

1 **TYRONE TOWNSHIP PLANNING COMMISSION**

2 **REGULAR MEETING MINUTES**

3 **April 12, 2016**

4
5 **PRESENT:** Mark Meisel, Dave Wardin, Cam Gonzalez, Al Pool, Ron Puckett

6 **ABSENT:** Anne Linder, and Bill Wood

7 **OTHERS PRESENT:** Tyrone Township Planners Sally Hodges and Brian Keeseey, Tyrone
8 Township Zoning Administrators Nikki Fleckenstein and Ross Nicholson.

9 **CALL TO ORDER:** 7:00 pm by Chairman Meisel

10 **PLEDGE OF ALLEGIANCE:**

11 **CALL TO THE PUBLIC:**

- 12 1. Steve Hasbrouck commented that there were no Planning Commission meeting packets
13 available to download from the Township website. Chairman Meisel replied there had
14 been some logistical issues that will be resolved in the future.
- 15 2. Valerie Johnson inquired about the possibility of amending her original land use permit
16 to include the most recent changes she desires to make to her site plan - excluding the
17 addition to the barn, and moving the location of the restrooms to the main structure.
18 After some discussion Chairman Meisel suggested that the agenda be amended to allow
19 additional time for the discussion.

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21 **APPROVAL OF THE AGENDA:**

22 Wardin moved to approve the agenda as amended. (Gonzalez seconded). The motion carried by
23 unanimous voice vote.

24 **APPROVAL OF THE MINUTES:**

25 Gonzalez moved to approve the March 15, 2016 minutes as presented. (Wardin seconded) The
26 motion carried by unanimous voice vote.

27
28 Puckett moved to suspend the order of business. (Pool seconded). The motion carried by
29 unanimous voice vote.

30 **NEW BUSINESS #1: Valerie Johnson Land Use (Barn) Permit**

31 The discussion began by Johnson stating per a letter from the Livingston County Building
32 Department, she is being asked to provide a revised Tyrone Township land use permit, inclusive
33 of Township-approved plans consistent with her current structure, to gain building inspector
34 approval. Chairman Meisel explained the land use permit issued was based on the approved site
35 plan. Since the site plan has apparently been changed without Township review or approval, this

36 creates a conflict with the Township's processes and regulations. Johnson explained she has
37 removed the portion of the building which was to house the restrooms and moved those into the
38 barn structure proper, and added a wall separating the banquet area from the restrooms and
39 catering areas in response to the Fire Chief's concerns the occupancy was not going to be limited
40 to 99 maximum. Johnson suggested that since there was not going to be a significant change to
41 the building or site, that the permit should just be changed to read as: barn (with no addition).
42 Referencing the site plan approval requirements in the Zoning Ordinance, Planner Hodges
43 explained there is a process to modify a land use permit, which may require an amendment
44 through a subcommittee review. Planner Hodges noted the changes proposed would be classified
45 as minor, and suggested the site plan be amended and resubmitted for approval. Chairman Meisel
46 advised Johnson there needs to be a revised drawing to place on file, an assessment must be
47 performed to ensure the changes do not impact other aspects of her approved site plan, and that
48 there could potentially be another meeting held on 4/26/2016 to review the updated plans and
49 make a decision. Meisel asked if everyone could attend a meeting on 4/26/2016 - All yes, except
50 Planner Hodges, but she indicated Brian Keeseey could attend in her place. This item will be
51 placed on the 4/26/2016 agenda for further consideration.

52

53 **NEW BUSINESS #1: Mikat Boundary Realignment**

54 Planner Hodges reviewed her memo dated 4/7/2016. There are 4 tax ID's involved in the
55 realignment; the applicant is proposing to transfer a 100 ft. strip of land from parcels 1 to parcel
56 2. It is actually a land transfer between 3 parcels, and there are many issues that need to be
57 resolved/cleaned up; a revised drawing needs to show all boundaries clearly (show parcel line
58 clearly vs. Section line), and setbacks and building envelopes must be shown. The applicant's
59 representative requested clarification and resolution agreement for two issues: (1) After his
60 discussion with the Township assessor it has been determined the tax description on file is
61 incorrect, however the legal description with the deed is correct. Upon completion of the
62 surveying work the assessor will update the tax records accordingly; and (2) The monuments
63 which were the basis for the current legal descriptions have been abandoned, therefore the new
64 legal descriptions provided will not be based on the current legal descriptions but rather
65 referenced using the newly established monuments. Will the Township accept these new legal
66 descriptions? Answer – yes. Secretary Wardin will overlay the before and after to ensure the
67 new descriptions are accurate. Planner Hodges added that accurate before and after drawings
68 clearly showing the location of easements, wetlands, water drainage features, contours, building
69 envelopes, utilities, and natural features must also be submitted. The new drawings should also
70 show the pavement widths, driveways, and road easements. Any exiting open space must also be
71 shown and described (note – none is believed to exist). For clarification purposes, Parcel 3 and
72 4704-03-400-003 will not be shown on the final drawings.

