

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING AGENDA
MARCH 3, 2020 - 7:00 P.M.
(810) 629-8631**

CALL TO ORDER – PLEDGE OF ALLEGIANCE – 7:00 P.M.

ROLL CALL

PUBLIC HEARING

The purpose of the public hearing is to review the proposed 2020-2021 Fiscal Year Township Budget. The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.

APPROVAL OF AGENDA – OR CHANGES

APPROVAL OF CONSENT AGENDA

Regular Board Meeting Minutes – February 18, 2020
Special Board Meeting Minutes – February 20, 2020
Clerk’s Warrants and Bills

COMMUNICATIONS

1. Fire Service Report

PUBLIC REMARKS

UNFINISHED BUSINESS

NEW BUSINESS

1. Request of David Dunville to appeal a fire service charge.
2. Oaks of Tyrone (Formerly Sanctuary at Tyrone) conditional rezoning application.
3. Headlee Operating Tax Millage Rate Resolution.
4. Resolution to adopt the 2020-2021 budget by department totals.
5. Request to opt in or out of Senate Bill #7 health insurance provision for the 2020-2021 fiscal year.
6. Resolution to establish the 2020-2021 Supervisor’s salary.
7. Resolution to establish the 2020-2021 Clerk’s salary.
8. Resolution to establish the 2020-2021 Treasurer’s salary.
9. Resolution to establish the 2020-2021 Trustees’ salary.
10. General Appropriation Measure Resolution.
11. Request to write off uncollectible fire service accounts.
12. Closed session to discuss confidential attorney client letter.

MISCELLANEOUS BUSINESS

PUBLIC REMARKS

ADJOURNMENT

Supervisor Mike Cunningham Clerk Marcella Husted

Please note: The Public Remarks section appears twice on the agenda - once after Communications and once before Adjournment. Anyone wishing to address the Township Board may do so at these times. The Tyrone Township Board of Trustees has established a policy limiting the time a person may address the Township Board at a regular or at a special meeting during the Public Remarks section of the agenda to three minutes. The Board reserves the right to place an issue under the New Business section of the agenda if additional discussion is warranted or to respond later either verbally or in writing through an appropriately appointed Township Official. - Individuals with disabilities requiring auxiliary aids or services should contact the Tyrone Township Clerk at (810) 629-8631 at least seven days prior to the meeting.

CONSENT AGENDA

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – FEBRUARY 18, 2020**

CALL TO ORDER

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on February 18, 2020 at 7:00 p.m. at the Tyrone Township Hall.

ROLL CALL

Present: Supervisor Mike Cunningham, Treasurer Jennifer Eden, Clerk Marcella Husted, Trustees Kurt Schulze, Chuck Schultz and Soren Pedersen. Absent: Trustee David Walker.

APPROVAL OF AGENDA – OR CHANGES

Trustee Schultz moved to approve the agenda as presented. (Trustee Pedersen seconded.) The motion carried; all ayes.

APPROVAL OF CONSENT AGENDA

**Regular Board Meeting Minutes – January 21, 2020
Treasurer’s Report
Clerk’s Warrants and Bills**

Trustee Schulze moved to approve the consent agenda as presented. (Trustee Schultz seconded.) The motion carried; all ayes.

COMMUNICATIONS

- 1. Planning Commission Meeting Synopsis, February 11, 2020**
- 2. Planning Commission Approved Meeting Minutes, November 12, 2019**
- 3. Fire Run Billing Report, February 13, 2020**

Trustee Schultz moved to receive and place on file Communications #1-3 as presented. (Trustee Schulze seconded.) The motion carried; all ayes.

PUBLIC REMARKS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- 1. Sale of Center Road township hall property.**

RESOLUTION #200201
TYRONE TOWNSHIP, LIVINGSTON COUNTY

TO ACCEPT THE PURCHASE OFFER FOR CENTER ROAD PROPERTY

Trustee Schulze resolved to accept the offer of \$325,000 from Send the Light LLC to purchase the 10408 Center Road property. (Trustee Schultz seconded).

VOTE: Schultz, yes; Schulze, yes; Cunningham, yes; Eden, yes; Husted, yes; Pedersen, yes; Walker, absent.

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – FEBRUARY 18, 2020 – PAGE 2**

ADOPTION DATE: February 18, 2020

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on February 18, 2020, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Township Clerk

2. Resolution to establish guidelines for granting poverty exemptions from property taxes.

RESOLUTION #200202
TYRONE TOWNSHIP, LIVINGSTON COUNTY

ESTABLISHING GUIDELINES FOR GRANTING OF
POVERTY EXEMPTIONS FROM PROPERTY TAXES

WHERE AS, the adoption of guidelines for poverty exemptions is required of the Township Board; and

WHERE AS, the principle residence of persons, who the Supervisor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHERE AS, pursuant to P.A. 390 of 1994, the Township of Tyrone, Livingston County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

THEREFORE, BE IT RESOLVED THAT to be eligible, a person shall do all of the following on an annual basis:

1. Be an owner of and occupy as a principle residence the property for which an exemption is requested.

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – FEBRUARY 18, 2020 – PAGE 3**

2. Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services shown in Attachment A.
3. File a claim with the Supervisor/Assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, Poverty Exemption Affidavit.
4. File a claim reporting that the combined assets of all persons do not exceed the current guidelines shown in Attachment B. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
5. Produce a valid driver's license or other form of identification if requested.
6. Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
7. The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

BE IT FURTHER RESOLVED THAT that the Supervisor/Assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

ATTACHMENT A

POVERTY LEVEL GUIDELINE FOR 2020 TAX YEAR	
Size of Family Unit	Household Income
1	\$12,490
2	\$16,910
3	\$21,330
4	\$25,750
5	\$30,170
6	\$34,590
7	\$39,010
8	\$43,430
For each additional person	\$4,420

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – FEBRUARY 18, 2020 – PAGE 4**

ATTACHMENT B

Asset Test

The Township of Tyrone's cumulative value of assets allowed for a Poverty Exemption shall be \$10,000. The purpose of an asset test is to determine the resources available: cash, fixed assets or other property that could be converted to cash and used to pay property taxes in the year the poverty exemption is filed. A list of "assets" includes, but is not limited to:

- A second home, land, vehicles.
- Recreational vehicles such as campers, motor-homes, boats, and ATV's.
- Buildings other than the residence.
- Jewelry, antiques, artwork.
- Equipment, other personal property of value.
- Bank accounts, stocks.
- Money received from the sale of property, such as stocks, bonds, a house or car (unless a person is in the specific business of selling such property).
- Withdrawals from bank deposits and borrowed money (including reverse mortgage's).
- Gifts, loans, lump-sum inheritances and one-time insurance payments.
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps, and school lunches.

“Assets” do not include the value of the principal residence and do not include the homestead property tax credit as it is not to be considered income for poverty exemptions purposes. Assets exempt from consideration are the homesteaded property with furnishings and one motor vehicle. That motor vehicle shall be valued no greater than \$10,000.

RESOLVED BY: Trustee Schulze
SUPPORTED BY: Trustee Schultz

VOTE: Pedersen, yes; Husted, yes; Eden, yes; Schulze, yes; Schultz, yes; Cunningham, yes; Walker, absent.

ADOPTION DATE: February 18, 2020

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on February 18, 2020, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given,

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – FEBRUARY 18, 2020 – PAGE 5**

pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Township Clerk

3. Amendment to the Emergency Cost Recovery Ordinance #24.

TYRONE TOWNSHIP ORDINANCE NO. 24
EMERGENCY RESPONSE COST RECOVERY

RESOLUTION #200203

(The section below was added to "Section 3-Liability for emergency response.")

- (f) Non-applicability of No Fault Act. This article provides authority to the township to collect "cost recovery charges" for fire and emergency services provided by the township, and within the township, to a responsible person(s). No claim under this Article is for, or relates to, property damage(s). Michigan's No Fault Act, as amended, MCL 500.3101 et seq., does not apply to, conflict with, or preempt this article.

RESOLVED BY: Trustee Schultz
SUPPORTED BY: Treasurer Eden

VOTE: Cunningham, yes; Husted, yes; Eden, yes; Schulze, yes; Pedersen, yes; Schultz, yes; Walker, absent.

ADOPTION DATE: February 18, 2020

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on February 18, 2020, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – FEBRUARY 18, 2020 – PAGE 6**

Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Tyrone Township Clerk

4. Contract with Dougie’s Disposal for waste collection in Laurel Springs.

Trustee Schultz moved to accept the three-year contract with Dougie’s Disposal for waste collection in the Laurel Springs subdivision special assessment district. (Treasurer Eden seconded.) The motion carried; all ayes.

5. Contract with Republic Services for waste collection in Jayne Hill Subdivision.

Trustee Schulze moved to accept the four-year contract with Republic Services for waste collection in the Jayne Hill subdivision special assessment district. (Trustee Pedersen seconded.) The motion carried; all ayes.

6. Contract with Republic Services for waste collection in Shannon Glen subdivision.

Trustee Schultz moved to accept the five-year contract with Republic Services for waste collection in the Shannon Glen subdivision special assessment district. (Trustee Schulze seconded.) The motion carried; all ayes.

7. Cemetery and lawn maintenance contract with Murph’s Turf.

Treasurer Eden moved to accept the three-year contract with Murph’s Turf for cemetery and lawn maintenance for the township hall property and three cemeteries. (Trustee Schultz seconded.) The motion carried; all ayes.

8. Hartland Senior Center request for funds.

Trustee Schultz moved to contribute the allocated amount of \$4,400 to the Hartland Senior Center. (Treasurer Eden seconded.) The motion carried; all ayes.

9. Board of Review appointment.

Trustee Schultz moved to accept the Supervisor’s appointment of Don LoVasco to the Board of Review to fill the vacant term. (Trustee Schulze seconded.) The motion carried; all ayes. The term expires 12/31/2020.

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – FEBRUARY 18, 2020 – PAGE 7**

10. Budget review.

The Board reviewed the preliminary budget for the 2020-2021 fiscal year. No motion was made.

MISCELLANEOUS BUSINESS

None.

PUBLIC REMARKS

Joan Runyan asked if the historic township hall would continue to be heated and insured. Supervisor Cunningham said it would and the township will still be responsible for those costs.

Larry Laubrick asked for a status of the Apple Orchard Drain. Supervisor Cunningham said the drain commission is still in the process of acquiring easements. Mr. Laubrick also said he is not in favor of sight line requirements. The Supervisor said sight lines will be discussed at the next joint meeting of the Board and Planning Commission

ADJOURNMENT

Trustee Pedersen moved to adjourn. (Trustee Schulze seconded.) The motion carried; all ayes. The meeting adjourned at 7:50 p.m.

**TYRONE TOWNSHIP
SPECIAL BOARD MEETING
APPROVED MINUTES – FEBRUARY 20, 2020**

CALL TO ORDER

Supervisor Cunningham called the special meeting of the Tyrone Township Board to order with the Pledge of Allegiance on February 20, 2020 at 3:00 p.m. at the Tyrone Township Hall. The purpose of the special meeting was to correct the previous resolution to accept the purchase offer for the Center Road property.

ROLL CALL

Present: Supervisor Mike Cunningham, Treasurer Jennifer Eden, Clerk Marcella Husted, Trustees Kurt Schulze and Soren Pedersen. Absent: Trustees Dave Walker and Chuck Schultz.

APPROVAL OF AGENDA – OR CHANGES

Trustee Schulze moved to approve the agenda as amended. (Trustee Pedersen seconded.) The motion carried; all ayes.

Added New Business #1 Discussion of Clerk's salary for 2020 election year.

UNFINISHED BUSINESS

- 1. Correction of the error in price of the real estate transaction of Resolution #200201.**

RESOLUTION #200204
TYRONE TOWNSHIP, LIVINGSTON COUNTY

TO CORRECT RESOLUTION #200201 ACCEPTING THE PURCHASE
OFFER FOR CENTER ROAD PROPERTY

Supervisor Cunningham resolved to correct the error in price of the real estate transaction of Resolution #200201; the correct purchase offer is \$305,000 from Send the Light LLC to purchase the 10408 Center Road property. (Trustee Schulze seconded.)

VOTE: Schulze, yes; Cunningham, yes; Eden, yes; Pedersen, yes; Husted, yes; Schultz, absent; Walker, absent.

ADOPTION DATE: February 20, 2020

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on February 20, 2020, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given,

**TYRONE TOWNSHIP
SPECIAL BOARD MEETING
APPROVED MINUTES – FEBRUARY 20, 2020 – PAGE 2**

pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Township Clerk

NEW BUSINESS

1. Discussion of Clerk's salary for 2020 election year.

**RESOLUTION #200205
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

**TO COMPENSATE THE CLERK FOR ADDITIONAL HOURS
DURING ELECTION YEAR 2020**

Elections require significant more work hours, over time, and very long election days. There will be four elections in 2020 and Clerk Husted asked if she could be compensated for the many additional hours. The board agreed to pay the Clerk an hourly rate for additional hours during the election year of 2020; based on her yearly salary and 32 hours of work. The calculation is as follows:

Annual Salary/52 weeks/32 hours a week = Hourly rate

*Example: Annual Salary \$44,290.00/52 = \$851.73 average weekly salary/32 hours a week
= \$26.62 per hour*

RESOLVED BY: Supervisor Cunningham

SUPPORTED BY: Trustee Schulze

VOTE: Pedersen, yes; Cunningham, yes; Eden, no; Schulze, yes; Husted, abstain, Walker, absent, Schultz, absent.

ADOPTION DATE: February 20, 2020

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on February 20, 2020, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of

**TYRONE TOWNSHIP
SPECIAL BOARD MEETING
APPROVED MINUTES – FEBRUARY 20, 2020 – PAGE 3**

Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Township Clerk

ADJOURNMENT

Trustee Pedersen moved to adjourn. (Treasurer Eden seconded.) The motion carried; all ayes. The meeting adjourned at 3:10 p.m.

DRAFT

Check Date	Bank	Check	Vendor Name	Description	Amount
Bank 001 STATE BANK COMMON ACCOUNT					
02/19/2020	001	22234	BS&A SOFTWARE, INC.	ANNUAL MAINTENANCE DELINQUENT TAX & SPEC	684.00
02/19/2020	001	22235	CHARTER COMMUNICATIONS	TWP HALL INTERNET FEB 2020	114.98
02/19/2020	001	22236	MCKENNA ASSOCIATES, INC.	TWP PLANNER SERVICES JAN 2020	553.00
02/19/2020	001	22237	PITNEY BOWES GLOBAL	POSTAGE METER 12.10.19 TO 3.09.2020	172.65
02/19/2020	001	22238	SHOEMAKER SERVICES INC	PARKIN LN SNOW 1.14.20 TO 1.27.20	1,109.00
02/19/2020	001	22239	SHOEMAKER SERVICES INC	GREAT OAKS SNOW 1.18.20 TO 1.19.20	225.00
02/19/2020	001	22240	SHOEMAKER SERVICES INC	TWP HALL SNOW/SALT	40.00
02/19/2020	001	22241	SHOEMAKER SERVICES INC	TWP HALL SNOW SALT 2.6.20 TO 2.14.20	1,110.00
02/19/2020	001	22242	SORENSEN GROSS COMPANY	NEW HALL PAY APPLICATION #3	42,709.17
02/26/2020	001	22243	CONSUMERS ENERGY	CENTER RD ELECTRIC 1.22.20 TO 2.19.20	192.56
02/26/2020	001	22244	MANCINO'S	ELECTION DAY FOOD	391.80
02/26/2020	001	22245	PRINTING SYSTEMS, INC.	ELECTION MASTER CARDS & ID CARDS	321.56
				ELECTION MASTER CARDS, CANCEL NOTICES	105.69
				ELECTION CHANGE ADDRESS FORMS, POLL BOOK	48.00
				ELECTION BALLOT SLEEVES PRES PRIMARY	363.90
				ELECTION BALLOT RETURN ENVELOPES	463.45
				ELECTION AV OUTER ENVELOPES	464.88
				ELECTION AV BALLOT SECRECY, BALLOT INSTR	346.25
					<u>2,113.73</u>
02/26/2020	001	22246	RDS MULTIMEDIA LLC	VIDEO SYSTEM INSTALLATION	900.00
02/26/2020	001	22247	SHRED-IT USA	SHREDDING SERVICES	63.70
02/26/2020	001	22248	TAMARA DICKINSON	HALL RENTAL REFUND	75.00
02/26/2020	001	22249	TYRONE TOWNSHIP	REIMBURSE FOR LEGAL FEES	356.40
02/26/2020	001	22250	VOYA INSTITUTIONAL TRUST COMPANY	FEB. 2020 EMPLOYEE CONTRIBUTIONS	1,294.00
					<u><u>1,294.00</u></u>
001 TOTALS:					
Total of 17 Checks:					52,104.99
Less 0 Void Checks:					0.00
Total of 17 Disbursements:					<u>52,104.99</u>
Bank 022 STATE BANK - PUBLIC SAFETY checking					
02/26/2020	022	1180	HARTLAND AREA FIRE DEPARTMENT	4 FIRE RUNS JAN. 16-31	5,676.00
					<u><u>5,676.00</u></u>
022 TOTALS:					
Total of 1 Checks:					5,676.00
Less 0 Void Checks:					0.00
Total of 1 Disbursements:					<u>5,676.00</u>
Bank 101 FLAGSTAR-SEWER DEBT-CKG					
02/26/2020	101	1179	LIVINGSTON COUNTY TREASURER	LAKE TYRONE IMPROVEMENT PRINC & INTEREST	48,779.35
					<u><u>48,779.35</u></u>
101 TOTALS:					
Total of 1 Checks:					48,779.35
Less 0 Void Checks:					0.00
Total of 1 Disbursements:					<u>48,779.35</u>
Bank 108 TAX FUND FLAGSTAR					

Check Date	Bank	Check	Vendor Name	Description	Amount
02/19/2020	108	2741	CROMAINE LIBRARY	WINTER 2019 TAX DISBURSE 2.1.20 TO 2.15.	23,585.98
02/19/2020	108	2742	FENTON SCHOOLS	SUMMER 2019 TAX DISBURSE 2.1.20 TO 2.15.	253.77
02/19/2020	108	2743	FENTON SCHOOLS	WINTER 2019 TAX DISBURSE 2.1.20 TO 2.15.	222,164.66
02/19/2020	108	2744	GISD	SUMMER 2019 TAX DISBURSE 2.1.20 TO 2.15.	125.03
02/19/2020	108	2745	GISD	WINTER 2019 TAX DISBURSE 2.1.20 TO 2.15.	58,321.87
02/19/2020	108	2746	HARTLAND CONSOLIDATED SCHOOLS	SUMMER 2019 TAX DISBURSE 2.1.20 TO 2.15.	1,399.90
02/19/2020	108	2747	HARTLAND CONSOLIDATED SCHOOLS	WINTER 2019 TAX DISBURSE 2.1.20 TO 2.15.	135,806.02
02/19/2020	108	2748	LESA	SUMMER 2019 TAX DISBURSE 2.1.20 TO 2.15.	256.86
02/19/2020	108	2749	LINDEN COMMUNITY SCHOOLS	SUMMER 2019 TAX DISBURSE 2.1.20 TO 2.15.	96.63
02/19/2020	108	2750	LINDEN COMMUNITY SCHOOLS	WINTER 2019 TAX DISBURSE 2.1.20 TO 2.15.	16,287.60
02/19/2020	108	2751	LIVINGSTON COUNTY TREASURER	SUMMER 2019 TAX DISBURSE 2.1.20 TO 2.15.	5,427.79
02/19/2020	108	2752	LIVINGSTON COUNTY TREASURER	WINTER 2019 TAX DISBURSE 2.1.20 TO 2.15.	33,743.16
02/19/2020	108	2753	MOTT COMMUNITY COLLEGE	WINTER 2019 TAX DISBURSE 2.1.20 TO 2.15.	107,883.39

108 TOTALS:

Total of 13 Checks:

605,352.66

Less 0 Void Checks:

0.00

Total of 13 Disbursements:

605,352.66

REPORT TOTALS:

Total of 32 Checks:

711,913.00

Less 0 Void Checks:

0.00

Total of 32 Disbursements:

711,913.00

PUBLIC HEARING #1



TYRONE TOWNSHIP

2020-2021 Budget
Public Hearing
March 3, 2020

2019-2020 Events

- There are 4 scheduled elections for 2020
- Al Pool resigned Township Board
- Appointed Kurt Schulze to fill vacancy
- Kim Veenstra resigned Planning Commission
- Appointed Dan Stickle to fill vacancy
- John Chad resigned from Board of Review
- Appointed Don Lovasco to fill vacancy

2019-2020 Events

- Slight increase in revenue sharing
- Repaved 1.7 miles of Denton Hill Rd north of White Lake Rd to Fenton city line
- Added gravel and ditching on Linden Road from north of Parkwood to Dean Rd
- Added gravel and ditching on Hogan Road west of Linden Rd
- Continued Right of Way Tree Cutting Program
- Cider Mill Crossing growth continues

2019-2020 Events



- Tyrone Woods submitted plans for final phase
- Simplified land division process
- Continued to work on ordinances to improve quality
- Purchased new township hall
- “Paid cash” no increase to millage or special assessment
- Sold old township hall
- 18 month option to relocate old historic township hall

2019-2020 Events

- Updated 20 year sewer plan - 2019-2020 will see a decrease in loan to general fund
- Budget surplus 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019
- Estimated budget surplus 2019-2020 \$85,000
- Budget Surplus is allocated to road fund, building fund and revolving fund





Budget Process

- Estimate revenue
 - Review township services
 - Determine need of service
 - Estimate expenses for service
 - Develop an expense budget within income
 - Review YTD budget vs. actual expense
- 
- 



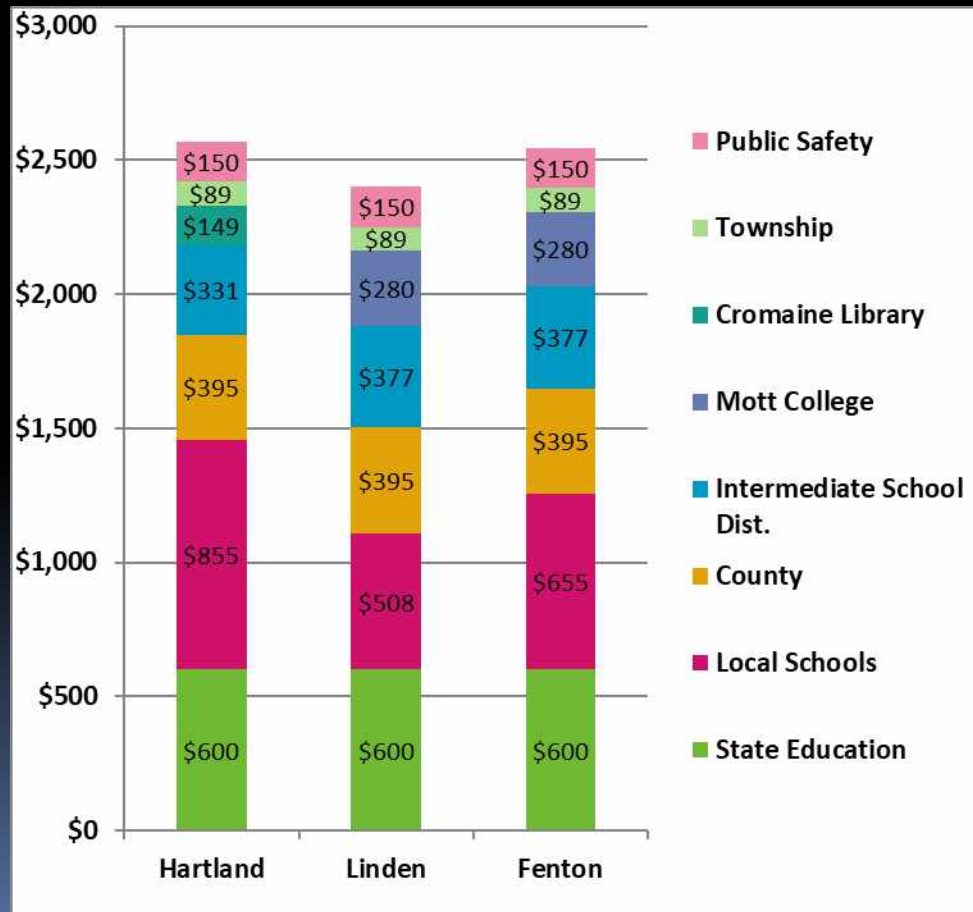
Challenges

- Revenue sharing uncertain for next year
 - Track with the 20 year sewer bond repayment plan
 - Continue to review all services & expenses
 - Orchard Park inter-county drain
 - Future Needs
 - Roads (LCRC and state funding) new bonds will affect PA 51 future funding
- 
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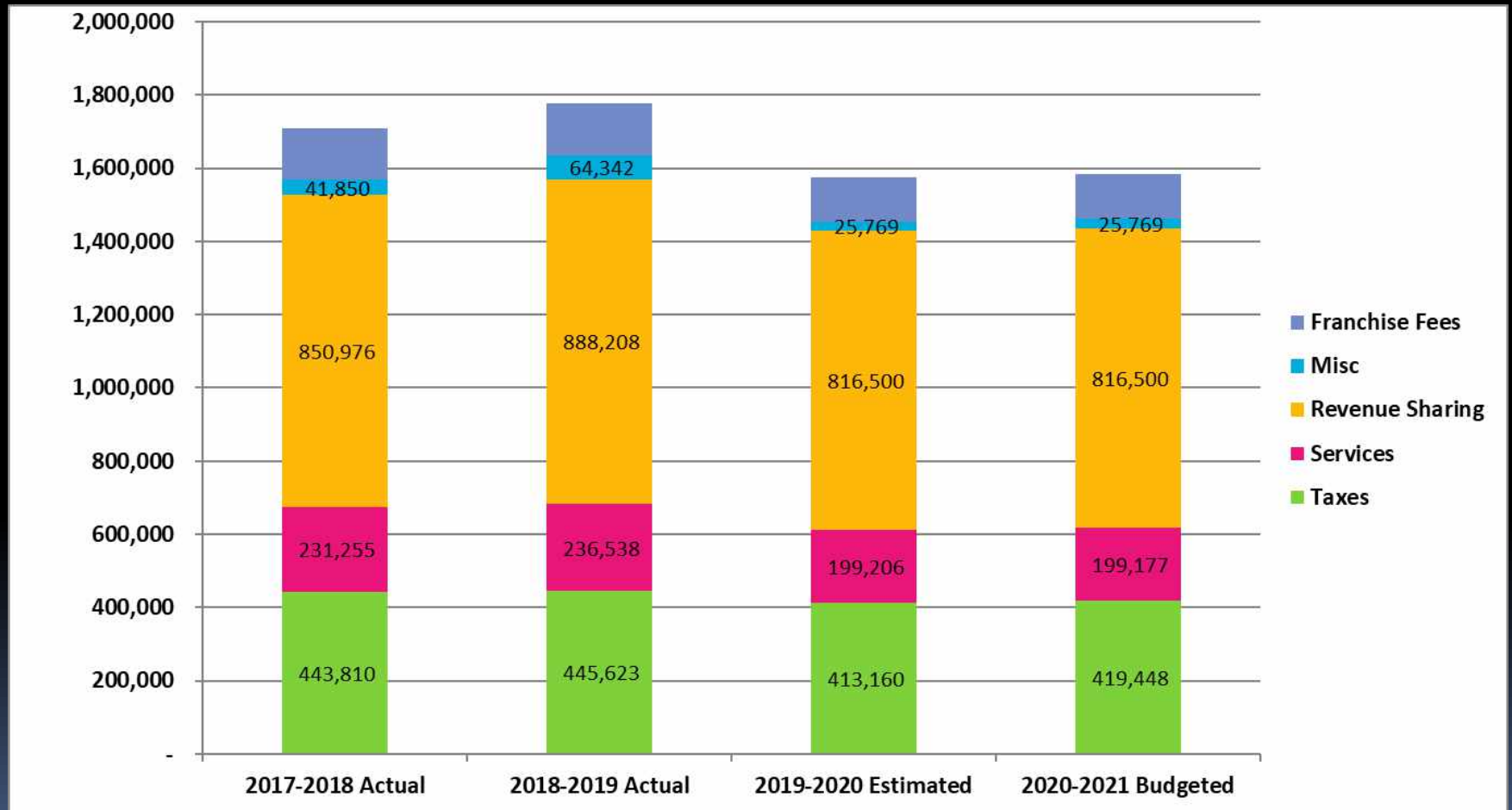
YOUR TAX DOLLARS - TYRONE

TOWNSHIP MILLAGE RATE 0.8899

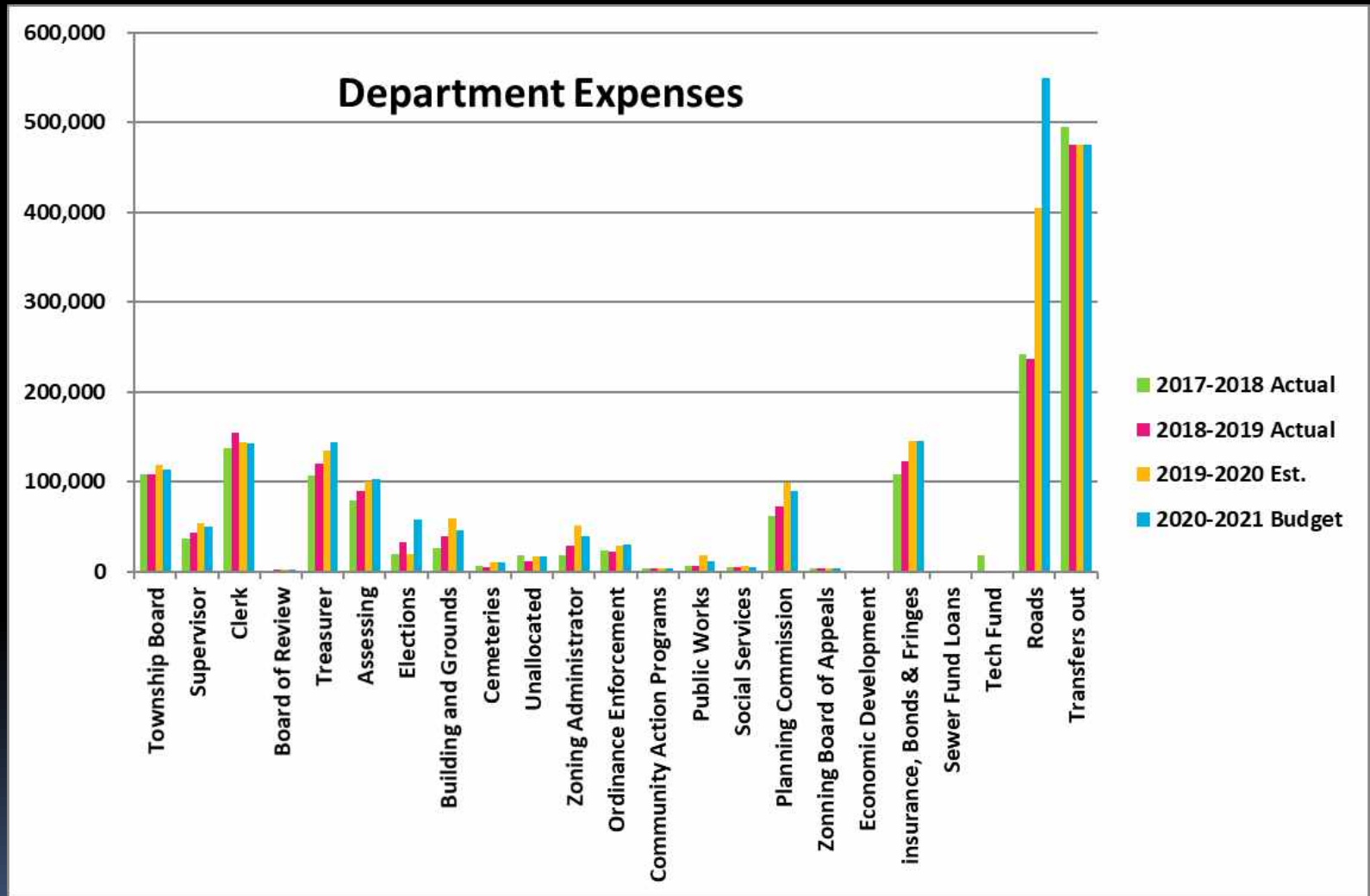
Residential Tax Rate Per \$100,000 Taxable Value



Annual Revenue By Source



Expenses By Department



General Fund Revenue and Expenses

101	Revenue	\$ 1,707,719	\$ 1,776,495	\$ 1,576,416	\$ 1,582,675
	Departments	2017-2018 Actual	2018-2019 Actual	2019-2020 Est.	2020-2021 Budget
101	Township Board	107,739	107,544	118,832	112,771
171	Supervisor	36,208	43,582	53,438	50,398
215	Clerk	137,927	154,861	144,246	142,850
247	Board of Review	1,416	1,563	2,200	2,200
253	Treasurer	107,260	119,498	135,002	144,071
257	Assessing	78,639	89,178	100,427	102,748
262	Elections	19,488	32,933	18,800	57,271
265	Building and Grounds	25,356	39,742	59,221	45,839
276	Cemeteries	6,530	4,268	10,424	10,424
299	Unallocated	17,800	11,330	16,032	17,073
723	Zoning Administrator	18,359	29,129	50,600	39,834
724	Ordinance Enforcement	23,737	21,572	28,500	29,770
747	Community Action Programs	3,031	3,031	3,500	3,500
441	Public Works	6,032	6,506	18,200	12,000
448	Street Lighting	2,018	2,237	2,546	2,546
685	Social Services	4,371	4,400	5,500	4,600
721	Planning Commission	61,247	71,782	98,205	89,867
722	Zonning Board of Appeals	2,901	3,286	3,176	4,016
851	Insurance, Bonds & Fringes	108,673	122,851	145,400	145,400
966	Transfers out	495,000	475,000	475,000	475,000
	Total Expenses	\$1,263,729	\$1,344,293	\$1,489,249	\$1,492,178

