

1 **TYRONE TOWNSHIP PLANNING COMMISSION**
2 **REGULAR MEETING AND PUBLIC HEARING MINUTES**

3 May 16, 2017 at 7:00 p.m.

4
5 **PRESENT:** Mark Meisel, Cam Gonzalez, Al Pool, Ron Puckett, Dave Wardin, 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 (7:00 PM):** By Chairman Meisel

11 **PLEDGE OF ALLEGIANCE (7:00 PM):**

12
13 **CALL TO THE PUBLIC (7:01 PM):** No comments received.

14
15
16 **APPROVAL OF THE AGENDA (7:02 PM):**

17
18 Cam Gonzalez made a motion to approve the agenda as amended (the agenda was amended prior
19 to the call to order). Al Pool supported the motion. The motion carried by unanimous voice
20 vote.

21 **APPROVAL OF THE MINUTES (7:29 PM):**

22
23 Dave Wardin pointed out an error on line 74 (change from Came Gonzalez to Cam Gonzalez).
24 Dave Wardin inquired as to why there was an asterisk before his name on line 91. Ross
25 Nicholson replied, stating it was meant to indicate a deviation from the topic, but a footnote was
26 not included. Chairman Meisel removed the asterisk for clarification.

27
28 Dave Wardin made a motion to approve the April 11, 2017 meeting minutes as amended. Kurt
29 Schulze supported the motion. The motion carried by unanimous voice vote.

30
31 Dave Wardin made a motion to suspend the order of business, placing new business items one
32 and two above all other items. Al Pool supported the motion. The motion carried by unanimous
33 voice vote.

34
35 **NEW BUSINESS # 3 (7:07 PM): Open Space R-1 Minimum Lot Size**

36
37 Chairman Meisel opened the discussion summarizing the previous dialog regarding the topic of
38 determining whether or not the minimum lot size in the R-1 zoning district should be reduced
39 and the open space requirement for newly created parcels eliminated. He brought up discussions
40 between himself, Supervisor Mike Cunningham, Zoning Administrator Ross Nicholson, and
41 Planner Brian Keesey regarding the possibility of allowing smaller minimum lot sizes for parcels
42 that have access to the Livingston County Regional Sewer System, but increasing the minimum

43 size for parcels using septic systems. There was a brief discussion amongst the Planning
44 Commission. Due to concerns with clarity, the number of parcels that would become
45 nonconforming and the poor soil quality present throughout much of the township, it was
46 determined that simply increasing the minimum lot size to one acre and eliminating the open
47 space requirement would be the best option, regardless of sewer access. Chairman Meisel stated
48 that the item will be discussed further with the Township Board at the joint meeting the
49 following evening, May 17th.

50

51 No action was taken.

52

53 The item was closed at 7:18 PM.

54

55 **NEW BUSINESS # 4 (7:19 PM): Updated Zoning Map Review and Recommendation**

56

57 Brian Keeseey opened the discussion by discussing the recent amendments that he had made to
58 the zoning map, based on recommendations from the Planning Commission from the previous
59 meeting. He added notations (asterisks) for clarification on several parcels that are currently
60 under consent agreements/judgments for specific land uses (specifically one area zoned R-2
61 under consent judgment for Manufactured Home Park use and another area zoned R-2 under
62 consent agreement for Extractive Industrial use). He corrected an error from the previous zoning
63 map which indicated a certain parcel (part of the paintball facility located at White Lake Road
64 and Old US-23) was zoned B-2, Community Business, when only a portion of the property was
65 actually rezoned (the other portion remained RE, Rural Estates). The last significant amendment
66 Brian Keeseey made to the zoning map was adding a place for the Clerk to sign and date the
67 zoning map once it is officially adopted and put on file.

