

1 **TYRONE TOWNSHIP PLANNING COMMISSION**
2 **REGULAR MEETING MINUTES**
3 **May 12, 2020 7:00 p.m.**
4 **Meeting Held Via Zoom Video Conferencing**
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7 **PRESENT:** Mark Meisel, Dave Wardin, Kurt Schulze, Rich Erickson, Perry Green, and Dan
8 Stickel.

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10 **ABSENT:** Bill Wood.

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12 **OTHERS PRESENT:** Tyrone Township Planner Greg Elliott and Tyrone Township Planning &
13 Zoning Administrator Ross Nicholson

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15 **CALL TO ORDER (7:00 pm):** The meeting was called to order by Chairman Mark Meisel.

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17 **PLEDGE OF ALLEGIANCE (7:00 pm):**

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19 **CALL TO THE PUBLIC (7:02 pm):**

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21 No public comments or questions were received.

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23 **APPROVAL OF THE AGENDA (7:03 pm):**

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25 Chairman Meisel suggested removing the approval of the meeting minutes from 02/11/2020 and
26 04/14/2020 because they are not yet available.

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28 Kurt Schulze made a motion to approve the agenda as amended. Dave Wardin supported the
29 motion. Motion carried by unanimous voice vote.

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31 **APPROVAL OF THE MINUTES (7:03 pm):**

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33 February 11, 2020 Regular Meeting Minutes:

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35 The item was deferred.

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37 April 14, 2020 Regular Meeting Minutes:

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39 The item was deferred.

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41 *Chairman Meisel noted that he saw that several members of the public had joined the meeting.*
42 *He explained that there have been some technical issues with the publishing of the meeting*
43 *agendas remotely, however, most of the issues appear to have been resolved. He continued,*
44 *stating that there is nothing being formally approved at the meeting. He stated that he is*
45 *attempting to record the meeting so that it may be reviewed at a later date by any interested*

46 *parties upon request (in case there were any issues with agenda publication). He stated that if*
47 *the meeting ends prematurely, an email link to a new meeting will be sent out to everyone.*
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49 **OLD BUSINESS #1 (7:05 pm): Open Space Regulations Review and Consolidation:**

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51 Chairman Meisel introduced the topic and provided a summary of where the Planning
52 Commission had left off in review of the existing open space regulations in the Zoning
53 Ordinance. He brought up a document including open space regulations from Article 21 of the
54 Zoning Ordinance on the computer. He stated that there had been previous discussion on
55 yard setback exceptions which was intended to clarify that required open space is not intended to
56 be designated on all lots/units in a subdivision/site condominium, but the exception is specific to
57 one or several lots/units within a development. He stated that further clarification is needed for
58 situations where open space is required as part of Cluster Development Option (CDO)
59 applications. He stated that additional clarification on Planned Unit Development (PUD) open
60 space requirements are also necessary.

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62 Chairman Meisel worked through the Zoning Ordinance open space requirements with the
63 Planning Commission. Discussion amongst the Planning Commission followed. Kurt Schulze
64 asked where they were at with maintenance of open space areas in terms of dead and/or diseased
65 vegetation. He stated that he believes in situations where vegetation is diseased, there should be
66 provisions for removal to control potential spread. He also stated that there may be situations
67 where dead vegetation and trees may become hazardous to health and safety. Greg Elliott stated
68 that the Michigan Department of Environment, Great Lakes, and Energy (EGLE) would likely be
69 in favor of removing diseased vegetation but opposed to the removal of dead (non-diseased)
70 vegetation since it is part of the natural ecosystem. Chairman Meisel stated that the original
71 language provided for removal of vegetation under certain circumstances. He continued, stating
72 that the proposed revision would provide for the removal or prohibit removal depending on the
73 circumstances. He stated that if someone wished to remove vegetation from a regulated wetland
74 within an open space, consent from EGLE would likely be required. Kurt Schulze asked for
75 clarification on removal of vegetation from open space areas where regulated wetlands are not
76 present. Chairman Meisel indicated that the proposed language would allow for those situations
77 to be addressed in open space maintenance agreements. The open space maintenance
78 agreements would be created between applicants, the Planning Commission, and other agencies
79 having jurisdiction, when applicable. Perry Green asked if the open space maintenance
80 agreement requirements being discussed would apply only to properties within developments
81 where open space is required or if it would also apply to individual parcels not located within
82 developments. Chairman Meisel indicated that they would apply primarily to developments
83 since open space is no longer required for individual residential parcels not located within a
84 development. He stated that it is possible that open space could be included on other properties,
85 but it is not likely. Discussion continued.