Restricted Fund Budgets

	<u>Revenue</u>	<u>Expenses</u>	<u>Surplus (Deficit)</u>
145 Public Improvement Bldg & Site	\$ 330,000	\$ 40,630	\$ 289,370
205 Public Safety	668,670	578,247	90,423
212 Liquor Law Enforcement	3,000	3,000	-
218 Jayne Hill Street Lighting	520	1,300	(780) Use fund balance
219 Walnut Shores Street Lighting	100	160	(60) Use fund balance
225 Shannon Glen Rubbish Removal	4,956	4,543	413
226 Jayne Hill Rubbish Removal	18,029	19,631	(1,602) Use fund balance
227 Apple Orchard Rubbish Removal	6,601	6,396	205
228 Silver Lake Estates Rubbish Removal	14,025	14,209	(184) Use fund balance
231 Parkin Lane Snow Removal	6,510	10,200	(3,690) Use fund balance
232 Great Oaks Drive	2,960	3,250	(290) Use fund balance
233 Laurel Springs Rubbish Removal	8,155	5,851	2,304
245 Public Improvement Road	280,000	550,000	(270,000) Use fund balance
246 Township Improvement Revolving	195,000	-	195,000
260 Right of Way	8,800	10,000	(1,200) Use fund balance
274 Public Education Grant	50,000	60,000	(10,000) Use fund balance
396 Parkin Lane Road Improvement	32,048	41,378	(9,330) Use fund balance
399 Lake Shannon Road Improvement	128,350	140,400	(12,050) Use fund balance
400 Laurel Springs Road Improvement	11,582	31,835	(20,253) Use fund balance
401 Irish Hills Road Improvement	48,589	31,294	17,295
392 Sewer 2003	799,594	1,604,696	(805,102) Use fund balance
590 Public Works Sewer O&M	632,584	750,400	(117,816) Use fund balance



End Of Presentation

PUBLIC COMMENTS



COMMUNICATION #1

EMERGENCY SERVICES BILLED TO TYRONE TOWNSHIP

	CITY OF FENTON		FENTON TWP		HARTLAND		MONTHLY \$ TOTALS	BILLABLE
	# RUNS	\$1,419.00	# RUNS	\$1,419.00	# RUNS	\$1,419.00		
	# MEDICAL	\$400.00	# MEDICAL	\$400.00	# MEDICAL	\$400.00		
	#EXCEPTION	\$500.00	#EXCEPTION	\$500.00	#EXCEPTION	\$500.00		
Apr-19	1 Excp 8	\$10,433	4	\$5,676	5	\$7,095	\$23,204	\$0
May-19	(3)-1 Med 14	\$19,866	5	\$7,095	7	\$9,933	\$36,894	\$3,238
Jun-19	(1)-1 Excp 13	\$17,528	(2) 4	\$5,676	(3) 7	\$9,933	\$33,137	\$8,514
Jul-19	(2)-1 Excp 12	\$16,109	(2)-1 Med 11	\$15,609	(7) 15	\$21,285	\$53,003	\$14,590
Aug-19	(5) 1 Excp 17	\$23,204	(1) 7	\$9,933	4	\$5,676	\$38,813	\$8,514
Sep-19	(1) 7	\$9,933	(1) 6	\$8,514	(1) 15	\$21,285	\$39,732	\$4,257
Oct-19	(1) 13	\$18,447	3	\$4,257	10	\$14,190	\$36,894	\$1,419
Nov-19	(2) 12	\$17,028	(1) 9	\$12,711	(1) 16	\$22,704	\$52,443	\$5,676
Dec-19	(2) 1 Med 10	\$14,190	(1) 5	\$7,095	6	\$8,514	\$29,799	\$3,238
Jan-20	(1) 5	\$7,095	6	\$8,514	4	\$5,676	\$21,285	\$1,419
Feb-20								
Mar-20								
Excp								
MED								
YTD TOTALS	111	\$153,833	60	\$85,140	89	\$126,291	\$365,204	\$50,865
YTD RUNS								38
YTD Excp	4	\$2,000						
YTD MED	2	\$400	1	\$400				1

CITY OF FENTON OUTSTANDING FIRE RUNS

INCIDENT DATE	INCIDENT #	BALANCE	STATUS
Jul-17	306	\$710.00	PAYMENT PLAN
Feb-18	80	\$505.00	TO COLLECTIONS
Jul-19	225	\$1,019.00	INVOICED
Aug-19	327	\$1,319.00	INVOICED
Oct-19	401	\$1,419.00	INVOICED
Nov-19	447	\$1,419.00	INVOICED
Dec-19	486	\$1,419.00	INVOICED
Dec-19	499	\$400.00	INVOICED
Jan-20	3	\$1,419.00	INVOICED

FENTON TOWNSHIP OUTSTANDING FIRE RUNS

INCIDENT DATE	INCIDENT #	BALANCE	STATUS
Jul-17	17380	\$400.00	COLLECTIONS
Aug-18	18450	\$1,419.00	COLLECTIONS
Oct-18	18528	\$1,419.00	COLLECTIONS
Oct-18	18534	\$1,419.00	COLLECTIONS
Dec-18	18628	\$1,419.00	COLLECTIONS
Jun-19	19296	\$1,419.00	COLLECTIONS
Jun-19	19310	\$709.50	COLLECTIONS
Jun-19	19310	\$709.50	COLLECTIONS
Jul-19	19397	\$1,419.00	COLLECTIONS
Jul-19	19403	\$300.00	COLLECTIONS
Aug-19	19469	\$1,419.00	INVOICED
Nov-19	19608	\$1,419.00	INVOICED

HARTLAND OUTSTANDING FIRE RUNS

INCIDENT DATE	INCIDENT #	BALANCE	STATUS
Dec-11	11-999	\$755.00	PAYMENT PLAN
Aug-13	13-499	\$148.00	COLLECTIONS
Sep-16	16-529	\$1,391.00	COLLECTIONS
Sep-16	16-530	\$1,391.00	COLLECTIONS
Oct-16	16-581	\$1,391.00	COLLECTIONS
17-Sep	17-660	\$1,405.00	COLLECTIONS
Dec-17	17-814	\$1,405.00	COLLECTIONS
Dec-17	17-869	\$1,405.00	COLLECTIONS
Jan-18	18-056	\$1,405.00	COLLECTIONS
Mar-18	18-189	\$1,405.00	COLLECTIONS
Jun-18	18-370	\$1,419.00	COLLECTIONS
Aug-18	18-598	\$1,419.00	COLLECTIONS
Dec-19	18-817	\$1,419.00	COLLECTIONS
Jun-19	19-366	\$1,419.00	COLLECTIONS
Jun-19	19-376	\$1,419.00	COLLECTIONS
Jul-19	19-513	\$1,419.00	COLLECTIONS
Nov-19	19-840	\$1,419.00	INVOICED

CITY OF FENTON OUTSTANDING FIRE RUNS

	A	B	C	D
1	INCIDENT DATE	INCIDENT	BALANCE	STATUS
2				
3				
4	Feb-16	53	\$1,391.00	COLLECTIONS
6	Apr-14	176	\$819.00	COLLECTIONS
7	Feb-16	62	\$1,391.00	COLLECTIONS
9	Mar-16	76	\$1,391.00	COLLECTIONS
10	Aug-15	283	\$350.00	COLLECTIONS
11	Oct-15	354	\$390.00	COLLECTIONS
12	Jun-16	197	\$1,391.00	COLLECTIONS
13	Jun-16	225	\$1,391.00	COLLECTIONS
14	Jun-16	226	\$1,391.00	COLLECTIONS
15	Jul-16	235	\$260.94	COLLECTIONS
16	Jul-16	285	\$1,391.00	COLLECTIONS
17	Jul-16	296	\$1,391.00	COLLECTIONS
18	Aug-16	322	\$1,391.00	COLLECTIONS
19	Sep-16	371	\$1,391.00	COLLECTIONS
20	Aug-16	436	\$1,391.00	COLLECTIONS
23	Nov-16	461	\$1,391.00	COLLECTIONS
24	Jan-17	49	\$1,391.00	COLLECTIONS
25	Mar-17	119	\$1,391.00	COLLECTIONS
26	Mar-17	120	\$400.00	COLLECTIONS
27	Mar-17	125	\$1,391.00	COLLECTIONS
28	Jun-17	235	\$1,405.00	COLLECTIONS
29	Jul-17	323	\$400.00	COLLECTIONS
30	Jul-17	328	\$1,405.00	COLLECTIONS
31	Oct-17	414	\$661.02	COLLECTIONS
32	Oct-17	431	\$1,405.00	COLLECTIONS
33	Nov-17	468	\$1,405.00	COLLECTIONS
34	Nov-17	483	\$1,405.00	COLLECTIONS
35	Jan-18	22	\$1,405.00	COLLECTIONS
36	Jan-18	27	\$1,405.00	COLLECTIONS
37	Mar-18	117	\$1,405.00	COLLECTIONS
38	Jul-18	296	\$1,419.00	COLLECTIONS
39	Aug-18	345	\$234.00	COLLECTIONS
40	Nov-18	438	\$1,419.00	COLLECTIONS
41	Nov-18	484	\$1,419.00	COLLECTIONS
42	Apr-18	161	\$1,024.00	COLLECTIONS
43	May-19	163	\$1,419.00	COLLECTIONS
44	May-19	164	\$400.00	COLLECTIONS
45	Aug-19	272	\$1,419.00	COLLECTIONS
46	Aug-19	299	\$1,419.00	COLLECTIONS
47	Aug-19	323	\$1,419.00	COLLECTIONS
48	Sep-19	372	\$1,419.00	COLLECTIONS



UNIVERSAL CREDIT SERVICES, INC
 P.O. BOX 133
 HARTLAND, MI 48353
 800-931-3711

1

INVOICE 031144
 02/03/20

RECEIVED
 FEB 24 2020

No. 112

TYR001 UN10 TYRONE TOWNSHIP FIRERUNS
 NNEDNN ATTN:MARIAN KRAUSE
 10408 CENTER ROAD
 FENTON, MI 48430

Date	Name / Ref No.	Sts	COLLECTIONS		Our Comm	Remain Princ	Net Amt Due
			Pd You	Pd Us			
01/15	FRAZEE,ASHLEE 0000414	PDC		39.50		661.02	39.50-
01/15	FRAZEE,ASHLEE 0000414	PDC		10.50	10.50	661.02	
01/17	MARCUM,MICHAEL ANTHONY 0000345	PDC		118.50		234.00	118.50-
01/17	MARCUM,MICHAEL ANTHONY 0000345	PDC		31.50	31.50	234.00	
	SubTotals			200.00		42.00	158.00-
	SubTotals			200.00			

Gross Collections This Cycle.....\$200.00

Check No. 014982 Enclosed.....\$158.00



UNIVERSAL CREDIT SERVICES, INC
 P.O. BOX 133
 HARTLAND, MI 48353
 800-931-3711

1

INVOICE 031145
 02/03/20

* RECAP *

No. 112

UNIO
 TYR001 TYRONE TOWNSHIP FIRERUNS
 ATTN:MARIAN KRAUSE
 NNEDNN 10408 CENTER ROAD
 FENTON, MI 48430

Date	Name / Ref No.	Sts	COLLECTIONS		Our Comm	Remain Princ	Net Amt Due
			Pd You	Pd Us			
	Totals				42.00	158.00-	
	Totals		200.00				

Gross Collections This Cycle.....\$200.00

Total Enclosed Checks.....\$158.00



PO BOX 158
 HARTLAND, MI 48353-0158
 800-931-3711
 www.ucscollections.com

19 MAR 2020 10:00 AM
 FEB 24 2020

Acknowledgment Report

Placements From 1/1/2020 Thru 1/31/2020

TYR001
 TYRONE TOWNSHIP FIRERUNS
 ATTN:MARIAN KRAUSE
 10408 CENTER ROAD

FENTON, MI 48430

We acknowledge, with thanks, receipt of the following accounts upon our usual terms. Immediate collection action has commenced. Please report all direct payments promptly and all communication from the debtor to us.

Reference #	Name	Date of Service	Assigned Amount	UCS Account #	
19-366	CUSTOM ECOLOGY OF OHIO	09/28/19	\$1,419.00	0011977018	
19403	WELTER,ADAM	07/29/19	\$300.00	0011977017	
19469	TAYLOR,JEREMY	08/31/19	\$1,419.00	0011977022	
272	LISTER,CHLOE	08/03/19	\$1,419.00	0011977020	
299	JOHNSON,JOSHUA	08/13/19	\$1,419.00	0011977023	
323	CUSTOM ECOLOGY OF OHIO	08/28/19	\$1,419.00	0011977019	
372	MINNICK,DEBORAH JANE	09/27/19	\$1,419.00	0011977021	
Total Accounts	7	Average Age at Listing	156	Total Amount Assigned	\$8,814.00

We highly appreciate your business, and will consider it our goal to provide you with the most effective, and ethical service available.

Universal Credit Services, Inc.





PO BOX 158
HARTLAND, MI 48353-0158
800-931-3711
www.ucscollections.com

Closed Report
Accounts Closed From 1/1/2020 Thru 1/31/2020

RECEIVED
FEB 24 2020

TYR001
TYRONE TOWNSHIP FIRERUNS
Attn: MARIAN KRAUSE
10408 CENTER ROAD

FENTON, MI 48430

Reference #	Close Reason	Account Name	Assign Date	Closed Date	Amount Cancelled
13490	UNCOLLECTIBLE	BOLEN,AMANDA	08/30/16	01/02/20	1,372.38
Totals	1				



NEW BUSINESS #1

FENTON FIRE DEPARTMENT, FENTON, MICHIGAN 48430

A	FDID 02506	State MI	Incident Date 01/08/2020	Station 3	Incident No. 0000003	Day of Week Wed	Exposure 000	Transaction Add	NFIRS - 1 Basic	
B	Location Number/Milepost Prefix S Street or Highway US 23 Directions Apt./Suite/Room City Fenton State MI Zip Code 48430- Cross street or directions, as applicable North of Center Road							Census Tract 132 - Street Type Suffix EXPY		
Weather Information				Wind Speed MPH 0	Air Temp 0F°	Wind Direction				
C	Incident Type 5311 Smoke/Odor Investigation			E1 Dates & Times			E2 Shifts & Alarms			
D	Aid Given or Received N None			Their FDID Their State Their Incident Number			Alarm Date Time 01/08/2020 08:29 Dispatch 01/08/2020 08:29 En Route 01/08/2020 08:32 Arrival 01/08/2020 08:39 Controlled Last Cleared 01/08/2020 09:10			
F	Actions Taken Primary Action Taken(1) 86 Investigate Additional Action Taken(2) Additional Action Taken(3)			G1 Resources			G2 Estimated Dollar Losses & Values			
				Apparatus or Personnel Form Used Apparatus Personnel Suppression 0 0 EMS 0 0 Other 3 12 Water Usage 0 gal. Miles; Sta. to Scene 0.0			LOSSES: Property \$ Contents \$ PRE-INCIDENT VALUE: Property \$ Contents \$			
H1 Casualties			Fire Deaths Injuries	H3 Hazardous Materials Release						
			Service 0 0 Civilian 0 0	N None						
H2 Detector			I Mixed Use Property							
			NN Not mixed use							
J Property Use 961 Highway or divided highway										
FD Use										
Sort Fld 1. Tyrone Township										
K1 Person/Entity Involved			Business Name			Phone Number				
No. 1			Title First Name MI Last Name			(734) 516-5235				
			David			Suffix				
			Number Prefix Street or Highway			Street Type Suffix				
			3606 Foley Glen			CIR				
			PO Box Apt./Suite/Room City			State Zip Code				
			Fenton			MI 48430-				
K2 Owner			Business Name			Phone Number				
			Title First Name MI Last Name			Suffix				
			Number Prefix Street or Highway			Street Type Suffix				
			PO Box Apt./Suite/Room City			State Zip Code				
M Authorization										
Officer in Charge ID		First Name		MI Last Name		Position/Rank		Assignment		Date
11		Robert		C		Cairnduff		Chief		01/08/2020
Member Making Report ID		First Name		MI Last Name		Position/Rank		Assignment		Date
321		Charlene		Rooney						01/09/2020

FENTON FIRE DEPARTMENT, FENTON, MICHIGAN 48430

Remarks for Incident: 0000003 Exp.: 000 Date: 01/08/2020

Time: 08:29

Printed: 01/09/2020

Called by Livingston County for a possible vehicle fire on southbound US 23 north of Center Road.

We arrived on location to find a vehicle on the southbound shoulder of US23 just north of Center Road off ramp. The occupant was standing outside the vehicle. I spoke to the driver (owner) and he stated he was driving down the highway and his vehicle started smoking and he pulled to the side of the road. There was no visible smoke when I arrived. I checked the vehicle and found radiator fluid all over the engine compartment. I canceled the other responding units. There was no damage to the vehicle. The smoke originated from the leaking fluids. I advised he would need a tow truck for the vehicle. He stated he would arrange that himself.

I advised Livingston County Dispatch of the situation and then I cleared the scene.

Vehicle #1:

License Plate CNE 8873

Chevy Cruze

Driver/Owner:

David Dunville

DOB 9/5/1998

3806 Foley Glenn Cir

Fenton MI 48430

Completed By:

Chief Robert Cairnduff

FENTON FIRE DEPARTMENT, FENTON, MICHIGAN 48430

A							NFIRS - 9
FDID	State	Incident Date	Station	Incident No.	Exposure	Transaction	Apparatus or Resources
02506	MI	01/08/2020	3	0000003	000	Add	
B		Apparatus or Resource		Dates and Times		Number of People	Use
	ID			Date	Hrs:Min		
1	E-11	Engine 11		Dispatch	// ::	6	0
	Type	11 Engine		Arrival	// ::		Other
				Clear	// ::		
Miles Traveled: 0.0				Hrs:Min in Use: 0:00			
Actions Taken							
Primary Action Taken (1)		Additional Action Taken (2)		Additional Action Taken (3)		Additional Action Taken (4)	
93 Cancelled en route							
	ID			Date	Hrs:Min		
2	C-1	Chief's Vehicle Tahoe		Dispatch	// ::	1	0
	Type	92 Chief officer car		Arrival	// ::		Other
				Clear	// ::		
Miles Traveled: 0.0				Hrs:Min in Use: 0:00			
Actions Taken							
Primary Action Taken (1)		Additional Action Taken (2)		Additional Action Taken (3)		Additional Action Taken (4)	
86 Investigate							
	ID			Date	Hrs:Min		
3	STNBY	Standby		Dispatch	// ::	5	0
	Type	00 Other apparatus/resource		Arrival	// ::		Other
				Clear	// ::		
Miles Traveled: 0.0				Hrs:Min in Use: 0:00			
Actions Taken							
Primary Action Taken (1)		Additional Action Taken (2)		Additional Action Taken (3)		Additional Action Taken (4)	
92 Standby							

User: RIPTSRV

Communications

01/08/20 08:46:42

Event Report

Event ID: 2020-003870

Call Ref # 312

Date/Time Received 01/08/20 08:27:08

Rpt #:	Call Source E911	Prime FCSTA Unit:	Services Involved FIRE
Location: S US23/CENTER RD		FENT N/O SHOULDER SIDE	
X-ST:		Jur: CAD	Service: FIRE Agency: FCFD
Business:	Phone: () -	St/Beat: 92	District: TYT RA: GP 9201
Nature: VEHICLE FIRE	Alarm Lvl 1	Priority P	Medical Priority 71B01
Caller DUNVILLE DAVID		Alarm	
Addr:	Phone: (248) 212-0128	Alarm Type:	
Vehicle #:	St:	Report Only: No	Race: Sex: Age:
Call Taker JMCLEISH	Console: CAD08		
Geo-Verified Addr: Yes	Nature Summary Code	Disposition: CLO	Close Comments
Notes: See Event Notes Addendum at end of this report			

Times			
Call Received	01/08/20 08:27:08	<u>Time From Call Received</u>	
Call Routed	01/08/20 08:28:24	000:01:16	Unit Reaction: : : (1st Dispatch to 1st Arrive)
Call Take Finished	01/08/20 08:28:24	000:01:16	En-Route: : : (1st Dispatch to 1st En-Route)
1st Dispatch:	01/08/20 08:28:34	000:01:26 (Time Held)	On-Scene: : : (1st Arrive to Last Clear)
1st En-Route:	:	:	
1st Arrive:	:	:	(Reaction Time)
Last Clear	01/08/20 08:46:35	000:19:27	

Radio Log						Close Code	User
Unit	Empl ID	Type	Description	Time Stamp	Comments		
FCSTA	0	D	Dispatched	01/08/20 08:28:34	Stat/Beat: 92		GSIBLE
FCSTA	0	C	Cleared	01/08/20 08:46:35			CLO GSIBLE

Event Log						Close Code	User
Unit	Empl ID	Type	Description	Time Stamp	Comments		
		TR	Time Received	01/08/20 08:27:08	By: E911		JMCLEISH
		ENT	Entered Street	01/08/20 08:27:08	3606 FOLEY GLEN CIR		JMCLEISH
		CHG	Changed Street	01/08/20 08:27:20	3606 FOLEY GLEN CIR -> S		JMCLEISH

Unit	Empl ID	Type	Description	Event Log		Close Code	User
				Time Stamp	Comments		
ENT		Entered AddSt		01/08/20 08:27:26	IN THE AREA		JMCLEISH
CHG		Changed		01/08/20 08:27:36	DUNVILLE DAVID J --> DUNVILLE		JMCLEISH
CHG		Changed CallerAddress		01/08/20 08:27:37	3606 FOLEY GLEN CIR -->		JMCLEISH
ENT		Entered Nature		01/08/20 08:27:43	VEHICLE FIRE		JMCLEISH
FPS		Fire Pri. Started		01/08/20 08:27:44	Case Started		JMCLEISH
ARM		Added Remarks		01/08/20 08:27:54			JMCLEISH
ENT		Entered CallerPhone		01/08/20 08:27:54	2482120128		JMCLEISH
FPF		Fire Pri. CB Finished		01/08/20 08:27:54	Case Entry Finished		JMCLEISH
FIN		Finished Call Taking		01/08/20 08:28:24			JMCLEISH
ARM		Added Remarks		01/08/20 08:28:24			JMCLEISH
FPD		Fire Pri. Dispatch		01/08/20 08:28:24	Case Dispatched		JMCLEISH
PAG		Automatic Nature Page		01/08/20 08:28:31	Page FCFD		PAGESRV
REC		Unit Rec Btn Click		01/08/20 08:28:31	Unit recommend for VEHICLE FIRE at S		GSIBLE
REC		Unit Recommendation		01/08/20 08:28:34	Plan: 92D Cat: 1A Lvl: 1		GSIBLE
REC		Unit Recommendation		01/08/20 08:28:34	Recomnd:FCSTA [DEPT]		GSIBLE
ARM		Added Remarks		01/08/20 08:28:35			JMCLEISH
FPK		Fire Pri. KQ Finished		01/08/20 08:28:35	Key Questions Finished		JMCLEISH
REC		Unit Recommendation		01/08/20 08:28:47	Plan: 92D Cat: 1A Lvl: 1		GSIBLE
REC		Unit Recommendation		01/08/20 08:28:47	Recomnd:FCSTA [DEPT]		GSIBLE
FPC		Fire Pri. Complete		01/08/20 08:29:11	Case Completed		JMCLEISH
ARM		Added Remarks		01/08/20 08:29:11			CLOPEZ
CHG		Changed AddSt		01/08/20 08:29:33	IN THE AREA --> N/O SHOULDER SIDE		CLOPEZ
ARM		Added Remarks		01/08/20 08:30:23			CLOPEZ
ARM		Added Remarks		01/08/20 08:30:27			GSIBLE
ARM		Added Remarks		01/08/20 08:31:26			GSIBLE
ARM		Added Remarks		01/08/20 08:34:03			GSIBLE
RSW		Reset Watchdog Timer		01/08/20 08:34:24	Units: FCSTA >>> 999Min.		GSIBLE
RSW		Reset Watchdog Timer		01/08/20 08:34:55	Units: FCSTA >>> 999Min.		GSIBLE
ARM		Added Remarks		01/08/20 08:39:57			GSIBLE

Event Notes Addendum

Notes: Caller Statement: SON VEH ON FIRE
 Chief Complaint: Vehicle Fire [.] [01/08/20 08:27:54 JMCLEISH]
 Dispatch Code: 71B61 (Vehicle fire)
 Response: BRAVO
 Questions:
 -- The caller is not on scene (3rd party).
 -- The vehicle is not inside a building/structure.
 -- A passenger car is involved.
 -- The fire has not been extinguished.
 -- It is not known if the fire is threatening anything. [.] [01/08/20 08:28:24 JMCLEISH]
 Questions:
 -- It is not known if anyone is trapped.
 -- It is not known if anyone is injured. [.] [01/08/20 08:28:35 JMCLEISH]

Event ID: 2020-003870 Call Ref# 312 VEHICLE FIRE at S US23/CENTER RD

OWNER OF VEHICLE ON TX NO VISIBLE FLAMES VEHICLE SMOKING [01/08/20 08:29:11 CLOPEZ]

DUNVILLE, DAVID 734-516-5235 RED CHEVY CRUZE [01/08/20 08:30:23 CLOPEZ]

PCFD RESPONDING [01/08/20 08:30:27 GSIBLE]

RIGHT SHOULDER - CHEVY CRUZE [01/08/20 08:31:26 GSIBLE]

FENTON CHIEF1 FENTON UNITS RESPONDING [01/08/20 08:34:03 GSIBLE]

FCHIEF1 ARRIVAL - JUST N/O CENTER - NO FIRE AT THIS TIME [01/08/20 08:39:57 GSIBLE]

Marian Krause

From: Mike Cunningham
Sent: Tuesday, February 11, 2020 3:31 PM
To: Marian Krause
Subject: FW: Appeal for Fire Service Response on January 8th, 2020

-----Original Message-----

From: dwdunville <dwdunville@aol.com>
Sent: Thursday, February 6, 2020 6:31 PM
To: Mike Cunningham <mcunningham@tyronetownship.us>
Subject: Appeal for Fire Service Response on January 8th, 2020

RECEIVED
FEB 11 2020

Dear Mr. Cunningham,

Invoice #: 0020010800

I'm writing this email to appeal the \$1,419.00 Tyrone Township is charging me for the fire chief to come out to see if my car was actually on fire. Please understand that when the incident happened the cab of my car was filling up with smoke, which later was found out to be transmission fluid, and I panicked thinking my car was on fire. I do find it a little ridiculous I'm getting charged that much money for someone to come out in a SUV, look at my engine, and then take down my information, all of that taking no more then 8 minutes and then now getting a bill almost a month later 8 minutes is gonna cost me \$1,419.00. Please also understand that I am contacting my insurance company too see if they could pay this, but if not understand I am 21 year old in college trying to become a first responder myself. I only have a part time job and I barely make half the listed amount a month, all of it going towards school, car payments, and gas for my car. I really hope you approve of this appeal, and look forward to your response and decision.

- Sincerely David W. Dunville



February 10, 2020

David Dunville
3606 Foley Glen Cir
Fenton Mi 48430

RE: Incident: 0003

Dear Mr. Dunville,

Please be advised that we have received your appeal on February 6th, 2020 in regards to the charges associated with your incident, I have also received the Fenton City Fire report dated January 8, 2020. In reviewing your appeal, you made a call for emergency services stating that your vehicle was on fire. 911 dispatched Fenton City Fire to your location.

Tyrone Township does not have its own fire department and has to contract with neighboring fire departments to obtain such services. We currently pay for these services on a per run basis regardless of the services rendered. Once the responding vehicle, in this case a fire truck, leaves the building we get charged. Fortunately, it turned out not to be a fire and thankfully no one was injured in the incident however; the fire department did provide the contract service. Your incident resulted in a total charge of \$1,419.00. After reviewing the facts of this case, I am denying your appeal. You have the following options:

1. Contact Tyrone Township and pay the \$1,419.00
2. Contact Tyrone Township and make payment arraignments on a monthly schedule
3. You have "THE RIGHT TO APPEAL" this ruling to the full Township board

If you feel that the charges are unjust, I urge you to pursue option number 3. If you do decide on option number 3, please contact Deputy Clerk Terri Medor at the township to be placed on the board agenda. This contact must be made within 14 days of this letter.

Sincerely

Michael Cunningham
Tyrone Township Supervisor
8420 Runyan Lake Rd.
Fenton, Mi. 48430
810 629-8631

NEW BUSINESS #2

February 26, 2020



Township Board
Tyrone Township
8420 Runyan Lake Road
Fenton, MI 48430

Subject: Agenda Request – The Sanctuary at Tyrone Conditional Rezoning Request by Boss Engineering

Dear Township Board Members:

During our meeting on December 10, 2019, an application review and public hearing were held regarding a conditional zoning request for a site condominium development. Dave Wardin made a motion to recommend denial of the Sanctuary at Tyrone conditional rezoning offer to rezone 72 acres from FR to RE based on the fact that it does not comply with [Michigan] PA 110 of 2006 requiring 50% of undeveloped open space for a CDO development. Dan Stickel supported the motion. Roll call vote: Dan Stickel- yes, Rich Erickson- yes, Perry Green- no, Mark Meisel- yes, Dave Wardin- yes, Kurt Schulze- yes, Bill Wood- no. Motion carried 5:2.

The Planning Commission identified several other areas of noncompliance with our Zoning Ordinance standards for submittal of a conditional rezoning application. Conditional Rezoning also requires compliance with site plan approval standards, and compliance with Section 29.02 and 29.03 – the procedural and material requirements to process a rezoning, as well as the requirements within Section 29.05 – Conditional Rezoning. The Michigan Zoning Enabling Act, PA 110 of 2006, states in part “The development of land under subsection (1) is subject to other applicable ordinances, laws, and rules.....” Because the Planning Commission felt compliance with Tyrone Township Zoning Ordinance standards was secondary to compliance with State of Michigan requirements set forth in PA 110 of 2006, the Planning Commission’s recommendation for denial focused solely on the applicant’s lack of compliance with PA 110 of 2006.

The review provided by the Livingston County Planning Department (LCPD) is comprehensive, so we won’t submit repetitive documentation. It should be noted, however, the LCPD review is consistent with the findings of the Planning Commission. We are providing an attached summary of the major challenges regarding this request for conditional rezoning. Additional information can be found in the LCPD review.

The Planning Commission recommends denial of this request because it does not comply with PA 110 of 2006 regarding open space preservation requirements and compliance with Township ordinances, it does not comply with our Zoning Ordinance standards, it is inconsistent with our Master Plan, and it appears to meet the criteria for spot zoning, which is prohibited by law.

Respectfully submitted,

Tyrone Township Planning Commission

Mark Meisel

Chairman

Tyrone Township Planning Commission

8420 Runyan Lake Road Fenton, MI 48430 (810) 629-8631

Mark Meisel, Chairman Kurt Schulze, Vice Chair David Wardin, Secretary Richard Erickson Perry Green Dan Stickel Bill Wood

Summary of the Sanctuary at Tyrone Proposed Conditional Rezoning

1. Under current FR zoning, 3 acre minimum lots are required, so the proposed developmental area is entitled to a maximum of $72/3 = 24$ lots minus any infrastructure required for access, wetlands, etc. which would reduce the developable lot area and therefore reduce the maximum number of lots in order to comply with site plan approval requirements. The developer is proposing 36 lots.
2. The developer is requesting to conditionally rezone from FR to RE. This would allow a maximum of $72/1.75 = 41$ lots minus any infrastructure required for access, wetlands, etc. which would reduce the developable lot area and therefore reduce the maximum number of lots in order to comply with site plan approval requirements. The developer is proposing 36 lots.
3. The developer then intends to apply CDO to the RE rezoned property, thereby being permitted to develop lots as small as 0.875 acre, as long as they comply with other RE developmental requirements as set forth by CDO developmental requirements in the MZEA (PA 110 of 2006). Item 3 under Section 125.3506 of the MZEA reads, “(3) The development of land under subsection (1) is subject to other applicable ordinances, laws, and rules, including rules relating to suitability of groundwater for on-site water supply for land not served by public water and rules relating to suitability of soils for on-site sewage disposal for land not served by public sewers.” The developer is proposing 36 – one acre lots, however approximately 25% of each proposed lot is allocated as open space to meet the minimum area required by PA 110.

Challenges and Nonconformities

1. Under CDO, Section 125.3506 states, “..... land zoned for residential development may be developed, at the option of the landowner, with the same number of dwelling units on a smaller portion of the land than specified in the zoning ordinance, but not more than 50% for a county or township or 80% for a city or village, that could otherwise be developed, as determined by the local unit of government under existing ordinances, laws, and rules on the entire land area, if all of the following apply: (a) The land is zoned at a density equivalent to 2 or fewer dwelling units per acre or, if the land is served by a public sewer system, 3 or fewer dwelling units per acre. (b) A percentage of the land area specified in the zoning ordinance, but not less than 50% for a county or township or 20% for a city or village, will remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land, as prescribed by the zoning ordinance.”