68

69 Dave Wardin questioned the revision date portion of the zoning map which indicated that a
70 revision occurred several days before the map was adopted (the map stated adoption took place
71 on 10/21/2003 and the first revision date was 10/17/2003). There was a brief discussion between
72 Dave Wardin, Chairman Meisel, and Brian Keeseey attempting to determine if this was done in
73 error or if there was a reason for the date discrepancy. Chairman Meisel mentioned that it was
74 possible that a rezoning may have gone into effect on 10/17/2003 and the current map was
75 adopted four days after on 10/21/2003, in which case the dates would make sense and would not
76 need to be changed. Al Pool agreed that the dates should not need to be changed. Dave Wardin
77 stated that he is also OK with the revision dates remaining the same now that clarification has
78 been made.

79

80 Cam Gonzalez made a motion to forward the updated zoning map to the Township Clerk for her
81 signature to designate and file this map as the zoning map of record. Al Pool Supported the
82 motion.

83

84 Kurt Schulze inquired about how often should the map be updated. Brian Keeseey replied, stating
85 that the map could either be updated after every new rezoning or after several rezonings. He
86 recommended that the Planning Commission should make decisions on whether or not to revise
87 the zoning map at the time of each rezoning to determine if the particular rezoning requires the
88 map to be updated immediately or if the update can be held off until after several rezonings.

89
90 Chairman Meisel put the motion to vote. The motion carried by unanimous voice vote.

91
92 The item was closed at 7:33 PM.

93
94 **The regular meeting was recessed at 7:33 to hold a public hearing for three agenda items.**

95
96 Chairman Meisel opened the public hearing by reading the public hearing notice for the Marinco
97 application for an increase in the permitted accessory structure size from 800 square feet to 1,200
98 square feet.

99
100 “The purpose for the Public Hearing is to receive public comments regarding a request by Vincent and
101 Betty Marinco for an increase in the permitted accessory building floor area up to a maximum of 1,200
102 square feet, subject to compliance with the percent lot coverage and placement standards in Article 20,
103 Schedule of Regulations, and Section 21.02.G, Modification of Accessory Structure Requirements,
104 located at 10079 Carmer Road, Fenton, Michigan 48430, Tax ID 4704-09-400-009. The property is
105 zoned LK-1, Lake Front Residential.”

106 **PUBLIC HEARING ITEM # 1 (7:40 PM): Marinco Accessory Structure Size Increase**
107 **Application**

108
109 Brian Keeseey summarized the Planning Commission review application submitted by Vincent
110 and Betty Marinco for adding an addition onto an existing detached accessory structure which
111 would result in a total floor area of 1,188 square feet. He stated that the size, use, and
112 harmonious character are all in compliance based on an earlier discussion on the application at
113 the previous meeting. He continued, explaining that the recommendation was to provide
114 additional documentation, such as a survey, to confirm the location of the side yard property line
115 closest to the structure to ensure the required side yard setback would be met if the addition is
116 approved. The applicant has provided a survey showing the location of the existing structure and
117 the proposed addition, confirming that all required setbacks would be met if the addition is
118 approved. Chairman Meisel confirmed that, with the survey included in the application, the
119 applicants have demonstrated compliance with all requirements for the proposed increase in floor
120 area to be approved once the public hearing requirement has been fulfilled.

121
122 Vincent Marinco, the applicant, took a moment to explain the purpose of his application to the
123 public in attendance. Basically, he has requested an increase in size because he and his wife had
124 recently moved from a much larger home and the existing garage does not adequately
125 accommodate their storage needs.

126
127 Chairman Meisel asked if any other residents had comments or concerns regarding the Marinco
128 application. No comments were received. He stated that they would then move onto the next
129 public hearing agenda item.

130
131 The item was closed at 7:44 PM.

132

133 **PUBLIC HEARING ITEM # 2 (7:45 PM): Hicks Shared Private Driveway and Access**
134 **Easement**

135
136 Chairman Meisel opened the agenda item by reading the public hearing notice for the proposed
137 private driveway and access easement as part of a proposed land division.

