

1 **TYRONE TOWNSHIP PLANNING COMMISSION REGULAR**
2 **MEETING & PUBLIC HEARING MINUTES**
3 **March 13, 2018 -7:00 p.m.**

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

7 **ABSENT:** None

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

10 **CALL TO ORDER (7:00 pm):** By Chairman Meisel.

11
12 **PLEDGE OF ALLEGIANCE (7:00 pm):**

13
14 **CALL TO THE PUBLIC (7:03 pm):** No comments were received.

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

17
18 Cam Gonzalez mad a motion to approve the agenda as presented. Al Pool supported the motion.
19 The motion carried by unanimous voice vote.
20

21 **APPROVAL OF THE MINUTES (7:04 pm):** January 9, 2018 Regular Meeting Minutes

22
23 Chairman Meisel scrolled through the draft meeting minutes and asked if any changes were
24 suggested. Chairman Meisel stated that Dave Wardin noticed an agenda item title was
25 inadvertently mislabeled (copy & paste error). The title was corrected. Cam Gonzalez mad a
26 motion to approve the January 9, 2018 Regular Meeting Minutes as amended. Kurt Schulze
27 supported the motion. The motion carried by unanimous voice vote.
28

29 Dave Wardin made a motion to suspend the order of business and move Old Business #1 below
30 all other agenda items. Kurt Schulze supported the motion. The motion carried by unanimous
31 voice vote.
32

33 **NEW BUSINESS # 1 (7:07 pm): Initiate Rezoning of the Northern R-2 Parcels to R-1**

34
35 Chairman Meisel introduced the topic by summarizing the purpose for the proposed initiation.
36 He explained there are only two areas in the Township zoned R-2; the manufactured home
37 community in the south off Old US-23 (Section 32) and the gravel pit in the north off Denton
38 Hill (Section 2, two contiguous parcels). Upon amending the Zoning Ordinance to eliminate the
39 open space requirement for newly created parcels, it was discussed that the R-2 zoned properties
40 are both being used for purposes other than what the district was originally intended for,
41 operating under consent judgements. Chairman Meisel stated that both R-2 zoned parcels in
42 Section 2 should be rezoned to R-1 since there would not be sufficient area for primary and

43 reserve septic fields if developed as residential once the mining use ceases and reclamation of the
44 properties is complete, as determined during the open space elimination property analysis efforts.
45 He explained that all that would need to be done at this time is initiate the rezoning with a
46 motion if all are in agreement.

47
48 Dave Wardin made a motion to initiate the rezoning process of the two northern R-2 zoned
49 parcels (4704-03-200-027 and 4704-02-400-021) to R-1. Al Pool supported the motion. The
50 motion carried by unanimous voice vote.

51
52 *The item was closed at 7:10 pm.*

53
54 **NEW BUSINESS # 2 (7:10 pm): Yasin, LLC Cemetery Application**

55
56 Chairman Meisel introduced the topic and suggested that Brian Keesey summarize where the
57 Planning Commission had left off. Brian Keesey began reading through the original review
58 letter he had prepared for the application. He stated that the application was for a cemetery
59 special land use, which is a permitted use in the Farming Residential (FR) zoning district subject
60 to approval of the special land use and site plan. He stated that the required public hearing for
61 the special land use was held in November of 2017, during which time public comments were
62 received. The majority of the comments received were concerns regarding the potential for
63 groundwater contamination. He continued, stating that at the time of the public hearing there
64 were a few minor issues with the site plan, most of which have since been addressed. Chairman
65 Meisel summarized the requirements for the special land use and site plan review, indicating that
66 the basic requirements have been fulfilled. He stated that changes on the site plan included a
67 significant reduction in the total number of burial plots, a redesigned internal road system with a
68 boulevard approach, and fencing along the entrance and the road frontage (per the current
69 Township cemetery standards, as amended). Brian Keesey stated that the access road is
70 proposed to be designed in accordance with the Township's standards. He stated that there are
71 no issues with setbacks and the front setback has been significantly increased since the original
72 site plan. Brian Keesey stated that the fencing requirement has been fulfilled. Chairman Meisel
73 pointed out that the LCHD standards require a complete perimeter fence around cemeteries, just
74 so the applicants are aware they may need to install additional fencing from what is shown on the
75 site plan.

76
77 Brian Keesey stated that cemeteries are also subject to additional standards for all special land
78 uses. He continued, stating that the purpose of these standards is to ensure any special land uses
79 are reasonably compatible and harmonious with surrounding properties. He stated that in terms
80 of rural character, cemeteries are typically a very low impact use. He stated that there may be
81 some increased traffic periodically when burials or visitations occur, but it would likely be
82 minimal. During the public hearing there was significant concern regarding the environmental
83 aspects surrounding the proposed use, primarily subsurface contamination concerns. He stated
84 that in terms of above-surface hazards, there would likely be very little impact based on what is
85 proposed. He stated that there are no significant concerns surrounding surface water runoff or
86 drainage per the LCHD evaluation. He stated that the use would not be served by many public
87 utilities but that would not likely create any issues with the proposed use. He stated that there

88 may be heavy equipment used periodically for digging graves but he has no significant concerns
89 that it would create any significant nuisances for adjacent properties.

90

91 Chairman Meisel stated that the Planning Commission has received a number of letters and
92 correspondence surrounding the resident's concerns. He acknowledged the letters, binders
93 containing research on potential groundwater contamination, and other correspondence. He
94 acknowledged the correspondence that has been received stating the names of those who had
95 submitted it. He also mentioned that the Livingston County Cemetery Guidelines have been
96 referenced a number of times and that they would review and discuss them shortly.

97

98 Ron Puckett asked who would be responsible for maintaining the cemetery. Chairman Meisel
99 stated that the applicant would be responsible for maintaining the cemetery in the future, if
100 approved. Ron Puckett stated that the applicant is a Limited Liability Corporation (LLC) which
101 could go out of business at any time. Chairman Meisel stated that the State of Michigan requires
102 a significant escrow to guarantee maintenance of cemeteries. Ron Puckett stated that there is still
103 a chance that the Township may need to take over ownership and maintain the cemetery if the
104 LLC fails. Chairman Meisel stated that there is a possibility that if everything went wrong the
105 Township may be required to. He continued, stating that some concerns have been voiced and
106 possible mechanisms to ensure maintenance are being explored.

107

108 Chairman Meisel stated that the Livingston County Department of Public Health prepared a brief
109 letter summarizing their review of the site including soil boring results and soil modeling. Based
110 on their findings, they stated that all of their requirements have been met and granted preliminary
111 approval of the site for the proposed cemetery use. A resident in attendance [name not stated]
112 made a remark implying the Health Department's review was inadequate. Chairman Meisel
113 explained that there are a number of challenges with reviews such as this when multiple agencies
114 with jurisdiction are involved. He said that interpretation of the requirements and ensuring
115 requirements are adequate and up-to-date can be a difficult task and requires communication and
116 cooperation between the Township, the County, and the State.

117

118 Chairman Meisel stated that the Planning Commission will need to open the scheduled public
119 hearing regarding a different agenda item and apologized to the residents in attendance
120 specifically regarding the cemetery special land use application. He stated that they will
121 continue the discussion following the public hearing.