CDO therefore requires a minimum of 50% open space preservation. Minimum. The developer is attempting to utilize provisions they are not entitled by right to use in an effort to meet the open space requirement, including allocating the entire required rear yards of all 36 proposed lots/units as open space. This results in noncompliance with several sections of our Zoning Ordinance:

- a. Section 21.51.B.3 - **Exclusions**. Open space shall not include: **Yard Setbacks**. Required yard setback areas as specified in Section 20.01., and
 - b. Section 21.51.D - **Perimeter Open Space Measurement**. If the Planning Commission allows required open space to be located within the yard perimeter, the setback shall be measured from the closest point of the open space boundary. (note – the PC has not allowed required open space to be located within the perimeter, and regardless, the developer shows the building envelopes abutting the open space in violation of this requirement if it were to be allowed.)
 - c. By using approximately 25% of each lot area as open space, the effective lot areas are only 0.75 acre, which is below the 0.875 required for CDO in RE.
2. When applying CDO the developer has encountered practical difficulties when attempting to develop 36 lots using the maximum statutorily allowed 50% land area as they cannot comply with all underlying zoning district requirements as required by the MZEA and our Ordinance. As noted by the underlined text in item 3 of the summary above, CDO “.. is subject to other applicable ordinances, laws, and rules...” This has been legally interpreted to require compliance with all underlying zoning district standards and agency approval requirements.
 - a. The proposed lot sizes do not comply with RE dimensional requirements for minimum lot width, rear yard setbacks, and percent lot coverage, and are substantially similar to R-1 dimensional standards, so one might suggest as proposed the developer is requesting to develop lots using R-1 standards in the current FR zoning

district. Existing adjacent development is 2.5 – 10+ acres per dwelling unit. The developer is proposing 1.0 acre lots, the same as the minimum allowed in R-1.

- b. CDO is a development tool that may be used by a developer at their option. There is no right to be able to develop a parcel of land using CDO, and there is no guarantee land can be developed using CDO using the minimum lot sizes allowed for all lots within the development combined with the maximum possible number of lots if no infrastructure, wetlands, etc. were required for the development.
3. A request for conditional rezoning is a specific offer to develop land for a specific use or purpose, in this case that use is set forth by the developer's submitted site plan and statement of conditions. Section 29.05.A states in part, "This option shall apply site planning criteria to achieve integration of the development project into the fabric of the project area."
 - a. As stated in item 2.a above, the site plan does not comply with RE lot dimensional requirements. Section 29.05.B.3: **Uses or Densities.** The owner's offer of conditions may not purport to authorize uses or densities not permitted in the requested new zoning district.
 - b. The applicant is requesting a conditional rezoning from FR to RE, then to apply CDO to develop land with 1 acre lots. The applicant then proposes deviations from RE zoning district standards for minimum lot width, rear yard setbacks, percent lot coverage, use of the rear yard for open space, and building envelopes with no setback from the open space. These nonconforming elements appear to contrast with items A and D in the developer's Conditional Zoning Agreement Terms Offered by Applicant document, which state an intent to comply with RE dimensional and other standards.
 - c. Conditional rezoning requires offsetting concessions to typical requirements within the requested zoning district to justify the zoning change being requested. What is the developer offering? Section 21.05.B.6 **Deviation from Ordinance Standards.** Any deviation from a Zoning Ordinance standard for the proposed zoning district included as part of the conditional rezoning application shall be balanced by offsetting concession in the Statement of Conditions volunteered by the applicant. As set forth in Section 29.05.E.2, offsetting concessions can include:

a. Structures and Improvements. The location, size, height, and setbacks of buildings, structures, and improvements; **Developer is offering 30 foot side yard setbacks versus the required 20 feet, but is also requesting deviations to lot widths, yard setbacks, percent lot coverage, and the location of open space within all 36 required rear yards, rather than providing dimensions exceeding minimum requirements, as is intended here.**

b. Density. The maximum density or intensity of development (e.g., units per acre, maximum useable floor area, hours of operation, etc.); **Instead of reduced density, the developer proposes the maximum number of units possible based on math rather than a parallel plan, on lots that do not comply with RE dimensional requirements. Using the entire required rear yard as open space also reduces the effective lot area to approximately 0.75 acre, below the required 0.875 acre under CDO in the RE district, and in sharp contrast to the 3.0 acre (1.5 with CDO) lots allowed in FR, as well as the existing adjacent development ranging from 2.5 to 10+ acres per dwelling unit.**

c. Natural Resources. Measures to preserve natural resources or features; **The proposal seeks to establish the absolute minimum open space preservation required by law, and to achieve this the developer is applying methods that typically are not permitted, and are not permitted by right, when establishing open space, such as use of the entire required rear yards of all 36 lots/units as open space.**

d. Storm Water Drainage. Facilities to address storm water drainage and water quality; **Nothing unique here above minimum agency requirements.**

e. Traffic Impacts. Facilities to address traffic issues, for example through road paving or other road improvements; **Nothing that impacts any arterial or connected public road. Road infrastructure is strictly limited to a private road being created within the development.**

- f. Open Space Preservation.** Open space preservation provisions; **The developer seeks to provide only the minimum required by law, see also item c.**
- g. Landscaping and Screening.** Minimum landscaping, buffering, and screening provisions, **Nothing is being proposed above the absolute minimum. The proposed buffer to the north only includes required open space to meet the statutory minimum, nothing extra.**
- h. Bonus Landscaping.** Added landscaping above and beyond what is required by the Zoning Ordinance; **Nothing has been presented suggesting this, and the developer did hesitate when adjacent residents suggested additional trees be planted for buffering during the public hearing.**
- i. Site Design.** Building design, materials, lighting and sign criteria; **Nothing unique.**
- j. Uses.** Permissible and prohibited uses of the property; **Nothing unique.**
- k. Historic Preservation.** Provisions to preserve historic farms, barns, and other buildings to preserve the history and character of the Township; **None**
- l. Rural View Shed.** Measures to protect the rural view shed, which is an undeveloped area adjacent to the road right-of-way, having a depth of at least two hundred (200) feet, where existing natural features such as wetlands, woodlands, hedgerows, undulating land forms, and scenic vistas are preserved and incorporated into the landscape. **None**
- m. Reclamation.** Reclamation and reuse of land where previous use of the land has caused severe development difficulties or has caused blight. **None**
- n. Drainage.** Drainage improvements, beyond what is required by ordinance using best management practices. **None, and would be limited by regulated and unregulated wetland on site regardless**
- o. Other Conditions.** Such other conditions as deemed important to the development by the applicant. **This is the offer of one REU and arguably the 1 acre versus 0.875 acre lots, although to be fair the latter is already the result of FR to RE then CDO and of a size permitted under CDO, not because something is being offered, or developed to a standard beyond what the ZO requires.**

4. **Section 29.05.E.3.d states: Compliance with the Statement of Conditions.** Agreement and understanding that each of the requirements and conditions in the Statement of Conditions represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved conditional rezoning, taking into consideration the change zoning district classification and the specific use authorization granted.

Referencing the deviations requested by the developer to our RE zoning district standards and then comparing those to the offsetting concessions discussed in the above item 3, there does not appear to be sufficient offsetting conditions to comply with "...is roughly proportional to the increased impact created by the use represented in the approved conditional rezoning....."

5. **Spot Zoning.** The conditional rezoning proposal requests RE zoning despite being surrounded on all sides by FR zoned land. The MSU Extension states, "One illegal form of rezoning is spot zoning. This practice gets its name from the appearance of small spots of different zoning districts on a zoning map that otherwise has large contiguous areas in the same zoning district around the spots. To be considered a spot zone, the property, in most cases, must meet the following four criteria:
- The area is small compared to districts surrounding the parcel in question.
 - The new district allows land uses inconsistent with those allowed in the vicinity.
 - The spot zone would confer a special benefit on the individual property owner not commonly enjoyed by the owners of similar property.

- The existence of the spot zone conflicts with the policies in the text of the master plan and the future land use map.”

Using the above criteria, the developer proposes 1 acre lots in an area developed using 2.5 – 10+ acres solely benefiting the developer, and is inconsistent with the Master Plan designation of Low Density Single Family Detached Residential, with lots ranging from 1.5 to 3.0 acres (note – this range is consistent with current FR and CDO provision, allowing 3.0 acre lots to be developed at 1.5 acres minimum under CDO. Nothing states an FR lot can be developed using 1.5 acres as a baseline and then applying CDO to reduce the lot size below 1.5 acres.). As noted by the Livingston County Planning Commission, and later determined by the Livingston County Planning Commission staff, the proposed conditional rezoning plan appears to meet the tests of spot zoning, and therefore would be illegal to establish.

6. We note items A and D in the developers Conditional Zoning Agreement Terms Offered by Applicant appear to contrast with the deviations to RE zoning district standards the developer has proposed.

A. The conditional rezoning will allow for the 72.39 acre EXHIBIT A parcel to be developed consistent with the EXHIBIT B Site Plan as an Open Space Preservation Site Condominium (OSP) using the dimensions shown, using the dimensional requirements under the existing RE Zoning District.

D. The conditional rezoning shall not permit any activity, use, or condition that would otherwise violate any requirement or standard that is otherwise applicable in the RE zoning district.

Prepared by the Tyrone Township Planning Commission



Livingston County Department of Planning

February 20, 2020

Tyrone Township Board of Trustees
c/o Marcella Husted, Township Clerk
10408 Center Rd.
Fenton, MI 48430

Kathleen J. Kline-Hudson
AICP, PEM
Director

Re: Livingston County Planning Commission Review

Robert A. Stanford
AICP, PEM
Principal Planner

Z-05-20: Conditional Rezoning
RE: Rural Estates with Open Space and Cluster Development Options

Scott Barb
AICP, PEM
Principal Planner

Dear Board Members:

The Livingston County Planning Commission met on Wednesday, February 19, 2020, and reviewed the Tyrone Township Conditional Rezoning proposal referenced above. The County Planning Commissioners made the following recommendation:

Z-05-20 DISAPPROVAL

The proposed conditional rezoning is not consistent with the Master Plan for the subject parcel and would generally not be compatible with the rural residential nature of the surrounding area.

There also appears to be sufficient evidence provided by the Tyrone Township Planning Department and Planning Commission to demonstrate that the proposed conditional rezoning does not completely comply with either the intent of the Michigan Zoning Enabling Act (MZEA) Public Act 110 of 2006 (MCL 125.3101 to 125.3702), nor the intent of the Tyrone Township Zoning Ordinance Article 8 Open Space Preservation (OSP) Option (Section 8.02 Cluster Development Option (CDO)), and Open Space Design Requirements (Section 21.51), nor does it completely satisfy the required provisions of Section 25.05.E.1., Elements of a Conditional Rezoning.

Copies of the staff review and Livingston County Planning Commission meeting minutes are enclosed. Please do not hesitate to contact our office should you have any questions regarding county actions.

Sincerely,

Kathleen J. Kline-Hudson, Director

Enclosures

c: Ross Nicholson, Tyrone Township Zoning Administrator
Mark Meisel, Chair, Tyrone Township Planning Commission

Meeting minutes and agendas are available at <https://www.livgov.com/plan/Pages/meetings.aspx>

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

(517) 546-7555
Fax (517) 552-2347

Web Site
co.livingston.mi.us



Livingston County Department of Planning

LIVINGSTON COUNTY PLANNING COMMISSION MEETING

Wednesday, February 19, 2020 – 6:30 p.m.

Administration Building, Board of Commissioners Chambers
304 East Grand River, Howell, MI 48843

Agenda

Kathleen J. Kline-Hudson
AICP, PEM
Director

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
AICP, PEM
Principal Planner

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Roll and Introduction of Guests
4. Approval of Agenda – February 19, 2020
5. Approval of Meeting Minutes – January 15, 2019
6. Call to the Public
7. Zoning Reviews
 - A. Z-04-20 Hartland Township, Rezoning, GC to LI in Section 28
 - B. Z-05-20 Tyrone Township, Conditional Rezoning, FR to RE in Section 21
8. Old Business
 - A. Progress on visits to local planning commissions
 - B. Review of MSU Extension Training, Planning Commission Roles and Responsibilities
9. New Business
10. Reports
 - A. Staff Reports
11. Commissioners Heard and Call to the Public
12. Adjournment
13. Optional visit to new County Planning office space

Department Information

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304 E. Grand River Avenue
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•
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**LIVINGSTON COUNTY PLANNING COMMISSION
MEETING MINUTES**

February 19, 2020

6:30 p.m.

304 E. Grand River Ave., Howell, Michigan

PLANNING COMMISSION		
COMMISSIONERS PRESENT:	BRIAN PROKUDA MATT IKLE LAURA ABRAMSON	DENNIS BOWDOIN BILL CALL
COMMISSIONERS ABSENT:	BILL ANDERSON JEANNE CLUM	
STAFF PRESENT:	KATHLEEN KLINE-HUDSON ROB STANFORD SCOTT BARB	
OTHERS PRESENT:	BRUCE POWELSON, MARION TOWNSHIP PLANNING COMMISSION MARK MEISEL, TYRONE TOWNSHIP PLANNING COMMISSION CHAIR BRENT LAVANWAY, BOSS ENGINEERING STEVE MORGAN, BOSS ENGINEERING	

1. **CALL TO ORDER:** Meeting was called to order by Commissioner Prokuda at 6:30 PM.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL AND INTRODUCTION OF GUESTS:** None.
4. **APPROVAL OF AGENDA**

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO APPROVE THE AGENDA DATED FEBRUARY 19, 2020, SECONDED BY COMMISSIONER BOWDOIN.

All in favor, motion passed.

5. **APPROVAL OF PLANNING COMMISSION MEETING MINUTES**

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO APPROVE THE MINUTES OF THE PLANNING COMMISSION MEETING DATED JANUARY 15, 2020, SECONDED BY COMMISSIONER ABRAMSON.

All in favor, motion passed.

6. **CALL TO THE PUBLIC:** None.

7. ZONING REVIEWS:

A. Z-04-20: HARTLAND TOWNSHIP – REZONING

Current Zoning: GC: General Commercial

Proposed Zoning: LI: Light Industrial

Section / Proponents: Section 28 / Hartland Township

Township Master Plan:

The Hartland Township Comprehensive Plan (2015) designates the site as Planned Industrial / Research and Development. The master plan defines this future land use category as follows:

The word "Planned" in this designation's name is intended to convey the Township's intentions to partner with private developers or public entities in the creation of planned developments consistent with the provisions of the Michigan Zoning Act and the Township's Zoning Ordinance. In anticipation of population growth and the resulting demand such growth will place upon Township services, additional nonresidential land use areas will be required. These uses will help stimulate the local economy, provide jobs, and contribute to a diverse tax base in order to facilitate Township growth and allow it to continue to provide the quality of service its residents have grown to expect.

General Location. On the Future Land Use Map, PIRD has been planned for approximately 627 acres of the Township. Two distinct areas have been designated for future Planned Industrial Research and Development. These areas are the Clyde Road and US-23 interchange and the Old US-23 corridor, south of M-59.

County Comprehensive Plan:

The 2018 Livingston County Master Plan does not direct future land use patterns, or development within Livingston County. Alternatively, it offers a county-wide land use perspective when reviewing potential rezoning amendments. The Land Use & Growth Management chapter of the plan includes decision-making recommendations regarding potential land use conflicts and promoting good land governance.

Township Planning Commission Recommendation:

The Hartland Township Planning Commission tabled the rezoning at their October 10, 2019 meeting after the public hearing of this rezoning amendment. There were no comments from the public at the public hearing. At the subsequent January 9, 2020 meeting, the Hartland Township Planning Commission recommended Approval of the rezoning amendment.

Staff Recommendation: Approval. The proposed rezoning to LI Light Industrial will help Hartland Township achieve an area of more consistent industrial zoning along the east side of Old US-23. LI zoning is consistent with the existing industrial land use of this area and the Planned Industrial/Research Development (PIRD) master plan designation.

Commission Discussion: Commissioner Abramson requested clarification on whether the use of the property will remain a nonconformity. Director Kline-Hudson stated that it will remain a nonconforming use and there will not be an opportunity for expansion of this use.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO RECOMMEND APPROVAL. SECONDED BY COMMISSIONER ABRAMSON.

Motion passed: 5-0

B. Z-05-20: TYRONE TOWNSHIP – CONDITIONAL REZONING

Current Zoning: FR: Farming Residential

Proposed Zoning: Conditional RE: Rural Estates with Open Space Preservation (OSP) Option and Cluster Development Option (CDO)

Section / Proponents: Section 21 / Tyrone Four, LLC

Township Master Plan:

The Future Land Use plan and map of Tyrone Township designates the site as Low Density Single Family Detached Residential per the future land use map. The Township Master Plan describes this area in the following manner (pg. 92):

Low Density Single Family Detached Residential. This category will permit single family residential development at a density of 1.5 to 3 acres per dwelling unit. This designation can be found in portions of the southeast part of the Township, where residential uses are appropriate but higher densities are not advisable due to infrastructure concerns.

Additionally, the Master Plan describes Open Space Preservation in the following manner (pg. 91):

The Township continues to be dedicated to preservation of open space, particularly in accordance with its program that has been pursued since 1997. The Planning Commission also recognizes the obligation in the Zoning Enabling Act to provide open space in cluster development for all residential land zoned for development at 2 or fewer dwellings per acre where no public sanitary sewers exist and 3 or fewer dwellings per acre with public sewers. As required by the State of Michigan, the Zoning Ordinance provides a cluster option for residential development, if open space is preserved equal to at least 50% of the total land area that is developed. Maintenance of the open space must be established in perpetuity.

County Comprehensive Plan:

The 2018 Livingston County Master Plan does not direct future land use patterns, or development within Livingston County. Alternatively, it offers a county-wide land use perspective when reviewing potential rezoning amendments. The Land Use & Growth Management chapter of the plan includes decision-making recommendations regarding potential land use conflicts and promoting good land governance.

Conditional rezonings are beginning to be a recent trend in Livingston County (four proposed in 2019). If petitioners see this tool as simply a means to get around existing zoning standards to get what they want, this is not the intent of the provision, most importantly at the State statute level. Therefore it is vitally important that petitioners clearly understand the intent of the conditional rezoning tool as well as townships standing firm within the prescribed rules and regulations of their local zoning ordinance and provisions of their Master Plan, in order to make sure they are getting the best and most desired development possible that is a benefit to the entire local community in the end.

Township Planning Commission Recommendation:

The Tyrone Township Planning Commission recommended **DISAPPROVAL / DENIAL** of this Conditional Rezoning at its December 10, 2019 Public Hearing, as follows:

While the proposed plan may have merit if it were a concept plan and appropriate revisions were made to comply with our Zoning Ordinance and State statute prior to final site plan approval, this is a request for a conditional rezoning – therefore the site plan submitted is the only plan that may be considered. The Planning Commission finds the deviations requested from the township's zoning requirements are not justified by the offsetting concessions offered and do not comply with the requested underlying zoning district requirements (RE). Further, the plan as currently proposed cannot comply with the statutory requirement for at least 50% perpetually undeveloped open space left in its natural state.

In its motion, the Planning Commission chose to focus on its duty to not recommend or approve developments that violate state law, in this case specifically the Planned Unit Development Option requirements set forth in PA 110 of 2006 (Michigan Zoning Enabling Act -MZEA - MCL125.3503), the Open Space Preservation Option - MCL125.3506). A motion was passed 5-2 to recommend Denial of the Conditional Rezoning offer because the Planning Commission believes the proposed development does not comply with the planned unit development and open space requirements set forth by the MZEA as well as when utilizing the Township's Cluster Development Option (CDO) in reference to Township Ordinance Section 21.51 (C) with regard to the provision's application of allowable open space in the rear yard setback.

Staff Recommendation: Disapproval.

The proposed conditional rezoning is not consistent with the Master Plan for the subject parcel and would generally not be compatible with the rural residential nature of the surrounding area.

There also appears to be sufficient evidence provided by the Tyrone Township Planning Commission to demonstrate that the proposed conditional rezoning does not comply with either the intent of the Michigan Zoning Enabling Act (MZEA) Public Act 110 of 2006 (MCL 125.3101 to 125.3702), nor the intent of the Tyrone Township Zoning Ordinance Article 8 Open Space Preservation (OSP) Option (Section 8.02 Cluster Development Option (CDO), and Open Space Design Requirements (Section 21.51), nor does it completely satisfy the required provisions of Tyrone Township Zoning Ordinance Section 25.05.E.1., Elements of a Conditional Rezoning.

Commission Discussion: Mark Meisel, Chair, Tyrone Township Planning Commission provided the township's perspective as to how the proposed conditional rezoning does not completely comply with the open space option at both the state and township levels as well as non-compliance with several sections of the township zoning ordinance regarding the proposed underlying zoning district.

Steve Morgan, Boss Engineering, presented the history of the proposed development, the density allowed under different zoning districts and with open space planning. He also discussed how the proposal met the guidelines of the MZEA, but does not meet the requirements of the Tyrone Township Zoning Ordinance.

Commissioner Call requested clarification on how the proposed conditional rezoning was initiated. Steve Morgan, Boss Engineering, explained that discussions between the township and the applicant's legal representatives led them to apply for the conditional rezoning and to pursue the proposed open space option as designated by the Michigan Zoning Enabling Act. Planning Commissioners briefly discussed spot zoning and whether it applied to this site. Commissioner Abramson noted that the County Planning Commission does not normally review site plan issues, but that a conditional rezoning requires this review as a part of the decision-making process.

County Planning Commissioners discussed the regulated versus unregulated wetlands located on-site and that the petitioner did not present any State of Michigan Department of EGLE delineation of the wetlands. Commissioner Bowdoin expressed that with a conditional rezoning the site plan is set, and he is uncomfortable with the fact that the petitioner has not had EGLE sign-off on wetland delineation. Commissioner Ikle stated that the Township does not have the tools available for a good open space option for this property. Commissioner Abramson expressed concern that if the Planning Commission approved this proposal, the site plan is set and no further changes can be made. She said that Tyrone Township has some work to do on their ordinance language. Commissioner Prokuda summarized the concerns of the County Planning Commission regarding the Township's lack of development tools such as a residential PUD, the site plan being set as part of a conditional rezoning, and an open space plan that does not work well on this site.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO RECOMMEND DISAPPROVAL BASED ON STAFF REVIEW. SECONDED BY COMMISSIONER BOWDOIN.

Motion passed: 5-0

8. OLD BUSINESS:

- A. Progress on Planning Department Visits:** During the month of January, Handy (Commissioner Call, Principal Planner Barb) and Marion Townships (Commissioner Prokuda) were visited by staff and commissioners. Upcoming visits to Green Oak, Unadilla and Cohoctah Townships were scheduled with staff and commissioners.
- B. January 29, 2020 MSU Extension Training:** Director Kline-Hudson initiated discussion regarding the January PC training that was led by MSU Extension. She stated that thirty-three persons were in attendance and they represented twelve local planning commissions. Commissioners had positive comments about the experience and thought it was helpful. Commissioners would like to continue to discuss next steps at the March 18 Planning Commission meeting.

9. NEW BUSINESS: None.

10. REPORTS:

- A. January 22 Trail Summit -** Director Kline-Hudson reported that over 50 persons were present at the trail summit, including a number of bicycle enthusiasts. She said that the summit included three (3) prioritization exercises, most important of which was a mapping exercise on maps that showed existing trails and asked participants to show which trails they would most like to see connected and the route they would recommend. She stated that staff has a follow-up phone conference with the trails consultant on 2/20 to go over the results of these exercises.
- B. Park Resolutions -** Kline-Hudson reported that four (4) parks resolutions have been presented to the Board of Commissioners this week at the Public Safety/Infrastructure & Development Committee and Finance Committee. The resolutions regard the honorary naming of Fillmore County Park features, the submittal of an Urban Night Sky Place designation application for Lutz County Park, and revised park rules for both county parks. The final decision on these resolutions will be at the Board of Commissioners meeting on Monday, February 24.
- C. Master Plan Survey -** The Master Plan Implementation Survey on Survey Monkey has been closed due to low response.
- D. New Department Responsibilities -** Kline-Hudson spoke briefly about some new administrative responsibilities that County Planning has been assigned including a grant for a new Meals on Wheels facility.
- E. Planning Department Move -** The Finance and Planning Department office spaces have been rearranged. The last week of January was moving week for County Planning. The department is now located in the former County Administration office area.

11. COMMISSIONERS HEARD AND CALL TO THE PUBLIC: Mark Meisel, Tyrone Township Planning Commission, spoke briefly about open space planning zoning legislation.

12. ADJOURNMENT:

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO ADJOURN THE MEETING AT 8:35 P.M., SECONDED BY COMMISSIONER BOWDOIN.

Motion passed: 5-0



**LIVINGSTON COUNTY PLANNING DEPARTMENT
REZONING REQUEST - | CONDITIONAL
STAFF REPORT**

**CASE NUMBER:
Z-05-20**

COUNTY CASE NUMBER:	Z-05-20	TOWNSHIP:	Tyrone Township
REPORT DATE:	February 3, 2020	SECTION NUMBER:	21
STAFF ANALYSIS BY:	Robert Stanford	TOTAL ACREAGE:	72.39 Acres

APPLICANT / OWNER:	Tyrone Four, LLC
LOCATION:	East side of Runyan Lake Road, South of Center Road and North of Gordon Road
LAND USE:	Currently Vacant

CURRENT ZONING:	REQUESTED ZONING:												
FR - Farming Residential	Conditional RE – Rural Estates with Open Space Preservation (OSP) Option and Cluster Development Option (CDO)												
PERMITTED/SPECIAL USES (Not all inclusive):	PERMITTED/SPECIAL USES (Not all inclusive):												
<u>Permitted:</u> Agriculture, Single family dwellings, Home Occupations, Essential Services excluding outside storage, Stables, Travel trailer storage – noncommercial, Child and adult care facilities	<u>Permitted:</u> Agriculture, Single family dwellings, Home Occupations, Essential Services excluding outside storage, Stables, Travel trailer storage – noncommercial, Child and adult care facilities												
<u>Special:</u> Agri-Business, Churches and Schools, Public and private cemeteries, Golf Courses, Colleges and Universities, Airports, Feedlots, Recreational Areas, Kennels, Campgrounds, Care Facilities, Public utilities, Hospitals, Livestock sales, Contractor’s Limited Storage, Medical Marijuana Caregiver Operation, Zoological Park or Wildlife Sanctuary, Utility-scale Solar Energy Facilities	<u>Special:</u> Agri-Business, Churches and Schools, Public and private cemeteries, Golf Courses, Colleges and Universities, Airports, Feedlots, Recreational Areas, Kennels, Campgrounds, Care Facilities, Public utilities, Hospitals, Livestock sales, Contractor’s Limited Storage, Medical Marijuana Caregiver Operation												
Minimum Lot Area: 3 acres	Minimum Lot Area: 1.75 acres												
	Open Space Preservation Option / Cluster Development Option: Section 8.02 E.1. Lots may be reduced in area below the lot size required by the residential zoning district in which the subdivision is located. Lot area reductions may be up to fifty (50) percent in the FR and RE Districts according to the following schedule:												
NOTE REGARDING CLUSTER AND OPEN SPACE PRESERVATION OPTIONS: <p>All land remaining after lot area reductions shall be preserved and maintained in perpetuity for its scenic value or for recreation and conservation purposes. Such open space shall be protected to remain as open space by a conservation easement, plat dedication, restrictive covenant, or other legal mechanism that runs with ownership of the land.</p>	<table border="1"> <thead> <tr> <th>Zoning District</th> <th>Minimum Lot Area in Zoning District</th> <th>Proposed Minimum Lot Area with Cluster Option</th> <th>Minimum Open Space Required per Proposed Lot with Cluster Option</th> </tr> </thead> <tbody> <tr> <td>FR</td> <td>3 acres</td> <td>1.5 acres</td> <td>1.5 acres</td> </tr> <tr> <td>RE</td> <td>1.75 acres</td> <td>0.875 acre</td> <td>0.875 acre</td> </tr> </tbody> </table>	Zoning District	Minimum Lot Area in Zoning District	Proposed Minimum Lot Area with Cluster Option	Minimum Open Space Required per Proposed Lot with Cluster Option	FR	3 acres	1.5 acres	1.5 acres	RE	1.75 acres	0.875 acre	0.875 acre
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	FR	3 acres	1.5 acres	1.5 acres									
RE	1.75 acres	0.875 acre	0.875 acre										

TOWNSHIP PLANNING COMMISSION RECOMMENDATION AND PUBLIC COMMENTS:

The Tyrone Township Planning Commission recommended DISAPPROVAL / DENIAL of this Conditional Rezoning at its December 10, 2019 Public Hearing, as follows:

While the proposed plan may have merit if it were a concept plan and appropriate revisions were made to comply with our Zoning Ordinance and State statute prior to final site plan approval, this is a request for a conditional rezoning – therefore the site plan submitted is the only plan that may be considered. The Planning Commission finds the deviations requested from the township's zoning requirements are not justified by the offsetting concessions offered and do not comply with the requested underlying zoning district requirements (RE). Further, the plan as currently proposed cannot comply with the statutory requirement for at least 50% perpetually undeveloped open space left in its natural state.

In its motion, the Planning Commission chose to focus on its duty to not recommend or approve developments that violate state law, in this case specifically the Planned Unit Development Option requirements set forth in PA 110 of 2006 (Michigan Zoning Enabling Act – MZEA – MCL125.3503), the Open Space Preservation Option – MCL125.3506). A motion was passed 5-2 to recommend Denial of the Conditional Rezoning offer because the Planning Commission believes the proposed development does not comply with the planned unit development and open space requirements set forth by the MZEA as well as when utilizing the Township's Cluster Development Option (CDO) in reference to Township Ordinance Section 21.51 (C) with regard to the provision's application of allowable open space in the rear yard setback.

ESSENTIAL FACILITIES AND ACCESS:

Water: The site will be serviced by private well.

Sewer: The site will be serviced by a proposed private community septic to serve the development only.

Access: Access to subject site via Runyan Lake Road

EXISTING LAND USE, ZONING AND MASTER PLAN DESIGNATION:

	Land Use:	Zoning:	Master Plan:
Subject Site:	Vacant	FR	Low Density Residential
To the North:	Tyrone Township Hall and SF Residential	FR	Low Density Residential
To the East:	Single Family Residential	FR	Low Density Residential
To the South:	Utility Easement and SF Residential	FR	Low Density Residential
To the West:	US-23 Highway	N/A	N/A

ENVIRONMENTAL CONDITIONS:

Soils / Topography:	Hillsdale-Miami loams (6 to 12 percent slope) and Miami loams (6 to 12 percent slopes) are the predominant soils on site with varying slopes. These soil types are well drained and have good stability for building. Topography on site is fairly level to gently sloping, 6-12 percent slopes.
Wetlands:	The National Wetlands Inventory (NWI) indicates that there are several (5) small (less than 2 acres) unregulated palustrine emergent wetlands scattered throughout the central portions of the entire subject site. There is also a portion of a larger regulated palustrine forested wetland (approximately 3 acres of a total 12 acre) that encroaches into the far northeast portion of the subject site
Vegetation:	The subject properties are entirely wooded.
County Priority Natural Areas:	According to the map "Livingston County's High Quality Natural Areas", the entire 72-acre subject parcel contains a Priority Level 3 Natural Area.

TOWNSHIP MASTER PLAN DESIGNATION:

The Future Land Use plan and map of Tyrone Township designates the site as Low Density Single Family Detached Residential per the future land use map. The Township Master Plan describes this area in the following manner (pg. 92):

Low Density Single Family Detached Residential. This category will permit single family residential development at a density of 1.5 to 3 acres per dwelling unit. This designation can be found in portions of the southeast part of the Township, where residential uses are appropriate but higher densities are not advisable due to infrastructure concerns.

Additionally, the Master Plan describes Open Space Preservation in the following manner (pg. 91):

The Township continues to be dedicated to preservation of open space, particularly in accordance with its program that has been pursued since 1997. The Planning Commission also recognizes the obligation in the Zoning Enabling Act to provide open space in cluster development for all residential land zoned for development at 2 or fewer dwellings per acre where no public sanitary sewers exist and 3 or fewer dwellings per acre with public sewers. As required by the State of Michigan, the Zoning Ordinance provides a cluster option for residential development, if open space is preserved equal to at least 50% of the total land area that is developed. Maintenance of the open space must be established in perpetuity.

COUNTY COMPREHENSIVE PLAN:

The 2018 Livingston County Master Plan does not direct future land use patterns, or development within Livingston County. Alternatively, it offers a county-wide land use perspective when reviewing potential rezoning amendments. The Land Use & Growth Management chapter of the plan includes decision-making recommendations regarding potential land use conflicts and promoting good land governance.

Conditional rezonings are beginning to be a recent trend in Livingston County (four proposed in 2019). If petitioners see this tool as simply a means to get around existing zoning standards to get what they want, this is not the intent of the provision, most importantly at the State statute level. Therefore it is vitally important that petitioners clearly understand the intent of the conditional rezoning tool as well as townships standing firm within the prescribed rules and regulations of their local zoning ordinance and provisions of their Master Plan, in order to make sure they are getting the best and most desired development possible that is a benefit to the entire local community in the end.

COUNTY PLANNING STAFF COMMENTS:

The applicants have requested application consideration by the Tyrone Township Planning Commission for a conditional rezoning to create a development known as the "Sanctuary at Tyrone". The proposed development is 72.39 acres, located in Section 21 of the township, on the east side of Runyan Lake Road, South of Center Road and North of Gordon Road.

HISTORY OF THE PROJECT:

The applicant originally proposed to develop 31 condominium units (site condominium) on a 82 acre parcel in the FR Farming Residential district. Zoning requirements in effect at that time required 2 acre minimum lots with an additional 50% of the developed area being set aside as open space preserved in perpetuity. The applicant stated they wished to utilize the Cluster Development Option (CDO) as set forth in our Zoning Ordinance, and in compliance with PA 110 of 2006, the Michigan Zoning Enabling Act (the "Act").

As a result, lot sizes could be reduced by not more than 50%, and open space must be established for not less than 50% of the land area. Also required by the Act is compliance with the dimensional requirements of the underlying zoning district.

As is typical with concept plan approval, the applicant at this point must simply provide a plan that could reasonably be executed. Historically, concept plans undergo various modifications to address infrastructure needs, approving agency requirements, identification of regulated wetlands, and other minor site plan modifications deemed necessary. Consistent with this historical approach and as set forth in Table 21.2 of the township zoning ordinance, the township planning commission originally granted concept approval of the plan was on December 19, 2017. After no development activity was undertaken, the applicant submitted a request to the township to extend the concept plan for 120 days. The extension was granted on November 20, 2018. A further 120-day extension was granted on March 5, 2019.