138 “The purpose for the public hearing is to receive public comments regarding a proposed shared
139 private driveway and access easement as part of a land division creating two (2) new parcels located
140 at 10252 Carmer Road (on the east side of Carmer Road, between White Lake Road and Hartland
141 Road), Parcel ID: 4704-10-300-009. The property is zoned RE, Rural Estate.”

142 Brian Keesey gave a brief overview of the application and his review. He mentioned that there
143 are a few requirements that still need to be corrected/addressed including adding open space to
144 the drawings with a calculation table and descriptions, providing sight distance approval for the
145 approach location from the Livingston County Road Commission, and updating the shared
146 private driveway maintenance agreement to reflect the specific location of the access easement.
147 He stated that the application is not quite ready for recommendation of approval until the
148 corrections have been made, but the purpose of the public hearing is to take public comments on
149 the shared private driveway and access easement of the proposed land division.

150 Chairman Meisel opened the floor to receive comments or concerns from residents in attendance.
151 Tom Hicks, the applicant, stated that the purpose of the land division application is to hopefully
152 increase conformity. He inquired about the open space requirement, asking what exactly needs
153 to be shown to fulfill the requirement. Chairman Meisel described the purpose of the open space
154 requirement and what needs to be included in the application to satisfy the requirement. He also
155 reiterated the other requirements that will need to be fulfilled before the land division can be
156 recommended for approval.

157 Chairman Meisel asked if anyone in attendance had any additional comments or concerns
158 regarding the application. No comments were received.

159 The item was closed at 7:57 PM.

160 **PUBLIC HEARING ITEM # 3 (7:58 PM): Proposed Private Road for the Proposed**
161 **Ledgewood Ravine Site Condominium Development**

162
163 Chairman Meisel Opened the discussion by reading the public hearing notice for a proposed
164 private road as part of the proposed Ledgewood Ravine Site Condominium development.

165 “The purpose for the public hearing is to receive public comments regarding a proposed private road
166 as part of a proposed site condominium development, West of Lake Shannon, between McGuire
167 Road and Ledgewood Drive, Parcel ID(s): 4704-30-102-010, 4704-30-100-14, 4704-30-100-15,
168 4704-30-100-16, and 4704-30-100-18. The properties are zoned R-1, Single Family Residential.”

169
170 Chairman Meisel pulled up the site plan showing the proposed location of the private road and site
171 condominium. He reiterated that the purpose of this public hearing is to receive comments and
172 concerns regarding only the private road aspect of the proposed site condominium development. He
173 also mentioned that the current status of the application is in the preliminary (concept) approval stage
174 which is the first of three approvals required for the development to be finalized and recorded.

175
176 Brian Keeseey gave a brief summary of the proposed site condominium as a whole and the proposed
177 location, layout, and design of the private road. He used the site plan as a visual aid while describing
178 the scope of the project and road design to the residents in attendance.

179
180 Chairman Meisel defined the term “site condominium” to clarify the proposed development would
181 consist of six separate single family residential lots using a common private road for access,
182 emphasizing that a site condominium is more comparable to a traditional subdivision than a standard
183 multi-family condominium development. Brian Keeseey added that the proposed site condominium
184 development would have relatively low density compared to many of the surrounding developments,
185 with lots ranging from 1.11 acres to 2.15 acres in area. Brian Keeseey then continued reading through
186 his review of the private road. He stated that the design of the proposed private road meets and/or
187 exceeds all of the current requirements and standards for Tyrone Township, the Livingston County
188 Road Commission, and the Livingston County Drain Commissioner.

189
190 Gary Edwards, the applicant/developer, explained the history of the parcels involved in the proposed
191 site condominium development and the surrounding area, describing the acquisition of the land, his
192 first site condominium development on McGuire Road, and his plans for developing the property.
193 He explained that he had made the open space area created during his first site condominium
194 development, containing the ravine and wooded trail system, available for use by local Lake Shannon
195 residents. He stated that he intends to expand the open space area available for use by local residents
196 by connecting additional property from the new proposed site condominium development to the
197 existing open space area. He also described the known draining issues in the area and explained how
198 he has been working with the Livingston County Drain Commission, Road Commission, and a
199 private engineering company to create the current proposed road design and drainage plan which
200 should prevent additional drainage problems and possibly help correct existing issues.