122

123 *The item was temporarily closed at 7:30 pm.*

124

125 **PUBLIC HEARING # 1 (7:30 pm): Vale Royal Barn & Inn Site Plan Amendment**

126

127 Chairman Meisel opened the public hearing and read the Planning Commission public hearing
128 notice that was published in the Tri-County Times on February 25, 2018. He asked if anyone in
129 attendance had any questions regarding the public hearing notice. No questions were received.

130

131 Chairman Meisel asked if there was anyone in attendance who would like to publicly comment
132 on the proposed site plan amendment for the Vale Royal Barn & Inn. Penelope Sobonya (11061
133 Old US-23) stated that she is a neighbor and would like to comment. Chairman Meisel went

134 through the application documents and brought them up on the overhead screens to aid in the
135 discussion. He pointed out the significant features of the property on the site plan and in an
136 aerial photo to familiarize those in attendance with the site.

137
138 Chairman Meisel opened the floor to accept public comments.

139
140 Penelope Sobonya (11061 Old US-23) made a statement in support of the proposed amendments
141 to the special land use site plan. She indicated that Valerie Johnson is a good neighbor and in her
142 personal opinion, believes the Vale Royal Barn and Inn to be an asset to the community. She
143 stated that she has had no issues with events at the venue in the past and does not believe the
144 proposed site plan amendments would lead to any issues in the future.

145
146 Patricia Murray (12271 Germany Road) asked if the event venue has been operational.
147 Chairman Meisel replied, indicating that the venue was previously approved and operational but
148 is required to come back for review and a public hearing due to proposed expansion of the use.
149 Patricia Murray stated that she was unaware that the venue existed and asked where it is located.
150 Chairman Meisel explained that the venue is located off of Old US-23, significantly set back
151 from the road, and therefor difficult to see when passing by, especially when the trees are in
152 bloom.

153
154 Chairman Meisel asked if there were any additional public questions or comments. No questions
155 or comments were received. He asked if there were any questions or comments from the
156 Planning Commission or Planner regarding the agenda item. No questions or comments were
157 received.

158
159 *The public hearing was closed at 7:42 pm*

160
161 **NEW BUSINESS # 2 (7:10 pm): Yasin, LLC Cemetery Application (Continued)**

162
163 Chairman Meisel reopened the agenda item and brought up the application documents on the
164 overhead screens. Hasan Siddiqui, the applicant, addressed the Planning Commission indicating that
165 he had submitted a letter to address some of the public concerns that had been brought up following
166 previous meetings. Chairman Meisel thanked Mr. Siddiqui for the reminder and apologized for
167 inadvertently missing it whilst bringing up the application documents. He suggested that he should
168 read through the letter. Mr. Siddiqui prefaced the letter, stating that he was surprised to see the
169 number of residents in attendance during the meetings but very happy to see that so many people
170 cared about the Township enough to attend and express their concerns. He read through the letter he
171 had prepared in response to various public comments and concerns expressed at and following
172 previous meetings (abbreviated text below).

173
174 “Dear Township,
175 Regarding the Public Hearing on 11/14/2016, we did want to address the concerns and questions
176 from the Township and our fellow citizens. As Tyrone Township residents, we share the same
177 values and concerns of our neighbors and were pleased to see concerned citizens participating so
178 heavily in this process.

179 As promised during the public hearing, we have reduced the number of plots in the cemetery
180 significantly. We went from 3,847 plots down to 1,589 plots. It should be noted, at the average

181 rate of \$3,000, this is an incredible and significant loss in potential revenue (\$6.77M). We
182 reduced over half of the plots and we increased the amount of open space for the property as
183 well.

184 Also, as promised to the public, we have established hours of operation so as not to pollute the
185 noise or congest traffic at odd or unsavory hours. Hours of operation will be Monday – Sunday
186 from 9am – Sunset. All burials will take place during these hours.

187 After extensive research into the main concern of groundwater contamination regarding burials,
188 we would like to present our findings and conclusions.

189 Our cemetery will be considered a Green Cemetery, offering strictly Green Burials:

190 Green burial grounds are characterized by the degree to which they conserve natural resources
191 and preserve the environment, among other specific standards set forth by the Green Burial
192 Council.

193 □ Natural Burial Ground, which is a setting that prohibits outer burial containers (burial vaults
194 and grave liners), prohibits the burial of bodies embalmed with toxic chemicals, and prohibits
195 burial containers made of anything other than natural or plant-derived materials. In addition,
196 Natural Burial Grounds must have a pesticide-free Integrated Pest Management system, which
197 means that pests are controlled using natural and environmental practices that maintain the
198 natural ecology and landscape, rather than using chemicals that may harm the ecology and the
199 landscape.

200

201 Michigan State Law does require a concrete vault for all MI burials which will be complied with.
202 Included is the study from Disabled World titled Cemetery and Groundwater Pollution. From
203 this study the Main Document states:

204 Every year, 22,500 cemeteries across the United States bury approximately:

205 □ 14,000 tons of steel vaults.

206 □ 90,272 tons of steel caskets.

207 □ 2,700 tons of copper and bronze caskets.

208 □ 1,636,000 tons of reinforced concrete vaults.

209 □ 30 million board feet (70,000 m³) of hardwood caskets.

210 □ 827,060 US gallons (3,130 m³) of embalming fluid, which usually includes formaldehyde.

211

212 Clearly, this is very concerning. Because we are offering Green Burials, the concerns of
213 formaldehyde and other embalming fluids are not applicable. Also, the dangers of burying in a
214 casket with treated wood, paint, metal, etc., is not applicable. Further, Green Burials typically
215 wrap the deceased in an all-cotton shroud and nothing more, which eliminates the risk associated
216 with dyes from clothing, etc.

217 The traditional method of burying the dead within 24hrs, with no embalming, and directly in the
218 ground with no casket is the safest and most non-environmental-threatening system.

219 We learned a lot from many articles regarding one of the most impacted areas of the world with
220 cemetery ground water contamination: Ireland.

221 Due to the use of these dangerous embalming chemicals for centuries, Ireland is facing the awful
222 consequences from their burial methods. Until modern times, arsenic was the chemical used in
223 the embalming process which is now seeping into their wells and causing incredible problems
224 and risks to the people of Ireland.

225 “While the microorganisms in a corpse are not pathogenic, the embalming chemicals that escape
226 into the groundwater and surrounding soil are lethal.”

227 The Green Burial method eliminates these risks completely.
228 We feel that we've gone through great measure to address the very valid concerns that the public
229 has expressed. Through our research we have found that we hope to be among only a handful of
230 Green Burial Sites in Michigan iii. This is great representation for the Township of Tyrone, and
231 it's due to the citizens that we're able to offer this.
232 Our hope is that the cemetery serves as an example to the rest of Michigan and the US to create
233 awareness to the dangers of embalming and use of intricate caskets and to help promote the
234 Green Burial Movement.”