During the period of time the extensions were granted, in March of 2018, Tyrone Township amended its zoning ordinance, which changed the minimum lot area in the FR district from a minimum of 2.0 acres to 3.0 acres.

Applicant purchases the additional 10 acres in June 2019.

During July of 2019, the applicant submitted a modified site plan which now included another adjacent 10 acre parcel. The new site plan proposes 36 condominium units on 72 total acres, again utilizing CDO, and utilizing the previous FR district minimum lot size requirement rather than the current requirement. When the applicant was advised the new plan had similar challenges and limitations as the prior plan in addition to the minimum lot size change, the applicant sought a conditional rezoning of the two parcels from FR to RE (Rural Estates) along with utilization of the CDO.

Key issues with Z-05-20: "Sanctuary At Tyrone"

- 72.39 Acres – 36 proposed units under RE with OSD option as opposed to 24 units under FR zoning
- Requested Zoning – RE: Rural Estates with Cluster Development Option (CDO)
- RE: 1.75 Acres (standard) to 0.875 Acres (Open Space/Cluster Development)
- Required Open Space: 36.195 acres (50% of development)
- Proposed Developed Open Space: 26.68 Acres (36.8 % of development)
- Proposed Lot Open Space: 11.18 Acres (15.4% of development)
- Total Proposed Open Space: 37.86 Acres (52% of development)
- Township Planner has indicated to the Township Planning Commission that the conditional rezoning process is an offer of a specific development and use (the site plan) if the rezoning is granted, and no other. Therefore the site plan as submitted must be considered the final site plan that would be approved, rather than a concept plan which might be modified to resolve developmental concerns.
- Must comply with proposed underlying zoning: RE with CDO option: From 1.75 to 0.875 acres minimum if CDO is applied.
- Township not required to accept conditional rezoning.

A. Project compliance with Township Master Plan

- The Future Land Use plan and map of Tyrone Township designates the site as Low Density Single Family Detached Residential per the future land use map. The Township Master Plan describes this area in the following manner (pg. 92):

Low Density Single Family Detached Residential. This category will permit single family residential development at a density of 1.5 to 3 acres per dwelling unit. This designation can be found in portions of the southeast part of the Township, where residential uses are appropriate but higher densities are not advisable due to infrastructure concerns.

- Additionally, the Master Plan describes Open Space Preservation in the following manner (pg. 91):

The Township continues to be dedicated to preservation of open space, particularly in accordance with its program that has been pursued since 1997. The Planning Commission also recognizes the obligation in the Zoning Enabling Act to provide open space in cluster development for all residential land zoned for development at 2 or fewer dwellings per acre where no public sanitary sewers exist and 3 or fewer dwellings per acre with public sewers. As required by the State of Michigan, the Zoning Ordinance provides a cluster option for residential development, if open space is preserved equal to at least 50% of the total land area that is developed. Maintenance of the open space must be established in perpetuity.

- It must be remembered that the Master Plan is a flexible document. In addition to a Plan meeting all State and local planning/development regulations, flexible zoning tools, techniques and options are made available to local municipalities (i.e., cluster development option (CDO), planned unit development (PUD), open space planning (OSP) in order to better achieve sound planning decisions and good/compatible development patterns. However, the Plan must still meet all underlying zoning requirements.

B. Project compliance with Livingston County "High Quality Natural Features Inventory" provisions

- Entire 72-acre site has been identified as a Priority Level Three (3) Natural Area, which is part of a total 132-acre natural area that extends well past the boundaries of this subject parcel.

- The development as proposed:

(a) Under current FR: Farming Residential zoning, 3 acre minimum lots are required, so the proposed developmental area, if developed similarly, is entitled up to $72/3 = 24$ lots minus any infrastructure required for access, wetlands, etc.
The developer is proposing 36 lots.

(b) Existing adjacent development is characteristically 2.5 – 10+ acres per dwelling unit.
The developer is proposing 1.0 acre lots.

(c) The developer is requesting rezoning from FR: Farming Residential (3 acre) to RE: Rural Estates (1.75 acre), then is proposing to apply Cluster Development Option (0.875 acre).
The proposed lot sizes do not comply with RE dimensional requirements, and are much more similar to R-1 Zoning District dimensional standards (developing FR lots using R-1 standards).

(d) CDO requires a minimum of 50% open space preservation.
The developer is only providing a proposed 50% open space, the absolute minimum required by law. Nothing is being proposed to preserve natural features outside of the minimum – rather it appears that the proposed development is attaining the absolute maximum number of lots which can be developed.

(e) Of the open space required, the developer proposes approximately 25% of the land area of each of the 36 lots, accounting for the entire required rear yard setback, which has already been reduced below RE developmental standards, as open space.
 $0.25 \text{ acre} \times 36 \text{ lots} = \text{approximately } 9 \text{ acres}$ of the required 36 acres of open space, 25%, would be difficult to enforce and most likely will not be retained as open space over time.

(f) Nothing proposed makes any attempt to preserve the majority of the land, as is desired through the County Natural Features Inventory.
The proposal appears to maximize the number of lot/units that can be created within the development, and utilizes methods that most likely will result in some open space intended to be preserved (the 25% rear yard lot open space as proposed) to being used ultimately for other purposes.

(g) There are significant wetlands throughout the site, which act as important groundwater recharge areas and significant wildlife habitat.
The proposed development does not appear to take any further steps to design around these important natural features, other than leaving the large wetland area to the northeast (presumed regulated) as is. The other significant wetland areas on site are mostly absorbed (i.e., filled and graded) into the overall development as building sites rather than integrated and preserved.

C. Project compliance with State and township open space requirements for CDO

State Requirements:

MZEA, MCL 125.3506. Open Space Preservation

MCL 125.3506 Open space preservation.

Sec. 506. (1) Subject to subsection (4) and section 402, a qualified local unit of government shall provide in its zoning ordinance that land zoned for residential development may be developed, at the option of the landowner, with the same number of dwelling units on a smaller portion of the land than specified in the zoning ordinance, but not more than 50% for a county or township or 80% for a city or village, that could otherwise be developed, as determined by the local unit of government under existing ordinances, laws, and rules on the entire land area, if all of the following apply:

- Under MZEA, Open space preservation is a development tool that local municipalities must make available, however, it does not establish development by right, it is only an option that may be utilized by the landowner in order to develop land in an alternative manner than by right (standard rezoning).
- The statute does not specify the number of units.
- All underlying zoning requirements are to be met

(a) The land is zoned at a density equivalent to 2 or fewer dwelling units per acre or, if the land is served by a public sewer system, 3 or fewer dwelling units per acre. (b) A percentage of the land area specified in the zoning ordinance, but not less than 50% for a county or township or 20% for a city or village, will remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land, as prescribed by the zoning ordinance.

- "Undeveloped state": Open Space proposed in rear yard setbacks. HOA Maintenance Agreement. No real way for township to enforce this other than requiring a Maintenance Agreement in the Zoning Ordinance. This area could be cleared at some point by a home owner.

(3) The development of land under subsection (1) is subject to other applicable ordinances, laws, and rules, including rules relating to suitability of groundwater for on-site water supply for land not served by public water and rules relating to suitability of soils for on-site sewage disposal for land not served by public sewers.

(5) The zoning ordinance provisions required by subsection (1) shall be cited as the "open space preservation" provisions of the zoning ordinance.

- Strict interpretation of Item #5: Township Ordinance 8.01 Parallel Plan is required – has one been submitted? Tyrone Township says, no.

Township Requirements:

Article 8 Open Space Preservation Option (OSP)

SECTION 8.00 INTENT

The intent of open space development is to provide a procedure for residential development that will result in concentrated and enhanced living environments OSP development can permit more economical residential development and encourage a variety of architectural types and styles for residential dwellings. It will provide a basis for ingenuity and originality in residential lot and street design and development and will preserve open space to serve recreational, scenic, and public service purposes. The provisions have been modified in compliance with the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended.

Section 8.01

SECTION 8.01 OSP APPROVAL PROCEDURE An OSP development shall be constructed in accordance with a subdivision plan, condominium plan, or land division plan.

A. Parallel Plan. Applicants shall submit a parallel plan, a location map, a topography map, an aerial photo, a concept plan and other such information as is necessary, and shall seek advice from and confer with the Tyrone Township Planning Commission, prior to formal submission of a preliminary subdivision plat or condominium plan or land division application.

- Township Ordinance 8.01 Parallel Plan is required – has one been submitted? Tyrone Township says, no.

Section 8.02

SECTION 8.02 CLUSTER DEVELOPMENT OPTION Development under the CDO development option is permitted only in the FR, RE, R-1, R-2, and LK-1 zoning districts, and is subject to approval of the Township Planning Commission and Township Board, provided the requirements contained in this ordinance are satisfied. Cluster development included in PUD Districts shall be limited to those circumstances where the Planning Commission and Township Board find the proposed cluster development will provide open space benefits in the development of single family detached dwellings in a planned unit development.

Section 8.02 C

(i) Number of Dwelling Units. The total number of dwelling units permitted in the cluster development shall be determined by dividing the total land area of the subdivision by the minimum lot area required for the applicable zoning district before lot area modification.

- This appears to be in error, as acknowledged by the Township. This provision was left over in error in the Zoning Ordinance when the Township required open space with land divisions.
- The applicant is using this provision to determine the number of units under the CDO option. However, the township believes that the MZEA requirement that states "that could otherwise be developed..." overrules the township requirement here.
- The applicant cannot develop the proposed 36 units without the required road(s) and other private infrastructure as well.

Section 8.02 D.1

(j) Sanitary Sewer Requirements. 1. RE and R-1 Zoning Districts. Cluster development will only be permitted when community septic systems or public sanitary sewer systems are available to serve all lots at the reduced lot size.

- The applicant is constructing a private community septic system to serve the development.

Section 8.02 E.1 and 2

E. Modification of Requirements. Modification of lot area, width and yard setback requirements.

1. Lots may be reduced in area below the lot size required by the residential zoning district in which the subdivision is located. Lot area reductions may be up to fifty (50) percent in the FR, RE, R-1, R-2, and LK-1 Districts according to the following schedule:

Zoning District	Minimum Lot Area in Zoning District	Proposed Minimum Lot Area with Cluster Option	Minimum Open Space Required per Proposed Lot with Cluster Option
RE	1.75 acres	0.875 acre	0.875 acre

2. All land remaining after lot area reductions shall be preserved and maintained in perpetuity for its scenic value or for recreation and conservation purposes. Such open space shall be protected to remain as open space by a conservation easement, plat dedication, restrictive covenant, or other legal mechanism that runs with ownership of the land.

- This provision provides no procedure or method to modify underlying zoning requirements for minimum lot widths or setbacks.
- "Undeveloped state and Protected Open Space": Open Space proposed in rear yard setbacks. HOA Maintenance Agreement. Could be voted out by homeowners at some point, no way for township to enforce this.
- Twp Zoning Ordinance does provide a method of determining max number of lots, but by intent, that method is for land division.
- This provides max lots before roads, infrastructure is added since not all land divisions require the addition of private roads.

Section 8.03

SECTION 8.03 OPEN SPACE PRESERVATION DESIGN STANDARDS Open space preservation areas shall be provided in compliance with the provisions of Section 21.51. All open space areas preserved under these provisions must meet the requirements of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended. In particular, open space areas must be preserved in an undeveloped state as defined in the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, which excludes golf course development on open space preserved by these provisions.

Section 21.51 OPEN SPACE DESIGN REQUIREMENTS**Sections B.1 and B.3**

B. Exclusions. Open space shall not include:

1. **Certain Easements.** Areas devoted to public or private streets or the easement for shared driveway or private roads.

3. **Yard Setbacks.** Required yard setback areas as specified in Section 20.01

Section 21.51 C

C. Yard Setback Exceptions. The Planning Commission may allow specified areas located within the required yard setback or setbacks of an individual parcel to be included as required open space, if the Commission finds that the protection of that open space area is consistent with the intent of the open space concept.

- Intent is one (1) Lot, not the entire 36 lot development
- This is an Exception, not a Rule.
- Insufficient Rear and Front setbacks and Minimum Lot widths proposed – doesn't meet RE dimensional requirements.
- Approximately 25% of lot area is proposed to be used as open space – doesn't comply with MZEA intent. Also substantially reduces the proposed lot sizes to 0.75 acres (0.875 min in RE with OSP). See also Section 29.05.B.3 (Conditional Rezoning-Uses and Densities)

Section 21.51 D

D. Perimeter Open Space Measurement. If the Planning Commission allows required open space to be located within the yard perimeter, the setback shall be measured from the closest point of the open space boundary.

- It appears that this requirement is being ignored by the applicant.
- If the Planning Commission were to allow the required rear yard to be included as open space, this land area clearly falls within the yard perimeter. Setbacks are then required to be measured from the open space boundary, so once again the building envelopes that are depicted on the proposed lots abut the open space boundary, therefore there is no rear yard setback, which does not comply with the lot dimensional requirements for RE

Section 21.51 F

Wetland Open Space. Not more than thirty-five (35) percent of the minimum open space area provided to satisfy the requirements of this Ordinance shall be included in a wetland protected by the Natural Resources and Environmental Protection Act (PA 451 of 1994, as amended).

- The applicant has not provided a wetland determination with EGLE's acceptance. Any land area determined to be wetland would apply, reducing the land area available for use as open space.
- The applicant has provided a 2005 preliminary wetland assessment which did identify regulated wetlands on the property, however, the document was dismissed by the Planning Commission due to:
 - The document being 15 years old; and
 - There is no formal endorsement from MDEQ or EGLE;
- The township therefore requested/required an updated assessment along with endorsement from EGLE as a condition of acceptance.

- Wetland areas within the proposed subject site should be professionally determined and endorsed through the State of Michigan Department EGLE.

Section 21.51 H

H. Relocation. Open space may be relocated if the Planning Commission and Township Board find that the original intent of the open space requirement may be met at another location within the lot, parcel, or condominium unit.

- This appears to be being applied incorrectly. First, this is at the discretion of the Planning Commission and Township Board, not the applicant's. Second, this provision allows for open space within a lot/unit to be relocated within that same lot/unit. Nothing here states required open space for a development may be relocated to be within condominium lots/units.

Section 21.51 J

J. Maintenance Agreement. If open space is not dedicated to public use, it shall be protected by an open space maintenance agreement as described herein. With regard to the privately owned open space, the open space maintenance agreement shall...:

- HOA Maintenance Agreement.** Is required and applicant indicates one will be put in place, However, the open space could be cleared out by homeowners at some point, no way for township to enforce this.

Section 29.05 CONDITIONAL REZONING

Section 29.05 B 3. Uses and Densities

2. Uses or Densities. The owner's offer of conditions may not purport to authorize uses or densities not permitted in the requested new zoning district.

Section 29.05.B.6 6. Deviation from Ordinance Standards. Any deviation from a Zoning Ordinance standard for the proposed zoning district included as part of the conditional rezoning application shall be balanced by offsetting concession in the Statement of Conditions volunteered by the applicant.

The applicant proposed the following offsetting concessions:

- To conditionally rezone from FR to RE zoning (i.e., reduction of one zoning district density);
- Lot sizes of 1 acre versus the minimum 0.875 allowed when applying CDO to lands rezoned RE (i.e., effectively through a second zoning district density reduction)
- Side yard setbacks of 30 feet versus the required 20 feet in RE (i.e., develop the lots/units with reduced lot width and reduced front and rear yard setbacks which confirms a second zoning district density reduction, since the lots now comply more with R-1 Residential Zoning District developmental standards, not RE, Rural Estates)
- A physical tap at the Runyan Lake Road right of way and an offer of 1 REU for use of the Sanctuary at Tyrone community septic system at a quarterly O&M charge of 1/37th proportionate share. (Note: The offer of a physical tap is a consideration the Township Board must assess.)

The applicant is also proposing to use the entire required rear yard of all 36 units as open space, thereby reducing the developable, and usable lot area to 0.75 acre, which makes the lots quite similar to the Township's R-2 Residential Zoning District developmental standards, which is their highest density single family residential district.

- In essence the proposed development goes from the largest required lots to the smallest required lots in residential development.

The applicant is asking for the following deviations from developmental standards under RE zoning:

- 36 required rear yard setbacks used entirely for required open space;
- 36 rear yards without rear yards as a result of the prior bullet, because the building envelopes abut the open space;
- 36 rear yards with reduced rear yard setbacks prior to use as open space
- 36 front yards with reduced front yard setbacks.

This is a conditional rezoning request. The intent here is that the applicant offer offsetting concessions for modifications to the requirements set forth for a typical rezoning to justify their specific use request.

Concluding comments:

- The applicant's plan does not comply with the township's Master Plan for the area.
- The applicant's plan does not fulfill the intended nature of the use of open space preservation through the Michigan Zoning Enabling Act, as there is non-compliance with many underlying zoning requirements (RE district) as proposed.
- Significant natural features (i.e., wetlands) have been absorbed into the development as building sites, rather than planned around and retained, as is desired by the County High Quality Natural Features Inventory.
- The applicant's plan does not comply with the underlying zoning district standards of RE, and the Township Zoning Ordinance, in the following areas:
 - (a) Insufficient front yard setback
 - (b) Insufficient rear yard setback
 - (c) Insufficient lot width
 - (d) Applicant is using the entire required rear yard for all 36 units as open space
 - (e) No rear yard setback from the open space

COUNTY PLANNING STAFF RECOMMENDATION:**Disapproval**

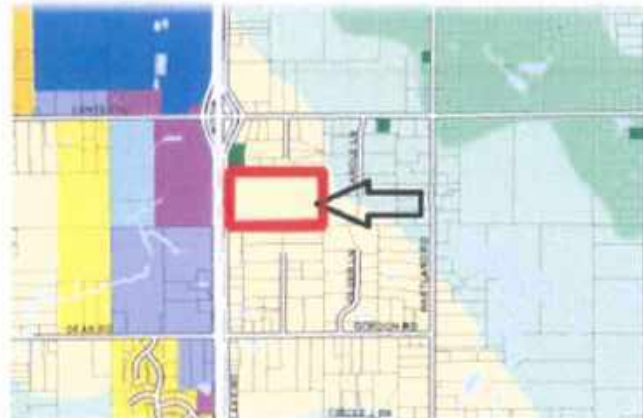
The proposed conditional rezoning is not consistent with the Master Plan for the subject parcel and would generally not be compatible with the rural residential nature of the surrounding area.

There also appears to be sufficient evidence provided by the Tyrone Township Planning Commission to demonstrate that the proposed conditional rezoning does not comply with either the intent of the Michigan Zoning Enabling Act (MZEA) Public Act 110 of 2006 (MCL 125.3101 to 125.3702), nor the intent of the Tyrone Township Zoning Ordinance Article 8 Open Space Preservation (OSP) Option (Section 8.02 Cluster Development Option (CDO)), and Open Space Design Requirements (Section 21.51), nor does it completely satisfy the required provisions of Tyrone Township Zoning Ordinance Section 25.05.E.1., Elements of a Conditional Rezoning.

EXISTING LAND USE MAP:



FUTURE LAND USE MAP:



Future Land Use Categories

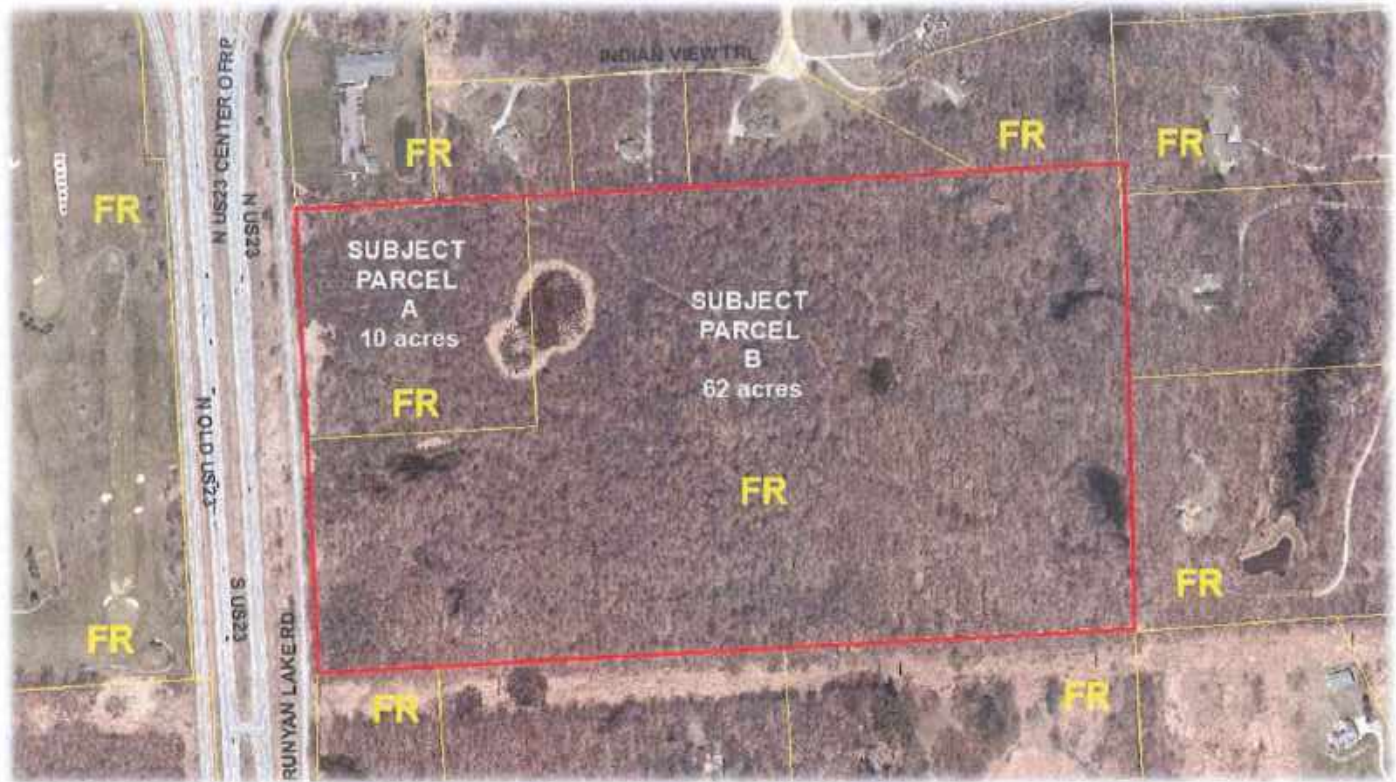
Residential

- Agricultural/Residential
- Residential/ Natural Resources Preservation
- Low Density Single Family Detached Residential
- Medium Density Single Family Detached Residential
- Medium Density Single Family - Lake Side
- High Density Attached Residential
- Manufactured Single Family Detached Residential

Non-Residential

- Planned Commercial Services
- Planned Office
- Planned Industrial Research Office
- Planned Commercial Industrial
- Commercial Recreation
- Public/ Quasi-Public

SURROUNDING ZONING MAP:



TOWNSHIP ZONING MAP:



SITE PHOTOS:



Subject Site



View Looking North from Site



View Looking East from Site

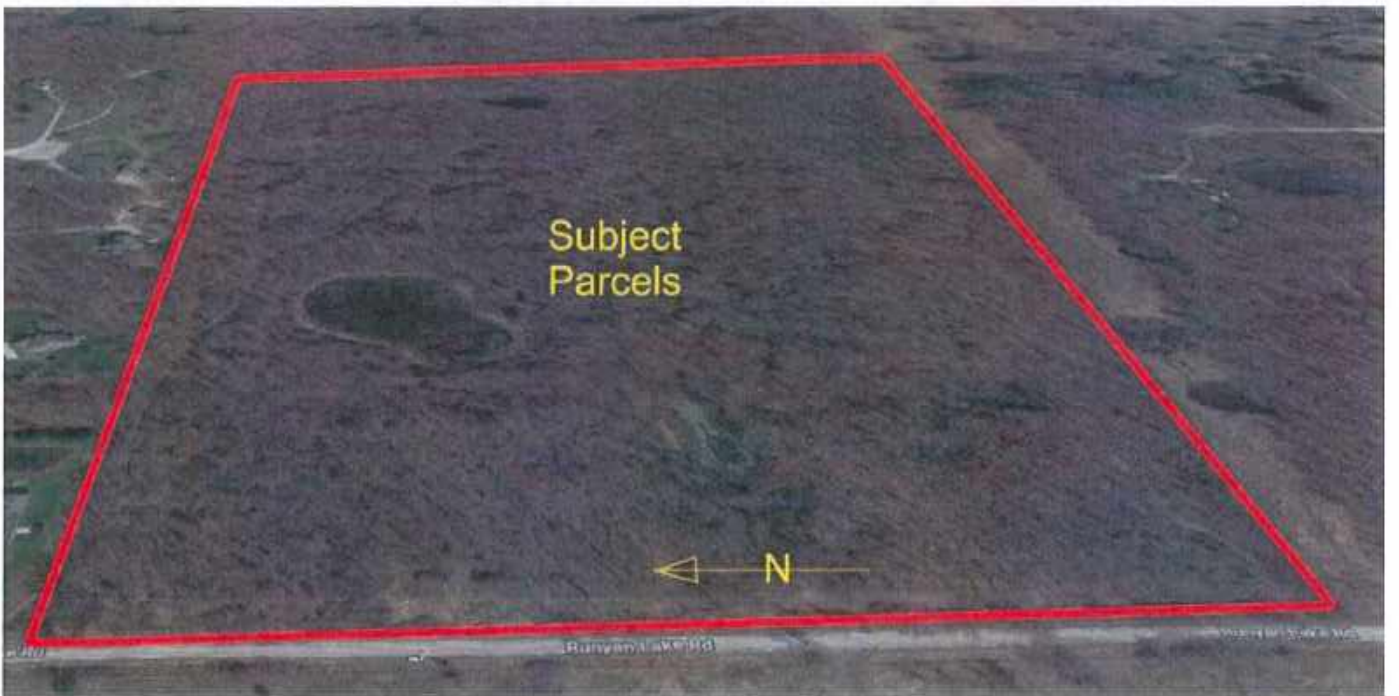
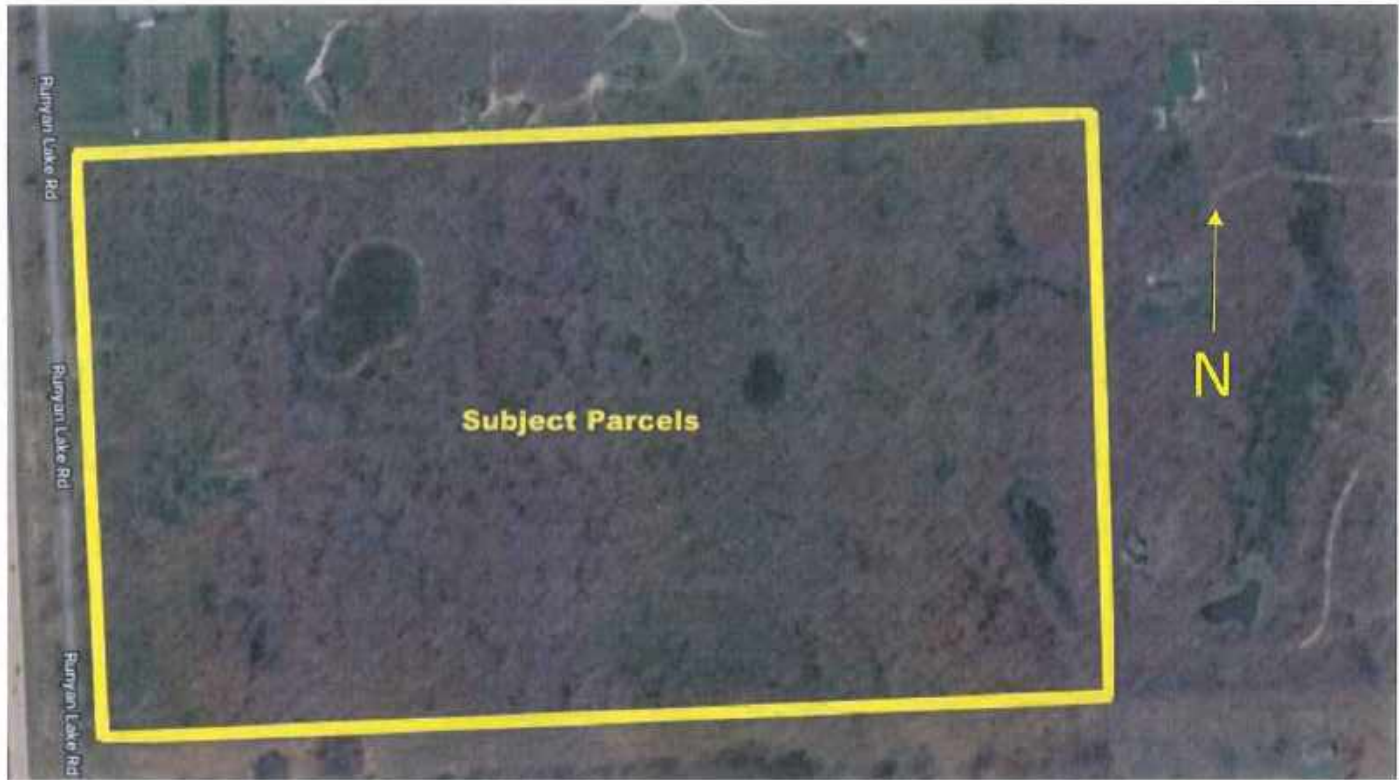


View Looking South from Site



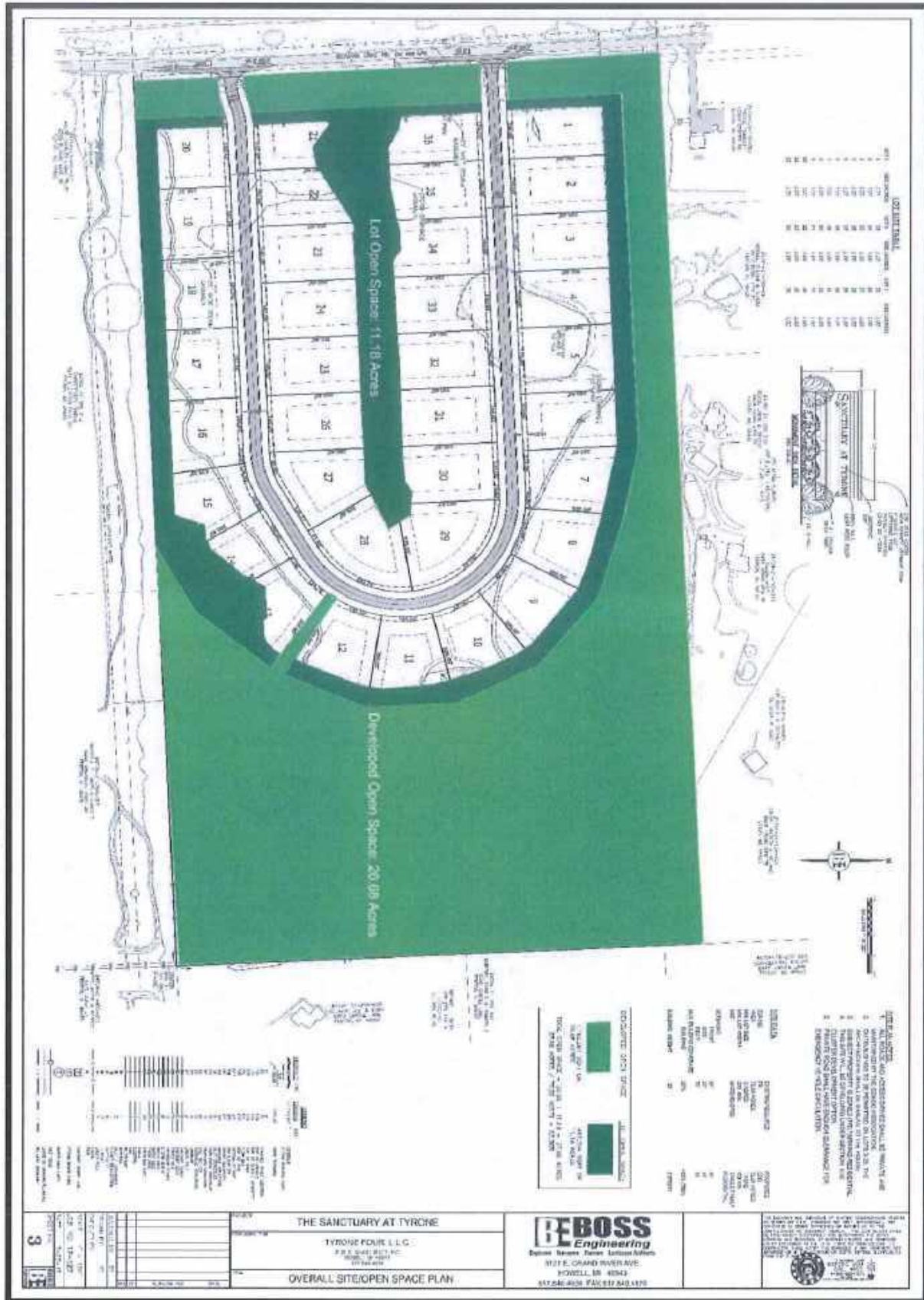
View Looking West from Site

AERIAL PHOTO:



Oblique View: Looking East at Subject Parcel

ATTACHMENT "A": PROPOSED OVERALL OPEN SPACE PLAN:



ATTACHMENT "B": PROPOSED CONDITIONAL REZONING AGREEMENT PAGE 1**EXHIBIT C****Conditional Zoning Agreement Terms Offered by Applicant**

This conditional zoning offer is submitted pursuant to Section 465 of the Michigan Zoning Enabling Act P.A. 110 of 2006, as amended, between Tyrone Four LLC, whose address is 3121 E. Grand River, Howell, Michigan 48843 (Applicant), and Tyrone Township, whose address is 10408 Center Road, Fenton Michigan 48430 (Township).

