

1 **TYRONE TOWNSHIP PLANNING COMMISSION**
2 **REGULAR MEETING MINUTES**
3 **January 14, 2020 7:00 p.m.**
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6 **PRESENT:** Mark Meisel, Dave Wardin, Kurt Schulze, Rich Erickson, and Perry Green

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8 **ABSENT:** Dan Stickel and Bill Wood
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10 **OTHERS PRESENT:** Tyrone Township Planner Greg Elliott and Tyrone Township Planning &
11 Zoning Administrator Ross Nicholson
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13 **CALL TO ORDER (7:00 pm):** The meeting was called to order by Chairman Mark Meisel.
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15 **PLEDGE OF ALLEGIANCE (7:00 pm):**
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17 **CALL TO THE PUBLIC (7:01 pm):**
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19 No public comments or questions were received.
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21 **APPROVAL OF THE AGENDA (7:03 pm):**
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23 Kurt Schulze made a motion to approve the agenda as presented. Dave Wardin supported the
24 motion. Motion carried by unanimous voice vote.
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26 Dave Wardin made a motion to suspend the order of business placing New Business #1
27 (Livingston County Planning Department Annual Visit – Rob Stanford) in front of all other
28 business items. Kurt Schulze supported the motion. Motion carried by unanimous voice vote.
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30 Dave Wardin indicated that he would like to make a statement on the record pertaining to an
31 agenda item that was discussed at a previous meeting. He stated that he occasionally performs
32 work as a professional engineer for Big Sky Development who was presented as the contracted
33 builder for the proposed Oaks of Tyrone (formerly Sanctuary at Tyrone) site condominium
34 development. He continued, stating that he does not believe there to be a conflict of interest in
35 participating in Planning Commission review of the application because he is not working on the
36 proposed development and there would be no potential financial gain or conflicts otherwise. The
37 Planning Commission agreed there appeared to be no conflict of interest.
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39 **APPROVAL OF THE MINUTES (7:06 pm):**
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41 November 12, 2019 Regular Meeting Minutes:
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43 The November 12, 2019 Regular Meeting Minutes were deferred to a future meeting.
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46 December 10, 2019 Regular Meeting & Public Hearing Minutes:

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48 The minutes were reviewed and minor revisions were made. Chairman Meisel took some time to
49 go into detail to explain the Oaks of Tyrone application with Rob Stanford (Livingston County
50 Planning Department) because the application was about to be forwarded to the Livingston
51 County Planning Commission for review. Dave Wardin made a motion to approve the minutes
52 as amended. Perry Green supported the motion. Motion carried by unanimous voice vote.

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54 September 10, 2019 Regular Meeting Minutes:

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56 The minutes were reviewed and minor revisions were made. Dave Wardin made a motion to
57 approve the minutes as amended. Kurt Schulze supported the motion. Motion carried by
58 unanimous voice vote.

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60 **NEW BUSINESS #1 (8:01 pm): 1) Livingston County Planning Department Annual Visit –**
61 **Rob Stanford:**

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63 Chairman Meisel introduced Rob Stanford of the Livingston County Planning Department and
64 indicated that he would be giving a presentation. Rob Stanford explained that the Livingston
65 County Planning Department (LCPD) sends a representative to each municipality in Livingston
66 County every year to visit and provide updates on the projects the department is working on as
67 well as information on resources and services they provide. He explained that the Livingston
68 County Planning Commission (LCPC) is made up from seven (7) members and they try to do
69 their best to divide representation across the County as equally as possible. He took a moment to
70 thank Chairman Meisel for his regular attendance at LCPC meetings to aid in discussion when
71 Tyrone Township issues are being reviewed. He indicated that it is of great benefit to have
72 representation from local municipalities at the LCPC meetings.

73
74 Rob Stanford continued his presentation. He stated that the LCPD had recently updated their
75 County Master Plan last year (2019). He explained that the LCPD does not have regulatory
76 jurisdiction over local municipalities, so the master plan is more of a “best practice/how to”
77 reference document which is intended to aid local units in writing local ordinances and master
78 plans. He added that the LCPD has performed extensive research and incorporated their findings
79 into the master plan to promote sound planning practices. He stated that the LCPD is always
80 looking for ways to promote and utilize the master plan and encouraged the Planning
81 Commission to review and provide suggestions and feedback. Chairman Meisel stated that he
82 has read through the master plan and found that it is very informative and well-constructed.