235
236 Chairman Meisel brought the letter up on the overhead screens to show the various attachments
237 including photographs, informational graphics, and studies from various organizations.
238

239 Chairman Meisel asked the Planning Commission if they would be willing to accept public
240 comments despite the item being reviewed not being part of a public hearing. There were no
241 objections from the Planning Commission.
242

243 Chairman Meisel addressed the residents in attendance. He explained that we will be accepting
244 comments, but respectfully requested that those speaking do their best to consolidate comments
245 (avoid repeating what was already said) and keep the discussion civil and timely. He requested
246 that residents state their name and address prior to making comments.
247

248 Ron Schilling (12330 Alcoy Drive) referenced the problems Ireland is facing due to groundwater
249 contamination from cemeteries and asked if Ireland used vaults for their burials. Hasan Siddique
250 replied, stating that he is not certain but does not believe so. He continued, stating that the
251 bigger issue in Ireland is the rapidly rising levels of groundwater and other factors unrelated to
252 vaults. Ron Schilling stated that he believes if bodies are in vaults there would be no risk in
253 terms of chemical seepage into the surrounding soils and water unless something were to happen
254 to the vaults. He then asked Hasan Siddiqui whether he was aware of the reason embalming has
255 been used prior to burial. Hasan Siddiqui stated that he was not entirely aware of all reasons
256 why embalming has occurred historically. Ron Schilling stated that he was also not aware of the
257 reasons for embalming. He continued, stating that he has heard that, in the past, there have been
258 cases where bodies were dug up from the ground and fingernail scratches on the insides of
259 coffins were found, indicating that some people were not completely dead when buried or
260 possibly came back to life. He stated that he was not sure if these stories were true or not.
261 Hasan Siddiqui stated that he believes bodies were embalmed to slow the natural decomposition
262 process to preserve the integrity and structure of the skin for practices such as open casket
263 funerals. Ron Schilling stated that he is mostly concerned about whether or not vaults will be
264 used, since he believes vaults would make a big difference in reducing the likelihood of
265 groundwater contamination. Chairman Meisel stated that he is not an expert on the topic but,
266 through his research, has found that most of the problems pertaining to cemeteries in Europe are
267 due to the age of the cemeteries. He stated that the articles imply that it has been a problem
268 historically because there were little to no standards for burials and people buried people where
269 they could with no oversight. He said that today we do not have perfect standards, but they are
270 much better than having no regulations and standards are continuously being improved upon as
271 time goes by. Hasan Siddiqui stated, for clarification, that the State of Michigan requires the use
272 of vaults for burials and his intent is to comply with all current regulations. Chairman Meisel

273 stated that he was still unsure if vaults are good or bad in terms of their relation to potential
274 groundwater contamination. He stated that, on the surface, vaults sound like a good thing but
275 there are also the potential negative impacts that come with burying large amounts of concrete.
276 Kurt Schulze added that concrete vaults tend to crack and leak over time.

277
278 Elaine Schilling (12330 Alcoy Drive) stated that she is part of the committee that has been doing
279 research on cemeteries and groundwater contamination. She stated that many of the materials
280 traditionally used in burials (coffins), such as wood and metal, are natural and, therefore, should
281 not contaminate groundwater. She continued, stating that she is very surprised that the
282 Livingston County Health Department (LCHD) has granted preliminary approval of the
283 proposed cemetery since she does not believe they adequately followed their own standards for
284 their review. Chairman Meisel attempted to explain the LCHD preliminary approval. He stated
285 that “preliminary approval” may have been a poor choice of words. He explained that, at this
286 stage of the review process, the Township relies on the LCHD to give their professional opinion
287 on the suitability of the proposed site for a cemetery use. He stated that they use their cemetery
288 guidelines and general LCHD standards to perform a review of the soils and groundwater to aid
289 in the Township’s review of the application. He stated that the intent of the document from the
290 LCHD was to indicate, based on their review, that they feel there is little to no risk that the
291 proposed cemetery would result in detriments to public health and safety. Elaine Schilling
292 replied. She stated that the LCHD, in their report, indicated that the soil is well-drained and
293 there is not pooling of surface water. She stated that this is obviously false because there are
294 significant drainage issues and surface water accumulation present in the area. She said that the
295 site was evaluated in the winter when the soil was still frozen and, therefore, the report does not
296 accurately describe the condition of the soil and water during other times of year. She continued,
297 stating that there would be a lot of bodies buried there. She said that the report indicates that the
298 soil borings referenced in the report were found by the LCHD to indicate adequate soil types for
299 the burial areas, but she does not believe they were done sufficiently, based on their own
300 cemetery guidelines, and, therefore, do not accurately reflect the soil conditions where all bodies
301 would be buried. She stated that the LCHD Cemetery Guidelines state that areas with a high
302 water table are not suitable for cemeteries. She also stated that the guidelines indicate that there
303 should be two (2) borings per each one (1) acre of a cemetery site but their report indicates only
304 five (5) test bores were found to be suitable in the ten (10) acre site. She stated that there are
305 artesian wells and high water tables present throughout the area and that the area is part of the
306 Shiawassee Water Shed. She stated that she feels there should be more testing. She stated that
307 the cemetery guidelines recommend burials in vaults and/or caskets to reduce the rate of fluids
308 seeping into the soil, yet the applicant is proposing “green burials” without the use of caskets.
309 She stated that all of the residents in the area are on wells for their drinking water and all of them
310 are very concerned about the potential environmental impact on their water. She asked the
311 Planning Commission to consider requiring an environmental impact study prior to any
312 consideration for approval of the proposed cemetery. Chairman Meisel thanked Elaine Schilling
313 for her comments.

314
315 Jerry Sanders (12345 Alcoy) stated that his day job is as a Microbiologist at the University of
316 Michigan. He stated that microbes, some of which may be pathogenic can migrate from their
317 point of origin and survive for four hundred (400) years or more, some forever. He stated that
318 the State of Michigan requires the embalming of any bodies which contain contagious and

319 infectious diseases. He stated that the cemetery was originally proposed as a “family cemetery”
320 which, according to the LCHD Cemetery Guidelines, cannot exceed one (1) acre in size.
321 Chairman Meisel stated that the “family cemetery” aspect was previously addressed at the
322 original public hearing. He stated that the word “family” was just part of the original name that
323 was proposed for the cemetery. He stated that the applicant had clarified that the cemetery
324 would not only be used for immediate family, but for loved ones, family, and friends. He stated
325 that the application was submitted for a privately owned and operated cemetery and the proposed
326 name does not have anything to do with the approval or denial of the application. Hasan
327 Siddiqui confirmed that the topic was previously addressed and that the intent of the cemetery
328 would not be exclusively for direct family members. He stated that Tyrone Township does not
329 have any requirements specific to family owned cemeteries and requires a ten (10) acre
330 minimum parcel size, regardless of whether it is public or private. Jerry Sanders stated that if the
331 application is not for a “family cemetery” there is a State requirement that cemeteries meet the
332 needs of the community and are professionally operated and maintained by qualified individuals
333 with the necessary expertise. He stated that the Township already has enough cemeteries and
334 therefore, the proposed cemetery would not meet the residents’ needs. He also stated that the
335 lack of expertise and qualified professionals for operation and maintenance is a significant
336 concern. Chairman Meisel thanked Jerry Sanders for his comments. He stated that the local
337 municipality has a set of standards. If an applicant is able to comply with those standards and is
338 approved, they then need to obtain County and State approvals, who each have their own sets of
339 standards. He stated that if the Township approves the cemetery, they will first need to receive
340 approval from the other agencies having jurisdiction before the cemetery could actually open and
341 operate.