201
202 Chairman Meisel opened the floor to receive public comments.

203
204 Joseph Pellatt asked Gary Edwards why he chose to develop the parcels as condominium units as
205 opposed to metes and bounds parcels or platted lots. Mr. Edwards responded, explaining that the
206 term “site condominium” refers to the process for approval through the State of Michigan, and the
207 condominium units he is proposing would be private single family units. Chairman Meisel explained
208 how the process for a site condominium development relates to a standard subdivision development.
209 Joseph Pellatt then asked why there was not a similar process for approving “Tanglewood Court”, a
210 proposed name for a shared private driveway off of Ledgewood that Mr. Edwards was initially
211 proposing to convert to a private road to use for access to the proposed site condominium
212 development (This road design concept was scrapped in favor of the new proposed road layout).
213 Chairman Meisel explained that the shared private driveway was originally approved as part of a land
214 division that took place approximately 15 years ago, and was designed to serve access to four metes
215 and bounds parcels, not a site condominium.

216
217 Brian Hogue inquired whether a site condominium development would allow for a central septic
218 system. Chairman Meisel responded, stating that there are several options for a sanitary system
219 serving a subdivision or site condominium development. One option when developing a site
220 condominium would be to perform percolation tests on the newly created lots and sell those lots
221 without a septic system, leaving the responsibility of hooking up to a septic system up to the
222 buyer(s). Another option would be to create a community septic system, which would allow all
223 newly created lots to hook into the system. The third option would be to hook into a sanitary sewer

224 system, which is not available for this particular development since the infrastructure does not exist.
225 Mr. Edwards has decided to propose a community septic system for his proposed development.

226
227 Michael Velliky asked Gary Edwards how the association fees would work for residents within the
228 proposed site condominium development, since all of the properties along Ledgewood are required to
229 pay dues to the Lake Shannon Association. Mr. Edwards responded, stating that residents of the site
230 condominium would be required to pay dues to the Lake Shannon Association as well as the
231 additional site condominium association fees. Mr. Valliky asked if the road maintenance for the
232 proposed private road would be covered by the Lake Shannon Association. Mr. Edwards replied,
233 stating the new private road would be maintained by residents of the site condominium development
234 through a private road maintenance agreement, and no funds would come from the Lake Shannon
235 Association for road maintenance. Mr. Valliky asked if the members of the Lake Shannon
236 Association would be responsible for paying towards repairs of the community septic system if it
237 were to fail. Mr. Edwards stated that the Lake Shannon Association would not be responsible for
238 funding repairs if the community septic system were to fail.

239
240 Carrie Barnett inquired about the timeframe for completion of the project due to concerns that
241 the construction traffic may damage the existing roads in the area, which members of the Lake
242 Shannon Association are in the process of establishing a special assessment to repair. She stated
243 that she was very concerned with the potential damage to the roads as well as construction noise
244 and dust which may be harmful to residents and their children. Gary Edwards responded, stating
245 he was unsure of the timeframe since it depends on the timeline for approval and a number of
246 other factors. He stated that he will do everything he can to reduce the amount of noise and dust
247 that will be created as a result of construction. Carrie mentioned the issues that occurred during
248 and after construction of the shared private driveway, commonly referred to as “Tanglewood
249 Court”, stating that she did not want to experience similar negative impacts resulting from
250 development of the proposed private road and site condominium development. She also had
251 concerns about the amount of residential traffic that would be created after the development has
252 been completed. Carrie stated that she purchased her home because it was located in a peaceful
253 subdivision, not a construction site. Chairman Meisel clarified the difference between the
254 recently constructed shared private driveway and the proposed development is that the site
255 condominium would use a private road, which can serve access to more properties than a shared
256 private driveway. He continued, stating that the problem is if there is a property that is
257 undeveloped, it is likely to be developed over time. He said that one benefit of having local
258 governmental involvement in the approval process is that there is more local control over what
259 can be developed where. He stated that if it were not for local government oversight, the State of
260 Michigan and Livingston County could make those decisions, so the property Mr. Edwards is
261 proposing to develop as a low-density single family site condominium could have been a garbage
262 dump, a gravel pit, or a number of other things which would adversely affect the neighborhood.
263 He continued, stating that the role of the Planning Commission is to review proposed
264 developments in depth to ensure they will have the least negative impact on the community
265 possible for the particular land use. He said that construction traffic, dust, and noise are
266 unfortunate facts of life. Fortunately the area where Mr. Edwards is proposing to develop is
267 buffered by trees and vegetation and will most likely be developed over time, which would
268 reduce the negative impact on the neighborhood.

