

1 **TYRONE TOWNSHIP PLANNING COMMISSION REGULAR**
2 **MEETING MINUTES**
3 **November 3, 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:** 7:01 pm

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

15
16 **APPROVAL OF THE AGENDA:** 7:03 pm

17 Cam Gonzalez made a motion to approve the agenda as presented. Al Pool supported the
18 motion. The motion carried by unanimous voice vote.

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

20 Cam Gonzalez made a motion to approve the September 13, 2016 minutes as amended. Dave
21 Wardin supported the motion. The motion carried by unanimous voice vote.

22
23 **OLD BUSINESS # 1: Severns Boundary Realignment Application (10479 & 10487 Runyan**
24 **Lake Point)- 7:08 pm**

25
26 Chairman Meisel opened the discussion with an overview of the application and compared the
27 submitted materials to the Land Division Ordinance #25 and the Schedule of Regulations in Zoning
28 Ordinance #36 to ensure full compliance with the requirements. He continued to explain that
29 changes had been made to the proposed and existing parcel surveys so the boundary realignment
30 could be performed without temporarily creating any nonconforming parcels.

31
32 Cam Gonzalez inquired about whether or not the professional surveyor's license was valid.
33 Chairman Meisel confirmed that the license was valid and up to date.

34
35 Chairman Meisel then recommended waiving the requirement for showing on the survey any
36 adjacent structures within fifty (50) feet of the properties on the basis the applicant owns all parcels
37 which would be affected by the boundary realignment; therefore, the existing adjacent structures
38 would be irrelevant.

39
40 There was a brief discussion between Chairman Meisel and Dave Wardin regarding the requirement
41 for a raised seal on the surveys. It was determined that raised seals may not be necessary in most
42 cases as technology has changed since the requirement was written and most engineering companies
43 prepare and send surveys digitally with electronic signatures. A recent change to Michigan law also

44 permits use of electronic signatures and seals. Chairman Meisel made a note to review the raised
45 seal requirement in the near future and potentially make an amendment due to the change in
46 Michigan State law. Dave Wardin searched for the Michigan requirements for electronic signatures
47 on the internet and verified the effective date had passed, making an electronic signature acceptable
48 in place of a raised seal on professional surveys.

49
50 Chairman Meisel concluded that the proposed realignment would not create any nonconforming
51 parcels and would effectively reduce the number of nonconformities on the two parcels if approved.
52 He opened the floor to any questions or comments about the proposed boundary realignment. No
53 questions or comments were received.

54
55 Dave Wardin made a motion to recommend approval of the proposed boundary realignment to the
56 Township Board, noting that the Planning Commission has waived the requirement that existing
57 adjacent structures within fifty (50) feet of the parcels be shown on the survey. Cam Gonzalez
58 supported the motion. Cam Gonzalez mentioned that the surveys should be provided to the
59 Township Board in a recordable form. Chairman Meisel suggested amending the motion to include a
60 note that the Planning Commission is not in possession of a survey containing a raised seal and
61 signature. Dave Wardin stated that he would accept the suggested amendment if the wording was
62 changed from “raised seal and signature” to “acceptable seal and signature” due to the recent change
63 in Michigan State Law on electronic signatures. Dave Wardin then made a motion to amend his
64 original motion to include the statement on acceptable/electronic seals and signatures. Cam
65 Gonzalez supported the amendment to the original motion. The motion carried by unanimous voice
66 vote.

67
68 *The item closed at 7:47 pm.*

69
70 *Chairman Meisel took a moment to discuss the procedure for applications recommended by the
71 Planning Commission for Township Board approval. He mentioned that he had recently met with
72 the township supervisor, clerk, and zoning administrator to discuss the procedure. It was determined
73 that the best way to proceed after Planning Commission recommendation would be to include the
74 application on the agenda for the first Township Board meeting of the following month. Following
75 this procedure would potentially reduce or eliminate errors and/or miscommunications which may
76 result in applications being denied or tabled at the Township Board level. There would be more time
77 to administratively review the applications to ensure that all necessary information and documents
78 are included in the Township Board meeting packets. Chairman Meisel mentioned that there could
79 be some extreme or emergency circumstances where the applications may be included on the agenda
80 for the next available Township Board meeting, but the majority of applications would follow the
81 newly proposed procedure.