342
343 Ed Murray (12271 Germany Road) stated that are many topics that have already been brought
344 up, such as soil boring results and LCHD guidelines, that are important and worth repeating. He
345 stated that there were a number of soil borings that were previously performed which did not
346 pass and were found to be unsuitable for cemetery use. He states that the LCHD guidelines
347 indicate that cemeteries shall not be approved in wetland areas. He stated that there are
348 significant wetland areas present and therefore, the proposed cemetery should not be approved.
349 He stated that bodies that are buried during winter months when the ground is frozen will not
350 decompose until the temperature increases. He stated that all of the bodies buried during the
351 winter would decompose at the same time, once the necessary conditions for decomposition are
352 present. He stated that decomposition of a large number of bodies at the same time would likely
353 result in significant groundwater contamination. He stated that some homes in the area have
354 wells that are as close as two hundred and fifty (250) feet to the proposed cemetery which is far
355 less that the World Health Organization (WHO) recommended minimum separation distance of
356 eight hundred (800) feet. He referenced studies from old cemeteries and new cemeteries and
357 stated they all show that cemeteries have a high potential for groundwater contamination. He
358 stated that the Hodges Cemetery in Tyrone Township is nearly two hundred (200) years old and
359 all of the plots have not been filled. He stated that there is, on average, about one burial per year
360 at that cemetery, which is much less than what he anticipates the rate of burials at the proposed
361 cemetery would be. He stated that the information provided by the applicant is inadequate and
362 suggested that the Planning Commission require an environmental impact study. He thanked the
363 Planning Commission. Chairman Meisel thanked Ed Murray for his comments.

364

365 Chairman Meisel requested that residents in attendance refrain from repeating comments and
366 stated he would like to get through the remaining comments as quickly as possible.

367
368 Linda Kurnik (12231 Germany Road) stated that cemeteries are forever and therefore, we need
369 to be extra vigilant when reviewing them since all of the residents in the area are on private
370 wells. She stated that all properties in the Township, residential and commercial rely on private
371 wells for water so they need to be careful to protect the aquifer. She stated that they need to be
372 certain that there is no risk of aquifer contamination for the benefit of the environment and the
373 Township as a whole. She thanked the Planning Commission. Chairman Meisel thanked Linda
374 Kurnik for her comments.

375
376 Donita Sanders (12345 Alcoy Drive) stated that she had a question. She asked if the cemetery
377 would be under the jurisdiction of the Michigan Cemetery Commissioner. She stated that she
378 had received some documents from the Michigan Cemetery Commissioner's Office. Chairman
379 Meisel stated that he was not positive, but he assumes that it would be. He continued, stating
380 that the State of Michigan has regulatory authority over cemeteries and believes the Cemetery
381 Commissioner would be included. He stated that there are many documents available through
382 the State of Michigan, most of which are scattered all over, some fairly recent and others that are
383 very old. Donita Sanders stated that some of the documents provided to her on a flash drive
384 from the Michigan Cemetery Commissioner's Office indicate that cemeteries required local
385 health department approval. She asked if the LCHD has granted approval for the proposed
386 cemetery. Chairman Meisel stated that they have currently only provided preliminary approval
387 and would not be able to grant approval until the Township completes their review process. If
388 Township approval is granted, it would then need to receive full approval from the LCHD before
389 approval from the State would be considered. Chairman Meisel asked for the specific names of
390 the documents Donita Sanders was referencing. Donita Sanders stated that she was referencing
391 the Michigan Cemetery Regulation Act as well as the Michigan Occupational Code. Chairman
392 Meisel thanked Donita Sanders for her comments.

393
394 Linda Kurnik (12231 Germany Road) stated that the applicant originally requested
395 approximately three thousand eight hundred (3,800) burial sites and has since reduced them to
396 approximately one thousand five hundred (1,500) burial sites. She stated that additional phases
397 of development, in terms of increasing the number of burial sites, could potentially be approved
398 in the future. She stated that expansion in the future is not only possible, but very likely, based
399 on the original site plan that was submitted. She requested that the Planning Commission
400 consider requiring an environmental impact study of the site be performed prior to any
401 consideration for approval. Chairman Meisel thanked Linda Kurnik for her comments.

402
403 Hasan Siddiqui stated that his intent is not to run the proposed cemetery as a business and profit
404 is not the motivation for applying. He stated that 1,500 plots is a very large number and most
405 plots would hopefully, and in all likelihood, remain vacant for many years. He stated that the
406 intent is not to try to bury as many bodies as possible, but to have gravesites available for the
407 future, as needed. He stated that he would like a cemetery where his family, friends, and loved
408 ones could be buried together. He stated that this is the approval process that needs to be
409 followed in order to accomplish this. He stated that in the last five (5) years, five people in their
410 community have passed away. He emphasized that they do not want to advertise the cemetery in

411 order to fill up as many gravesites as possible for profit, but in fact, they would like the
412 gravesites to fill up as slowly as possible so the site can be used over a long period of time.

413
414 Ed Murray (12271 Germany Road) asked why the applicant did not go the route of a one (1) acre
415 family cemetery if the do not want to make a profit. Chairman Meisel stated that family
416 cemeteries, as defined by the State of Michigan, can only include burials of immediate family
417 members, which would not suit the applicant's goal to allow family, friends, and loved ones to
418 be buried there. Donita Sanders (12345 Alcoy Drive) stated that what is being proposed could
419 not be considered a family cemetery so it is an operation that would be for profit. Hasan
420 Siddiqui stated that he would not be lying about the intent of the site- which is a final resting
421 place for family, friends, and loved ones to be buried next to each other. He stated that making a
422 profit is not the intent of the proposed cemetery. Chairman Meisel stated that, as an example, if
423 three to five (3-5) bodies are buried per year and the cost per gravesite was three thousand
424 (3,000) dollars, they would still not be making money since there are expenses associated with
425 maintenance and operation of cemeteries. Ed Murray (12271 Germany Road) stated that there is
426 no guarantee that the number of burials per year would be minimal and it is very possible there
427 could be forty (40), fifty (50), or more burials per year. Chairman Meisel agreed, stating that
428 there is absolutely no way to guarantee the number of burials per year since it is completely
429 unpredictable.

430
431 Chairman Meisel stated that the Planning Commission would accept one more question or
432 comment since time is running out.

433
434 Jerry Sanders (12345 Alcoy Drive) stated that in a best-case scenario, there would be one (1) to
435 two (2) burials per year. He continued, stating that the worst-case scenario is that there will be a
436 significant number of burials in a short period of time, leading to groundwater contamination,
437 health complications, and the destruction of property values in the area of contamination.
438 Chairman Meisel thanked Jerry Sanders for his comments.