Owner hereby offers to the Township the Conditional Rezoning of Parcel Nos. 04-21-100-021 and 022, 72.39 acres (**EXHIBIT A**), from FR to RE, as shown on the Conceptual Site Plan (**CSP**) (**EXHIBIT B**) drawing, subject to and inclusive of all of the following conditions to be set forth in an executed Conditional Zoning Agreement (**CZA**):

- A. The conditional rezoning will allow for the 72.39 acre **EXHIBIT A** parcel to be developed consistent with the **EXHIBIT B** Site Plan as an Open Space Preservation Site Condominium (**OSP**) using the dimensions shown, using the dimensional requirements under the existing RE Zoning District.
- B. Applicant voluntarily proposes this conditional rezoning and certifies that this property shall not be developed or used in any manner that is inconsistent with the conditions proposed and the attached **EXHIBIT B CSP**.
- C. The approval of a conditional rezoning shall be binding upon and inure to the benefit of the Applicant and the Township, and also their respective heirs, successors, assigns, receivers, or transferees and shall run with the land.
- D. The conditional rezoning shall not permit any activity, use, or condition that would otherwise violate any requirement or standard that is otherwise applicable in the RE zoning district.
- E. The conditional rezoning is proposed voluntarily by the Applicant and the Township may rely upon the stated terms hereon and may not grant the requested rezoning but for the conditions offered.
- F. Applicant agrees and understands that the rezoning is conditioned upon obtaining site plan approval and other necessary approvals required by the Township and all applicable county and state agencies, having jurisdiction.
- G. The conditional rezoning shall result in the 72.39-acre **EXHIBIT A** parcel being rezoned to RE utilizing Tyrone Township's Open Space Preservation (**OSP**) overlay district.
- H. After approval of the conditional rezoning, the **OSP** will overlay the entire 72.39 acre development and the **EXHIBIT B** Site Plan will meet dimensional, density, and open space standards, without any needed variances.
- I. A minimum 150' foot wooded open space buffer will exist along the northerly border (units 1-8) as shown on the site plan.
- J. All open space wooded areas delineated on the **EXHIBIT B** Site Plan will be preserved for the use of the unit owners, excepting the small area designated for the on-site waste treatment system, providing in excess of 52% of the total Property as a designated open space/natural feature preservation area consistent with the

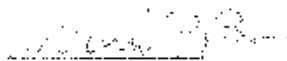
ATTACHMENT "B" PROPOSED CONDITIONAL REZONING AGREEMENT PAGE 2

ment of Sections 8.03 (Open Space Preservation Design Standards) and 29.05 of the Tyrone Township Zoning Ordinance, as well as the Michigan Zoning Enabling Act.

- K. As a condition of the rezoning, the Applicant will provide a physical tap at the Runyan Lake Road right-of-way as shown on the EXHIBIT B site plan and one (1) RBU (at 300 gallons per day) of capacity to the Township at no cost for access by the adjacent Township Hall property to tap into the Applicant's proposed on-site waste treatment system. If the tap was utilized, the Township would then participate in a 1/37th proportionate share of the quarterly operation and maintenance charges for users of the system.
- L. Applicant seeks a two-year approval window by which the development conditions set forth herein (final site plan and other governmental agency approvals) under the conditional rezoning must be completed, with the option to extend for any additional time periods upon request to, and approval by, the Township. MCL 125.3405(2) and (4).

Respectfully Submitted,

Tyrone Four LLC



By: Daniel P. Ross
Its: Member

Dated: October 23, 2019

MYERS & MYERS, PLLC
ATTORNEYS AT LAW

Kelly A. Myers
Roger L. Myers *
*Also Admitted to Practice in
California

915 N. Michigan Avenue
Suite 200
Howell, Michigan 48843
(517) 540-1700
Fax: (517) 540-1701

Matthew M. Hagerly
Rebecca J. S. Cassell
Michael A. Bussert

October 23, 2019

Tyrone Township Planning Commission
c/o, Ms. Marcella Husted, Clerk
10408 Center Rd.
Fenton, MI 48430

VIA HAND-DELIVERY

**RE: Conditional Rezoning Offer for Parcel Nos. 04-21-100-021 and 04-21-100-022
Pursuant to Section 405 of the Michigan Zoning Enabling Act**

Dear Members of the Tyrone Township Planning Commission:

My client, Tyrone Four, LLC (the "Applicant"), and I are in receipt of the Tyrone Township Planning Commission Subcommittee's notes concerning Applicant's proposed conditional rezoning application dated October 1, 2019. The Applicant has gone through, in detail, the conditional rezoning requirements outlined your correspondence forwarded from the Township's legal counsel, John Harris, on October 15, 2019 as well as those set forth in Section 29.05 of the Tyrone Township Zoning Ordinance. The subcommittee's quick turnaround in providing feedback for the conditional rezoning application as previously submitted is appreciated.

In accordance with the subcommittee's recommendations, enclosed is the Applicant's resubmittal of an application for a conditional rezoning of the entire 72.39 acres (Parcel Nos. 04-21-100-021 and 04-21-100-022, collectively the "Property") owned by the Applicant from Farming Residential (FR) to Residential Estate (RE) as depicted and described on the **Exhibit A** survey attached hereto. First, this will eliminate any issues concerning whether or not there were any prior vested rights as to the Applicant's 31 unit plan on parcel 04-21-100-021 under the prior-existing FR zoning requirements that existed before March of 2018; and secondly, permit the entire Property to be developed cohesively under a single conditional rezoning with the development conditions and public benefits set forth herein applying to the entire Property.

As shown on the revised **Exhibit B** site plan and detailed more specifically in the attached **Exhibit C** amended conditional rezoning terms offered, the Applicant is proposing the following site conditions and amenities for public benefit:

- A minimum 150' foot wooded open space buffer along the northerly border (units 1-8) of the Property.
- All single family homes will be constructed within the building envelopes as detailed in the **Exhibit B** site plan.
- All open space wooded areas will be preserved for the use of the unit owners, excepting the small area designated for the on-site waste treatment system, providing in excess of 52% of the total Property as a designated open space/natural feature preservation area consistent with the intent of Sections 8.03 (Open Space Preservation Design Standards) and 29.05 of the Tyrone Township Zoning Ordinance, as well as the Michigan Zoning Enabling Act.
- The Applicant will provide a physical tap at the Runyan Lake Road right-of-way as shown on revised **Exhibit B** and one (1) REU (at 300 gallons per day) of capacity to the Township at no cost for access by the adjacent Township Hall property to tap into the Applicant's proposed on-site waste treatment system. If the tap was utilized, the Township would then participate in a 1/37th proportionate share of the quarterly operation and maintenance charges for users of the system.

It remains the Applicant's intent to construct the development consistent with the revised **Exhibit B** site plan. Due to the significant open space buffers and designated building envelopes, it is not the Applicant's desire to remove any units from the total 36 as proposed, which will result in a uniform development, but taking care to preserve all natural site features to the greatest extent possible and as required under Article 8 of the Tyrone Township Zoning Ordinance. No additional density beyond that set forth in the **Exhibit B** site plan is proposed and the development would be capped at a density of 36 units. The Applicant is willing to adhere to the 36 unit density cap as proposed, although a conditional rezoning of the entire Property to the RE zoning district would technically afford the Applicant up to five (5) additional units (for a total of 41 units) utilizing the Cluster Development Ordinance (CDO) provisions under an open space plan (OSP). Keeping the site plan at 36 units will result in units larger than the minimum .875 acre lot size required under the OSP option in the RE zoning district and reduce the overall permitted density by over 12%. The following table details the density afforded and proposed under a conditional rezoning from FR to RE:

Current Proposed Conditional Zoning from FR to RE

REGULATION	RE District Standards (as of March 2018)	Proposed Units under RE Zoning and Applying the Cluster Development Option under Article 8
Lot Width	200	150
Front Yard setback	100	50

Side Yard setback	20	30
Rear Yard setback	75	50 (150' including 100' buffer)
Lot Area	1.75 acres	0.875 acres (allowed) 1.0 acres (requested)
Total Units 72 acres	41 (allowed)	36 (requested) - 12.2% density reduction from permitted density

As detailed previously, the conditional rezoning of the Property proposed by the Applicant would be in the form of a conditional zoning agreement between itself and Tyrone Township pursuant to Section 405 of the Michigan Zoning Enabling Act P.A. 110 Of 2006, as amended (MCL 125.3405).

Applicant's Development Plan

Applicant intends to provide a 36 unit Site Condominium on the 72 acre Property using the OSP (overlay district) plan to minimize impact on the neighboring parcels. There will be a significant dedicated Open Space buffer between the Property and both adjacent property owners to the north. The easterly portion of the 72 acre development will also be dedicated Open Space. The minimum unit size will be one (1) acre with 150' feet of frontage. In addition to the lot sizes and open space preservation, the following additional site development amenities are proposed:

- Garage entrances will be side entry.
- It is expected that natural gas will be brought to the entire 72 acre development.
- The development will have an on-site community sewage system.
- Applicant intends to allow for out buildings of the same materials and architecture as the single family homes.
- The development will have two separate entrances onto Runyan Lake Road in a "horseshoe" site configuration and layout.
- The development will include a community sewage system for all units and will have asphalt roads with concrete curbs and gutters. This type of road will allow for a greater retention of trees and natural features.

The Applicant intends to commence construction of the infrastructure as soon as approved, weather permitting, and has a pending agreement with a builder to purchase the entire 36 unit development upon completion of the infrastructure and site plan approval.

Rationale for Conditional Rezoning of the Property

The entire 72 acre development on the Property as proposed is designated to be Low Density Single Family Detached Residential. This designation is in Tyrone Township's Master Plan and Future Land Use Map prepared by McKenna Associates dated February 2012, which permits density as low as 1.5 acres per dwelling unit. The conditional rezoning of the Property to the RE (Residential Estate) Zoning District will allow for development at 1.75 acres per unit (prior to application of the CDO), well above the lowest permitted density in the Master Plan.

The conditional rezoning from FR to RE will also permit improvements to the total development as follows:

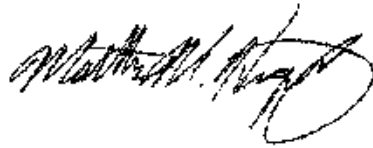
- A. The roads would be realigned to provide better traffic flow from Runyan Lake Road thru the development.
- B. The road layout improves emergency response access to each residential unit.
- C. The public utility infrastructure will be reduced, resulting in more efficient use in serving the 36 unit development and potential adjacent properties.
- D. The significant reduction in total road infrastructure will reduce the development impact on the existing natural features that exist on the 72 acre site.

Applicant hereby offers the terms and conditions as set forth in attached Exhibit C hereto, which would be set forth in a separate Conditional Zoning Agreement (CZA) between the Applicant and the Township as a basis for the rezoning of the Property from the FR to the RE Zoning District.

Based upon all of the foregoing, Applicant respectfully requests that the enclosed Planning Commission Review Application and accompanying attachments for the conditional rezoning of parcel nos. 04-21-100-021 and 022 be placed on the Planning Commission agenda for its next available meeting in November for consideration and recommended approval.

Very Truly Yours,

MYERS & MYERS, PLLC



Matthew M. Hagerty
Direct Dial: 517-376-4018

MH/hs

Cc: John K. Harris, Esq., Harris & Leterski, via electronic mail only

Enclos.

AMENDED
TYRONE TOWNSHIP
PLANNING COMMISSION REVIEW APPLICATION


Property Address / Location V-L RUNYAN LAKE ROAD		Parcel ID/Zoning District 4704-21-100-022
Property Owner(s) TYRONE FOYR LLC		Telephone 810-599-8890
Street Address 3121 E, GRAND RIVER		Cell Phone 810-599-8890
City Howell	State and Zip code MI, 48843	FAX or E-Mail DANEBOSSENG.COM
Authorized Agent DAN BOSS		Telephone
Street Address SAME		Cell Phone
City		State and Zip Code

Type of Review:

- | | | |
|--|--|---|
| <input type="checkbox"/> Boundary Realignment | <input type="checkbox"/> Open Space Relocation | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Concept Review | <input type="checkbox"/> Private Road/Shared Drive | <input type="checkbox"/> Site Visit |
| <input checked="" type="checkbox"/> Conditional Zoning | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Special Land Use |
| <input type="checkbox"/> Home Occupation | <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Special Meeting |
| <input type="checkbox"/> Land Division | <input type="checkbox"/> Rezoning | <input type="checkbox"/> Subcommittee Meeting |
| <input type="checkbox"/> Open Space Preservation | <input type="checkbox"/> Site Condominium | <input type="checkbox"/> Subdivision Plat |
| <input type="checkbox"/> Other | | |

Project Description: 72.39
 REZONING ~~X~~ ACRES FROM FR TO RE.
 REZONING WILL BE A CONDITIONAL ZONING AGREEMENT
 (SEE ATTACHMENTS)

Planning Commission applications should be filed with the Planning Commission Recording Secretary at least 14 days (21 days for land divisions/realignments) prior to review. Applications will not be scheduled for review until all information has been received. This Signature constitutes the applicant's acknowledgement of the application requirements and permission for site inspection by Tyrone Township representatives.



Signature of Owner(s) or Authorized Agent

Date	Tax Status	Fees: 101-000000-607-006	Escrow: 701-000000-283-__
Received By:			

Part of the Northwest 1/4 of Section 21, T4N-R6E, Tyrone Township, Livingston County, Michigan, more particularly described as follows: Commencing at the North 1/4 Corner of Section 21; thence along the North-South 1/4 line of Section 21, S 02°28'08" W, 1332.42 feet (previously described as 1332.40 feet), to the POINT OF BEGINNING of the Parcel to be described; thence continuing along the North-South 1/4 line of Section 21, S 02°28'08" W, 1336.68 feet (previously described as 1332.40 feet), to the Center of Section 21; thence along the East-West 1/4 line of Section 21, N 87°42'32" W, 2353.05 feet (previously described as N 87°59'37" W, 2348.56 feet); thence along the East line of Runyan Lake Road (a.k.a. east line of east service road of US-23) (70 foot wide Right of Way), N 01°51'44" E, 1335.38 feet (previously described as N 01°39'35" W, 1335.16 feet); thence S 87°44'28" E, 2367.19 feet (previously described as S 87°55'35" E, 2367.42 feet), to the POINT OF BEGINNING, containing 72.39 acres, more or less, and including the use of the existing Runyan Lake Road. Also subject to any other easements or restrictions of record.

PROPOSED PARCEL 1 (DESIGNATED AS PARENT PARCEL):

Part of the Northwest 1/4 of Section 21, T4N-R6E, Tyrone Township, Livingston County, Michigan, more particularly described as follows: Commencing at the North 1/4 Corner of Section 21; thence along the North-South 1/4 line of Section 21, S 02°28'08" W, 1332.42 feet (previously described as 1332.40 feet), to the POINT OF BEGINNING of the Parcel to be described; thence continuing along the North-South 1/4 line of Section 21, S 02°28'08" W, 1336.68 feet (previously described as 1332.40 feet), to the Center of Section 21; thence along the East-West 1/4 line of Section 21, N 87°42'32" W, 2353.05 feet (previously described as N 87°59'37" W, 2348.56 feet); thence along the East line of Runyan Lake Road (a.k.a. east line of east service road of US-23) (70 foot wide Right of Way), N 01°51'44" E (previously described as N 01°39'35" W), 675.38 feet; thence S 87°44'28" E, 660.00 feet; thence N 01°51'44" E, 660.00 feet; thence S 87°44'28" E (previously described as S 87°55'35" E), 1707.19 feet, to the POINT OF BEGINNING, containing 62.39 acres, more or less, and including the use of the existing Runyan Lake Road. Also subject to any other easements or restrictions of record. The above described parcel does not require open space. The above described parcel contains approximately 5.00 acres of open space, more or less, as described below (Open Space A), as required under provisions of Tyrone Township Zoning Ordinance #36, Section 20.22.AA and Section 21.51, set off as required for Parcel 2 (5.00 acres, more or less), as described below. The open space so described shall be owned, maintained and used by the owner of Parcel 1, to which open space has been assigned. Within the open space area, no permanent structures may be built.

PROPOSED PARCEL 2:

Part of the Northwest 1/4 of Section 21, T4N-R6E, Tyrone Township, Livingston County, Michigan, more particularly described as follows: Commencing at the North 1/4 Corner of Section 21; thence along the North-South 1/4 line of Section 21, S 02°28'08" W, 1332.42 feet (previously described as 1332.40 feet); thence N 87°44'28" W (previously described as N 87°55'35" W), 1707.19 feet, to the POINT OF BEGINNING of the Parcel to be described; thence S 01°51'44" W, 660.00 feet; thence N 87°44'28" W, 660.00 feet; thence along the East line of Runyan Lake Road (a.k.a. east line of east service road of US-23) (70 foot wide Right of Way), N 01°51'44" E (previously described as N 01°39'36" W), 660.00 feet; thence S 87°44'28" E (previously described as S 87°55'35" E), 660.00 feet, to the POINT OF BEGINNING, containing 10.00 acres, more or less, and including the use of the existing Runyan Lake Road. Also subject to any other easements or restrictions of record. The above described parcel does not require open space. The above described parcel is required to have approximately 5.00 acres of open space, as required under provisions of Tyrone Township Zoning Ordinance #36, Section 20.22.AA and Section 21.51. The required 5.00 acres, more or less, of open space has been designated to Parcel 1, as described above, being part of Open Space A, as described below. The open space so described shall be owned, maintained and used by the owner of Parcel 1, to which open space has been assigned. Within the open space area, no permanent structures may be built.

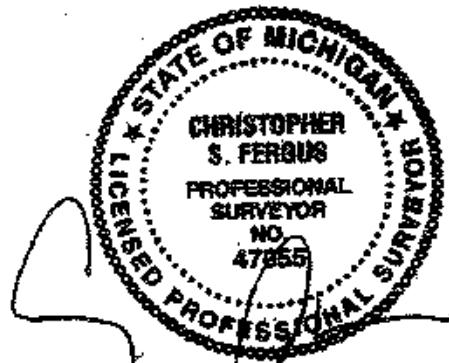
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September 10, 2009

AEB

Job Number: 09024
Sheet: 3 of 4



3121 E. Grand River Ave. Howell, MI 48843
Phone (517)546-4836 • Fax (517)548-1670



CHRISTOPHER S. FERGUS, P.S.

EXHIBIT C

Conditional Zoning Agreement Terms Offered by Applicant

This conditional zoning offer is submitted pursuant to Section 405 of the Michigan Zoning Enabling Act P.A. 110 of 2006, as amended, between Tyrone Four LLC, whose address is 3121 E. Grand River, Howell, Michigan 48843 (Applicant), and Tyrone Township, whose address is 10408 Center Road, Fenton Michigan 48430 (Township).

Owner hereby offers to the Township the Conditional Rezoning of Parcel Nos. 04-21-100-021 and 022, 72.39 acres (**EXHIBIT A**), from FR to RE, as shown on the Conceptual Site Plan (**CSP**) (**EXHIBIT B**) drawing, subject to and inclusive of all of the following conditions to be set forth in an executed Conditional Zoning Agreement (**CZA**):

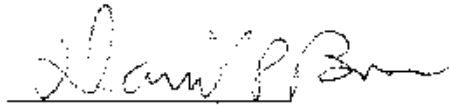
- A. The conditional rezoning will allow for the 72.39 acre **EXHIBIT A** parcel to be developed consistent with the **EXHIBIT B** Site Plan as an Open Space Preservation Site Condominium (**OSP**) using the dimensions shown, using the dimensional requirements under the existing RE Zoning District.
- B. Applicant voluntarily proposes this conditional rezoning and certifies that this property shall not be developed or used in any manner that is inconsistent with the conditions proposed and the attached **EXHIBIT B CSP**.
- C. The approval of a conditional rezoning shall be binding upon and inure to the benefit of the Applicant and the Township, and also their respective heirs, successors, assigns, receivers, or transferees and shall run with the land.
- D. The conditional rezoning shall not permit any activity, use, or condition that would otherwise violate any requirement or standard that is otherwise applicable in the RE zoning district.
- E. The conditional rezoning is proposed voluntarily by the Applicant and the Township may rely upon the stated terms herein and may not grant the requested rezoning but for the conditions offered.
- F. Applicant agrees and understands that the rezoning is conditioned upon obtaining site plan approval and other necessary approvals required by the Township and all applicable county and state agencies, having jurisdiction.
- G. The conditional rezoning shall result in the 72.39-acre **EXHIBIT A** parcel being rezoned to RE utilizing Tyrone Township's Open Space Preservation (**OSP**) overlay district.
- H. After approval of the conditional rezoning, the **OSP** will overlay the entire 72.39 acre development and the **EXHIBIT B** Site Plan will meet dimensional, density, and open space, standards, without any needed variances.
- I. A minimum 150' foot wooded open space buffer will exist along the northerly border (units 1-8) as shown on the site plan.
- J. All open space wooded areas delineated on the **EXHIBIT B** Site Plan will be preserved for the use of the unit owners, excepting the small area designated for the on-site waste treatment system, providing in excess of 52% of the total Property as a designated open space/natural feature preservation area consistent with the

intent of Sections 8.03 (Open Space Preservation Design Standards) and 29.05 of the Tyrone Township Zoning Ordinance, as well as the Michigan Zoning Enabling Act.

- K. As a condition of the rezoning, the Applicant will provide a physical tap at the Runyan Lake Road right-of-way as shown on the **EXHIBIT B** site plan and one (1) REU (at 300 gallons per day) of capacity to the Township at no cost for access by the adjacent Township Hall property to tap into the Applicant's proposed on-site waste treatment system. If the tap was utilized, the Township would then participate in a 1/37th proportionate share of the quarterly operation and maintenance charges for users of the system.
- L. Applicant seeks a two-year approval window by which the development conditions set forth herein (final site plan and other governmental agency approvals) under the conditional rezoning must be completed, with the option to extend for any additional time periods upon request to, and approval by, the Township. MCL 125.3405(2) and (4).

Respectfully Submitted,

Tyrone Four LLC



By: Daniel P. Boss
Its: Member

Dated: October 23, 2019

PROPERTY DESCRIPTION:

PROPERTY DESCRIPTION AS SUPPLIED:

DESCRIPTION OF OVERALL PARCEL AS SURVEYED:

Part of the Northwest 1/4 of Section 21, T4N-R6E, Tyrone Township, Livingston County, Michigan, more particularly described as follows: Commencing at the North 1/4 Corner of Section 21; thence along the North-South 1/4 line of Section 21, S 02°28'08" W, 1332.42 feet (previously described as 1332.40 feet), to the POINT OF BEGINNING of the Parcel to be described; thence continuing along the North-South 1/4 line of Section 21, S 02°28'08" W, 1336.68 feet (previously described as 1332.40 feet), to the Center of Section 21; thence along the East-West 1/4 line of Section 21, N 87°42'32" W, 2353.05 feet (previously described as N 87°59'37" W, 2348.58 feet); thence along the East line of Runyan Lake Road (a.k.a. east line of east service road of US-23) (70 foot wide Right of Way), N 01°51'44" E, 1335.38 feet (previously described as N 01°39'35" W, 1335.16 feet); thence S 87°44'28" E, 2367.19 feet (previously described as S 87°55'35" E, 2367.42 feet), to the POINT OF BEGINNING, containing 72.39 acres, more or less, and including the use of the existing Runyan Lake Road. Also subject to any other easements or restrictions of record.

**EXHIBIT B
SITE PLAN
FOR**

**THE SANCTUARY AT TYRONE
AN OPEN SPACE COMMUNITY
PART OF S 1/2 OF NW 1/4, SECTION 21
TYRONE TOWNSHIP, LIVINGSTON COUNTY, MI**



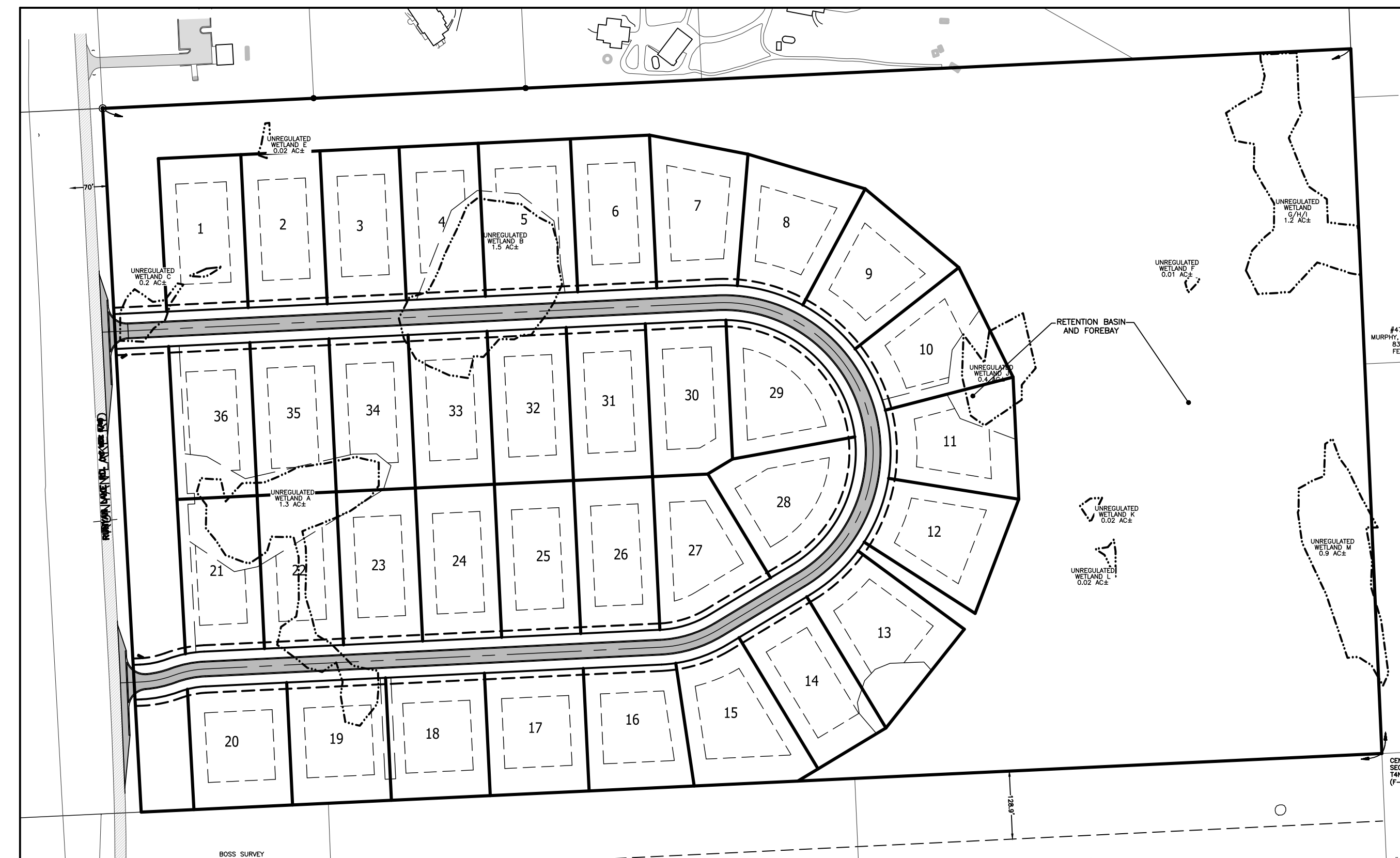
LOCATION MAP

NO SCALE

CONSTRUCTION NOTES

THE CONTRACTOR SHALL COMPLY WITH THE FOLLOWING NOTES AND ANY WORK INVOLVED SHALL BE CONSIDERED INCIDENTAL TO THE CONTRACT.

1. THE CONTRACTOR SHALL HOLD HARMLESS THE DESIGN PROFESSIONAL, MUNICIPALITY, COUNTY, STATE AND ALL OF ITS SUB CONSULTANTS, PUBLIC AND PRIVATE UTILITY COMPANIES, AND LANDOWNERS FOR DAMAGES TO INDIVIDUALS AND PROPERTY, REAL OR OTHERWISE, DUE TO THE OPERATIONS OF THE CONTRACTOR AND/OR THEIR SUBCONTRACTORS.
2. DO NOT SCALE THESE DRAWINGS AS IT IS A REPRODUCTION AND SUBJECT TO DISTORTION.
3. A GRADING PERMIT FOR SOIL EROSION-SEDIMENTATION CONTROL SHALL BE OBTAINED FROM THE GOVERNING AGENCY PRIOR TO THE START OF CONSTRUCTION.
4. IF DUST PROBLEM OCCURS DURING CONSTRUCTION, CONTROL WILL BE PROVIDED BY AN APPLICATION OF WATER, EITHER BY SPRINKLER OR TANK TRUCK.
5. ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH LOCAL MUNICIPAL STANDARDS AND SPECIFICATIONS.
6. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED TOWNSHIP, COUNTY, AND STATE OF MICHIGAN PERMITS.
7. PAVED SURFACES, WALKWAYS, SIGNS, LIGHTING AND OTHER STRUCTURES SHALL BE MAINTAINED IN A SAFE, ATTRACTIVE CONDITION AS ORIGINALLY DESIGNED AND CONSTRUCTED.
8. ALL BARRIER-FREE FEATURES SHALL BE CONSTRUCTED TO MEET ALL LOCAL, STATE AND A.D.A. REQUIREMENTS.
9. ANY DISCREPANCY IN THIS PLAN AND ACTUAL FIELD CONDITIONS SHALL BE REPORTED TO THE DESIGN ENGINEER PRIOR TO THE START OF CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL SETBACKS, EASEMENTS AND DIMENSIONS SHOWN HEREON BEFORE BEGINNING CONSTRUCTION.
10. THE CONTRACTOR SHALL CONTACT ALL OWNERS OF EASEMENTS, UTILITIES AND RIGHTS-OF-WAY, PUBLIC OR PRIVATE, PRIOR TO THE START OF CONSTRUCTION.
11. THE CONTRACTOR SHALL COORDINATE WITH ALL OWNERS TO DETERMINE THE LOCATION OF EXISTING LANDSCAPING, IRRIGATION LINES & PRIVATE UTILITY LINES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING LANDSCAPING, IRRIGATION LINES, AND PRIVATE UTILITY LINES.
12. THE CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE SITE UPON COMPLETION OF THE PROJECT.
13. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A MANNER SO THAT WORKMEN AND PUBLIC SHALL BE PROTECTED FROM INJURY, AND ADJOINING PROPERTY PROTECTED FROM DAMAGE.
14. THE CONTRACTOR SHALL KEEP THE AREA OUTSIDE THE "CONSTRUCTION LIMITS" BROOM CLEAN AT ALL TIMES.
15. THE CONTRACTOR SHALL CALL MISS DIG A MINIMUM OF 72 HOURS PRIOR TO THE START OF CONSTRUCTION.
16. ALL EXCAVATION UNDER OR WITHIN 3 FEET OF PUBLIC PAVEMENT, EXISTING OR PROPOSED SHALL BE BACKFILLED AND COMPACTED WITH SAND (MDOT CLASS II).
17. ALL PAVEMENT REPLACEMENT AND OTHER WORKS COVERED BY THESE PLANS SHALL BE DONE IN ACCORDANCE WITH THE REQUIREMENTS OF THE TOWNSHIP, INCLUDING THE LATEST MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
18. THE CONTRACTOR IS RESPONSIBLE FOR ALL DAMAGE TO EXISTING UTILITIES.
19. NO ADDITIONAL COMPENSATION WILL BE PAID TO THE CONTRACTOR FOR ANY DELAY OR INCONVENIENCE DUE TO THE MATERIAL SHORTAGES OR RESPONSIBLE DELAYS DUE TO THE OPERATIONS OF SUCH OTHER PARTIES DOING WORK INDICATED OR SHOWN ON THE PLANS OR IN THE SPECIFICATION OR FOR ANY REASONABLE DELAYS IN CONSTRUCTION DUE TO THE ENCOUNTERING OR EXISTING UTILITIES THAT MAY OR MAY NOT BE SHOWN ON THE PLANS.
20. DURING THE CONSTRUCTION OPERATIONS, THE CONTRACTOR SHALL NOT PERFORM WORK BY PRIVATE AGREEMENT WITH PROPERTY OWNERS ADJACENT TO THE PROJECT.
21. IF WORK EXTENDS BEYOND NOVEMBER 15, NO COMPENSATION WILL BE DUE TO THE CONTRACTOR FOR ANY WINTER PROTECTION MEASURES THAT MAY BE REQUIRED BY THE ENGINEER.
22. NO TREES ARE TO BE REMOVED UNTIL MARKED IN THE FIELD BY THE ENGINEER.
23. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THE PROPERTY BEYOND THE CONSTRUCTION LIMITS INCLUDING BUT NOT LIMITED TO EXISTING FENCE, LAWN, TREES AND SHRUBBERY.
24. ALL AREAS DISTURBED BY THE CONTRACTOR BEYOND THE NORMAL CONSTRUCTION LIMITS OF THE PROJECT SHALL BE SODDER OR SEEDER AS SPECIFIED OR DIRECTED BY THE ENGINEER.
25. ALL ROOTS, STUMPS AND OTHER OBJECTIONABLE MATERIALS SHALL BE REMOVED AND THE HOLE BACKFILLED WITH SUITABLE MATERIAL. WHERE GRADE CORRECTION IS REQUIRED, THE SUBGRADE SHALL BE CUT TO CONFORM TO THE CROSS-SECTION AS SHOWN IN THE PLANS.
26. TRAFFIC SHALL BE MAINTAINED DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL SIGNS AND TRAFFIC CONTROL DEVICES. FLAG PERSONS SHALL BE PROVIDED BY THE CONTRACTOR IF DETERMINED NECESSARY BY THE ENGINEER. ALL SIGNS SHALL CONFORM TO THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AT NO COST TO THE TOWNSHIP. NO WORK SHALL BE DONE UNLESS THE APPROPRIATE TRAFFIC CONTROL DEVICES ARE IN PLACE.
27. ALL DEMOLISHED MATERIALS AND SOIL SPOILS SHALL BE REMOVED FROM THE SITE AT NO ADDITIONAL COST, AND DISPOSED OF IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL REGULATIONS.
28. AFTER REMOVAL OF TOPSOIL, THE SUBGRADE SHALL BE COMPACTED TO 95% OF ITS UNIT WEIGHT.
29. ALL GRADING IN THE PLANS SHALL BE DONE AS PART OF THIS CONTRACT. ALL DELETERIOUS MATERIAL SHALL BE REMOVED FROM THE SUBGRADE PRIOR TO COMPACTING.
30. NO SEEDING SHALL BE DONE AFTER OCTOBER 15 WITHOUT APPROVAL OF THE ENGINEER.
31. ANY EXISTING APPURTENANCES SUCH AS MANHOLES, GATE VALVES, ETC. SHALL BE ADJUSTED TO THE PROPOSED GRADE AND SHALL BE CONSIDERED INCIDENTAL TO THE CONTRACT.
32. SOIL EROSION MEASURES SHALL BE MAINTAINED BY THE CONTRACTOR UNTIL VEGETATION HAS BEEN RE-ESTABLISHED.
33. ALL PERMANENT SIGNS AND PAVEMENT MARKINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST REVISION OF THE MICHIGAN MUTCD MANUAL AND SHALL BE INCIDENTAL TO THE CONTRACT.



