

1 **TYRONE TOWNSHIP PLANNING COMMISSION**
2 **REGULAR MEETING MINUTES**
3 **January 9, 2018 -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 and Tyrone Township Planning
9 & Zoning Administrator Ross Nicholson.

10 **CALL TO ORDER (7:03 pm):** By Chairman Meisel.

11
12 **PLEDGE OF ALLEGIANCE (7:04 pm):**

13
14 **CALL TO THE PUBLIC (7:04 pm):** No comments were received.

15
16 **APPROVAL OF THE AGENDA (7:04 pm):**

17 The approval of the December 12, 2017 Regular Meeting and Public Hearing minutes was
18 removed from the agenda (draft not yet completed). Cam Gonzalez made a motion to approve
19 the agenda as amended. Al Pool supported the motion. The motion carried by unanimous voice
20 vote.

21 **APPROVAL OF THE MINUTES (7:05 pm):** November 14, 2017 Regular Meeting and Public
22 Hearing

23
24 The Planning Commission reviewed the November 14, 2017 Regular Meeting and Public
25 Hearing minutes draft, made revisions to correct grammatical and spelling errors, and made
26 revisions to add clarification.

27
28 Dave Wardin made a motion to approve the November 14, 2017 Regular Meeting and Public
29 Hearing minutes. Cam Gonzalez supported the motion. The motion carried by unanimous voice
30 vote.

31
32 Dave Wardin made a motion to suspend the order of business and move New Business #1 above
33 all other agenda items to accommodate the applicant in attendance. Al Pool supported the
34 motion. The motion carried by unanimous voice vote.

35
36 **NEW BUSINESS # 1 (7:32 pm): Edwards Land Division**

37
38 Chairman Meisel introduced the topic by summarizing the request. He went through the
39 application documents and verified that the application was complete. He explained that several
40 revisions to the drawings and legal descriptions had been made at the request of the Planning
41 Commission prior to the meeting. The application submitted was for a land division in which
42 one of the parcels included in the proposed Ledgewood Ravine Site Condominium development

43 (referred to as “Parcel D” on the survey) would be split to create a new parcel (referred to as
44 “Parcel D-3” on the survey) which would remain independent from the proposed development.
45 The total area of Parcel D is approximately 10.58 acres and the proposed total area of Parcel D-3
46 is approximately 6.43 acres, which would result in the remainder of Parcel D being
47 approximately 4.15 acres if the land division is approved.
48

49 Chairman Meisel suggested that Gary Edwards summarize the purpose of his request. Gary
50 Edwards explained that this proposed land division could be done through the site condominium
51 approval process, however, he has run into several delays in obtaining the necessary agency
52 approvals and would like to split this parcel in advance so a portion (outside of the boundaries of
53 the proposed Ledgewood Ravine development) could be sold to a prospective buyer.
54

55 There was a brief discussion amongst the Planning Commission regarding the proposed
56 Ledgewood Ravine Site Condominium Development to ensure that everyone was on the same
57 page. Drawings from the original site condominium application were compared with the
58 drawings for the proposed land division to verify there would be no negative impact to the
59 overall development if the proposed land division receives approval. It was determined that
60 there would be no negative impact if the division is approved.
61

62 Brian Keesey read through the review letter he had prepared for the application and confirmed
63 that all of the necessary documents had been submitted. He also confirmed that there is no legal
64 reason that the proposed land division could not be approved prior to final approval of the site
65 condominium development. He stated that the proposed access easement for Parcel D-3 received
66 preliminary approval following the public hearing for the proposed site condominium
67 development in May of 2017, but the easement will still need to be recorded in the deeds for the
68 properties shown as “Lot 156”, “Parcel E”, and “Parcel F” on the drawings. He indicated that
69 the documents will need to be submitted to the Township prior to Township Board approval of
70 the land division. Gary Edwards stated that legal descriptions included with the surveys do
71 include the access easements on the properties and can be recorded following Board approval.
72 Brian Keesey stated that he failed to mention that Gary Edwards does have the authority to act
73 on behalf of the owners of Lot 156, Parcel E, and Parcel F, so he will be able to record them.
74 Chairman Meisel asked Brian Keesey whether the legal descriptions will be sufficient to address
75 the issue. Brian Keesey confirmed. Brian Keesey then continued to read through the review
76 letter. He stated that a detailed drainage plan was not provided, however, the elevation contours
77 provided will be sufficient for the purpose of the land division. He stated that the resulting
78 parcels would be significantly larger than the minimum lot sizes for the zoning district and the
79 proposed open space would also exceed the minimum size requirement. He noted that the
80 Planning Commission will still need to approve the relocation of the existing open space.
81