439
440 Chairman Meisel thanked everyone for their questions and comments. He stated that the
441 Planning Commission has a lot of information to review, inclusive of communication with the
442 LCHD regarding the potential issues with their review based on their cemetery guidelines. He
443 asked the Planning Commission for their thoughts on how they would like to proceed. He stated
444 that they had received communications from the LCHD as well as the Michigan Department of
445 Environmental Quality (MDEQ) and been provided with numerous documents, studies, and
446 information from various sources. He stated that the applicant has taken the time and made
447 efforts to address the public concerns through his written statement as well as significant
448 alterations to the site plan. He asked the Planning Commission if they are satisfied with the
449 information they have or if additional information should be required. He reiterated that local
450 approval is only the first step in the total approval process and that the other agencies having
451 jurisdiction and expertise on the topic would still need to complete their reviews and approvals.
452 Bill Wood asked where they were at on the concerns residents have regarding the bore holes.
453 Chairman Meisel stated that if the Planning Commission believes the LCHD review to be
454 inadequate, they could request further evaluation. Cam Gonzalez suggested reaching out the
455 LCHD to request clarification on the topics residents brought up. Kurt Schulze stated that the
456 Planning Commission should practice due diligence to make sure the information they receive is

457 accurate, current, and complete, which he believes is not yet the case. Bill Wood asked if the
458 cemetery were to ever expand, would additional soil borings be required. Chairman Meisel
459 stated that the applicant would need to submit a new application for a site plan amendment and it
460 would require County and State approvals as well. A brief discussion amongst the Planning
461 Commission followed. Chairman Meisel asked what the general consensus of the Planning
462 Commission is. Kurt Schulze stated that he believes the item should be tabled pending
463 additional clarification from the LCHD based on the comments and concerns from the public and
464 the Planning Commission. Dave Wardin suggested that the Planning Commission should go
465 farther than that.

466
467 Kurt Schulze made a motion to table the application pending clarification from the LCHD on
468 their review based on the comments and concerns from the Planning Commission and public
469 indicating that their review was not performed in accordance with the LCHD standards. Ron
470 Puckett supported the motion. Chairman Meisel asked if there was any further discussion. Dave
471 Wardin requested amending the motion to include more information.

472
473 Ron Puckett asked where the bodies for the cemetery would come from. Chairman Meisel stated
474 that the question was irrelevant to the application. Cam Gonzalez asked Dave Wardin how far
475 away contamination can travel through soil and groundwater. Dave Wardin stated that he does
476 not have the expertise to adequately answer the question. Chairman Meisel stated that the
477 Planning Commission relies on experts for professional opinions on questions such as that. Cam
478 Gonzalez said the reason he is asking is because many residents are concerned about potential
479 groundwater contamination.

480
481 Dave Wardin made a motion to amend the previous motion to get clarification on the number of
482 soil borings as well as the additional twelve (12) items included in the LCHD review. Cam
483 Gonzalez supported the motion. The motion carried by unanimous voice vote.

484
485 Chairman Meisel stated that the Planning Commission needed to amend the motion to include
486 the tabling aspect. The motion carried by unanimous voice vote.

487
488 Chairman Meisel apologized to Hasan Siddiqui for the amount of time the approval process is
489 taking. He stated that, hopefully, he can understand the concerns and respect the Planning
490 Commission's decision to request additional clarification from the LCHD. Hasan Siddiqui stated
491 that it sounds like a reasonable request and offered no objection. Chairman Meisel thanked him
492 for his understanding.

493
494 Cam Gonzalez complimented Hasan Siddiqui on his professionalism and understanding. He
495 stated that he has been an exemplary applicant throughout this entire process.

496
497 *The item was closed at 8:47 pm.*

498
499 *The meeting was temporarily recessed.*

500
501 **NEW BUSINESS # 3 (8:51 pm): Vale Royal Site Plan and Special Land Use Amendment**

502

503 Chairman Meisel introduced the topic and suggested reading through the revised use statement to
504 begin the discussion. He stated that the Planning Commission should try to ensure that the use
505 statement accurately reflects the special land use as well as the site plan. Brian Keeseey agreed
506 that they should make sure everyone is on the same page and that there are no significant
507 concerns resulting from the unapproved expansions that had occurred since the initial special
508 land use and site plan approvals.

509
510 Chairman Meisel addressed Valerie Johnson, the applicant. He stated that the Planning
511 Commission likes the operation and would like to see it be successful. He stated that they do not
512 want to dwell on past violations and noncompliance, and that their ultimate goal is to bring her
513 into compliance and hopefully stay in compliance so she can continue her operation. He stated
514 that the Planning Commission just needs to work back through the process to ensure all
515 information is accurate. Valerie Johnson stated that she was not trying to intentionally be
516 deceitful and noncompliant so she had prepared a statement to justify why she had done what she
517 had. Chairman Meisel suggested that it would be unnecessary. He stated that he understood she
518 broke the rules because she believed she had to for her business to survive, but as a municipality,
519 the Township needs to regulate special land uses to ensure public health, safety, and well-being.
520 He stated that he recalled during the initial review of her special land use (prior to approval), that
521 she wanted to also have a bed and breakfast. He continued, stating the Planning Commission
522 wanted to approve the operation without the bed and breakfast aspect, but then consider it at a
523 later date once they saw how the operation had been operating for six (6) months to one (1) year.
524 He asked her if she really expects the Planning Commission to consider expanding to a bed and
525 breakfast given the current circumstances. He stated that the Planning Commission is willing to
526 bury the hatchet and start over, but she will need to be honest and work towards becoming
527 compliant. He said she should work together with the Township to focus on what the situation is
528 currently as opposed to how things had gone in the past so she can be compliant moving forward
529 into the future.

530
531 Chairman Meisel began to read through the amended use statement. He stated that the new use
532 statement retains the same seasonal hours of operation and she should consider evaluating those
533 hours to make sure they are sufficient for her business. He stated that now is the time to make
534 changes to suite her own needs so she will not find herself in the same type of situation later on.
535 He stated that if you choose to limit your hours you could potentially be creating lost
536 opportunities and the reality is that the Planning Commission would be open to extending the
537 hours of operation if she chooses to do so. He suggested that she simply tell the Planning
538 Commission what she would like to do so they can make decisions that are mutually beneficial to
539 the Township and the operation. Valerie Johnson stated that she is happy with the current,
540 seasonal hours of operation since the barn is not insulated and she does not intend on hosting
541 large events during the winter months.

542
543 Chairman Meisel continued to read through the use statement. He asked if everything included
544 would still suit her needs or if she would like to make any changes. Brian Keeseey asked if she
545 has had any issues regarding the overnight accommodations for the bride and groom. Valerie
546 Johnson stated that she has run into issues with only the bride and groom being permitted to stay
547 overnight. She explained that they typically don't want to see each other the night leading up to
548 the wedding which results in the bride staying at the venue while the groom gets a hotel room.

549 She stated that brides-to-be typically don't like staying at the venue alone and would prefer to
550 have the company of her bridesmaids and or family member(s). She suggested limiting
551 overnight accommodations by the number of guests as opposed to the current restriction that
552 only the bride and groom can stay. Chairman Meisel stated that that seems like a reasonable
553 request. Dave Wardin suggested a scenario where overnight accommodations are limited by the
554 number of guests. He asked what the typical number of bridesmaids is and warned that if she
555 were to limit herself to three (3) guests and a wedding party had four (4) bridesmaids she would
556 not be able to accommodate them all. Chairman Meisel stated that he understood Dave Wardin's
557 concern but believed limiting overnight stays by the number of guests would be the best option
558 since the venue is ultimately limited by the total capacity of the site. Dave Wardin asked Valerie
559 Johnson how many guest bedrooms she has available. Valerie Johnson stated that there are three
560 (3) guest bedrooms that could comfortably accommodate six (6) guests. Chairman Meisel and
561 Dave Wardin agreed that six (6) guests would be a reasonable number.