OVERALL SITE MAP

NO SCALE

SHEET INDEX	
SHEET NO.	DESCRIPTION
1	COVER SHEET
2	EXISTING CONDITIONS PLAN
3	SITE PLAN
4	GRADING, DRAINAGE & SOIL EROSION CONTROL PLAN
5	UTILITY PLAN
6	LANDSCAPE & LIGHTING PLAN
7	CONSTRUCTION DETAILS

THE SANCTUARY AT TYRONE

PREPARED FOR:

**TYRONE FOUR LLC
3121 E. GRAND RIVER AVE
HOWELL, MI 48843
CONTACT: DAN BOSS
PHONE (517) 546-4836**

PREPARED BY:

BEBOSS Engineering
Engineers Surveyors Planners Landscape Architects
3121 E. GRAND RIVER AVE.
HOWELL, MI. 48843
517.546.4836 FAX 517.548.1670

INDEMNIFICATION STATEMENT

THE CONTRACTOR SHALL HOLD HARMLESS THE DESIGN PROFESSIONAL, MUNICIPALITY, COUNTY, STATE AND ALL OF ITS SUB CONSULTANTS, PUBLIC AND PRIVATE UTILITY COMPANIES, AND LANDOWNERS FOR DAMAGES TO INDIVIDUALS AND PROPERTY, REAL OR OTHERWISE, DUE TO THE OPERATIONS OF THE CONTRACTOR AND/OR THEIR SUBCONTRACTORS.

FOR SITE PLAN APPROVAL ONLY!
NOT FOR CONSTRUCTION

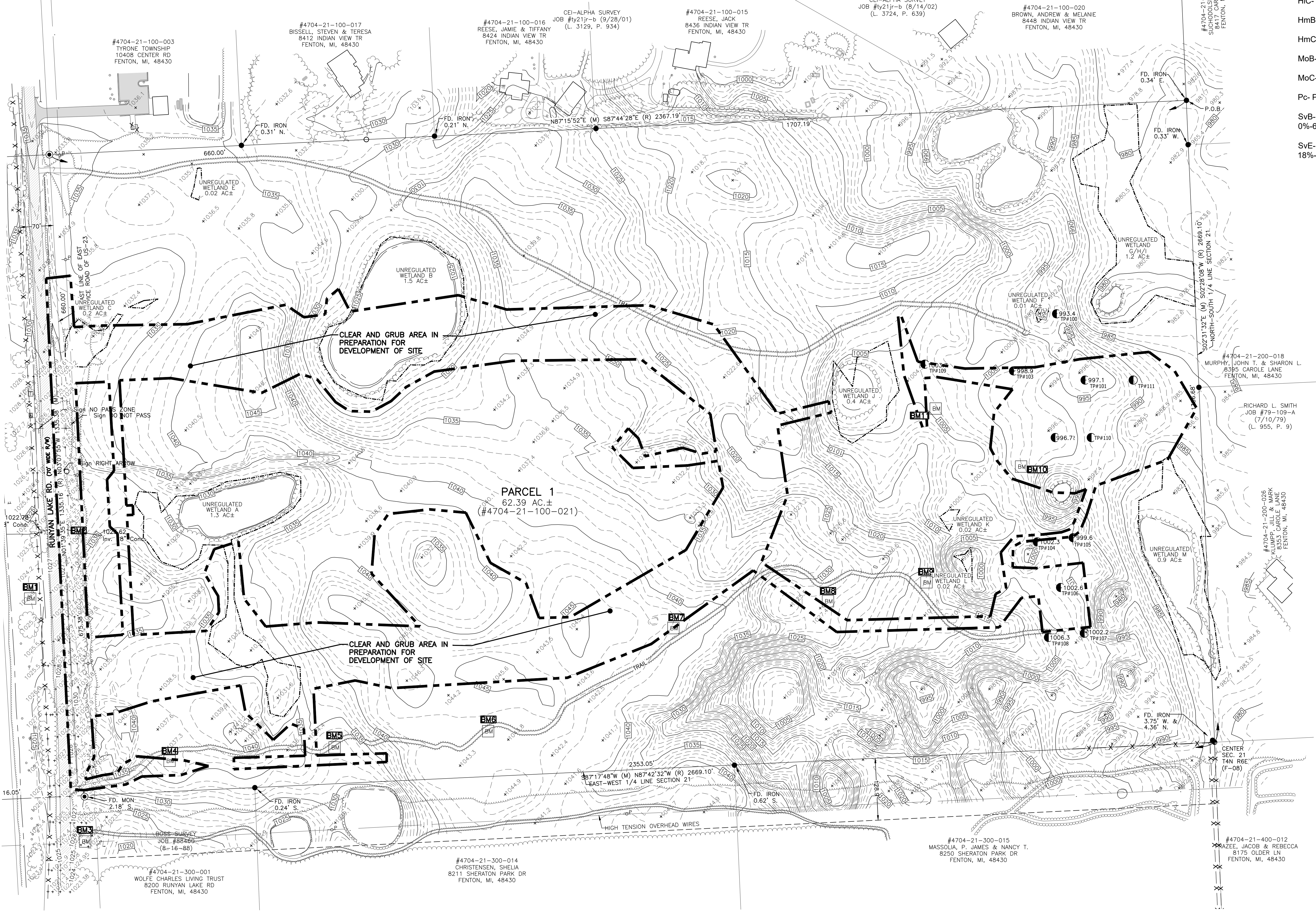
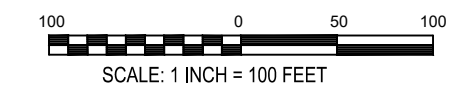
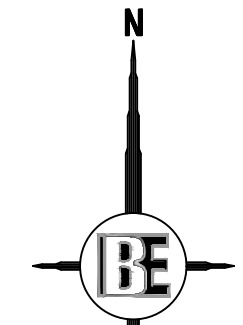
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NO	BY	CK	REVISION	DATE						
										ISSUE DATE: 7-22-19
										JOB NO. 17-127

SITE BENCHMARKS (NAVD88 DATUM):

- BENCHMARK #1: BOSS TAG/NAIL SET E/S 18" HICKORY, W/S RUNYAN LAKE RD., 260'± SOUTH OF NORTH R/W CORNER. ELEVATION = 1025.39
- BENCHMARK #2: CHISELED "X" ON SE CORNER OF CONCRETE HEADWALL, E/S RUNYAN LAKE RD., 122'± SOUTH OF NORTH R/W CORNER. ELEVATION = 1026.03
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- BENCHMARK #5: BOSS TAG/NAIL SET S/S 10" LOCUST, 550'± EAST OF RUNYAN LAKE ROAD AND 75'± NORTH OF THE SOUTH PROPERTY LINE. ELEVATION = 1033.06
- BENCHMARK #6: BOSS TAG/NAIL SET SE/S ROOT OF 4" MAPLE, 875'± EAST OF RUNYAN LAKE ROAD AND 94'± NORTH OF THE SOUTH PROPERTY LINE. ELEVATION = 1043.77
- BENCHMARK #7: BOSS TAG/NAIL SET N/S ROOT OF 5" MAPLE, 1268'± EAST OF RUNYAN LAKE ROAD AND 290'± NORTH OF THE SOUTH PROPERTY LINE. ELEVATION = 1042.36
- BENCHMARK #8: BOSS TAG/NAIL SET S/S ROOT OF 12" ELM, 790'± WEST OF THE EAST PROPERTY LINE AND 330'± NORTH OF THE SOUTH PROPERTY LINE. ELEVATION = 1028.31
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- BENCHMARK #10: BOSS TAG/NAIL SET W/S 12" OAK, 377'± WEST OF THE EAST PROPERTY LINE AND 592'± NORTH OF THE SOUTH PROPERTY LINE. ELEVATION = 998.93
- BENCHMARK #11: BOSS TAG/NAIL SET W/S 5" CHERRY, 550'± WEST OF THE EAST PROPERTY LINE AND 720'± NORTH OF THE SOUTH PROPERTY LINE. ELEVATION = 1004.81

GENERAL SURVEY NOTES:

1. BEARINGS ARE BASED ON A PREVIOUS MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. RECORD BEARINGS WERE ESTABLISHED FROM A PREVIOUS SURVEY BY BOSS ENGINEERING, JOB NO. 17-127, DATED 9-10-09, AS RECORDED IN INSTRUMENT NO. 2009S-002S, LIVINGSTON COUNTY RECORDS.
2. SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
3. EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.
4. ELEVATIONS WERE ESTABLISHED WITH GPS USING OPUS. (NAVD88 DATUM)
5. CONTOURS ARE SHOWN AT 1 FOOT INTERVALS.
6. ROAD TOPO WAS FIELD MEASURED BY BOSS ENGINEERING ON 11-2-18. SITE CONTOURS WERE PROVIDED BY DRONEVIEW TECHNOLOGIES WITH A DATE OF IMAGERY ACQUISITION OF 12-9-18.
7. WETLANDS AS SHOWN ON THIS SURVEY WERE STAKED BY KING & MACGREGOR ENVIRONMENTAL, INC., ON MAY 27, 2005 AND FIELD LOCATED BY BOSS ENGINEERING IN JUNE, 2005 UNDER JOB NO. 05193.
8. SUBJECT PROPERTY IS DESIGNATED AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAN (ZONE X) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM), FOR THE TOWNSHIP OF TYRONE, LIVINGSTON COUNTY, MICHIGAN, MAP NUMBER 26093C0225D, PANEL 225 OF 495, WITH AN EFFECTIVE DATE OF SEPTEMBER 17, 2008.



SOIL DESCRIPTIONS:

- FoA- FOX SANDY LOAM 0%-2% SLOPES
- FoB- FOX SANDY LOAM 2%-6% SLOPES
- HIC- HILLSDALE SANDY LOAM 6%-12% SLOPES
- HmB- HILLSDALE-MIAMI LOAM 2%-6% SLOPES
- HmC- HILLSDALE-MIAMI LOAM 6%-12% SLOPES
- MoB- MIAMI LOAM 6%-12% SLOPES
- MoC- MIAMI LOAM 6%-12% SLOPES
- Pc- PEWAMO CLAY LOAM
- SvB- SPINKS-OAKVILLE LOAMY SANDS 0%-6% SLOPES
- SvE- SPINKS-OAKVILLE LOAMY SANDS 18%-25% SLOPES

LEGEND

- 900- EXISTING CONTOUR
- 922.00- EXISTING SPOT ELEVATION
- - - - - STORM DRAINAGE FLOW
- - - - - POWER POLE
- - - - - GUY WIRE
- - - - - HYDRANT
- - - - - GATE VALVE
- - - - - WATER MANHOLE
- - - - - MANHOLE
- - - - - STORM CATCH BASIN (BEEHIVE)
- - - - - STORM CATCH BASIN (SQUARE)
- - - - - STORM INVERT
- - - - - WELL
- - - - - TRANSFORMER PAD
- - - - - TELEPHONE RISER
- - - - - U.G. TELEPHONE MARKER
- - - - - GAS METER
- - - - - GAS RISER
- - - - - U.G. GAS MARKER
- - - - - ELECTRICAL RISER
- - - - - U.G. ELECTRIC MARKER
- - - - - CABLE TV RISER
- - - - - U.G. CABLE TV MARKER
- - - - - MAILBOX
- - - - - AIR CONDITIONING UNIT
- - - - - LIGHT POLE
- - - - - ORNAMENTAL LIGHT
- - - - - SIGN
- - - - - DECIDUOUS TREE
- - - - - CONIFEROUS TREE
- - - - - SOIL BORING
- - - - - IRON SET
- - - - - IRON FOUND
- - - - - MONUMENT
- - - - - SECTION CORNER
- - - - - MARSH SYMBOL
- - - - - SANITARY SEWER
- - - - - WATER MAIN
- - - - - STORM SEWER
- - - - - GAS MAIN
- - - - - ELECTRIC
- - - - - TELEPHONE
- - - - - OVERHEAD WIRES
- - - - - FENCE
- - - - - GAS PUMP
- - - - - ANTENNA
- - - - - SATELLITE DISH
- - - - - NEWSPAPER BOX
- - - - - PARKING METER
- - - - - PHONE BOOTH
- - - - - PUMP CHAMBER
- - - - - CONCRETE
- - - - - SAN MH
- - - - - ST MH
- - - - - CENTERLINE
- - - - - LIBER
- - - - - PAGE
- - - - - L.C.R.
- - - - - (R&M)
- - - - - P.O.B.
- - - - - HANDICAP SYMBOL
- - - - - HUB
- - - - - WOOD LATH SET

THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONLY APPROXIMATE. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF EXISTING UTILITIES AND PROPOSED UTILITIES CROSSINGS IN THE FIELD PRIOR TO CONSTRUCTION. THE APPARENT OR IF THE LOCATION OR DEPTH DIFFERS SIGNIFICANTLY FROM THE PLANS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY.

Working Days
 BOSS ENGINEERING
 MICHAEL SICHOROLSKI
 FENTON, MI, 48430
 1-800-482-7171

BOSS ENGINEERING
 Engineers Surveyors Planners Landscape Architects
 3121 E. GRAND RIVER AVE.
 HOWELL, MI, 48843
 517.546.4836 FAX 517.548.1670

PROJECT	THE SANCTUARY AT TYRONE
PREPARED FOR	TYRONE FOUR, L.L.C. 3121 E. GRAND RIVER AVE. HOWELL, MI 48843 517.546.4836
TITLE	EXISTING CONDITIONS & DEMOLITION PLAN

DESIGNED BY:	ST
DRAWN BY:	ST
CHECKED BY:	
SCALE	1" = 100'
JOB NO.	17-127
DATE	7-22-19
SHEET NO.	2



SITE BENCHMARKS (NAVD88 DATUM):

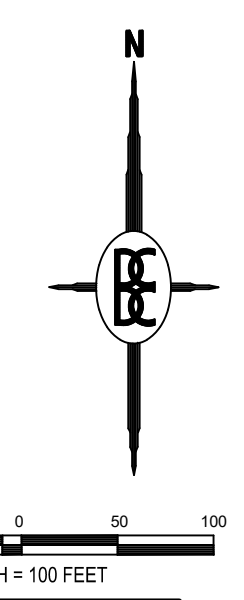
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CONTROLS & MEASURES POST CONSTRUCTION SEQUENCE			
ACTIVITY	WEEKLY	MONTHLY	AS REQUIRED
MAINTAIN LANDSCAPING, REPLACE MULCH	X	X	X
CLEAN INLETS		X	X
COLLECT LITTER	X		X
SWEEP PARKING LOT		X	X

CONTROLS & MEASURES NARRATIVE	
ACTIVITY	DESCRIPTION
MAINTAIN LANDSCAPING, REPLACE MULCH	COLLECT GRASS, TREE, AND SHRUB CLIPPINGS. DISPOSE IN APPROVED CONTAINER. REPLACE DEAD SOD, TREES AND SHRUBS.
CLEAN INLETS	REMOVE LITTER, SEDIMENT, AND DEBRIS. DISPOSE OF IN APPROVED LANDFILL.
COLLECT LITTER	DISPOSE OF WITH INLET DEBRIS.
SWEEP PARKING LOT	REMOVE MUD, DIRT, GREASE AND OIL WITH PERIODIC SWEEPING.
DUST CONTROL	SPRINKLE WATER AS NEEDED.

MAINTENANCE SCHEDULE FOR SOIL EROSION CONTROLS

1. SILT FENCE SHALL BE INSPECTED WEEKLY AND AFTER EACH MAJOR STORM EVENT. MAINTENANCE SHALL INCLUDE REMOVAL OF ACCUMULATED SILT AND REPLACEMENT OF TORN SECTIONS. SILT FENCE SHALL BE REMOVED WHEN ALL CONTRIBUTING AREAS HAVE BEEN STABILIZED.
2. TRACKING PAD SHALL BE INSPECTED MONTHLY FOR ACCUMULATED DIRT. TRACKING PAD SHALL BE REPLACED WHEN THE STONES ARE CHOKED WITH DIRT. TRACKING SHALL BE REMOVED IMMEDIATELY PRIOR TO THE FIRST COURSE OF ASPHALT BEING LAID.
3. DETENTION POND SHALL BE INSPECTED QUARTERLY ON A PERMANENT BASIS. MAINTENANCE SHALL INCLUDE SEDIMENT REMOVAL, EMBANKMENT STABILIZATION AND MAINTAINING THE OUTLET STRUCTURE IN GOOD CONDITION. NO TREES SHALL BE ALLOWED TO GROW ON THE EMBANKMENT.
4. CATCH BASINS SHALL BE INSPECTED ANNUALLY FOR ACCUMULATION OF SEDIMENT. ALL SEDIMENT MUST BE REMOVED AND DISPOSED OF PROPERLY WHEN THE SUMP IS FULL.
5. COMMON AREAS SHALL BE STABILIZED NO LATER THAN 15 DAYS AFTER GRADE WORK, PURSUANT TO RULE 1709 (5).



THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONE APPROXIMATE. NO COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF EXISTING UTILITIES AND PROPOSED UTILITIES CROSSINGS IN THE FIELD PRIOR TO CONSTRUCTION. THE APPARENT OR IF THE LOCATION OR DEPTH DIFFERS SIGNIFICANTLY FROM THE PLANS.

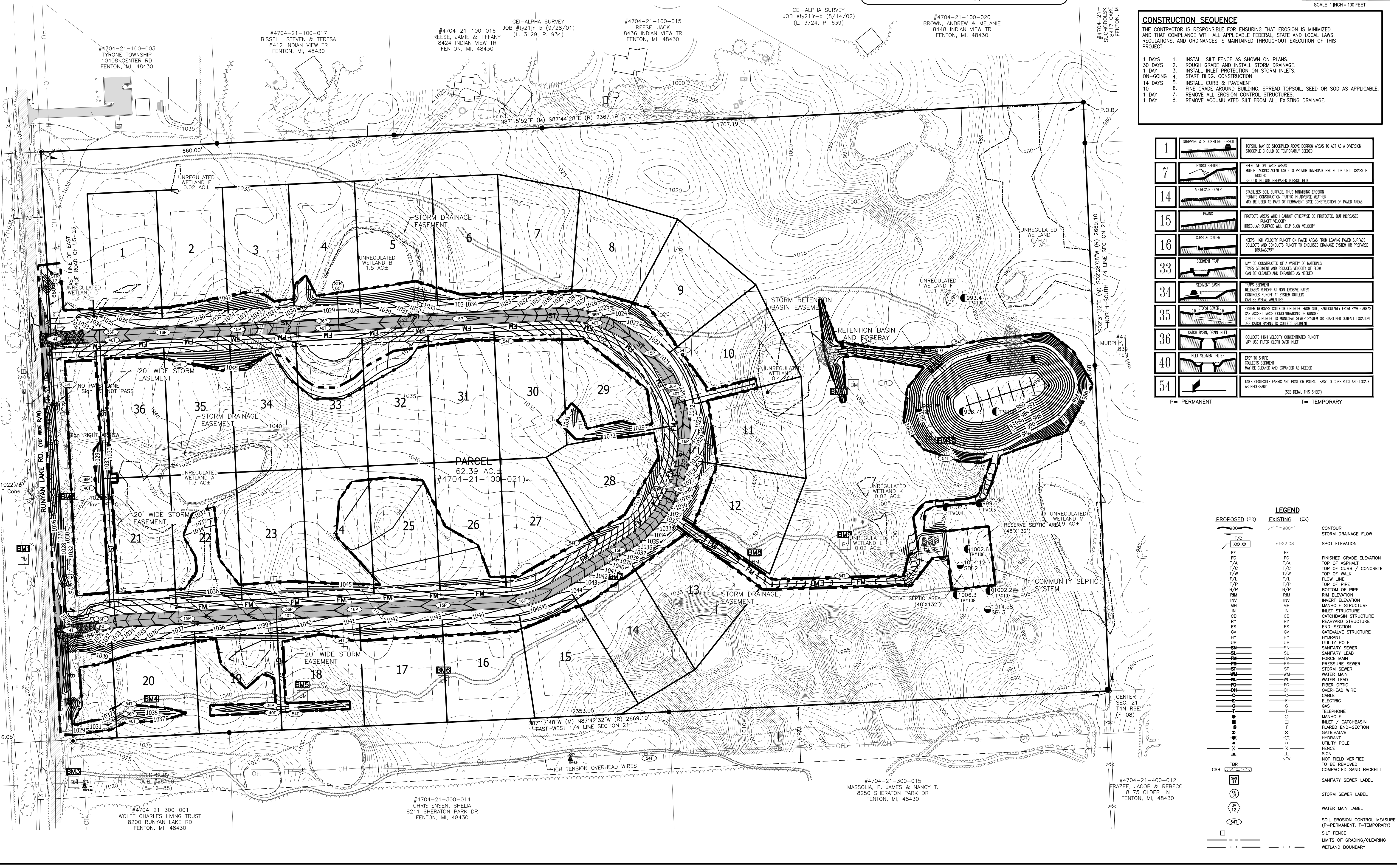
BEFORE YOU DIG
CALL MISS DIG
1-800-4-A-DIG
www.missdig.com

CONSTRUCTION SEQUENCE

- THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT EROSION IS MINIMIZED AND THAT COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS, REGULATIONS, AND ORDINANCES IS MAINTAINED THROUGHOUT EXECUTION OF THIS PROJECT.
- | | |
|----------|---|
| 1 DAYS | 1. INSTALL SILT FENCE AS SHOWN ON PLANS. |
| 30 DAYS | 2. ROUGH GRADE AND INSTALL STORM DRAINAGE. |
| 1 DAY | 3. INSTALL INLET PROTECTION ON STORM INLETS. |
| ON-GOING | 4. START BLDG. CONSTRUCTION |
| 14 DAYS | 5. INSTALL CURB & PAVEMENT |
| 10 DAYS | 6. FINE GRADE AROUND BUILDING, SPREAD TOPSOIL, SEED OR SOD AS APPLICABLE. |
| 1 DAY | 7. REMOVE ALL EROSION CONTROL STRUCTURES. |
| 1 DAY | 8. REMOVE ACCUMULATED SILT FROM ALL EXISTING DRAINAGE. |

NO.	DESCRIPTION	NOTES
1	STRIPPING & STOCKPILING TOPSOIL	TOPSOIL MAY BE STOCKPILED ABOVE BORROW AREAS TO ACT AS A DIVERSION. STOCKPILE SHOULD BE TEMPORARILY SEEDED.
7	HYDRO SEEDING	HYDRO SEEDING ON LARGE AREAS WHICH TRACKING AREAS USED TO PROVIDE IMMEDIATE PROTECTION UNTIL GRASS IS ROOTED. SHOULD INCLUDE PREPARED TOPSOIL BED.
14	AGGREGATE COVER	STABILIZES SOIL SURFACE. THIS WINDING EROSION CONTROL STRUCTURE WHICH IS AN EROSION MEASURE MAY BE USED AS PART OF PERMANENT BASE CONSTRUCTION OF PAVED AREAS.
15	FRANK	PROTECTS AREAS WHICH CANNOT OTHERWISE BE PROTECTED, BUT INCREASES SLOPE RESISTANCE. IRREGULAR SURFACE WILL HELP SLOW VELOCITY.
16	CURB & GUTTER	KEEPS HIGH VELOCITY RUNOFF ON PAVED AREAS FROM LEAVING PAVED SURFACES. COLLECTS AND CONDUCTS RUNOFF TO DEDICATED DRAINAGE SYSTEM OR PREPARED DRAINAGEWAY.
33	SEDIMENT TRAP	MAY BE CONSTRUCTED OF A VARIETY OF MATERIALS. TRAPS SEDIMENT AND REDUCES VELOCITY OF FLOW. CAN BE CLEANED AND EXPANDED AS NEEDED.
34	SEDIMENT BASIN	TRAPS SEDIMENT. REDUCES RUNOFF AT NON-EROSIVE AREAS. CONDUCTS RUNOFF AT STORM OUTLETS. CAN BE VISUAL MONITORED.
35	SEDIMENT FILTER	SYSTEM REMOVES COLLECTED RUNOFF FROM SITE, PARTICULARLY FROM PAVED AREAS. CAN ACCEPT LARGE CONCENTRATIONS OF RUNOFF. CONDUCTS RUNOFF TO MUNICIPAL SEWER SYSTEM OR STABILIZED OUTLET LOCATION. USE CATCH BASINS TO COLLECT SEDIMENT.
36	RICH BASS DRAW INLET	COLLECTS HIGH VELOCITY CONCENTRATED RUNOFF. MAY USE FILTER CLOTH OVER INLET.
40	PILE SEDIMENT FILTER	EASY TO SHAPE. COLLECTS SEDIMENT. MAY BE CLEANED AND EXPANDED AS NEEDED. (SEE DETAIL THIS SHEET)
54	SEDIMENT FILTER	USES GEOTEXTILE FABRIC AND POSTS OR POLES. EASY TO CONSTRUCT AND LOCATE. IS NECESSARY. (SEE DETAIL THIS SHEET)

P= PERMANENT T= TEMPORARY



BEBOSS
Engineering
Engineers Surveyors Planners Landscape Architects

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HOWELL, MI. 48843
800.246.6735 FAX 517.548.1670

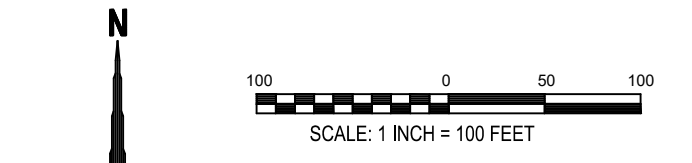
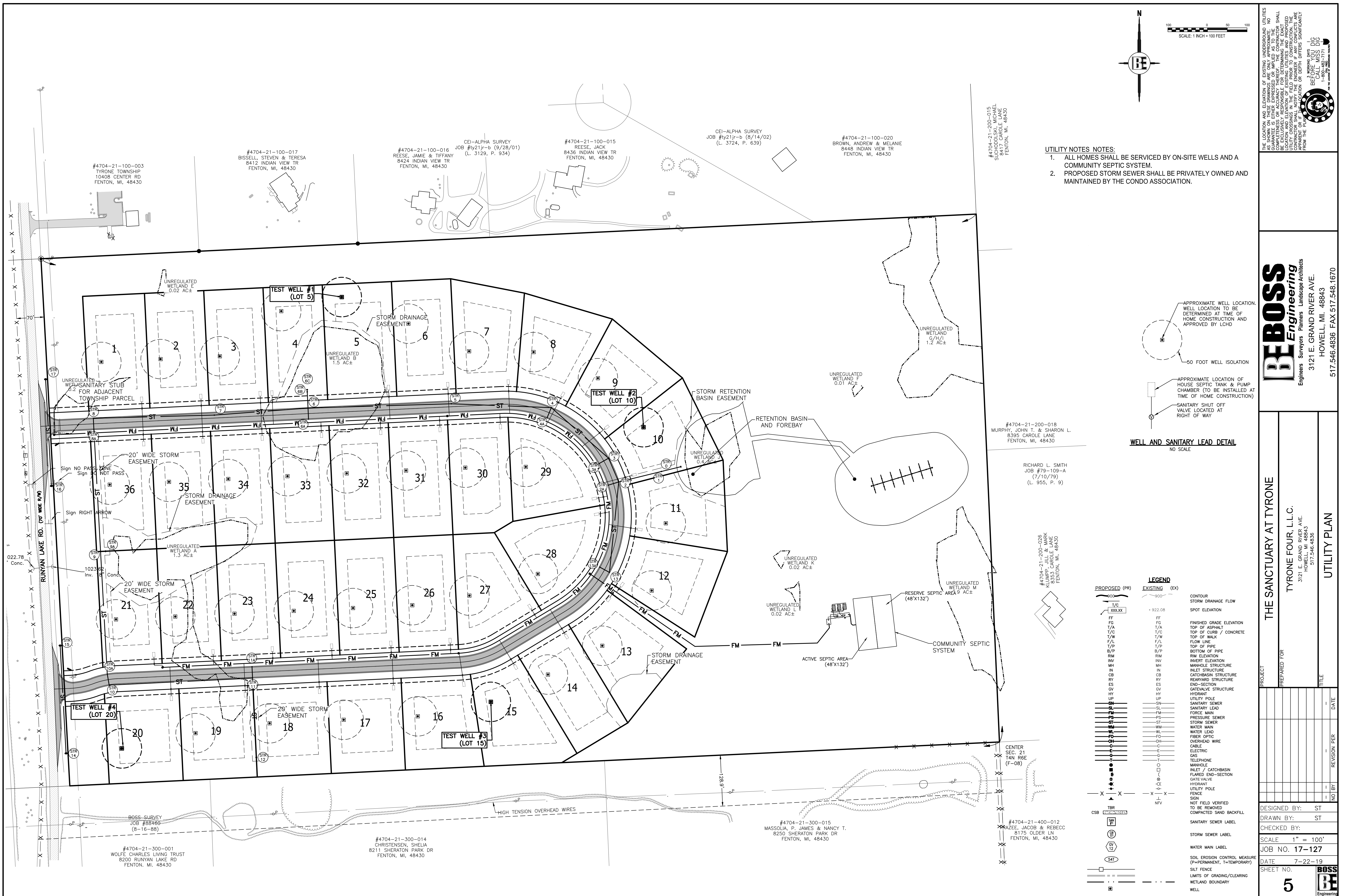
PROJECT: THE SANCTUARY AT TYRONE
PREPARED FOR: TYRONE FOUR, L.L.C.
3121 E. GRAND RIVER AVE.
HOWELL, MI 48843
517.546.4836

TITLE: GRADING AND SOIL EROSION CONTROL PLAN

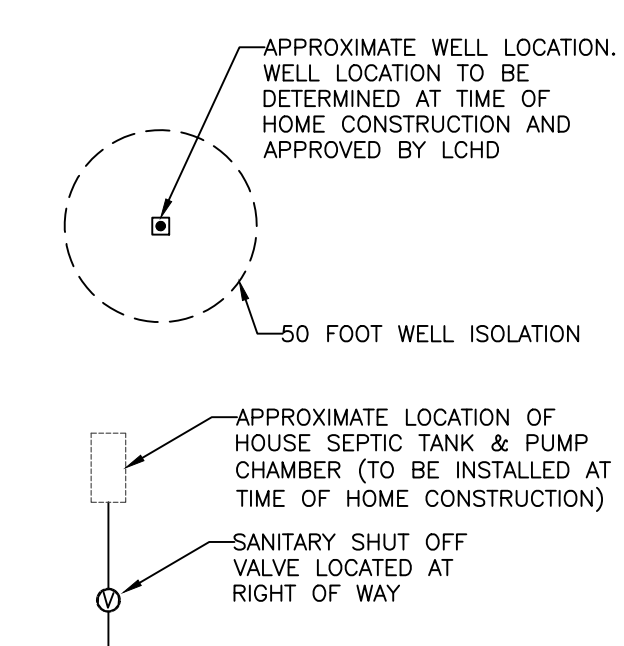
NO.	BY	REVISION	PER	DATE

DESIGNED BY: ST
DRAWN BY: ST
CHECKED BY:
SCALE: 1" = 100'
JOB NO. 17-127
DATE 7-22-19
SHEET NO. 4





- UTILITY NOTES:**
1. ALL HOMES SHALL BE SERVICED BY ON-SITE WELLS AND A COMMUNITY SEPTIC SYSTEM.
 2. PROPOSED STORM SEWER SHALL BE PRIVATELY OWNED AND MAINTAINED BY THE CONDO ASSOCIATION.