83
84 Rob Stanford indicated that he had a few items that he would like to talk about; The Livingston
85 County Trail Plan and upcoming Trail Summit, the upcoming Michigan State University (MSU)
86 Extension Planning Commission Training Workshop, and the LCPD master plan survey. He
87 indicated that the department has been evaluating recreational trails which currently exist and
88 determining the feasibility of connecting the existing systems to create an interconnecting
89 network throughout the County. He stated that the upcoming Trail Summit is intended to
90 generate ideas pertaining to the connection and extension of existing recreational trail systems.
91 He encouraged the Planning Commissioners to attend and/or otherwise participate in the

92 discussion. He informed the Planning Commission that the MSU Extension will be offering a
93 Planning Commission training workshop in the near future and explained that the course is
94 generally very informative and beneficial to those members serving on a planning commission.
95 He then explained that the LCPD is trying to get as much feedback as possible on their latest
96 master plan. He encouraged the Planning Commission to take a few minutes to complete the
97 LCPD master plan survey if they could.

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99 Chairman Meisel thanked Rob Stanford for his time.

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101 *The item was closed at 8:39 pm.*

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103 **OLD BUSINESS #1 (8:40 pm): Proposed Permitted Expansion or Extension of**
104 **Nonconforming Structures Amendments Returned by the Township Board:**

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106 Chairman Meisel opened the discussion. He explained that the Planning Commission had
107 previously recommended adoption of revised text regarding the process for expansion or
108 extension of existing nonconforming structures which clarified that a public hearing through the
109 Zoning Board of Appeals (ZBA) is required to permit any such extension or expansion. He
110 stated that the Township Board had returned the proposed amendment to the Planning
111 Commission for re-review. He briefly explained the intent of the existing zoning ordinance
112 language. He stated that the ZBA would frequently receive applications requesting extension
113 and/or expansion of nonconforming structures and almost habitually approving them. He
114 explained that with applications for extension or expansion of existing nonconforming structures,
115 it was very rare that applicants could successfully fulfill all of the five decision criteria for a
116 variance as prescribed in the Michigan Zoning Enabling Act (MZEA), specifically unreasonable
117 burden and extraordinary circumstances. He continued, stating that the ZBA concluded that it
118 would be in the best interest of the Township if they were to establish separate criteria for
119 granting variances pertaining to the expansion or extension of existing nonconforming structures.
120 He explained that the ZBA Chairman at the time was adamant that the granting of such variances
121 would remain at the ZBA level. He stated that the Township Board is requesting that the
122 Planning Commission look into the review and approval process for expansion or extension of
123 nonconforming structure applications to lesson the burden on applicants, both temporal and
124 monetary. He indicated that he had recently discussed the issue with the current ZBA members
125 and found that the consensus was still that such authority should be retained by the ZBA.

126
127 Chairman Meisel asked the Planning Commission if they had any thoughts or concerns to add.
128 Perry Green stated that he does not know enough to speak to the monetary aspect of the review
129 process. Chairman Meisel indicated that the Planning Commission is not necessarily concerned
130 with the cost of an application but more so in determining the most appropriate venue for such
131 applications to be reviewed. The Planning Commission briefly discussed. The general
132 consensus amongst the Planning Commission was that the authority to review and approve
133 applications for expansion or extension of nonconforming structures should remain with the
134 ZBA. Planner Greg Elliott said that in his experience such decisions are not done
135 administratively and typically reside with the ZBA.

136

137 Dave Wardin made a motion to resubmit the proposed amended Zoning Ordinance language
138 back to the Township Board as written with a more detailed explanation as to why they feel that
139 the authority to grant permission for the extension or expansion of nonconforming structures
140 should be retained by the ZBA. Rich Erickson supported the motion. Motion carried by
141 unanimous voice vote.

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143 *The item was closed at 9:19 pm.*

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145 **OLD BUSINESS #3 (9:19 pm): Proposed Stables and Animals Amendments Returned by**
146 **the Township Board:**

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148 Chairman Meisel explained that the previously recommended amended zoning ordinance
149 language pertaining to stables and animal regulations was reviewed by the Township Board and
150 sent back for revisions. Kurt Schulze provided information from his notes on the items the
151 Township Board had recommended revisiting. The Planning Commission discussed some of the
152 proposed revisions. It was determined that the Township Board should provide more specific
153 and more detailed notes on what they would like changed since the information was not broken
154 down in the Township Board meeting minutes when the topic was reviewed. Chairman Meisel
155 suggested scheduling a meeting between the Planning Commission Subcommittee and at least
156 some of the Board members to make sure that everyone is clear on all suggested revisions and or
157 request that more detailed/complete notes are provided. It was determined that it would be
158 unproductive to continue discussion on the topic until additional information becomes available.

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160 *The item was closed at 9:47 pm.*

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162 **OLD BUSINESS #2 (9:48 pm): Proposed Sign Regulation Amendments Returned by the**
163 **Township Board:**

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165 The item was tabled

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167 *The item was closed at 9:49 pm.*

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169 **MISCELLANEOUS BUSINESS #1 (9:49 pm): Next Workshop Meeting:**

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171 A workshop meeting was scheduled for January 22, 2020, beginning at 6:00 pm.

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173 *The meeting was adjourned at 9:54 pm.*