than 13 homes within 1/8 of a mile or
have a non-farm residence within 250' of the livestock
facility, then it is a Category 4 site.

- Not appropriate for livestock
- Having livestock would not be in conformance with the Siting
GAAMP and the operation may not have Right to Farm
protection

69
70 A Category 3 site is determined::

- If there are less than 13 homes within 1/8 of a mile and
no non-farm residences within 250' of the livestock
facility, then it is a Category 3 site.
- Appropriate for livestock
- Right to Farm and GAAMPs apply

71
72 It was agreed the Planning Commission needs to review our Zoning Ordinance to determine if
73 additional regulations are needed in support of these categories. This topic will be further
74 discussed during a future meeting.

75
76 **NEW BUSINESS #5 - Tree Houses - Review for needed amendments**

77 This topic is being reviewed after preliminary discussion resulting from a ZBA variance request
78 which was denied due to the tree house being too close to the property lines (setback) and its
79 proximity to power lines (Meisel will forward the ZBA file). From a ZBA point of view the structure
80 did not comply with required health and safety attributes. This experience did highlight the need to
81 review if additional regulations are needed for structures of this type.

82
83 Planner Hodges stated tree houses are covered as accessory structures. There are two
84 distinctions – less than 400 square feet does not require a building permit, greater than 400 square
85 feet does. We allow gazebos up to 100 square feet without a permit. She thought the structures

86 were covered. A lengthy discussion ensued regarding concerns about tree house type structures.
87 Points of discussion included:

- 88
- 89 • Proximity to property lines – do we have concerns about where a treehouse might fall, or
 - 90 what might be in proximity to it, such as power lines?
 - 91 • Treehouses that might hang over a public right of way;
 - 92 • Kids and parent’s right to construct a treehouse – don’t over regulate;
 - 93 • General safety of treehouses – does the township have a duty to ensure safety?
 - 94 • The township cannot protect everyone from themselves.
- 95

96 It was unanimously agreed treehouses and their safety are the responsibility of the homeowners
97 and no action should be taken by the township at this time to further regulate them.

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99 **OLD BUSINESS #1 - Regulation of Outdoor Furnaces**

100 This topic was tabled to a future meeting.

101
102 **MISCELLANEOUS BUSINESS:**

- 103 **1. Planning and Zoning Administrator's Report – None**
- 104 **2. Other Business Items – None**
- 105 **3. Township Board Actions - None**
- 106 **4. ZBA Report – None**
- 107 **5. Future Items – Special Meeting on 5/26**
- 108 **6. Correspondence – Val Royal:** Ms. Johnson has hired Livingston Engineering to complete her
109 site plan for her barn weddings special land use permit. Meisel spoke with the township
110 attorney and was advised the “hold harmless agreement” Ms. Johnson was pursuing would not
111 protect the township from lawsuits by her guests, and was therefore not recommended. Per
112 the fire chief, she needs to demonstrate to his satisfaction tanker trucks can safely get in and
113 out of her site as they deliver water to the staging area. It was noted the latest plan being
114 developed has the barn moved to the original proposed location. This should help resolve
115 several concerns associated with the prior location. It is now anticipated this application will be
116 ready for final review in June.

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118 **ADJOURNMENT:** The meeting adjourned at 9:25 p.m.

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120 **NEXT MEETING:** May 26, 2015 – Special Meeting

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122 Respectfully submitted by:
123 Mark Meisel
124 Chairman