LEGEND

PROPOSED (PR)	EXISTING (EX)	
---	---	CONTOUR
---	---	STORM DRAINAGE FLOW
---	---	SPOT ELEVATION
---	---	FF
---	---	FG
---	---	T/A
---	---	T/C
---	---	T/W
---	---	F/L
---	---	T/P
---	---	B/P
---	---	RM
---	---	INV
---	---	MH
---	---	IN
---	---	CB
---	---	RY
---	---	ES
---	---	GV
---	---	HY
---	---	UP
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---	---	TELEPHONE
---	---	MANHOLE
---	---	INLET / CATCHBASIN
---	---	FLARED END-SECTION
---	---	GATE VALVE
---	---	HYDRANT
---	---	UTILITY POLE
---	---	FENCE
---	---	SIGN
---	---	NOT FIELD VERIFIED TO BE REMOVED
---	---	COMPACTED SAND BACKFILL
---	---	SANITARY SEWER LABEL
---	---	STORM SEWER LABEL
---	---	WATER MAIN LABEL
---	---	SOIL EROSION CONTROL MEASURE (P=PERMANENT, T=TEMPORARY)
---	---	SILT FENCE
---	---	LIMITS OF GRADING/CLEARING
---	---	WETLAND BOUNDARY
---	---	WELL

BOSS Engineering
Engineers Surveyors Planners Landscape Architects

3121 E. GRAND RIVER AVE.
HOWELL, MI. 48843
517.546.4836 FAX 517.548.1670

THE SANCTUARY AT TYRONE
TYRONE FOUR, L.L.C.
3121 E. GRAND RIVER AVE.
HOWELL, MI. 48843
517.546.4836

PROJECT: THE SANCTUARY AT TYRONE
PREPARED FOR: TYRONE FOUR, L.L.C.
TITLE: UTILITY PLAN

NO.	BY	REVISION	PER	DATE
1	ST			
2	ST			

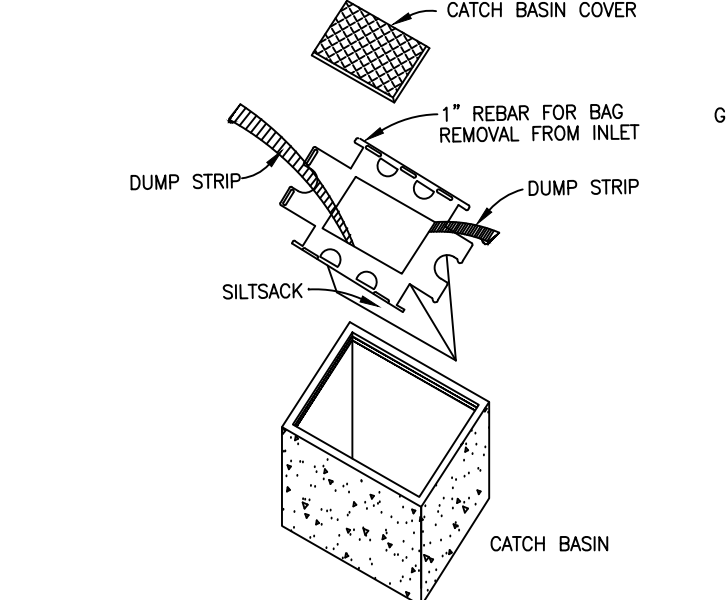
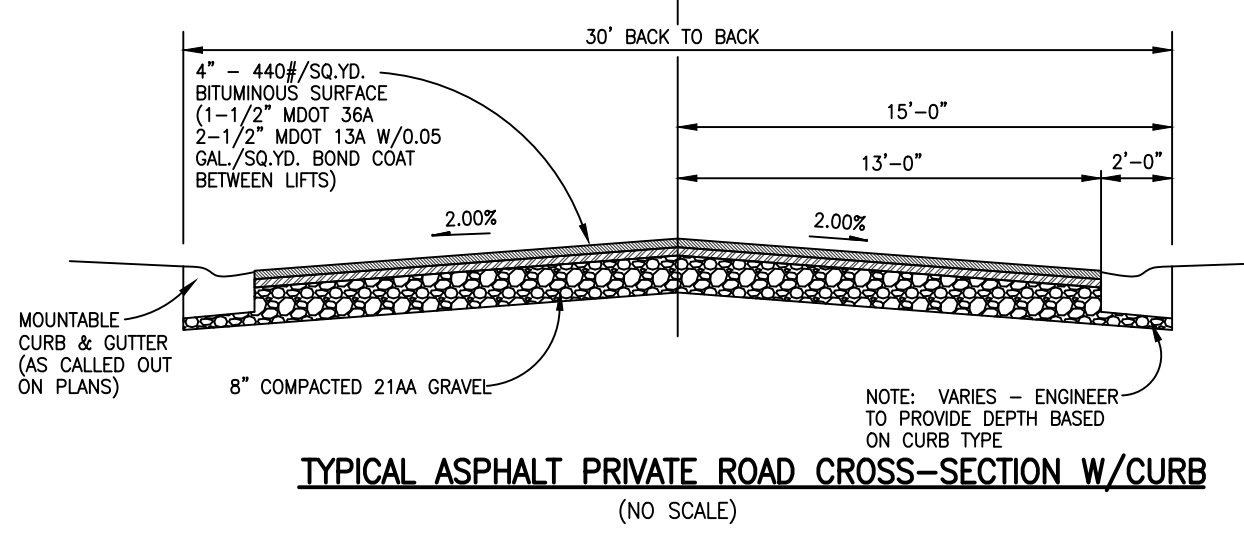
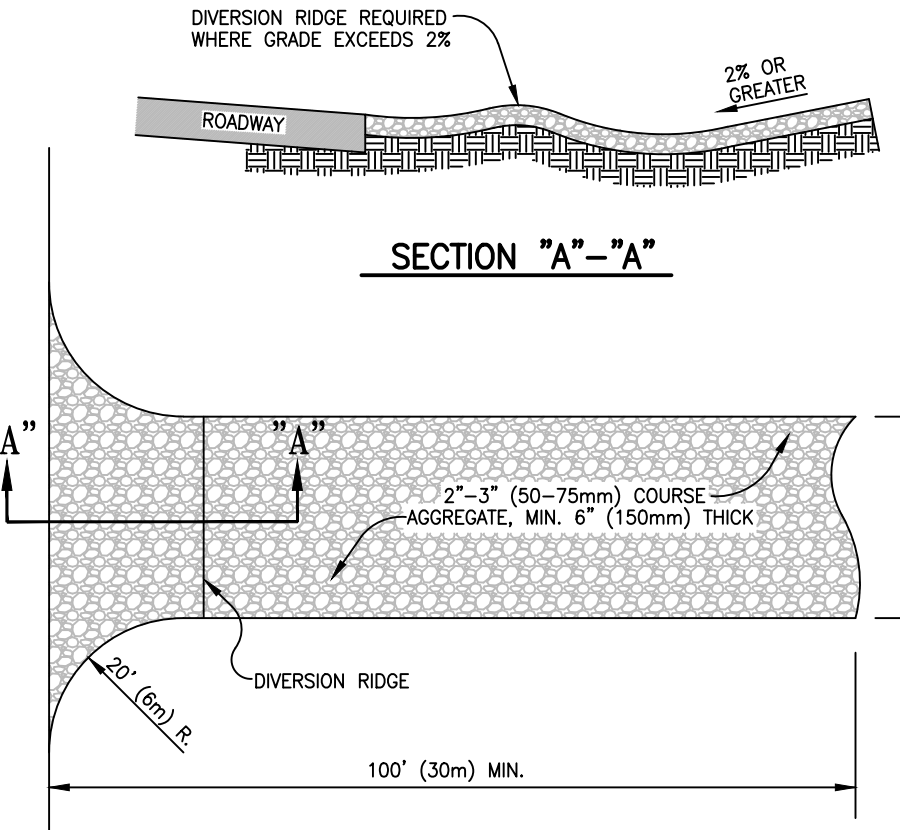
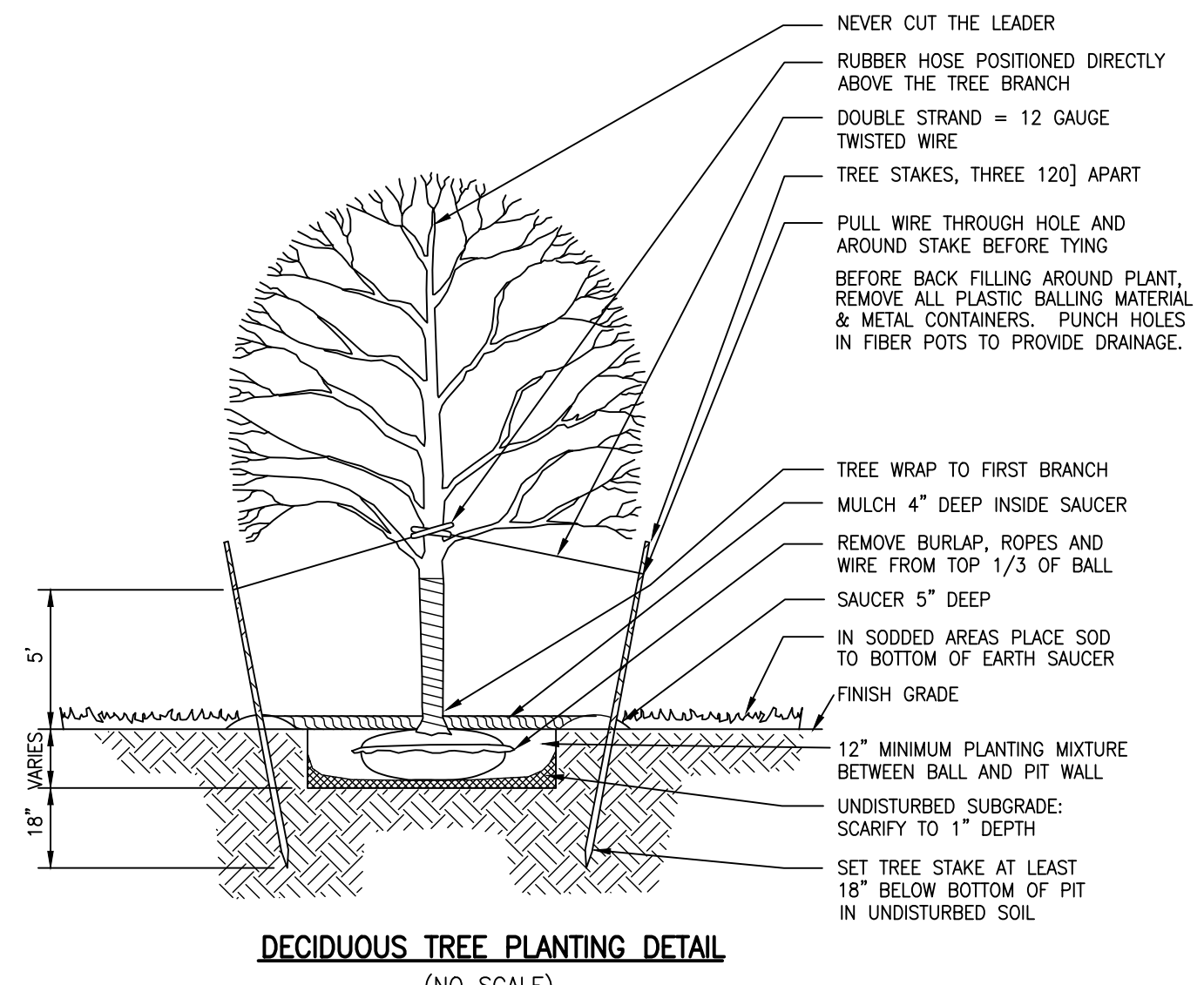
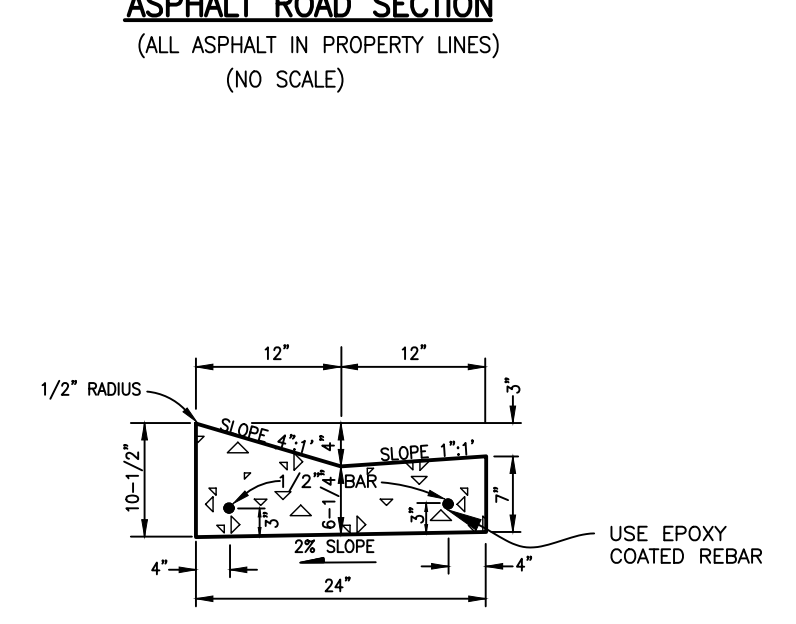
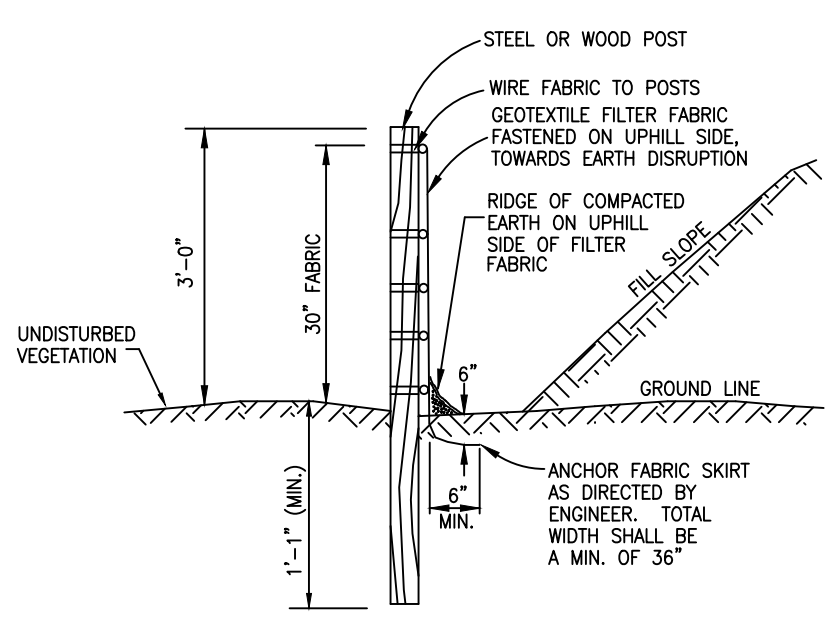
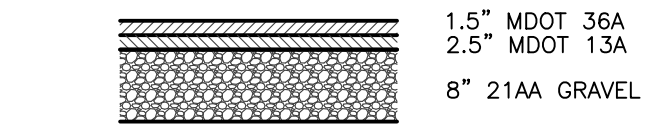
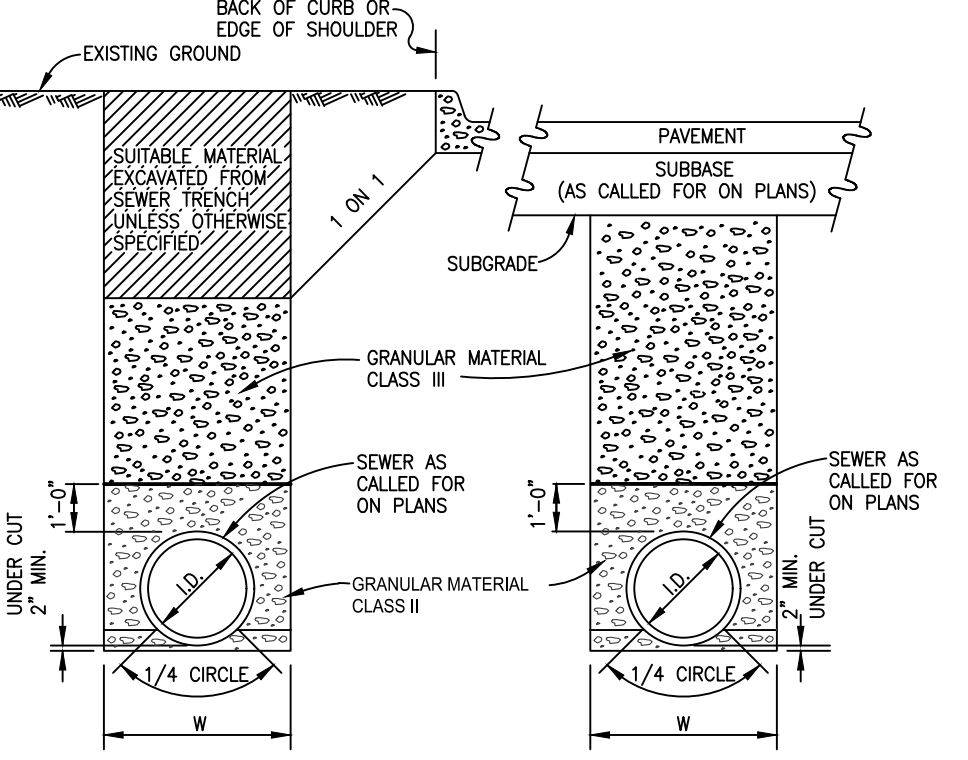
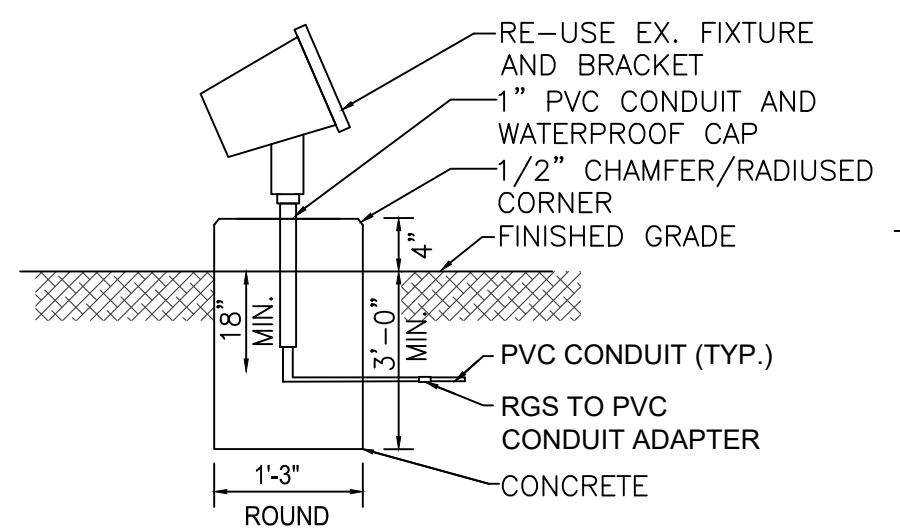
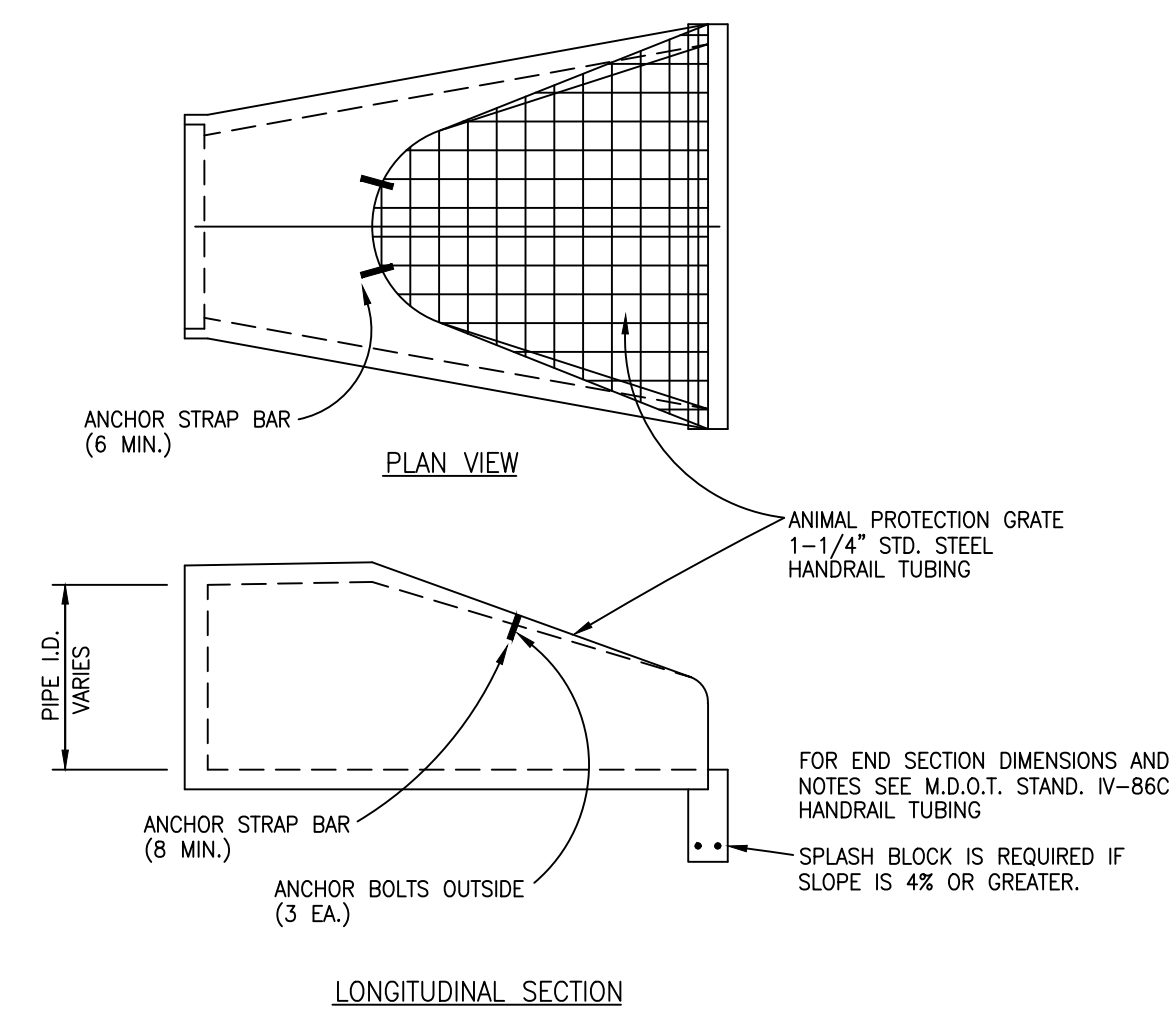
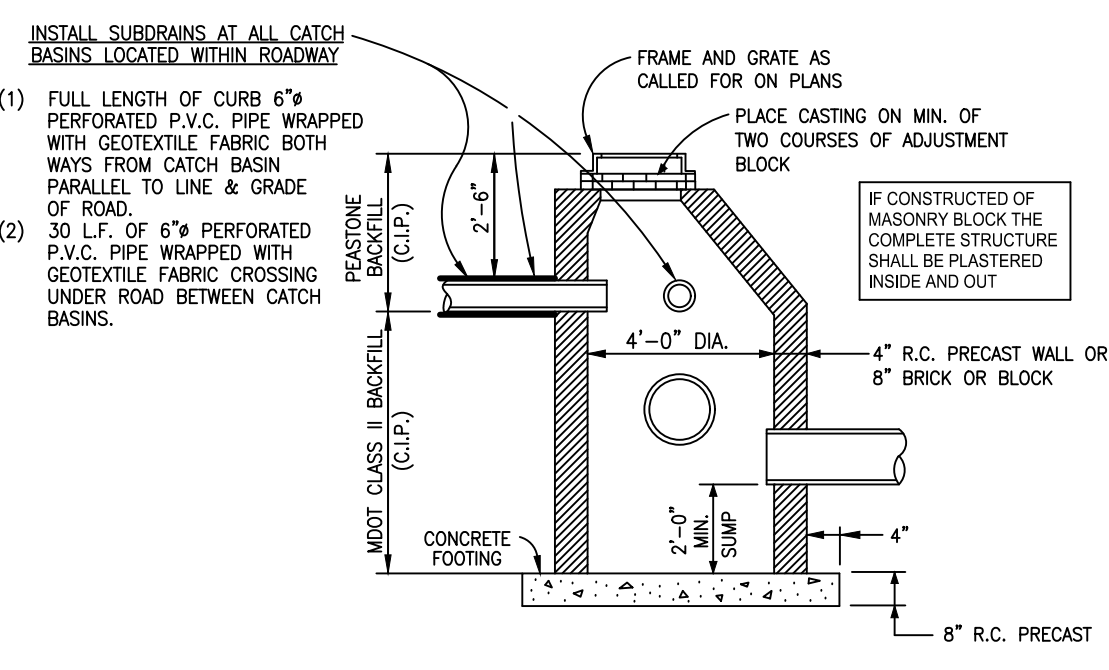
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DATE: 7-22-19
SHEET NO. 5

BOSS Engineering

THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONLY APPROXIMATE. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF EXISTING UTILITIES AND PROPOSED UTILITIES CROSSINGS IN THE FIELD PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND DEPTH OF EXISTING UTILITIES FROM THE PUBLIC RECORDS AND FIELD SURVEY. BECAUSE OF THE LIMITED WORKING DAYS AVAILABLE, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND DEPTH OF EXISTING UTILITIES FROM THE PUBLIC RECORDS AND FIELD SURVEY. BECAUSE OF THE LIMITED WORKING DAYS AVAILABLE, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND DEPTH OF EXISTING UTILITIES FROM THE PUBLIC RECORDS AND FIELD SURVEY.

BOSS ENGINEERING
MICHAEL J. BOSS, P.E.
1-800-482-7171

STRUCTURE FRAMES & COVERS					
COVER	TYPE	USE	MANUFACTURER OR EQUAL		TYPE OF COVER OR GRATE
			EAST JORDAN	NEENAH	
A	MH	ALL	1120	R-1415	SANITARY-SELF SEALING STORM-VENTED
B	CB & INLET	TYPE B2 CURB	7085	R-3038-A	
K	CB & INLET	TYPE C & F CURB	7045	R-3031-B	FLAT GRATE WITH VERT. 4" OPEN THROAT
C	CB & INLET	VALLEY CURB	7065	R-3034-B	
D	CB & INLET	PARKING LOTS	1020-MI	R-2560-D	FLAT GRATE
E	CB & INLET	LAWN AREA OR DITCH	1020-01		BEEHIVE GRATE 4" HIGH



LIVINGSTON COUNTY SOIL EROSION PERMIT TEMPLATE
TEMPORARY CONTROLS AND SEQUENCE

- NOTIFY LIVINGSTON COUNTY DRAIN COMMISSIONER'S OFFICE 24 HOURS PRIOR TO START OF GRADE WORK.
- IN ACCORDANCE WITH PUBLIC ACT NO. 53, OF 1974 THE PERMIT HOLDER SHALL CALL MISS DIG FOR STAKING AND LOCATING OF UTILITIES, AT LEAST 72 HOURS IN ADVANCE OF THE START OF ANY WORK.
- PERMITTING STANDARDS
- (IMPORTANT NOTICE) RETENTION/DETENTION PONDS SHALL BE EXCAVATED, TOPSOILED, SEEDED, MULCHED AND TACKED PRIOR TO THE START OF MASSIVE EARTH DISRUPTION. INGRESS/EGRESS MUST HAVE LARGE CRUSHED ROCK TO REDUCE THE TRACKING OF SOIL ONTO THE PUBLIC TRAFFIC AREAS. SEE DETAIL ITEMS BELOW.
- 36" M.D.O.T. SPECIFICATION TYPE SILT FABRIC FENCE AS SHOWN ON PLANS SHALL BE PLACED AND MAINTAINED ALONG PERIMETER ON ALL LOW LYING AREAS OF THE CONSTRUCTION SITE TO FILTER RUNOFF BEFORE LEAVING PROJECT SITE.
- ALL TEMPORARY EROSION CONTROL DEVICES AS NOTED ON PLANS SHALL BE INSTALLED PRIOR TO THE START OF MASSIVE EARTH DISTRIBUTION.
- PLAN DOES DENOTE A DETAILED EROSION CONTROL DEVICE TO RESTRICT TRACKING OF MATERIAL ONTO THE HIGHWAY. STONE DIAPERS SHALL BE INSTALLED AT ALL INGRESS/EGRESS AREAS OF THE SITE PRIOR TO THE START OF MASSIVE EARTH DISRUPTION. DIAPERS SHALL BE OF CRUSHED STONE AND SHALL HAVE A MINIMUM LENGTH OF 100' LINEAL FEET.
- RETENTION PONDS
- RETENTION/DETENTION/SEDIMENTATION PONDS SHALL BE EXCAVATED, TOPSOILED, SEEDED, MULCHED AND TACKED PRIOR TO THE START OF MASSIVE EARTH DISRUPTION.
- DETENTION POND OUTLETS SHALL BE OF THE STANDPIPE AND STONE FILTER SYSTEM WITH TRASH SCREEN. OUTLET FLOW SHALL NOT EXCEED 0.20 CUBIC FEET OF WATER PER SECOND/PER ACRE. POND DIKES SHALL HAVE A MINIMUM OF ONE (1) FOOT OF FREEBOARD. AN EMERGENCY SPILLWAY SHALL BE CONSTRUCTED WITHIN THE FREEBOARD LEVEL.
- THE EMERGENCY SPILLWAY FROM THE DETENTION POND SHALL BE SODDED AND PEGGED, OR RIP RAPPED, 15 FEET PAST THE TOE OF THE BERM.
- DIKES AND BERMS SHALL BE FREE OF ALL ORGANIC MATTER.
- RETENTION/DETENTION PONDS SHALL BE FENCED WITH A 4" CHAIN LINK FENCE, INCLUDING A 12' ACCESS GATE FOR MAINTENANCE UNLESS MINIMUM 5 FT. HORIZONTAL TO 1 FT. VERTICAL SIDE SLOPES ARE PROVIDED. THE FENCE SHALL BE INSTALLED AT OUTER PORTION OF THE BERM, TO ALLOW FOR MAINTENANCE WORK TO BE DONE INSIDE THE FENCE.
- ALL UNIMPROVED DISTURBED AREAS SHALL BE STRIPPED OF TOPSOIL WHICH WILL BE STORED ONSITE DURING THE EXCAVATING STAGE.
- TOPSOIL PILES SHALL BE SEEDED AND MULCHED, OR MATTED WITH STRAW IN THE NON-GROWING SEASON, IMMEDIATELY AFTER THE STRIPPING PROCESS IS COMPLETED, TO PREVENT WIND AND WATER EROSION.
- SOIL EROSION CONTROLS SHALL BE MONITORED DAILY BY THE ON-SITE ENGINEER, OR CONTRACTOR, WHICHEVER CASE APPLIES.
- SLOPES AND DITCHES
- ON SITE DITCHES SHALL BE OF THE FLAT BOTTOM TYPE MINIMUM WIDTH OF 2' WITH A MINIMUM OF 3 HORIZONTAL TO 1 VERTICAL SIDE SLOPES, 3:1.
- DITCHES WITH STEEP SLOPES WILL NEED FLOW CHECKS TO PREVENT SCOURING OF THE DITCH BOTTOM. THESE SHALL BE INSTALLED AS DIRECTED BY THE ENGINEER OR INSPECTOR.
- SLOPES IN EXCESS OF 3 HORIZONTAL TO 1 VERTICAL SHALL NOT BE USED EXCEPT WITH A MECHANICAL DEVICE SUCH AS A RETAINING WALL, TERRACING, OR OTHER PRIOR APPROVED DEVICE.
- STORM DRAINS
- ALL STORM WATER STRUCTURES, CATCH BASINS AND/OR MANHOLES, IF BLOCK, SHALL BE PLASTERED ON BOTH THE INSIDE AND OUTSIDE OF THE STRUCTURES. GROUTING AND POINTING WILL BE NECESSARY AT THE CASTING AND STRUCTURE JOINT TO PREVENT LEAKAGE AND THE RESULTING SOIL MOVEMENT, AROUND THE STRUCTURE.
- STORM WATER INLETS SHALL HAVE AS A TEMPORARY CONTROL A STRAW BALE BARRIER AND STONE FILTER INSTALLED AROUND THE INLET DURING CONSTRUCTION. AS AN ALTERNATIVE TO THE STRAW BALE BARRIER, A BURLAP AND PEA STONE FILTER MAY BE USED. THREE LAYERS OF BURLAP FIBER AND A FILTER OF PEA STONE MINIMUM 1 FT. IN DEPTH CAN BE USED. DUE TO THE POROSITY OF THE BURLAP FILTER THE MINIMUM OF 1 FT. OF STONE IS VERY IMPORTANT. THE CONTROL SHALL BE REMOVED AS SOON AS THE STRUCTURE IS BUILT AND INSPECTED DAILY.
- BURLAP AND PEA STONE FILTERS WILL NEED TO BE CHANGED AFTER EACH RAINFALL.
- COUNTY CODE REQUIRES A MINIMUM PIPE SIZE OF 12" IN DIAMETER. IF SMALLER PIPE IS NEEDED FOR OUTLET PURPOSES THE 12" CAN BE BAFFLED TO THE CORRECT SIZE. ALL PIPE SHALL MEET THE 12" DIAMETER CODE SIZE.
- ALL STORM DRAIN OUTLETS 15" IN DIAMETER OR LARGER SHALL HAVE ANIMAL GUARDS INSTALLED TO PREVENT ENTRANCE TO THE SYSTEM.
- ALL STORM DRAINAGE PIPE 30" IN DIAMETER OR LARGER SHALL BE POINTED, AT THE JOINTS ON THE INSIDE WITH MORTAR, AFTER BACKFILLING.
- ALL STORM DRAIN OUTLETS THAT DO NOT EMPTY INTO THE RETENTION/DETENTION POND SHALL HAVE A TEMPORARY 5'X10'X3' SUMP INSTALLED AT THE TERMINATION OF THE STORM SEWER. UPON COMPLETION OF THE STABILIZATION WORK THE SUMP AREA SHALL BE FILLED AND RIP RAPPED WITH COBBLE STONE. SILT TRAPS SHALL BE INSPECTED AFTER EACH STORM.
- STORM WATER OUTLETS DO DENOTE RIP RAP. ALL OUTLETS SHALL BE RIP RAPPED OVER KEYED FILTER FABRIC WITH A MINIMUM OF 15 SQ. YARDS OF 6" OR LARGER COBBLE STONE.
- RIP RAP AS NOTED ON THE PLAN SHALL BE OF A FUNNEL SHAPE CONSTRUCTION, WIDTH SHALL INCREASE AS DISTANCE FROM THE OUTLET POINT INCREASES AT A 3:1 RATIO.
- RIP RAP SHALL BE OF COBBLE STONE, 6" IN DIAMETER OR LARGER. GROUTING MAY BE NECESSARY, AND SHALL BE A MINIMUM OF 6" IN DEPTH WITH THE COBBLE SET IN THE CEMENT SLURRY.
- STORM WATER OUTLET IS IN NEED OF A SPLASH BLOCK WHICH IS NOT NOTED ON THE PLAN. INSTALL SPLASH BLOCK IF SLOPE OF THE PIPE IS 4% OR GREATER.
- IT WILL BE NECESSARY FOR THE DEVELOPER TO HAVE THE STORM DRAINAGE LINES CLEANED PRIOR TO FINAL INSPECTION BY THE LIVINGSTON COUNTY DRAIN COMMISSIONER'S OFFICE, IF REQUIRED.
- THIS WORK SHALL BE DONE BY A PROFESSIONAL SEWER CLEANING FIRM AND CERTIFIED IN WRITING BY THE PROJECT ENGINEER. ALL SUMPS AND TEMPORARY SILT TRAPS SHALL ALSO BE CLEANED AT THIS TIME.
- STABILIZATION
- ALL UNIMPROVED DISTURBED AREAS SHALL BE RE-TOP SOILED, WITH A MINIMUM OF 3" OF MATERIAL, SEEDED, MULCHED AND TACKED WITHIN 15 DAYS OF THE COMPLETION OF THE MASSIVE EARTH DISRUPTION. IN THE NON-GROWING SEASON STRAW MATTING WILL SUFFICE. HYDROSEEDING WILL BE AN ACCEPTABLE ALTERNATE FOR MULCHING. EXTREME CARE SHOULD BE EXERCISED IN SPRING AND FALL PERIODS AS A FROST WILL BREAK THE BIND OF THE HYDROSEEDING, WHICH WILL AFFECT THE EFFECTIVENESS OF THIS PROCEDURE.
- IN THE NON-GROWING SEASON, TEMPORARY STABILIZATION OF MASSIVELY EXPOSED AREAS FOR WINTER STABILIZATION SHALL BE DONE WITH STRAW MATTING.
- PERIODIC INSPECTIONS WILL BE MADE THROUGHOUT THE COURSE OF THE PROJECT. IT WILL BE THE RESPONSIBILITY OF THE MANAGERS OF THE PROJECT TO CONTACT THIS OFFICE FOR THE FINAL INSPECTION AT THE END OF THE PROJECT.
- THIS COMMERCIAL PERMIT IS VALID FOR THE MASS EARTH MOVEMENT. THE INSTALLATION OF ROADS, DRAINS, AND UTILITIES AND IS NOT FOR ANY SINGLE FAMILY RESIDENCE. ALL RESIDENTIAL BUILDERS WILL NEED TO SECURE WAIVERS AND OR PERMITS AS NECESSARY FOR EACH LOT IN THIS DEVELOPMENT AT THE TIME APPLICATION FOR SINGLE FAMILY RESIDENCE IS MADE.
- THE ISSUING BUILDING DEPARTMENT SHALL NOT ISSUE THE CERTIFICATE OF OCCUPANCY UNTIL THE FINAL INSPECTION LETTER FROM THE LIVINGSTON COUNTY DRAIN COMMISSIONER'S OFFICE HAS BEEN OBTAINED.
- PER THE LIVINGSTON COUNTY DRAIN COMMISSIONER THE SEEDING, FERTILIZER AND MULCH MINIMUM QUANTITIES SHALL BE AS FOLLOWS:
TOP-SOIL 3" IN DEPTH
GRASS SEED 218 LBS. PER ACRE
FERTILIZER 150 LBS. PER ACRE
STRAW MULCH 2 TO 3 TONS PER ACRE (ALL STRAW MULCH NET BINDING, ETC.)
HYDRO-SEEDING IS NOT ACCEPTABLE FOR SLOPES EXCEEDING 1%, IN SUCH CASES STABILIZATION SHALL BE DONE WITH SEED AND STRAW MULCH WITH A TACKIFIER.
- SINGLE FAMILY RESIDENCE CONSTRUCTION
- PRIOR TO THE START OF SINGLE FAMILY RESIDENCES, THE BUILDER OR HOMEOWNER SHALL INSTALL A STRAW BALE BARRIER AND/OR SILT FENCE BEHIND THE CURB, OR BEHIND THE CROWN OF THE ROAD DITCH BACK SLOPE. PRIOR TO THE START OF THE DWELLING, THE HOMEOWNER OR BUILDER SHALL INSTALL THE DRIVEWAY CULVERT AND AGGREGATE MATERIAL TO ALLOW FOR ENTRANCE TO THE LOT.
- IF THE LIVINGSTON COUNTY HEALTH DEPARTMENT REQUIRES A MOUNDED SEPTIC FIELD, THE HOMEOWNER/BUILDER SHALL INSTALL POSITIVE DRAINAGE FROM THE MOUNDED AREA SO AS NOT TO ALLOW EXCESSIVE FLOW ONTO ADJACENT LOTS.
- DRAINAGE EASEMENTS WITHIN THE SUBDIVISION SHALL NOT BE ENCLOSED UPON. OPEN SWALES SHALL NOT BE FILLED OR ENCROACHED UPON. STRAW BALE BARRIERS OR SILT FENCES SHALL BE INSTALLED BETWEEN THE CONSTRUCTION AND THE OPEN DRAIN TO PREVENT SILTATION OF THE SYSTEM. ENCLOSED DRAINS WILL HAVE PERIODIC CATCH BASINS OR MANHOLES. LOT GRADES SHALL NOT BE RAISED OVER THE ESTABLISHED STRUCTURE TOPS.