86
87 The Planning Commission discussed proposed revisions to the existing Zoning Ordinance
88 requirements pertaining to maintenance and removal of vegetation in open space areas. The
89 Planning Commission discussed adding clarification to Zoning Ordinance text regarding
90 amendments to open space areas within developments where open space is required, such as

91 CDO and the Opens Space Preservation (OSP) option. The Planning Commission briefly
92 discussed enforcement mechanisms for open space violations.

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94 Chairman Meisel brought up additional open space requirements from the Zoning Ordinance on
95 the computer and read through them with the Planning Commission to identify any other areas
96 which could benefit from revisions for clarification. The Planning Commission discussed.
97 Discussion on CDO open space design requirements followed. The draft text document was
98 revised to add clarification to existing open space requirements as well as the intent of the open
99 space design requirements.

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101 Chairman Meisel read through the text documents and summarized the latest proposed revisions
102 to the Zoning Ordinance open space requirements. The Planning Commission discussed CDO
103 open space requirements further.

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105 Chairman Meisel read through the proposed text that had been discussed so far. Discussion
106 amongst the Planning Commission followed. The Planning Commission briefly discussed
107 Conditional Rezoning application requirements. The Planning Commission discussed site plan
108 review standards from Article 23 of the Zoning Ordinance.

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110 Chairman Meisel asked if there were any questions or comments. None were received. He
111 suggested revisiting the topic at a future meeting.

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113 *The item was closed at 9:17 pm.*

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115 **OLD BUSINESS #3 (9:17 pm): Pool Covers:**

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117 Chairman Meisel brought up documents on the computer pertaining to requirements for Pool
118 Covers. He referenced communications with the Livingston County Building Department
119 (LCBD) regarding pool enclosure regulations. He summarized the communication, which
120 explained that the state of Michigan building code now permits the use of ASTM-compliant pool
121 covers in place of perimeter fencing for pools. He continued, stating that ASTM-compliant pool
122 covers have specified life expectancy ratings. He asked the LCBD how their pool permitting
123 process works in the communication as well as whether or not there is any follow-up inspection
124 requirements for pool covers after they reach the end of their rated life expectancy. He explained
125 that the LCBD does not require any follow-up inspections after the initial approval but they
126 stated the local municipality could require and administrate them.

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128 Chairman Meisel suggested that the Planning Commission should discuss whether or not the
129 Township should be responsible for requiring follow-up inspections for pools that utilize ASTM-
130 compliant pool covers in lieu of perimeter fencing. He brought up some suggestions for
131 proposed amendments to the Zoning ordinance requirements for pools. The Planning
132 Commission briefly discussed pool cover weight load ratings, life expectancies, and potential
133 liability. Chairman Meisel suggested that the Planning Commission review the proposed text to
134 be discussed further at a later date.

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136 *The item was closed at 9:40 pm*

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OLD BUSINESS #2 (9:40 pm): Signs:

Chairman Meisel asked Greg Elliott if he has had a chance to review and make minor adjustments to the proposed sign requirements amendments that had previously been sent to the Township Board. He stated that the previous draft document had some formatting and continuity issues which should be corrected to prevent confusion. Greg Elliott stated that he has not yet made any changes to the document. Chairman Meisel suggested revisiting the topic at a later date.

The item was closed at 9:47 pm

MISCELLANEOUS BUSINESS #1 (9:47 pm): Next Workshop Meeting:

Chairman Meisel stated that the Township Board had suggested that the Planning Commission discuss the Betley sight line determination request at the next available meeting. He confirmed with the Planning Commission that they would discuss the topic at the next meeting assuming that a quorum is present. He confirmed that a quorum would be present at the meeting if scheduled for May 20, 2020, beginning at 6:00 pm. The meeting was scheduled.

Molly Betley asked for the status of the February 11 and April 14, 2020 meeting minutes. Chairman Meisel suggested that she would need to confirm with Ross Nicholson. She asked if the minutes should have been completed by this time. Chairman Meisel indicated that it was anticipated that they would have been completed. Molly Betley asked Ross Nicholson why there is a delay. Ross Nicholson apologized for the delay and explained that the Planning and Zoning Department has been understaffed and experiencing a high volume of applications and inquiries as a result of the COVID-19 executive orders which has led to a delay in the completion of the meeting minute drafts. She asked when a video recording of the February 11, 2020 meeting will be made available to the public. Ross Nicholson stated that he is unaware of the status of the recording and was uncertain whether or not it would be made available to the public. Molly Betley stated that she was under the impression that the meeting was going to be recorded. Ross Nicholson stated that the plan was to record the meeting to test the new video equipment at the Township Hall, however, he is uncertain whether or not the recording was successful.

The meeting was adjourned at 9:58 pm.