82 Brian Keesey stated that the proposed land division can be legally executed regardless of
83 whether or not the proposed Site Condominium receives final approval. He stated that there
84 were several conditions in his review letter that have since been addressed by the applicant. He
85 stated that the only remaining items are the open space relocation and recording of the proposed
86 access easement. Dave Wardin stated that the legal description for the proposed new parcel
87 referenced the easement inaccurately and suggested it be revised.
88

89 Chairman Meisel asked if anyone had any additional questions.

90

91 Bill Day (7356 Ledgewood Drive) stated that he was confused about how the proposed land
92 division relates to the proposed site condominium development. He explained that he was in
93 attendance at the first public hearing for the proposed private road design of the proposed site
94 condominium but was not present at the second public hearing. He requested information on
95 what has changed with the proposed access for the development since the first public hearing
96 was held. Chairman Meisel explained that Mr. Edwards had completely reconfigured the
97 proposed internal road system design after receiving public comments during the first public
98 hearing in order to address the concerns that were expressed. Bill Day asked if there were any
99 other significant changes or approvals since May of 2017. Gary Edwards stated that the public
100 hearing for the revised internal road system design was held during April of 2017 and the
101 concept plan approval of the proposed development occurred in May of 2017. He continued,
102 stating that the number of lots in the site condominium has not changed and explained that the
103 only significant change since May of 2017 is this proposed land division. He elaborated further,
104 stating that the only thing that would change as a result of the proposed land division is a
105 reduction in size of Parcel D from approximately then (10) acres to approximately four (4) acres.
106 Bill Day asked where the proposed community septic would be located and which parcels would
107 it serve. Gary Edwards stated that he is working on obtaining the necessary approvals for the
108 community septic system so the exact location and number of units/parcels that can utilize it has
109 not yet been determined. Bill Day stated that he was not familiar with how a community septic
110 system works. Chairman Meisel stated that a community septic system is similar to
111 conventional, single-family septic systems except they are designed on a larger scale to provide
112 connections to multiple dwellings. He explained that the size of a system dictates how many
113 single-family dwellings could feasibly utilize it.

114

115 Chairman Meisel stated that the next aspect that needs to be considered is the location of the
116 open space. He brought up the drawings showing the existing open space configuration and the
117 proposed open space location and explained that the Planning Commission will need to
118 determine whether or not the proposed open space configuration, for the existing parcel and
119 proposed new parcel, will meet the intent of the Open Space requirement. The Planning
120 Commission briefly reviewed the proposed open space and concluded that the proposed location
121 and size would preserve existing natural features and ensure an adequate natural buffer between
122 adjacent properties and, therefore, would meet the intent of the open space requirement, if the
123 land division receives approval. Brian Keesey agreed that the proposed open space configuration
124 would be appropriate and would meet the intent of the requirement.

125

126 Dave Wardin made a motion to recommend Township Board approval of the proposed land
127 division, subject to items four (4) and five (5) from the McKenna & Associates review letter
128 dated 01/03/2018 being addressed, noting that items one (1) through three (3) have been
129 addressed, correction of the "Parcel D" legal description, and noting that the Planning
130 Commission has approved the proposed open space location and configuration. Cam Gonzalez
131 supported the motion. The motion was carried by unanimous voice vote.

132

133 *The item was closed at 8:24 pm.*

134

135 **OLD BUSINESS # 1 (8:25 pm): Recreational Uses in the FR District**

136
137 Chairman Meisel introduced the topic and suggested that Brian Keesey summarize where the
138 Planning Commission had left off on the topic. Brian Keesey stated that the discussion left off
139 on a discussion of the annual report requirement. He proposed some wording for the
140 requirement which would specify how recreation special land uses in the Farming Residential
141 (FR) and Rural Estate (RE) zoning districts that would be required to submit annual reports
142 would be handled. He stated that the annual reports would be submitted to the Zoning
143 Administrator for administrative review who would determine whether or not there is a need for
144 formal review by the Planning Commission. There was a brief discussion amongst the Planning
145 Commission. Chairman Meisel stated that the Zoning Administrator should check the Fee
146 Schedule to see if there are any designated fees for administrative review. He continued, stating
147 that the Township Board may need to review the Fee Schedule to determine what types of costs
148 should be associated with annual report reviews for recreation special land uses in FR/RE, if any.
149 He stated that the decision would ultimately be up to the Township Board, but the Planning
150 Commission would be willing to provide insight, if requested. There was a brief discussion
151 amongst the Planning Commission regarding the wording of the proposed ordinance text.