562
563 Chairman Meisel continued to read through the use statement. He suggested to the applicant that
564 she should avoid including the statement that she doesn't advertise. He explained that the
565 statement not only limits her, but the fact that the meetings, public hearing, site plan, and use
566 statement are all public information, she is actually indirectly advertising. Valerie Johnson
567 stated that she is agreeable to excluding that statement.

568
569 Chairman Meisel continued to read through the use statement and provided feedback and
570 suggestions to the applicant. Bill Wood asked the applicant if she really wanted to limit the
571 operation to six (6) months per year. Valerie Johnson stated that she does not want to heat the
572 barn and is happy with the current seasonal hours. Chairman Meisel asked Valerie Johnson if
573 she would like to make any additional changes to the use statement. Valerie Johnson stated that
574 she would like to propose allowing additional small ceremonies, such as elopements on Sundays.
575 She stated that her sister, Diane Johnson, performs elopements at the venue under the business
576 name of "Tin Roof Weddings" and allowing small events on Sundays could benefit her.
577 Chairman Meisel asked Diane Johnson what the typical size of the ceremonies are. Diane
578 Johnson stated that six (6) to twelve (12) people is typical, but she would like the maximum to be
579 sixty (60) people. The Planning Commission and Brian Keeseey briefly discussed what a
580 reasonable limit would be. The general consensus was that sixty (60) people maximum for the
581 purpose of a small event on a Sunday would be reasonable.

582
583 The Planning Commission, Brian Keeseey, and the applicant continued to work through the use
584 statement making suggestions for minor revisions for clarity. Chairman Meisel moved on to the
585 topic of total capacity for the barn itself. He stated that there are a number of factors involved in
586 determining maximum occupancy of the barn for large events. Livingston County needs to
587 determine whether or not there will be adequate sewer capacity, which has been confirmed, and
588 water capacity, which ties into the fire suppression aspect. Chairman Meisel continued, stating
589 that the Fenton Township Fire Department and other agencies having jurisdiction have stated a
590 fire suppression system will be required before the total barn capacity can be increased beyond
591 ninety-nine (99) total people. The purpose of the use statement is to clearly describe the
592 important aspects of a special land use as a whole, inclusive of hours of operation, maximum
593 number of events, and maximum capacities. Chairman Meisel stated that the goal is to come to a
594 reasonable capacity so the applicant can receive Township approval for the increase in capacity

595 upon installation of a fire suppression system. Chairman Meisel stated that the draft use
596 statement which is being reviewed currently indicates that the barn would have a maximum
597 capacity of one hundred and fifty (150) people once an approved fire suppression system is
598 installed. Kurt Schulze asked if the 150-person maximum was the total of all people in the barn,
599 including event workers, caterers, etc. Chairman Meisel stated that this is the issue which
600 requires some clarification. He stated that in order to hold weddings and events with a maximum
601 guest count of 150, the total occupancy of the barn would need to be increased. He explained
602 that if nine (9) workers were present in the barn then the total number of guests would need to be
603 one hundred and forty-one (141) or less. He stated that a decision needs to be made whether or
604 not the total capacity can be somewhere in the area of one hundred and fifty-nine (159) or if the
605 event contracts will need to indicate the maximum number of guests cannot exceed somewhere
606 around one hundred and forty-one (141) people. Bill Wood asked if the maximum capacity
607 would apply to the event site as a whole or the barn itself. Chairman Meisel stated that the
608 agencies having jurisdiction will require the maximum capacity for the barn itself. He noted that
609 the number of available parking spaces will dictate the maximum occupancy of the site itself.
610 Chairman Meisel explained to the applicant that the Planning Commission would just need to
611 receive correspondence from the local fire authority to determine whether or not the total barn
612 capacity can be increased beyond the previously-stated one hundred and fifty (150) person
613 maximum. Valerie Johnson stated that the Livingston County Building Department (LCBD)
614 will allow her to continue holding events in the barn, not to exceed a capacity of ninety-nine (99)
615 prior to installation of a fire suppression system, as long as she completely blocks off the barn
616 addition with a wall. She proposed holding events larger than the approved barn capacity with a
617 tent but explained that the LCBD is unwilling to allow a tent for overflow. Dave Wardin stated
618 that they likely would not permit the tent for events larger than 99 people until the fire
619 suppression system is installed because it would be very difficult to ensure the barn occupancy
620 would not exceed 99. He provided an example where most guests were in the tent and a large
621 storm rolled in. He explained that more likely than not, the majority of guests would seek shelter
622 in the barn, greatly increasing the risk that the total capacity would be above 99 people.
623 Chairman Meisel added that the bathrooms and catering kitchen are also located in the barn,
624 making it possible that at some time during a large event, there could be more than 99 people in
625 the barn at the same time. He stated that he believes the LCBD would need to be completely
626 convinced that it is possible to control the occupancy of the barn. He gave the example where
627 the barn was at full capacity and someone left the tent to use the restroom. He suggested that one
628 person would need to leave the barn whilst the other person enters. He explained that it would
629 be unrealistic to believe that to be possible during a large wedding or similar event. Dave
630 Wardin noted that the dance floor is also located within the barn, which could also make it very
631 unlikely that occupancy could feasibly be monitored and regulated.

632
633 Valerie Johnson asked the Planning Commission why other venues (in different municipalities)
634 can hold events greater in size than she is permitted without having fire suppression systems
635 installed. Chairman Meisel stated that it is a fair question, however, the Planning Commission
636 has no authority in the matter. He explained that the other agencies with jurisdiction, inclusive
637 of the Fire Department, have the ability to set maximum capacities for commercial venues based
638 on their criteria. He stated that the Planning Commission needs to rely on their expertise and
639 opinions to make decisions that are in accordance with their standards. Valerie Johnson asked if
640 there was any way she could get the opinions of different fire authorities to appeal the maximum

641 occupancy dilemma. Chairman Meisel explained that there are three different fire authorities in
642 Tyrone Township, each having jurisdiction over certain areas of the Township based on physical
643 location. He stated that there is no way to circumvent the fire authority having jurisdiction over
644 the area in which a property is located. He stated that she will need to work with the Fenton
645 Township Fire Department to see if they would be willing to permit an increase beyond the
646 currently stated 150 (with fire suppression installed and approved) to include event workers.
647 Valerie Johnson explained that the Fire Chief and LCBD would not have any issues with having
648 a tent once the fire suppression system is installed so she would like the occasional tent location
649 to remain on the site plan. Chairman Meisel stated that the occasional tent location could remain
650 on the site plan, but she will still need to comply with all agency requirements.

651
652 The Planning Commission and Brian Keesey continued reading through the draft use statement.
653 Chairman Meisel noted that “Tin Roof Weddings”, Diane Johnson’s small ceremony and
654 elopement business has been included in the use statement, which can be categorized under small
655 events. Brian Keesey suggested that the actual name of the business does not necessarily need to
656 be incorporated into the use statement as long as the small events are adequately defined. He
657 stated that the intent of his statement is to cover instances where the venue may be utilized by
658 other businesses or organizations for events and specifying one company could potentially be
659 overly restrictive and lead to unnecessary implications. He noted that regardless of the business,
660 the maximum occupancy and other regulations would still apply.

