

1 **TYRONE TOWNSHIP PLANNING COMMISSION REGULAR**
2 **MEETING AND PUBLIC HEARING MINUTES**
3 **September 13, 2016 -7:00 p.m.**

4
5 **PRESENT:** Mark Meisel, Dave Wardin, Cam Gonzalez, Ron Puckett, Al Pool, and Kurt
6 Schulze.

7 **ABSENT:** Bill Wood.

8 **OTHERS PRESENT:** Tyrone Township Planner Brian Keesey, Tyrone Township Zoning
9 Administrator Ross Nicholson.

10 **CALL TO ORDER:** 7:01 pm by Chairman Meisel

11
12 **PLEDGE OF ALLEGIANCE:** 7:02 pm

13
14 **CALL TO THE PUBLIC:** 7:02 pm

15 No comments

16
17 *Chairman Meisel took a moment to introduce and welcome Kurt Schulze to the Planning
18 Commission.

19
20 **APPROVAL OF THE AGENDA:** 7:03 pm

21 Cam Gonzalez moved to approve the agenda as presented. Al Pool seconded. The motion
22 carried by unanimous voice vote.

23 **APPROVAL OF THE MINUTES:** 7:05 pm

24 Cam Gonzalez moved to approve the April 26, 2016 minutes as amended. Dave Wardin
25 seconded. The motion carried by unanimous voice vote.

26
27 **OLD BUSINESS # 1: Open Space Requirements and Calculation Method-** 7:10 pm

28
29 Chairman Meisel opened the discussion with a brief overview of the current open space
30 requirements to bring Kurt Schulze up to speed. He explained that the purpose of this discussion
31 is to determine if increasing the minimum lot size requirements and/or eliminating the open
32 space requirement would be beneficial to the residents of the township. Brian Keesey then stated
33 that currently they are trying to determine if eliminating the open space requirement in lower
34 density areas would actually increase the density. Chairman Meisel added that one of the biggest
35 issues when determining a solution is ensuring compatibility with surrounding areas.

36
37 Brian Keesey stated the last time this item was discussed there were two major concerns. The
38 first was in the R-1 district, regarding determining how many large parcels remain which could
39 be split. There are not many large parcels in the R-1 district, but there are still a few that would
40 be large enough to potentially create site condominiums or planned unit developments. Keesey
41 continued, stating that the second major concern in the R-1 district is the determination of the
42 number of nonconforming lots that may be created if the minimum lot size is increased. Upon

43 further analysis, it had been determined that there would only be a small number of
44 nonconformities as a result of increasing the minimum lot size requirement. Of the few lots that
45 would become nonconforming, most of them have already been developed; therefore they would
46 be grandfathered in. Ultimately the impact of increasing the minimum lot size in the R-1 district
47 would be very minor in terms of creating undevelopable parcels.

48
49 Chairman Meisel stated that based on previous discussions it had been preliminarily determined
50 that there would be no benefit to increasing the minimum lot sizes in R-1 and based on the small
51 number of parcels that could be split in the future, there would be no real advantage of requiring
52 open space either. In regards to the R-2 district, there would still need to be future discussion but
53 it is not quite as pressing because there are only two small areas currently zoned as R-2. In the
54 RE district, it still needs to be determined if there would be any impact from increasing the
55 minimum lot size and/or eliminating the open space requirement. In the FR district it had been
56 determined that increasing the minimum lot size to three acres and eliminating the open space
57 requirement may be the best option. In LK-1, there would be very little impact since nearly all
58 of the lots have already been developed.

59
60 The item closed at 7:31 pm

61
62 **Public Hearing Began at 7:32 pm**

63
64 *Chairman Meisel read the public notice as published.

65 “Notice is hereby given the Tyrone Township Planning Commission will hold a Public Hearing on
66 Tuesday, September 13, 2016, beginning at 7:30 at the Tyrone Township Hall, 10408 Center Road,
67 Fenton, Michigan 48430. The purpose for the Public Hearing is:

- 68 1. To receive public comments regarding a proposed shared private driveway as part of a
69 land division creating three (3) new parcels on the south side of Gordon Rd, between
70 Runyan Lake Road and Older Lane, Parcel ID: 4704-28-100-001.

71 Additional information is available at the Tyrone Township Clerk’s Office, 10408 Center Road, Monday
72 through Thursday, 9 a.m. to 5 p.m. Individuals with disabilities requiring auxiliary aids or services
73 should contact the Tyrone Township Clerk, at (810) 629-8631, at least seven days prior to the meeting.”

74 **PUBLIC HEARING #1: Weickel Land Division and Shared Private Driveway Application**
75 **(4704-28-100-001)- 7:34 pm**

76
77 Brian Keesey and Chairman Meisel opened the item with a brief overview of the proposed land
78 division, which had been discussed in-depth during the previous Planning Commission meeting.
79 Chairman Meisel went through the application and verified that the applicant had met all of the
80 preliminary requirements for the land division and shared private driveway. Brian Keesey
81 continued to summarize the proposed land division and verified that all requirements have been
82 met. He mentioned that the proposed relocation of the open space makes perfect sense because
83 the purpose would be for preservation of existing birch trees. Keesey continued stating that the
84 reason for holding this public hearing is to simply review the shared private driveway aspect of
85 the proposed land division. He then reviewed the application and confirmed that all of the

86 requirements for the shared private driveway had been met. He continued stating that there were
87 no issues with the proposed driveway design and all aspects were in compliance with the
88 ordinance.