269 David Hurst, who owns two of the parcels which would be developed as part of the site
270 condominium, if approved, stated that himself, Mr. Edwards, and other neighbors originally
271 purchased the property years back when a subdivision was proposed to be developed there. He
272 said that the original plan was to create forty four individual units on the forty four available
273 acres. The reason they decided to purchase the properties themselves was to prevent such a high
274 density subdivision from being developed there, and preserve the natural character of the area.
275 He spoke in favor of Mr. Edward's proposal and expressed how much better the proposed 6 lots
276 would be for the community versus the 44 one acre lots.

277 John Condra stated that his primary concern with the proposed site condominium development is
278 the drainage and water management. He said that the gravel that is carried by the storm water
279 down the newly constructed shared private driveway ("Tanglewood Court") is constantly
280 deposited on Ledgewood Drive, and it is very likely that the proposed private road would cause
281 similar problems. He continued, stating that the length of the proposed road is concerning since
282 the much shorter shared private driveway has severe sediment deposition issues, and he believes
283 the proposed private road would have even worse issues. Mr. Condra proposed that the Planning
284 Commission require a predetermined area and plan where the sediment runoff from the private
285 road could be moved regularly. Chairman Meisel asked Gary Edwards if he intends to include a
286 paved apron at the approach for the private road to help control some of the sediment deposition.
287 Mr. Edwards replied that the Livingston County Road Commission would require the apron to be
288 paved, and he intends to pave beyond the required distance. Mr. Condra mentioned that the
289 sediment runoff which ends up in Lake Shannon whenever a property in the area is developed is
290 excessive. He said that there is still significant runoff into the lake from Mr. Edward's first site
291 condominium development on McGuire Road. Chairman Meisel stated that there will be a
292 number of entities overseeing the drainage plan for the proposed development, which will
293 hopefully reduce the potential for excessive runoff and other drainage problems.

294 Phil Peters pointed out that Lake Shannon Association paid a great deal of money to have a
295 portion of the cove dredged at Ledgewood and Ore Knob.

296 Natalie Pryde expressed gratitude towards Gary Edwards for taking residents' concerns into
297 consideration and making adjustments to the design of his proposed site condominium
298 development to address them. Gary Edwards mentioned that he has been trying to address all of
299 the concerns, but very few residents have been speaking with him directly regarding their
300 concerns. He stated that he has made himself available to discuss comments or concerns and
301 address them the best he can before the proposed development is approved and will continue to
302 do so. Natalie stated that the primary concern with the proposed private road is the lack of
303 enforcement from Tyrone Township and Livingston County. She mentioned that the shared
304 private driveway ("Tanglewood Court") has caused severe drainage issues which have not been
305 completely corrected. Mr. Edwards explained that when the shared private driveway was built,
306 everything was done correctly. He continued, stating the severe drainage issues started after
307 Consumers Energy installed natural gas lines along the shared private driveway and failed to take
308 the necessary steps to repair the existing drainage control system upon completion of the
309 installation. Natalie stated that she works in the environmental field and would like to make sure

310 the Michigan Department of Environmental Quality (MDEQ) is involved in the review process
311 of the drainage plan.