661
662 Chairman Meisel continued to read through the draft use statement and asked for Brian Keesey
663 and the Planning Commissions’ opinions on the content, indicating which statements are
664 adequate, which ones should be revised to add clarity, and suggesting the removal of
665 unnecessary and obsolete information.

666
667 Brian Keesey inquired about the event contracts for the venue. He asked if the Township has
668 ever reviewed or been asked to sign off on the language included in contracts or liability
669 insurance waivers. Valerie Johnson’s attorney indicated that the operation has a liability
670 insurance policy which holds the Township harmless in the case of personal injury or death
671 during an event. Chairman Meisel stated that the details can be worked out at a later date and the
672 Township may consult with their attorney before Township Board review.

673
674 Chairman Meisel moved on to the statement regarding annual event and attendance reports. He
675 stated that the Planning Commission has received the reports from the past two years. He
676 indicated to the applicant that the logs themselves should be sufficient in the presented format,
677 however, she will still need to ensure the numbers included actually reflect the number of guests
678 in attendance. He warned that if the Fire Department comes out to take a head count of people in
679 the barn, she will be responsible for ensuring the maximum approved capacity is not violated.

680
681 Chairman Meisel moved on to the topic of trash management during and following events. He
682 noted that the original use statement indicated that the refuse generated during events would be
683 stored in an existing garage and transported directly to a refuse collection center (dump/landfill)
684 following the events. He asked the applicant if this was still the method of refuse disposal being
685 used. Valerie Johnson replied, stating that they had initially been taking the refuse to a landfill
686 but has since been utilizing her residential trash pick-up service. Chairman Meisel suggested

687 revising the statement regarding refuse management to reflect the current and future methods for
688 disposal. He suggested including language to indicate that any excess refuse beyond what her
689 collection company is willing to collect would be transported to a landfill or similar refuse
690 collection site. Valerie Johnson stated that her refuse collection company has indicated that they
691 are willing to pick up more than what will fit within the provided receptacles as long as it is
692 bagged and placed near the receptacles. Chairman Meisel suggested that she should be cautious
693 and possibly reconsider leaving multiple trash bags outside of receptacles, not only because it
694 would be unsightly from the road, but because scavenging animals tend to destroy bags
695 containing food waste and scatter the debris. He recommended contacting the refuse collection
696 company to inquire about purchasing more receptacles to contain the waste and deter animals.

697
698 Chairman Meisel continued to lead the Planning Commission and Brian Keesey through the
699 review of the draft use statement. Chairman Meisel inquired about the depth of water at the dock
700 and covered bridge ceremony areas. Valerie Johnson stated that the pond is very shallow, likely
701 about three (3) to five (5) feet in depth near the end of the dock. Chairman Meisel stated that he
702 was asking from a public safety point of view and was just wondering how much of a potential
703 drowning hazard the dock may be. Valerie Johnson stated that she has liability insurance to
704 cover accidents. Dave Wardin stated that he believes (3) to five (5) feet in depth to be a fair
705 estimate based on the aerial photograph. The Planning Commission agreed that the depth of the
706 pond should not pose a significant threat to public health and safety.

707
708 Brian Keesey inquired about the covered bridge structure located on the site. He asked if the
709 height of the structure is specified anywhere on the plans that were submitted. Chairman Meisel
710 suggested walking through the checklist of requirements for the covered bridge structure. He
711 stated that the structure is located within fifty (50) feet of a wetland, however, since it is a bridge
712 structure connected to an internal private road, this requirement can be waived. He asked the
713 applicant if she has confirmed with the Michigan Department of Environmental Quality (DEQ)
714 that no permits will be required from them for the structure due to it's proximity to regulated
715 wetlands. Valerie Johnson stated that the DEQ should not require a permit since the structure is
716 located above an existing land bridge with a drainage culvert connecting the wetland area.
717 Chairman Meisel suggested that she consult with her attorney to verify no DEQ permits are
718 required. Valerie Johnson stated that she had actually contacted the DEQ when she was in the
719 process of purchasing the property regarding the regulated wetland areas in relation to the culvert
720 and bridge. Chairman Meisel stated that he would still suggest getting confirmation, specifically
721 on the covered bridge structure that has been erected since her initial contact with the DEQ.
722 Valerie Johnson stated that the contractor she had hired to install a guardrail along the road
723 frontage (in close proximity to the regulated wetland) did not need to have a DEQ permit to the
724 best of her knowledge. Chairman Meisel stated that he would like to assume that her contractor
725 practiced due diligence and verified that a permit would not be required prior to installing the
726 guardrail.

727
728 Chairman Meisel continued reading through the draft use statement. He moved on to the last
729 section of the use statement, which covers private parties during the off-season. He stated that he
730 doesn't feel there are any major concerns with the proposed private parties, however, he wanted
731 to discuss it to ensure the wording is clear and does not contain language that would be
732 prohibitive in any way. He suggested revising the text to refer to the private parties as occasional

733 small events during the off-season, since the requirements for small events were previously
734 defined. He stated that for events such as garage sales or Tupperware parties there should be no
735 issue, but if there is a chance that an event may be hosted during the off season that could
736 potentially be considered a small event (as opposed to private party) it would be beneficial to
737 include that language in the use statement. Valerie Johnson asked if she would need to get
738 insurance during the off-season if they were to hold small events during that timeframe.
739 Chairman Meisel stated that the Planning Commission could not answer that and it would be
740 something to discuss with her attorney. Valerie Johnson asked if she would be required to hire
741 parking attendants for small events during the off-season. Chairman Meisel asked if she
742 typically employs parking attendants during small events in the regular season. Valerie Johnson
743 replied that she sometimes has parking attendants for small events, depending on the scale and
744 nature of the event. A brief discussion amongst the Planning Commission and Brian Keesey
745 followed. It was the general consensus that it would be difficult, in many cases, to differentiate
746 between small events and private parties. Chairman Meisel suggested to the applicant to think
747 about the wording of the section further, keeping in mind that it would work to her benefit to use
748 language that won't be prohibitive to her operation.

749
750 Chairman Meisel asked if the Planning Commission had any questions or comments regarding
751 the draft use statement. No comments were received. Dave Wardin stated that he had a question
752 regarding the site plan for the special land use. He suggested revising the site plan drawings to
753 clearly depict what structures and features of the site are existing and which are proposed. He
754 noted that there are still notes on the site plan indicating that certain improvements that have
755 already been made have not been made. He also suggested revising the Description of Site Use
756 which is on the cover sheet of the site plan. He stated that the statement is different from the use
757 statement and could lead to confusion. He suggested removing the Description of Site Use and
758 adding a note that references the Use Statement on file with the Township. Chairman Meisel
759 added that it would also be less expensive in the long run since the use statement could be
760 revised and filed with the Township without needing to amend the entire site plan drawing.