152
153 Chairman Meisel asked if there were any further questions regarding the topic. Kurt Schulze
154 asked whether certain uses that are temporary in nature would be regulated under the same
155 standards as all recreational special uses or if they would be considered seasonal events and be
156 regulated under the existing ordinance text. Brian Keesey explained that uses that would be
157 temporary could be administratively reviewed by the Zoning Administrator and would only need
158 to go before the Planning Commission and Township Board if deemed necessary. A brief
159 discussion regarding potential regulations for recreational uses more temporary in nature
160 followed. It was decided that the Zoning Administrator should be able to make the decision on
161 whether or not specific uses would be of significant impact to adjacent properties, traffic, public
162 safety, etc. to determine whether or not Planning Commission review is necessary, in most cases.
163 It was also determined that some additional research should be done on how other municipalities,
164 primarily the City of Fenton, handle the permitting for temporary uses before forwarding the
165 suggested amendments to the Township Board. Chairman Meisel asked if, aside from the
166 specific details on temporary events/uses, the Planning Commission felt that the draft ordinance
167 text was nearly ready to be recommended. The Planning Commission confirmed that the draft
168 was nearly ready.

169
170 *The item was closed at 9:22 pm.*

171
172 **OLD BUSINESS # 1 (9:22 pm): Rebuilding of Nonconforming Structures after a Disaster**

173
174 Chairman Meisel opened the discussion by summarizing where the Planning Commission had
175 previously left off on the discussion. He then requested that Brian Keesey go through the
176 changes he has made to the draft ordinance text memo since the last discussion. Brian Keesey
177 stated that the only substantive change that has been made was on page three (3) of the memo
178 under subsection B-3. He continued, stating that he had changed some of the proposed wording
179 of the text after Dave Wardin had suggested it needed additional clarification. Dave Wardin
180 stated that he still didn't believe the text was clear. Mark Meisel agreed that some minor

181 wording should be revised. The Planning Commission discussed various wording options before
182 agreeing on a clarified version. Brian Keeseey stated that he could revise the memo to reflect the
183 suggested changes.

184
185 Kurt Schulze inquired about the reason behind suggested language intended to prevent
186 nonconforming structures that were intentionally destroyed by the property owner from being
187 rebuilt without meeting current standards. The Planning Commission discussed the proposed
188 wording and agreed on modifying it to add clarification.

189
190 *The item was closed at 9:44 pm.*

191
192 **NEW BUSINESS # 2 (9:44 pm): FR District Zoning –Add Agricultural District?**

193
194 Chairman Meisel stated that the purpose of the agenda item was to collect information on nearby
195 municipalities regarding agricultural zoning districts to see if there would be any reason to create
196 a new agricultural zoning district in Tyrone Township.

197
198 The item was deferred due to time limitations.

199
200 *The item was closed at 9:50 pm.*

201
202 **NEW BUSINESS # 3 (9:50 pm): Election of Officers**

203
204 Chairman Meisel opened the discussion, stating that the Planning Commission Bylaws call for
205 the election of Planning Commission Officers. He asked the Planning Commission for opinions
206 on who should be appointed as Chairperson, Co-Chairperson, and Secretary. Cam Gonzalez
207 recommended keeping the current appointments. Chairman Meisel stated that there is currently a
208 Chairperson and Secretary, but no Vice Chairperson. Cam Gonzalez recommended keeping the
209 current appointments and appointing Kurt Schulze as Vice Chairperson. A brief discussion
210 amongst the Planning Commission followed. It was ultimately agreed that Chairman Meisel
211 would remain the Chairperson, Dave Wardin would remain the Secretary, and Kurt Schulze
212 would be appointed as the Vice Chairperson.

213
214 Cam Gonzalez made a motion to appoint Mark Meisel as the Planning Commission Chairperson,
215 Kurt Schulze as the Vice Chairperson, and Dave Wardin as the Secretary. Ron Puckett
216 supported the motion. The motion was carried by unanimous voice vote.

217
218 *The item was closed at 9:57 pm*

219
220 **NEW BUSINESS # 4 (9:57 pm): Appointments to Planning Commission Subcommittee**

221
222 Chairman Meisel opened the discussion, stating that the Planning Commission Bylaws require
223 appointment to the subcommittee. The Planning Commission decided to keep the current
224 subcommittee appointments (Chairman Meisel, Dave Wardin, and Cam Gonzalez).

225

226 Kurt Schulze made a motion to continue with the existing subcommittee appointments. Dave
227 Wardin supported the motion. The motion was carried by unanimous voice vote.

228
229 *The item was closed at 9:58 pm*

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231

232

233 **MISCELLANEOUS BUSINESS:**

234

235 The Planning Commission discussed and agreed that the next subcommittee meeting would be
236 held on January 17th at 6:00 pm.

237

238 1) Planning and Zoning Administrator's Report: None

239 2) Other Business Items: None

240 3) Township Board Actions: None

241 4) ZBA Report: None

242 5) Future Items: N/A

243 6) Correspondence: N/A

244

245

246 **ADJOURNMENT: 10:01 pm**