312 Scott Springer asked what the mean elevation drop from the end of the proposed private road to
313 the entrance at Ledgewood would be. Brian Keesey estimated that the mean drop in elevation
314 would be approximately 20'-25'. Scott Springer asked Gary Edwards if he has had any drainage
315 studies or soil samples performed prior to designing the drainage plan. Mr. Edwards responded,
316 stating that there have been extensive drainage studies performed, and there will be more done
317 before the proposed development can receive final approval. Mr. Springer referenced several
318 other drainage problems in the area and suggested that he fears the proposed development could
319 worsen the existing problems and potentially create new ones.

320
321 Bill Day stated that he lives directly across from the shared private driveway ("Tanglewood
322 Court") and the drainage issues have been a nightmare. He expressed frustration with the
323 inadequate drainage system in place and is opposed to the proposed private driveway if it will
324 create additional drainage problems. Chairman Meisel suggested that he should contact the
325 Livingston County Drain Commissioner, who should investigate the drainage problems and find
326 solutions to resolve them. Mr. Day stated that he has contacted them and someone has been out
327 to inspect the problems. He said that the original drainage system appeared to be working
328 relatively well, but after Consumers Energy installed the gas lines the drainage has been out of
329 control. Mr. Day continued, stating that the drain commission has informed him that they cannot
330 correct the problems. Chairman Meisel suggested contacting the Drain Commissioner again and
331 explaining that Consumers Energy is responsible for destroying the original approved drainage
332 system to see if they could convince Consumers Energy to correct the problem. Mr. Day
333 suggested that the township should require the proposed private road be paved.

334
335
336 Mike Laido stated that he is happy to have smart development around Lake Shannon. He said
337 that he is glad that Gary Edwards is the developer because he trusts that he will make smart
338 decisions and plan the development properly. He said that if Mr. Edwards was not the
339 developer, there would be a good chance that someone from elsewhere could acquire the
340 property and develop the land without taking the unique geography and local concerns into
341 account. Mike Laido continued, stating that he is a certified Michigan Assessing Officer, second
342 generation real estate broker, a certified top level appraiser, and the vice president of a
343 development company. He stated that the shared private driveway ("Tanglewood Court") was
344 constructed incorrectly, but the error was corrected. He stated that he believes someone from the
345 township should come out to inspect the driveway, not just the Livingston County Drain
346 Commissioner. He continued, stating that he has three major points to make. His first point was
347 that he believes the property in question should be developed as a subdivision instead of a site
348 condominium. He said that a subdivision takes two years to receive approval and that a site
349 condominium is simply a way to circumvent the Michigan State Plat Act. His second point is
350 that he would like to see individual septic systems for each individual unit instead of a
351 community septic system regardless of whether or not all the lots percolate. He said he would
352 not approve of a joint septic system unless there were definite plans to install sewer
353 infrastructure in the near future. His third point is that he would like to see the proposed private
354 road paved to Livingston County Road Commission standards. He summarized by stating he is

355 totally in favor of the proposed development as long as his three suggestions are followed.
356 Chairman Meisel responded, stating that the Planning Commission cannot force Mr. Edwards to
357 develop the properties as a subdivision, since he has every right to develop them as a site
358 condominium. He stated that the MDEQ will no longer permit individual septic systems where a
359 community septic system can be established. He then stated that the current zoning ordinance
360 requires all new private roads be constructed to Livingston County Road Commission standards,
361 but they do not require private roads to be paved, therefore the Planning Commission cannot
362 require Mr. Edwards to pave the proposed private road.

363
364 Joseph Pellatt asked Gary Edwards if there is any way he can create a temporary construction
365 entrance off of McGuire for access to the site to reduce the amount of traffic on Ledgewood Drive.
366 Mr. Edwards explained that due to the difficult topography of the area, specifically the ravine; it
367 would not be possible for him to create a construction entrance off of McGuire.