82
83 Tyrone Township Planner Brian Keesey inquired whether the proposed procedure would be for all
84 Planning Commission review applications, or specifically for development applications. Chairman
85 Meisel responded that the procedure would apply primarily to property change or use related
86 applications since the main concern is preventing missing information and/or materials. Items such
87 as ordinance text amendments would not need to follow the procedure.

88
89 **OLD BUSINESS # 2: Article 27: Signs - Review for compliance with SCOTUS decision –**
90 **Content neutral requirement - 7:51 pm**

91

92 Ron Puckett opened the discussion by bringing up the topic of commercial real estate signs and
93 inquiring about their maximum permitted size. Tyrone Township Planner Brian Keeseey reviewed the
94 requirements set forth in the zoning ordinance and concluded that commercial real estate signs
95 require a land use permit and can be a maximum size of sixteen (16) square feet.

96
97 Chairman Meisel then suggested that Brian Keeseey begin presenting the information from the
98 McKenna & Associates memo which he had prepared regarding sign ordinance suggestions. Brian
99 Keeseey began by summarizing the purpose of the memo, which was to explore options from
100 SCOTUS ruling compliant sign ordinances so the Planning Commission can determine the proper
101 next steps to take regarding the existing sign ordinance. He also mentioned that the memo will touch
102 on temporary sign regulations since it has become an issue within the township.

103
104 Chairman Meisel then summarized the reasoning behind reviewing and making changes to the sign
105 ordinance to ensure that all members of the Planning Commission understood. The main goal the
106 Planning Commission would like to achieve is to bring the current sign ordinance up to date with
107 modern sign technology, make adjustments which clearly convey enforcement for
108 temporary/illegally posted signs, and make an effort to become as compliant as possible with the
109 United States Supreme Court ruling on sign content neutrality.

110
111 Brian Keeseey then began going through the materials he had prepared. He made note that much of
112 the information included in the memo is based on other municipalities' updated sign ordinances since
113 the SCOTUS ruling, as well as information he had learned from various events and legal advice
114 regarding the recent ruling. He went through some of the definitions as they exist in the current
115 ordinance as well as some proposed changes which would better comply with the content neutral
116 requirement. There was a brief discussion regarding some of the sign definitions before Brian
117 Keeseey continued moving forward with the memo.

118
119 The discussion moved towards holiday decorations including lighting and inflatables. Brian Keeseey
120 mentioned that, by definition, these decorations would fall under the category of signs in the
121 ordinance. There was a brief discussion amongst the Planning Commission regarding the use of such
122 holiday definitions. It was decided that this particular topic will require more in-depth discussion in
123 the future.

124
125 Brian Keeseey continued through the review touching on the topics of temporary/incidental signs,
126 regulatory signs, directional signs, etcetera, as well as their requirements, and how they should be
127 regulated. He then brought up the proposed requirements for sign height, how it should be measured,
128 and what restrictions there should be. He then moved on to sign setback requirements.

129
130 Chairman Meisel brought up that the Michigan State Legislature is working on a bill which would
131 allow educational institutions the right to erect any type of sign regardless of size, shape, or content
132 on their property without being subject to any local zoning regulations. He encouraged all who
133 were present to reach out to their local representative and express their opinions about the bill, either
134 for or against. The discussion then moved back to sign setback regulations.

135
136 Brian Keeseey then moved on to a proposed section which would give the township enforcement
137 power through the Zoning Administrator in regards to regulating signs.

138

139 Chairman Meisel then inquired about whether the township would have the authority to require signs
140 be consolidated in areas where there are large quantities of permitted signs. A brief discussion
141 regarding the options followed.

142
143 Brian Keesey then proceeded through the memo, the next topic being prohibited signs. There was a
144 brief discussion amongst the Planning Commission. Brian Keesey then continued through the
145 remainder of the materials; home occupation signs, obsolete signs, and more on prohibited signs.

146
147 No action was taken.

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149 *The item was closed at 9:41 pm*

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151 **MISCELLANEOUS BUSINESS:**

152

153 It was proposed that the December 13th, 2016 meeting be rescheduled to December 8th, 2016, due to
154 Planning Commission personnel availability. The date change was agreed to by all.

155

156 *The item was closed at 9:51 pm*

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158

159 **1) Planning and Zoning Administrator's Report: None**

160 **2) Other Business Items: None**

161 **3) Township Board Actions: None**

162 **4) ZBA Report: None**

163 **5) Future Items: N/A**

164 **6) Correspondence: N/A**

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167 **ADJOURNMENT: 9:53 pm**