73

74 Gonzalez moved to table this item to allow additional time for the applicant to submit final
75 documents for review and consideration. (Pool seconded). The motion carried by unanimous
76 voice vote.

77 **OLD BUSINESS #2: Open Space Requirements and Calculation Method**

78 Chairman Meisel opens the discussion stating that the commission will pick up where they left
79 off last meeting and review the proposal arrived at during the last meeting. Planner Keeseey
80 presented two examples showing the effect of allowing land divisions in the FR Farming
81 Residential district with the option of either 3 acre parcel minimums with no open space

82 requirements, or 2 acre parcel minimums using the Cluster Development Option. Planner
83 Hodges noted one concern - with the proposed 3 acre parcel minimums there could be a large
84 number of nonconforming parcels. Meisel said existing parcels could be grandfathered to avoid
85 the issue of nonconformity, with conditions similar as those established for the LK-1 district.
86 There was additional discussion regarding the pros and cons of higher density development in
87 the FR district, where farm type uses, including the keeping of farm animals is the intended use.
88 Puckett noted when setbacks are considered it may not be possible to fit homes on 2 acre parcels
89 with higher depth to width ratios. Meisel noted the attractiveness of a community is determined
90 by what type of properties the residents are looking for. Meisel asked if the Planning
91 Commission was willing to support the 3 acre minimum with no open space at this point? All
92 responded yes. Planner Hodges thought we should review the impact of this potential change by
93 reviewing the number of parcels which would become nonconforming using the County GIS
94 information. She will prepare the material for the next meeting.

95

96 **OLD BUSINESS #3: Exotic Animal Ordinance**

97 Chairman Meisel explained that the subcommittee met with the owners of Supe's Exotic Jungle
98 on 3/23/2016, which went very well. The owners are focused on animal and exotic species
99 education, and overcoming fear of exotic species. Their operation is licensed by the USDA, is
100 regularly inspected, and they have a USDA-approved veterinarian. After reviewing information
101 provided by the owners and discussing responses to questions posed by the subcommittee, the
102 subcommittee reviewed the rough draft regulations Meisel prepared for compatibility and
103 conflict with the operation (reference subcommittee meeting minutes). The subcommittee asked
104 McKenna to refine the rough draft, incorporate additional regulations discussed, and research
105 additional regulations or revisions that might be required. Tonight we are reviewing the first
106 official draft of the proposed Exotic Animal Ordinance. Planner Keesey presented the proposed
107 text. The operation in question meets the dictionary definition of a zoo. Planner Hodges added
108 the USDA certification for the operation is the same as that of a zoo, even though it is not as
109 large as what many would consider to be a "zoo." Meisel commented the USDA is very
110 thorough in its certification process, and therefore should be considered trustworthy. Meisel
111 stated it would be unreasonable to prohibit any exotic animals if they are determined to be safely
112 kept by the USDA, and as long as the public would not be directly at risk. A few revisions were
113 discussed and will be reviewed during the next meeting.

114

115 **NEW BUSINESS #2: County Feedback Regarding Outdoor Furnace Regulations**

116 Chairman Meisel explained during Livingston County Planning Commission review, one
117 commissioner voted not to recommend adoption because he was concerned about the language
118 we used to define chimney requirements. Specifically, proposed Section 21.57.D.4 currently
119 reads in part, "Outdoor Furnaces shall have an attached permanent chimney extending at least 15
120 ft. above the unit base grade." The County commissioner's concern is this implies the furnace
121 must be attached to a permanent chimney, such as an existing fireplace chimney. After
122 discussion with Planner Hodges, Vice Chair Linder, and Secretary Wardin, it is suggested this
123 wording be changed to read, "Outdoor Furnaces shall have a permanently attached chimney
124 extending at least 15 ft. above the unit base grade." This clarifies it is the chimney which is to be
125 permanently attached to the furnace, not visa-versa. Shall we incorporate this proposed change
126 into our final draft to be submitted to the Township Board for approval? There was unanimous
127 consent to revise the proposed outdoor furnace regulations and submit them to the Township
128 Board for recommended approval.

129 **MISCELLANEOUS BUSINESS:**

130 **1) Planning and Zoning Administrator's Report: NONE**

131 **2) Other Business Items:**

132 -Scheduled a special meeting for 4/26/2016 to further address old business items.

133 -Scheduled a public hearing for 5/10/2016

134 **3) Township Board Actions: NONE**

135 **4) ZBA Report: NONE**

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137 **ADJOURNMENT:** The meeting adjourned at 9:56 p.m.

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139 **NEXT MEETING:** Special Meeting, April 26, 2016

140

141 Respectfully submitted by,

142 Ross Nicholson & Mark Meisel