368
369 Michael Velliky commented that the significant increase in deposition of clay and sediment into
370 Lake Shannon has severely impacted the fishing in the area. He also stated that the sediment carried
371 in storm water does not follow the intended course, but instead travels down Ledgewood before
372 being deposited in the lake. He also stated that he had some concerns about the community septic
373 system. Mr. Velliky then mentioned that he will discuss these concerns with Mr. Edwards to find
374 solutions or compromises that will work best for the neighborhood and residents.

375
376 Debra Piper expressed gratitude towards Gary Edwards for taking her concerns from the previous
377 public hearing into account and modifying the design of the proposed private road to address those
378 concerns.

379
380 Daniel Lee reiterated the major drainage issues that have occurred since the construction of the
381 shared private driveway (“Tanglewood Court”) and stated that there has been little to no recourse
382 from the township. He stated that he believes the township should be more involved in ensuring the
383 plans they approve are followed properly and ensure any other drainage issues are corrected.
384 Chairman Meisel explained that the township does not have the authority to enforce drainage
385 standards and the Planning Commission can only follow the state, county, and federal laws which
386 govern the development of property, to ensure the property is being developed in compliance with
387 those laws. He continued, stating that the township needs to rely heavily on state and county
388 governmental agencies to ensure compliance with all aspects of the law.

389
390 Chairman Meisel explained that the project is currently only in the concept phase and there will be
391 much more in depth review between the concept phase and the final approved plan. He stated that at
392 the current stage, the Planning Commission needs to determine whether or not the private road
393 design will be feasible once all aspects have been addressed and outside agency approvals granted.
394 He continued, stating that further along in the approval process more detailed information will be
395 available from Livingston County and private engineering companies.

396
397 Jim Stando, the owner of one of the parcels which takes access from Tanglewood Court, stated that
398 the shared private driveway was built to exceed Livingston County Road Commission standards, but
399 there are still significant drainage problems with his property. He stated that even with vegetation
400 growing along the shared private driveway, runoff continues to flow down the surface of the
401 driveway at a rapid pace after each rain. He continued, stating that the Livingston County Road

402 Commission and Drain Commission have been out to inspect the driveway and determined that the
403 majority of runoff down the driveway is a result of the poor drainage of his property.

404

405 A resident (name not stated) said he wanted to reiterate that the Livingston County Drain
406 Commission has been actively involved in trying to address the drainage concerns in the area.

407

408 George Kralosky stated that he believes the proposed site condominium will be approved and Mr.
409 Edwards has the right to develop the land. He mentioned that it is frightening that Tanglewood Court
410 has created so many drainage problems after it was approved. He then expressed that he is confident
411 that Mr. Edwards will practice due diligence while going through the approval process for the
412 proposed development. He suggested his neighbors should be thankful that he is developing the
413 property instead of someone who cares only about maximizing profit.

414

415 Chairman Meisel closed the public hearing at 9:29 PM.

416

417 **OLD BUSINESS # 1 (9:33 PM): Marinco Accessory Structure Size Increase Application**

418

419 Brian Keeseey opened the topic by summarizing the application. He went through the list of
420 requirements, confirming that all have been met by the applicant. Brian Keeseey continued,
421 stating the only requirement that wasn't met at the last meeting when the application was
422 considered was determining the proposed location of the addition would meet the minimum
423 setback requirements. Since the previous review, the applicant had submitted a legal survey
424 confirming the existing structure and proposed addition comply with the minimum setback
425 requirements. Chairman Meisel read a letter of support submitted to the Planning Commission
426 from a neighbor and mentioned he personally inspected the property with Mr. Marinco prior to
427 the meeting. Chairman Meisel then requested clarification on the siding and roofing materials
428 that will be used for the addition. Vincent Marinco explained that he has found siding and
429 shingles that perfectly match the colors and are a very similar style to the existing materials.

430

431 Dave Wardin made a motion to approve the increase in accessory structure size up to 1,200
432 square feet. Kurt Schulze supported the motion. The motion carried by unanimous voice vote.