89
90 The one concern in regards to the proposed shared private driveway plan, Keeseey stated, was the
91 potential for some erosion to occur about halfway down the driveway. He then mentioned that
92 the check dams shown on the plans should be sufficient for eliminating excess runoff thereby
93 reducing the potential for erosion. Chairman Meisel mentioned that they should make note that
94 drain law does apply to the driveway and any newly created runoff onto adjoining properties
95 could be enforced. Keeseey then continued reading through the review, confirming compliance
96 with all requirements in the ordinance. He finished reading through the review and inquired
97 whether there were any questions or comments regarding compliance at this time. No comments
98 or questions were received.

99
100 Chairman Meisel then opened the public hearing to accept public comments. One resident asked
101 what the distance would be from the shared private driveway to the West side property line.
102 Chairman Meisel brought up the driveway plans and the applicant proceeded to explain and
103 show the distances from the driveway easement to the property line. Chairman Meisel then
104 asked if there were any more questions or comments. Cam Gonzalez briefly commended the
105 applicant on being so well prepared and presenting such a complete and thorough application.

106
107 The item was closed at 8:02 pm.

108
109 The public hearing was closed at 8:03 pm.

110
111 **OLD BUSINESS # 2: Weickel Land Division and Shared Private Driveway Application (4704-**
112 **28-100001)- 8:03 pm -**

113
114 Chairman Meisel opened the discussion with a summary of all aspects of the proposed land
115 division which had been discussed during the last meeting and the public hearing, and again
116 confirmed that every aspect was in compliance. Brian Keeseey then stated that since the public
117 hearing had been completed, all requirements for the land division and shared private driveway
118 had been met. Dave Wardin then made a motion to recommend approval of the land division
119 and shared private driveway to the Township Board and acknowledge that the Planning
120 Commission has approved the relocation of 0.39 acres of open space and that the Township does
121 not guarantee that any/all lots created by the land division will be buildable. Al Pool supported
122 the motion. The motion carried by unanimous voice vote.

123
124 The item was closed at 8:10 pm.

125
126 **OLD BUSINESS # 2: Completion of the Livingston County Planning Survey Request - 8:13**
127 **pm**

128
129 Chairman Meisel opened the item by stating the two options for submission of the survey; either
130 submitting individually or coming to a consensus and submitting one completed survey for the
131 whole Planning Commission. The purpose of the survey is to gather input from local
132 municipalities to potentially be incorporated into the new Livingston County master plan. Brian

133 Keeseey stated that the county master plan is more of an outline of recommendations for local
134 municipalities within the county to encourage compatibility between them. Chairman Meisel
135 then went through the survey and the proposed responses that had been previously discussed. Al
136 Pool inquired whether or not it would be important to discuss Lake Tyrone because it is split in
137 half between Tyrone Township and Hartland Township. Chairman Meisel replied that there is
138 good compatibility in that area between the townships and there does not seem to be any issues
139 at this time. He continued stating that the majority of the compatibility issues are areas where
140 there is a significant difference in zoning districts between two municipalities.

141
142 Chairman Meisel moved on to a question regarding the most critical issues in the township. He
143 stated that in his opinion, overdevelopment/preservation of rural character would be the most
144 critical. The second issue was the lack of maintenance of county roads. Cam Gonzalez added
145 that many people have different opinions on road maintenance, some preferring paved and others
146 unpaved. Chairman Meisel specified that he was referring to the maintenance of existing paved
147 roads specifically. He mentioned that on Center Road, potholes are patched frequently, but not
148 completely repaired, and some areas within the township may only be patched twice a year. He
149 then continued onto the third critical issue, which he was not certain about. Chairman Meisel
150 continued talking about the problems with how road maintenance is done within Livingston
151 County including repair methods, funding, and overall communication. Cam Gonzalez added
152 that communication between municipalities needs to be improved from the state level to the local
153 level in order for government to perform its duties effectively. Chairman Meisel agreed and
154 elaborated further on the current problems with poor communication. He then proceeded to
155 discuss the role that Livingston County should play in regards to relationships with local
156 municipalities. He stated that he believes the county should act as facilitators, educators, and
157 resources to help the municipalities within.

158
159 Chairman Meisel then asked if anyone had any comments or suggestions in regards to the critical
160 issues and/or role of the county. Brian Keeseey then brought up that the zoning districts,
161 specifically nonresidential uses, should be addressed. He stated that there is text control, but
162 there needs to be more implementation moving forward. Chairman Meisel clarified that Brian
163 Keeseey was referring to location management of nonresidential uses. Keeseey stated that the
164 township has a direction for commercial/nonresidential uses, but it is important to follow
165 through. Chairman Meisel then brought up the issue of power infrastructure and how the
166 township does not currently have the means to provide the necessary power to facilitate some
167 large commercial operations.