761
762 Brian Keesey stated that Valerie Johnson had previously asked him whether or not the entire
763 parking area (beyond the spaces required for an occupancy of 99) would need to be graded and
764 graveled. He stated that he previously indicated that the drive lane would definitely need to be
765 improved, but the parking spaces themselves may possibly be left as unimproved barrier-free
766 parking. He asked the Planning Commission if they felt the need, due to the increased capacity,
767 that the spaces themselves should be improved or if they can exist as they do today. Valerie
768 Johnson stated that her parking situation has been working well as-is and feels that leaving the
769 area as grass would be beneficial for the theme of the venue. Chairman Meisel stated that the
770 most important aspect is ensuring the parking spaces are usable. He stated that there are benefits
771 to having gravel, but on the downside, it can create excessive dust during dry conditions. He
772 asked if the gravel was removed from the drive lane, how would it be delineated. Valerie
773 Johnson stated that the parking attendants manage all of the parking and they have had no prior
774 issues with identifying the drive lane and parking spaces. There was a brief discussion amongst
775 the Planning Commission. The general consensus was that the gravel surface would not be
776 required for the additional spaces and the drive lane could be reverted to grass.

777

778 Chairman Meisel reiterated the suggestion revisions to the site plan and use statement. He
779 reminded the applicant that if she is proposing any additional changes to the special land use or
780 anticipates she will be in the future, she should include them on the site plan and in the use
781 statement so there will be no need to come back before the Planning Commission and Township
782 Board for a major site plan and special land use amendment. He recommended that she think
783 everything through thoroughly so she doesn't get herself into any future compliance issues that
784 could be harmful to her or her business. Valerie Johnson stated that she will be completely done
785 with revisions after this approval and will not be back for formal review in the foreseeable
786 future. Chairman Meisel reiterated what will need to be finished in the short-term for approval,
787 inclusive of revisions to the site plan, revisions to the use statement, communication with the
788 Fire Department, and communication with the LCBD. Valerie Johnson stated that she is having
789 issues communicating with the Fire Chief. Chairman Meisel stated that the Township will
790 contact him to open up communication. He stated that the revised fire suppression system
791 drawings will be necessary before the Fire Chief can make a decision on the maximum barn
792 capacity. Valerie Johnson stated that there are other wedding venues that have capacities greater
793 than what she is permitted, utilizing fire watches in lieu of fire suppression systems. Chairman
794 Meisel suggested that she document these venues, specifically any that are located within
795 Livingston County, so she can present them to the Fire Chief who has jurisdiction over her
796 operation. Valerie Johnson stated that the Fire Chief is terrified that he could be liable if
797 anything were to go wrong while he had firefighters present, so he is unwilling to consider a fire
798 watch as a substitute for the fire suppression system. Chairman Meisel stated that there are a
799 number of factors involved in determining when a fire watch may be suitable in place of a fire
800 suppression system. He stated that the Township would be happy to ask some questions on her
801 behalf to hopefully find some resolution.

802
803 Valerie Johnson inquired about the possibility of receiving land use permits for the currently
804 unapproved structures on the venue site the following morning. Chairman Meisel stated that she
805 is very close but, unfortunately, the Planning Commission may not have enough information to
806 recommend full approval at this time. He stated that the motion has not yet been made, but if it
807 is for a conditional approval, there would be no need for another formal meeting. He continued,
808 stating that the Planning Commission Subcommittee would just need to receive the updated
809 documents as requested and, if found to be acceptable, could make a recommendation to the
810 Township Board. Once the Township Board grants approval, the land use permits may be issued
811 by the Zoning Administrator. Valerie Johnson explained to the Planning Commission that if she
812 doesn't receive approval soon, she may need to cancel weddings. Chairman Meisel explained
813 that without having approval from the Fire Department, they would not be able to recommend
814 approval since they do not have the authority or expertise to do so. Chairman Meisel suggested
815 that Ross Nicholson contact the Fire Chief to determine what else is needed in order for him to
816 render a decision on the maximum barn capacity. Ross Nicholson agreed that he would contact
817 the Fire Chief, explain the situation, and determine what else needs to be done to establish the
818 maximum capacity. Valerie Johnson stated that she is more concerned about becoming
819 compliant with the LCBD. She stated that they have come out to do inspections, noticed minor
820 issues with plans provided, and required her to make changes, costing her time. Chairman
821 Meisel explained that the big issue is that she had been approved for certain structures on the site
822 plan during initial approval. When the LCBD inspected, they noticed that there were a number
823 of structures present on the site that had not received approval and therefore were not present on

824 the site plan. He stated that the purpose of this discussion is to bring her into compliance with all
825 agencies and prevent similar issues from happening in the future.

826
827 Dave Wardin asked what could be done to get the formal process moving as quickly as possible
828 so the applicant can become compliant. The Planning Commission and Brian Keeseey briefly
829 discussed possible options. The most significant issue that was identified is the Fire Chief
830 approval for the total capacity. Brian Keeseey suggested that the total capacity would be tied to
831 the special land use aspect rather than the site plan. Dave Wardin stated that they may have
832 enough information to consider conditional approval of the site plan once the previously
833 discussed changes are made. Chairman Meisel reiterated the suggested changes to the site plan.
834 It was the general consensus that if the changes are made prior to the Planning Commission
835 meeting next Wednesday (03/21/2018), they could potentially consider recommending approval
836 of the site plan so the LCBD can continue inspections and work towards bringing the site into
837 compliance. The Planning Commission and Brian Keeseey briefly discussed how they could go
838 about granting conditional approval for the site plan.

839
840 Dave Wardin made a motion to table the item until next Wednesday (03/21/2018). Cam
841 Gonzalez supported the motion. The motion carried by unanimous voice vote.

842
843 Dave Wardin suggested to the applicant that the annual report should be changed in the use
844 statement to a report every month for the first season of operation. He stated that the condition
845 could be reevaluated after the first season to determine whether or not the report increments can
846 be reduced to annually. Valerie Johnson stated that she will include it in the use statement.

847
848 *The item was closed at 10:35 pm.*

849
850 **NEW BUSINESS # 4 (10:35 pm): Rose Township Draft Master Plan Comments**

851
852 Chairman Meisel summarized the proposed Rose Township Master Plan changes and the
853 previous correspondence with them regarding late notice of the draft. He stated that he did not
854 notice any conflicts with the shared border with Tyrone Township. Kurt Schulze noted that the
855 draft appeared to be well written and noted a few favorable aspects. Chairman Meisel stated that
856 Oakland County also made note of how well presented the draft is. A brief discussion followed.
857 Chairman Meisel asked if there were any additional questions or comments regarding the draft.
858 No additional questions or comments were received.

859
860 Dave Wardin made a motion to relay final Planning Commission correspondence to Rose
861 Township regarding their Master Plan draft. Kurt Schulze supported the motion. The motion
862 carried by unanimous voice vote.

863
864 *The item was closed at 10:39 pm.*

865
866 Any agenda items not addressed at this time were deferred to the next meeting.

867
868 **MISCELLANEOUS BUSINESS: None**

869

- 870 1) Planning and Zoning Administrator's Report: None
- 871 2) Other Business Items: None
- 872 3) Township Board Actions: None
- 873 4) ZBA Report: None
- 874 5) Future Items: N/A
- 875 6) Correspondence: N/A
- 876
- 877
- 878 **ADJOURNMENT: 10:40 pm**