433

434 The item was closed at 9:40 PM.

435

436 **OLD BUSINESS # 3 (9:42 PM): Edwards/Ledgewood Ravine Site Condominium Concept**
437 **Approval**

438

439 Chairman Meisel opened the discussion by reading through the list of requirements for
440 preliminary (concept) approval for a site condominium development. He confirmed that all
441 requirements for concept plan approval have been satisfied. He then summarized the complete
442 process for approval.

443

444 Dave Wardin asked Gary Edwards why he chose to go through the hassle of receiving approval
445 for land divisions when all of the property can be split through the site condominium approval
446 process. Mr. Edwards replied that some of the property would not be part of the site
447 condominium, including the community septic system drain field. He said that the MDEQ
448 would not allow the proposed community septic system to be part of the site condominium.

449 Dave Wardin stated that he should have every right to include the drain field under the Michigan
450 Condominium Act. Mr. Edwards responded, stating that the septic system would be serving
451 several properties located outside of the site condominium, so that could be the reason the
452 MDEQ would not permit it as part of the site condominium. Dave Wardin asked why the
453 properties would not be included in the site condominium. Mr. Edwards stated that the
454 properties were already part of an established platted subdivision. Dave Wardin asked if he
455 knew if any additional restrictions for the platted subdivision, Lake Shannon #5, recorded
456 separately from the original plat. Mr. Edwards stated that his attorney has reviewed the
457 documents and has not expressed any concerns.

458
459 Brian Keesey requested clarification on the community septic system drain field. He mentioned
460 that he has not seen any similar situations where the drain field is located outside of the site
461 condominium. He said that there may be some complications with the primary use of that parcel
462 being used for a septic field, but he will look into it further to determine what will need to be
463 done, if anything. Mr. Edwards explained that his attorney has not informed him of any
464 complications due to the proposed location of the septic field. Brian Keesey stated that his major
465 concern is that the property, being separate from the site condominium, should be subject to the
466 zoning regulations for the particular district, which is single family residential (R-1). He stated
467 that a potential solution may be to consider the property an essential service, in which case the
468 location of the community septic drain field could be permitted.

469
470 Al Pool made a motion to recommend concept plan approval of the proposed site condominium
471 to the Township Board. Cam Gonzalez supported the motion. The motion carried by unanimous
472 voice vote.

473
474 The item was closed at 10:04 PM

475
476 **NEW BUSINESS # 2 (10:05 PM): Dunk Land Division**

477
478 Brian Keesey summarized the land division application and confirmed that all required
479 documents have been submitted. He stated that the applicants have proposed to relocate some of
480 the existing open space on the parent parcel, which the Planning Commission has the ability to
481 approve if they determine the relocation meets the intent of the open space requirement. Brian
482 Keesey recommended approval of the land division to the Township Board as long as the
483 Planning Commission approves the reallocation of the open space.

484
485 Dave Wardin made a motion to approve the reallocation of open space and recommend approval
486 of the proposed land division to the Township Board. Cam Gonzalez supported the motion. The
487 motion carried by unanimous voice vote.

488
489 The item was closed at 10:15 PM.

490
491 **NEW BUSINESS # 1 (10:17 PM): Hicks Land Division**

492
493 Chairman Meisel summarized the requirements for the land division application and noted that
494 several requirements have not been met.

495
496 Dave Wardin made a motion to table the agenda item pending the receipt of additional
497 information that fulfills the requirements for a land division. Kurt Schulze supported the motion.
498 The motion carried by unanimous voice vote.
499
500 The item was closed at 10:20 PM.
501
502 **MISCELLANEOUS BUSINESS:** There was brief discussion about the joint meeting with the
503 Township Board the following night.
504
505 1) Planning and Zoning Administrator's Report: None
506 2) Other Business Items: None
507 3) Township Board Actions: None
508 4) ZBA Report: None
509 5) Future Items: N/A
510 6) Correspondence: N/A
511
512 **ADJOURNMENT:** (10:25 PM)