168
169 Chairman Meisel then asked again whether anyone had anything to add to the survey and if it
170 would be sufficient to submit a single document on behalf of the Planning Commission. Ron
171 Puckett stated that he believed one document would be sufficient. Al Pool agreed that the
172 preservation of the rural nature of the township and road maintenance are important issues. He
173 then stated that poor cellular and internet communication infrastructure negatively affects many
174 residents. Chairman Meisel agreed that it is a major issue which affects many of the surrounding
175 areas as well.

176
177 Chairman Meisel asked again if anyone would like to provide feedback in regards to any of the
178 survey questions. Dave Wardin stated that he had a problem with the wording of the first critical

179 issue, specifically the word “overdevelopment.” He explained that using words such as
180 “overdevelopment” can lead to negative connotations/reputation because it discourages potential
181 businesses from moving to the township. He continued stating that the ordinance clearly
182 designates specific zones for each use, but through using vocabulary such as “rural character”
183 and overdevelopment” gives other people the impression that the township does not promote
184 growth and expansion. Chairman Meisel agreed that vocabulary is important. He also stated
185 that each specific use has a designated area, but it is specifically the residential zones that are
186 implied when mentioning those words. Dave Wardin suggested that the wording of the response
187 should be changed to reduce possibility of misperceptions about the township. Chairman Meisel
188 stated that the people that choose to live within the township are typically in favor of “rural
189 character.” Dave Wardin suggested that the statement should be changed to say something like
190 “preserve the character of Tyrone Township.” Chairman Meisel suggested that they could
191 specify that the preservation of rural character applies strictly to residential areas or that they
192 could specify further stating that two concerns are the lack of commercial development in the
193 specified areas while preserving the rural character of the residential areas. Dave Wardin agreed
194 with specifying that there are two separate issues and would accept the second statement (lack of
195 commercial development in the specified areas while preserving the rural character of the
196 residential areas.) He then suggested that the term “rural” should be replaced with “low
197 density.” Everyone agreed that “lack of commercial development in the specified areas and the
198 preservation of the existing low density residential areas” would be an appropriate statement.
199 Chairman Meisel stated that he would put together the wording for the survey and email it to
200 everyone for approval before it is submitted to Livingston County.

201
202 The item was closed at 9:04pm.

203
204 **OLD BUSINESS # 4: Update on Recent Detached Accessory Structure Applications- 9:05 pm**

205
206 Chairman Meisel opened the discussion with a reminder that everyone involved with the
207 Planning Commission has a responsibility to review applications and make sure that the Zoning
208 Ordinance is being applied correctly. He emphasized that it is important to work together to
209 check for errors and prevent any future problems. He said that everyone’s opinions are valuable
210 and important, especially when making important decisions. He stated that every step in the
211 application and review process is a chance to recognize and correct potential errors.

212
213 Brian Keeseey then gave an update on the status of the previous applications that were affected by
214 the error. He summarized the conversations with the affected residents and stated that he had
215 invited them back for another review if they would like. He said that there has not been any
216 recent contact, but there is a possibility they may come back for reconsideration in the future.

217
218 The item was closed at 9:19 pm.

219
220 **OLD BUSINESS # 4: Signs - Review for compliance with SCOTUS decision- 9:20 pm**

221
222 Chairman Meisel suggested that the Planning Commission briefly discuss the sign ordinance in
223 regards to compliance with the recent Supreme Court decision on sign content neutrality. He
224 opened with a brief statement regarding small signs posted within road right-of-ways and on

225 utility poles that exist throughout the township. He reminded the Planning Commission that
226 these types of signs are illegal, and utility poles are considered to be private property.

227
228 Chairman Meisel suggested that one option the township has to reduce the amount of illegally
229 posted signs would be to contact the owner(s) of the utility poles and request they install small
230 placards on each utility pole reminding the public that posting signs is illegal and dangerous. He
231 also mentioned the main reason that people post illegal signs, even if they are aware that they are
232 not permitted, is due to the fact that enforcement is typically minimal or nonexistent. He said
233 that many people will take advantage of the poor enforcement and use illegal signs as cheap
234 advertizing. He then proposed several options for increasing the effectiveness of enforcement,
235 including text amendments in the ordinance and methods for issuing citations.

236 Brian Keesey then began to read from the review he had prepared to bring the sign ordinance up
237 to date to ensure compliance with the SCOTUS decision. The Planning Commission then
238 continued to discuss the issue of enforcement for illegally posted signs. Brian Keesey then stated
239 that he would continue to discuss the sign ordinance review at a later date. Chairman Meisel
240 suggested a special meeting to discuss the item on Thursday, September 29th, 2016 at 7:00 pm.
241 All agreed to attend upon confirmation the Township Hall is available at that time.

242
243 The item closed at 9:45 pm.

244
245 **MISCELLANEOUS BUSINESS:**

- 246 1) Planning and Zoning Administrator's Report: No
247 2) Other Business Items: No
248 3) Township Board Actions: No
249 4) ZBA Report: No
250 5) Future Items: N/A
251 6) Correspondence: N/A

252
253
254 **ADJOURNMENT: 9:45 pm**