LIVINGSTON COUNTY RETENTION BASIN CALCULATIONS

AREA (ACRES)	IMPERVIOUS FACTOR	ACRE IMPERVIOUS	PERVIOUS SURFACES
4.88	0.39	1.91	Impervious Surfaces
0.00	0.7	0.00	
31.86	0.2	6.37	Pervious Surfaces
COMPOUND C:			0.29
TOTAL DRAINAGE AREA:			36.74 ACRES

REQUIRED RETENTION VOLUME (2 CONSECUTIVE 100-YR STORMS)
REQUIRED VOL = 2 x 16,500 x A x C = **355219 CFT**

STORAGE PROVIDED

ELEV.	AREA (FT²)	DEPTH (FT)	VOLUME (FT³)	TOTAL VOLUME (FT³)
1008.00	81375	1	59,001	478,594
1005.00	56626	1	54,330	420,983
1004.00	50033	1	49,815	365,256
1003.00	47597	1	45,458	318,440
1002.00	43316	1	41,257	270,961
1001.00	38196	1	37,214	228,734
1000.00	36231	1	33,517	192,521
999.00	31402	1	29,802	159,204
998.00	27751	1	25,029	129,623
997.00	24297	1	22,600	103,584
996.00	21022	1	19,472	80,934
995.00	17921	1	16,463	61,463
994.00	15043	1	13,643	45,000
993.00	12281	1	11,056	31,357
992.00	9830	1	8,741	20,301
991.00	7852	1	6,688	11,560
990.00	5719	1	4,875	4,875
989.00	4693			

FOREBAY VOLUME
V(F) = 5% OF THE 100-YEAR STORM VOLUME BASED ON THE AREA TRIBUTARY TO THE INLET
V(F) = 17781 CF
FOREBAY STORAGE VOLUME REQUIRED: 17781 CF

FOREBAY STORAGE VOLUME PROVIDED:

ELEV.	AREA	VOLUME	CUMULATIVE VOLUME
1006	32004	28409	66659
1005	24754	21572	38247
1004	19359	16975	18675
1003	14861	0	0
1002	10427	0	0
1001	4755	0	0

FOREBAY SUMP

THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONLY APPROXIMATE. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF EXISTING UTILITIES AND PROPOSED UTILITIES CROSSINGS IN THE FIELD PRIOR TO CONSTRUCTION. THE APPARENT OR IF THE LOCATION OR DEPTH DIFFERS SIGNIFICANTLY FROM THE PLANS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY.

Working Days
M-F 8:00 AM - 5:00 PM
S 8:00 AM - 12:00 PM
D 12:00 PM - 5:00 PM

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Engineers Surveyors Planners Landscape Architects

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THE SANCTUARY AT TYRONE

TYRONE FOUR, L.L.C.
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CONSTRUCTION DETAILS

PROJECT	PREPARED FOR	TITLE	DATE

NO.	BY	REVISION PER
1		

DESIGNED BY: ST
DRAWN BY: ST
CHECKED BY:
SCALE: N/A
JOB NO. 17-127
DATE 7-22-19
SHEET NO. 7

BOSS Engineering

1 **TYRONE TOWNSHIP PLANNING COMMISSION**
2 **REGULAR MEETING & PUBLIC HEARING MINUTES**
3 **December 10, 2019 7:00 p.m.**
4
5

6 **PRESENT:** Mark Meisel, Dave Wardin, Kurt Schulze, Rich Erickson, Dan Stickel, Bill Wood,
7 and Perry Green

8
9 **ABSENT:** None

10
11 **OTHERS PRESENT:** Tyrone Township Planner Greg Elliott and Tyrone Township Planning &
12 Zoning Administrator Ross Nicholson

13
14 **CALL TO ORDER (7:00 pm):** The meeting was called to order by Chairman Mark Meisel.

15
16 Chairman Meisel took a moment to thank everyone for attending and welcomed them to the new
17 Township Hall.

18
19 **PLEDGE OF ALLEGIANCE (7:02 pm):**

20
21 **CALL TO THE PUBLIC (7:03 pm):**

22
23 No public comments or questions were received.

24
25 **APPROVAL OF THE AGENDA (7:03 pm):**

26
27 Kurt Schulze made a motion to approve the agenda as presented. Dave Wardin supported the
28 motion. Motion carried by unanimous voice vote.

29
30 **APPROVAL OF THE MINUTES (7:03 pm):**

31
32 Dave Wardin made a motion to approve the October 8, 2019 Regular Meeting minutes as
33 presented. Kurt Schulze supported the motion. Motion carried by unanimous voice vote.

34
35 *Dave Wardin made a motion to suspend the order of business placing New Business #2*
36 *(Proposed Permitted Expansion or Extension of Nonconforming Structures Amendments*
37 *Returned by the Township Board) ahead of all other business items.*

38
39 **OLD BUSINESS #2 (7:07 pm): Proposed Permitted Expansion or Extension of**
40 **Nonconforming Structures Amendments Returned by the Township Board:**

41
42 Chairman Meisel introduced the topic with a summary of the topic. He explained that the
43 original intent of Section 26.04.A was to establish a set of criteria for which applicants could
44 present a proposed expansion and/or extension of nonconforming structures to the Zoning Board
45 of Appeals (ZBA) for consideration separate from the typical variance procedure. He continued,
46 stating that the text was designed to streamline the process when dealing with existing

47 nonconforming structures but any creation of nonconformities would still require the standard
48 ZBA application process. Ross Nicholson pointed out that the Township Board was interested in
49 determining whether the ZBA was the best venue for applications pertaining to the expansion
50 and/or extension of existing nonconforming structures or if there are other options for making the
51 determinations such as the Planning Commission or Township staff. The Planning Commission
52 briefly discussed the topic. Greg Elliott indicated that the Michigan Zoning Enabling Act does
53 not mandate that such decisions be made by the ZBA and that it is possible to make such
54 decisions through alternate channels. Discussion continued.

55

56 *The item was tabled at 7:30 pm.*

57

58 *Chairman Meisel recessed the regular meeting to hold the scheduled public hearing at 7:31 pm.*

59

60 **PUBLIC HEARING #1 (7:31 pm): The Sanctuary at Tyrone Site Condominium**
61 **Conditional Rezoning Application:**

62

63 Chairman Meisel summarized the application and read the public hearing notice:

64

65 *“Notice is hereby given the Tyrone Township Planning Commission will hold a Public Hearing*
66 *on Tuesday, December 10, 2019, beginning at 7:30 at the Tyrone Township Hall, 8420 Runyan*
67 *Lake Road, Fenton, Michigan 48430. The purpose for the Public Hearing is:*

68 *To receive public comments regarding: A request by Dan Boss for a conditional rezoning of*
69 *vacant parcels # 4704-21-100-021 & # 4704-21-100-022 from the FR (Farming Residential)*
70 *district to the RE (Rural Estates) district to develop a 36-unit single-family detached site*
71 *condominium, located off of Runyan Lake Rd between Center Rd and Gordon Rd.”*

72

73 Dan Boss (applicant) introduced himself and his associates Dan White, Steve Morgan, and Brent
74 LaVanway. He indicated to the Planning Commission that they have decided to change the
75 name of the proposed site condominium from the “Sanctuary at Tyrone” to the “Oaks of
76 Tyrone”. He then addressed the public in attendance and provided a brief history of the site and
77 the project. He explained that the property was purchased as an investment and sold in 2005 as
78 two separate parcels, one being 10-acres and the other being 62-acres. He stated that the Future
79 Land Use map in the Township Master Plan calls for the site to be zoned for low density single-
80 family residential. While they would have liked to present a plan for development of the entire
81 72-acres, they were unable to acquire the 10-acre parcel, so they made the best of what was
82 available. It was at that time (2017) when they presented the original plan for development of
83 the 62-acre site and obtained concept plan approval. In 2018, the Township amended it’s Zoning
84 Ordinance, changing the minimum lot sizes in the FR zoning district from 2 acres (plus an
85 additional 50% open space) to 3-acres [with no open space requirement]. At the time following
86 the concept plan approval but prior to the acquisition of the additional 10-acres, they were
87 working with the Fire Department having jurisdiction and various Livingston County agencies
88 when it was determined that there would need to be revisions to the concept plan to meet
89 standards for approval. The 10-acre parcel was finally obtained and they decided to rework the
90 plan to come up with a layout substantially similar to what is being currently presented. After
91 some preliminary discussion with Township officials and the Planning Commission, it was
92 determined that the general consensus of the new plan was overall positive since the design

93 would allow for a more efficient road design and mostly contiguous open space. The Planning
94 Commission found the plan to be better than the previous design which had been granted concept
95 plan approval, but there were some procedural difficulties with allowing a development with the
96 overall density being proposed. He stated that their attorney discussed the issue with the
97 Township attorney before they came to the conclusion that a conditional rezoning could
98 potentially allow them to approve the plan with a higher density than what the current zoning
99 would allow for. Dan Boss noted again that the latest proposal is not for the maximum permitted
100 density if the conditional rezoning is granted. He stated that it would be possible to develop 41
101 units, however, they are only requesting a total of 36 units. He stated that he is here tonight to
102 ask for a motion to approve the development and conditional rezoning as proposed for 36 units
103 on the 72-acre site.

104
105 Chairman Meisel thanked Dan Boss for his comments.

106
107 Steve Bissell (residing on Indian View Trail) asked Dan Boss for clarification on the proposed
108 open space buffer between the northernmost units and the north property line. Dan Boss stated
109 that the open space and required rear yard setback for the northernmost units would create a one
110 hundred and fifty-foot (150') buffer between the rear of the building envelopes and the north
111 property boundary.

112
113 Chairman Meisel took a moment to explain the procedure for the public hearing. He then
114 summarized the procedure for the review and recommendation of the conditional rezoning
115 application. He explained that the previous version of the plan only received conceptual approval
116 and not final approval. He stated that the revised plan is a new application and the purpose of the
117 public hearing is to review the latest proposal for a conditional rezoning. He explained that
118 under the previous zoning district requirements for minimum lot area, a 2-acre parcel plus the
119 required 50% open space would result in the equivalent of a 3-acre parcel in the FR zoning
120 district. He continued, stating that the statutory requirements for utilizing the CDO remain the
121 same as they were with the previous application. He stated that if the Conditional Rezoning is
122 granted, the development itself will still need to go through the prescribed approval process
123 inclusive of agency reviews.

124
125 *Chairman Meisel opened the floor to take public comments and questions regarding the*
126 *proposed conditional rezoning.*

127
128 Ed Wolf (residing on Runyan Lake Road) stated that he had concerns regarding the water table
129 in the immediate area and inquired how the development would be supplied with potable water
130 for each unit. Chairman Meisel indicated that the development is being proposed to utilize
131 individual (private) wells for each dwelling unit. He continued, stating that the Livingston
132 County Health Department (LCHD) requires that a series of test wells are drilled throughout the
133 site to demonstrate that there would not be any significant adverse impacts to surrounding private
134 wells if the development is approved. He stated that the likelihood of thirty-six (36) new wells at
135 the site causing well water issues in the immediate area is relatively low due to the size and
136 quality of the local aquifer.

137

138 Steve Bissell made a statement indicating that he had personally experienced issues with the
139 water table in the area. He stated that he recently had to have a new eighty-foot (80') well drilled
140 after his previous well had only lasted sixteen (16) years. He stated that he is skeptical that the
141 proposed development would not adversely affect existing wells in the area. He then asked for
142 clarification on the test well process. Brent LaVanway (applicant) explained the test well
143 process. He indicated that the LCHD requires a minimum flow of ten (10) gallons-per-minute
144 (GPM) for each test well, which is significantly less than what those on site produced.
145

146 Steve Bissell inquired about sanitary waste disposal/sewage treatment for the proposed
147 development. Brent LaVanway explained that the development would utilize a community
148 septic system. He explained that the system would have pre-treatment septic tanks and disposal
149 systems which function similarly to that of a single-family septic system. He explained that the
150 primary difference between the proposed community septic system and private single-family
151 systems is that the standards for treatment are at a significantly higher level. He indicated that
152 the proposed septic field would be ten-thousand (10,000) square feet. Steve Bissell asked
153 whether the system would be gravity fed or pressurized. Brent LaVanway indicated that it would
154 be gravity fed from the individual units to the tanks before being pumped to the field.
155

156 Steve Bissell inquired about the stormwater runoff management for the proposed development.
157 Brent LaVanway explained that the stormwater runoff is designed to flow from west to east into
158 the retention basin to prevent overflow onto adjacent properties. Steve Bissell stated that he has
159 concerns about the proposed drainage system and how it would function in relation to the
160 existing natural wetland areas. He stated that the wetland area on Units 4 and 5 ["Unregulated
161 Wetland B"] currently drains onto his property. Brent LaVanway explained that they are
162 proposing to construct an overflow basin system which would divert the water through the road
163 system into the retention basin. Steve Bissell asked whether there are any wetland areas on the
164 site which are regulated through the State of Michigan. Brent LaVanway stated that there is one
165 regulated wetland area at the northeast corner on the site, which is proposed to remain
166 undisturbed.
167

168 Jack Reese (residing on Indian View Trail) asked where alterations to the existing wetlands
169 would occur. Brent LaVanway explained, using the site plan as a visual aid.
170

171 Mark Klumpp (residing on Carole Lane) asked how the 50% open space requirement would be
172 met. Brent LaVanway explained that there is lot open space allocated to individual units in
173 addition to the development open space. Mark Klumpp asked how the open space would be
174 preserved long-term. Brent LaVanway stated that the condominium documents (Master Deed
175 and Bylaws) would be a function and responsibility of the condominium association. He
176 continued, stating that it would be self-policed to a certain extent, however, it is much less likely
177 that the open space area would be encroached upon since they intend to use a single builder for
178 the entire development. Mark Klumpp stated to the Planning Commission that he doesn't
179 believe that the association would preserve the open space areas as intended since it is something
180 that is frequently ignored or not enforced in other developments.

181 Steve Morgan (applicant) addressed Mark Klumpp's comment regarding the preservation of
182 open space areas. He stated that he lives in a site condominium development and explained his
183 personal experiences in association-maintained property. Chairman Meisel indicated to Mark

184 Klumpp that the Planning Commission shares concerns with the open space preservation and
185 will need to continue to work with the applicants to solidify a plan.

186
187 Mark Klumpp stated that he has concerns surrounding the proposed community septic system,
188 primarily the proximity to the existing wetland areas. He asked how the community septic
189 system would be monitored and maintained. Brent LaVanway explained that the State of
190 Michigan requires that community septic systems be monitored and maintained through a State-
191 licensed operator. He continued, stating that the operator would be required to submit annual
192 reports to the LCHD for monitoring purposes.

193
194 Steve Bissell asked who the contracted builder for the development would be. Dan Boss stated
195 that they have hired Big Sky Development as the contractor for the project. He cited some
196 examples of work performed by Big Sky Development for reference.

197
198 Tiffany Reese (residing on Indian View Trail) asked the Planning Commission if the Township
199 will be requiring a development agreement. Chairman Meisel explained that the site plan, if
200 approved, would act as a development agreement. He explained that most condominium
201 documents can be amended by an association without consent of the municipality, however, site
202 plan amendments require municipality approval before they can be recorded.

203
204 Steve Bissell pointed out that the majority of the open space in the area between the proposed
205 northernmost units and the north property boundary is covered in mostly dead ash trees. He
206 stated that he would assume that the developer, the association, or the future owners would likely
207 wish to remove the dead trees since they are unsightly and potentially hazardous. Removal of
208 the dead trees would result in what is effectively a field between the proposed development and
209 the existing properties to the north of the site.

210
211 Mark Klumpp asked what impact the retention basin would have on the existing wetland areas.
212 Brent LaVanway stated that the surface drainage would flow from the road system to the forebay
213 and into the retention basin. From the retention basin, some of the water would be absorbed into
214 the ground and some would evaporate.

215
216 Steve Bissell stated that filling in the wetland area which is present over proposed Units 4 and 5
217 ["Unregulated Wetland B"] would be difficult. Brent LaVanway replied, stating that they are
218 only proposing to fill a portion of that particular wetland for installation of the roadway. He
219 indicated that the wetland area would remain in the area where Units 4 and 5 are proposed which
220 reduces the building envelopes for each of those units. Steve Bissell indicated that he still has
221 concerns that filling in the portion of the wetlands as proposed would significantly affect the site
222 drainage. He also pointed out that it would force any structures built on Units 4 and 5 to be as
223 far north as possible, reducing the potential buffer between the adjacent properties to the north.

224
225 Steve Buza (residing on Older Lane) asked what the houses in the development would look like.
226 Dan Boss pointed out the Hills of Tyrone West as an example of the type of architecture that
227 would be used. He stated that Big Sky Development follows building trends and changes the
228 style of the homes annually. He stated that they do not build identical homes directly next to
229 each other and are not in any way "cookie cutter" style houses. Steve Buza asked what the

230 approximate price point of the homes would be. Dan Boss indicated that prices would be in the
231 neighborhood of around five hundred thousand dollars (\$500,000.00).

232
233 Steve Bissell asked if accessory structures would be permitted in the development. Dan Boss
234 stated that accessory structures would be permitted but they would be required to match the
235 architecture of the principal structure. A brief discussion amongst the public in attendance and
236 the applicants regarding proposed architectural design standards ensued.

237
238 Tiffany Reese urged the Planning Commission to require planting of trees in the open space area
239 between the northernmost units and the north property boundary to replace some of the dead ash
240 trees and establish a more significant buffer. Steve Bissell stated that when the Baptist State
241 Convention Ministries built the church office building located at 8420 Runyan Lake Road
242 (Currently the Tyrone Township Hall), the owners approached himself and the other adjacent
243 property owners and offered to plant a row of pine trees along their common property
244 boundaries. He continued, stating that they were even considerate enough to give them a few
245 additional trees. He stated that he believes there definitely needs to be more significant of a
246 natural buffer in the open space area between the northernmost units and the north property
247 boundary. Dan Boss indicated that the open space area is intended to remain undisturbed and
248 that they currently do not have any plans to plant trees in the area in question.

249
250 *Chairman Meisel closed the public comment/question portion of the public hearing at 8:44 pm*
251 *and opened the floor to the Planning Commission for questions and comments.*

252
253 Dan Stickel stated that he believed that the lot open space should not be included in the overall
254 open space calculations since it is unlikely that it would meet the intent of open space as defined
255 in the Zoning Ordinance. Dave Wardin stated that he does not believe the proposed open space
256 areas would be enough to meet the 50% minimum required for CDO developments under the
257 MZEA. Dan Stickel noted that he believes granting approval without meeting the minimum
258 open space requirements would be precedent setting and, therefore, should not be considered.
259 The Planning commission briefly discussed the open space calculations provided by the
260 applicants versus the Zoning Ordinance and MZEA standards for CDO developments.

261
262 Dan Boss stated that the previous proposal for 31 units on 62 acres was essentially the same as
263 the current proposal for 36 units on 72 acres. He stated that the new plan is logical and should
264 follow the same criteria as the last approval. Chairman Meisel indicated that the previous plan
265 had only received concept approval and, therefore, there was no guarantee that final approval
266 would be granted if problems were found during agency reviews and/or final Township review.
267 Dan Boss asked if that meant that one could theoretically receive concept plan approval, obtain
268 all necessary agency approvals, and potentially get denied during final Township review. The
269 Planning Commission briefly discussed the procedure for approval of a site condominium and a
270 conditional rezoning with the applicants.

271
272 Steve Morgan indicated to the Planning Commission that he believes the proposed open space
273 would fulfill the requirements set forth in the MZEA. He stated that the Zoning Ordinance also
274 allows the Planning Commission to permit open space in required yard locations within a lot,
275 unit, or parcel (lot open space). He stated that with a combination of the perimeter open space

276 combined with the lot open space, the 50% minimum requirement for CDO would be met. The
277 Planning Commission discussed the Zoning Ordinance definition for open space as well as the
278 MZEA requirements for CDO with the applicants.

279
280 Bill Wood stated that he believes it is likely the open space areas consisting primarily of dead
281 ash trees would likely be cleared because it would be considered to be unsightly to most people
282 looking to purchase a home in the price range being proposed. Dan Boss stated that he doesn't
283 necessarily disagree but, based on the Zoning Ordinance definition of open space, he's not sure
284 how they could plant trees if the intent is for open space to remain in an unaltered state for
285 perpetuity. The Planning Commission briefly discussed the definition of open space with the
286 applicants.

287
288 Chairman Meisel summarized the elements of the application and discussed the procedure. He
289 stated that the application is for a conditional rezoning from FR to RE combined with the
290 proposed CDO development, therefore, the development would need to comply with the RE
291 district standards. Greg Elliott emphasized that granting of the conditional rezoning must still
292 comply with the standards for the zoning district, therefore, the CDO development must be
293 subject to a subset of standards for the RE district. The Planning Commission briefly discussed.

294
295 *Chairman Meisel closed the public hearing at 9:10 pm.*

296
297 **OLD BUSINESS #1 (9:11 pm): The Sanctuary at Tyrone Site Condominium Conditional**
298 **Rezoning Application:**

299
300 The Planning Commission briefly discussed the application amongst themselves. Chairman
301 Meisel stated that there are concerns from the Planning Commission regarding the wetland areas
302 on the site as well as the amount of open space to be eligible for the CDO. He continued, stating
303 that, overall, the Planning Commission agrees that the proposed layout is logical, however,
304 because of the aforementioned items, additional information may be necessary before proceeding
305 with the review. Dave Wardin commented that he has heard a lot of negative comments
306 regarding condominium developments and how they are managed. He continued, stating that
307 condominiums can be much better than subdivisions in a number of ways.

308
309 Chairman Meisel stated that the Planning Commission has received the conditional rezoning
310 application and held the required public hearing so they have a few options on how to proceed;
311 They can (1) make a recommendation for approval or denial based on the information that has
312 been provided, (2) require agency reviews as a condition for a recommendation, or (3) table the
313 application. Dan Boss stated that tabling the application would kill the project. Chairman
314 Meisel briefly explained the steps of the approval process. He indicated that the Planning
315 Commission is not trying to kill the project, however, they cannot violate the MZEA or Zoning
316 Ordinance in making a recommendation for approval. Dave Wardin reiterated that he does not
317 believe the MZEA allows for lot open space to be included in the overall open space calculations
318 of a CDO.

319
320 Perry Green made a motion to recommend approval of the Sanctuary at Tyrone conditional
321 rezoning application to the Township Board. Bill Wood supported the motion. Roll call vote:

322 Dan Stickel- no, Rich Erickson- no, Perry Green- yes, Mark Meisel- no, Dave Wardin- no, Kurt
323 Schulze- no, Bill Wood- yes. Motion failed 2:5.

324

325 Dave Wardin made a motion to recommend denial of the Sanctuary at Tyrone conditional
326 rezoning offer to rezone 72 acres from FR to RE based on the fact that it does not comply with
327 [Michigan] PA 110 of 2006 requiring 50% of undeveloped open space for a CDO
328 development. Dan Stickel supported the motion. Roll call vote: Dan Stickel- yes, Rich
329 Erickson- yes, Perry Green- no, Mark Meisel- yes, Dave Wardin- yes, Kurt Schulze- yes, Bill
330 Wood- no. Motion carried 5:2.

331

332

333 *The item was closed at 9:55 pm*

334

335 *Dan Stickel made a motion to table all remaining business items. Dave Wardin supported the*
336 *motion.*

337

338 *The meeting was adjourned at 10:00 pm by Chairman Meisel.*

NEW BUSINESS #3

**RESOLUTION #2003xx
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

**ESTABLISHING FISCAL YEAR 2020-2021 OPERATING TAX MILLAGE
RATE AS DIRECTED BY THE HEADLEE ROLLBACK CALCULATION**

WHEREAS, the Tyrone Township Board has carefully examined the financial circumstances of the Township for the 2020-2021 fiscal year, including estimated expenditures, estimated revenues and state equalized valuation of property located within the Township;

NOW, THEREFORE, BE IT RESOLVED, that the Tyrone Township Board has complete authority and hereby authorizes up to .9018 mils to be levied for operating purposes in Fiscal Year 2020-2021 from within its authorized millage rate.

**RESOLVED BY:
SUPPORTED BY:**

VOTE:

ADOPTION DATE: March 3, 2020

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on March 3, 2020, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Marcella Husted
Township Clerk

NEW BUSINESS #4

**RESOLUTION #2003xx
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

RESOLUTION TO ADOPT 2020-2021 BUDGET FOR THE GENERAL FUND

	2020-2021 Proposed Budget
101 General Fund Revenues	\$ 1,582,675
<hr/>	
Department Expenses	
101 - Township Board	112,771
171 - Supervisor	50,398
215 - Clerk	142,850
247 - Board of review	2,200
253 - Treasurer	144,071
257 - Assessing	102,748
262 - Elections	57,271
265 - Building and Grounds	45,839
276 - Cemeteries	10,424
299 - Unallocated	17,073
441 - Public Works	12,000
448 - Street Lighting	2,546
685 - Social Services	4,600
721 - Planning Commission	89,867
722 - Zoning Board of Appeals	4,016
723 - Zoning Administrator	39,834
724 - Ordinance Enforcement	29,770
747 - Community Action Programs	3,500
851 - Insurance, Bonds & Fringes	145,400
966 - Transfers Out	475,000
Total Department Expenses	\$ 1,492,178
<hr/>	
Surplus (Deficit)	\$ 90,497

	<u>Revenue</u>	<u>Expenses</u>	<u>Surplus (Deficit)</u>
Public Improvement Bldg & Site	\$ 330,000	\$ 40,630	\$ 289,370
Public Safety	668,670	578,247	90,423
Liquor Law Enforcement	3,000	3,000	-
Jayne Hill Street Lighting	520	1,300	(780) Use fund balance
Walnut Shores Street Lighting	100	160	(60) Use fund balance
Shannon Glen Rubbish Removal	4,956	4,543	413
Jayne Hill Rubbish Removal	18,029	19,631	(1,602) Use fund balance
Apple Orchard Rubbish Removal	6,601	6,396	205
Silver Lake Estates Rubbish Removal	14,025	14,209	(184) Use fund balance
Parkin Lane Snow Removal	6,510	10,200	(3,690) Use fund balance
Great Oaks Drive	2,960	3,250	(290) Use fund balance
Laurel Springs Rubbish Removal	8,155	5,851	2,304
Public Improvement Road	280,000	550,000	(270,000) Use fund balance
Township Improvement Revolving	195,000	-	195,000
Right of Way	8,800	10,000	(1,200) Use fund balance
Public Education Grant	50,000	60,000	(10,000) Use fund balance
Parkin Lane Road Improvement	32,048	41,378	(9,330) Use fund balance
Lake Shannon Road Improvement	128,350	140,400	(12,050) Use fund balance
Laurel Springs Road Improvement	11,582	31,835	(20,253) Use fund balance
Irish Hills Road Improvement	48,589	31,294	17,295
Sewer 2003	799,594	1,604,696	(805,102) Use fund balance
Public Works Sewer O&M	632,584	750,400	(117,816) Use fund balance

RESOLVED BY:
SUPPORTED BY:

VOTE:

ADOPTION DATE: March 3, 2020

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on March 5, 2019, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Marcella Husted
Township Clerk

Resolution #190303

Adoption of 2020-2021 Budget for the General Fund

NEW BUSINESS #5

**RESOLUTION #2003xx
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

TO **OPT-OUT/OPT-IN OF SENATE BILL #7 HEALTH CARE PROVISION**

XX resolved to adopt Resolution #2003xx to **opt out/ opt in** of the Senate Bill #7 health care provision for fiscal year 2020-2021. (XX seconded). The motion carried; all ayes.

VOTE:

ADOPTION DATE: March 3, 2020

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on March 3, 2020, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Marcella Husted
Township Clerk

NEW BUSINESS #6

**RESOLUTION #2003xx
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

**TO ESTABLISH THE TOWNSHIP
SUPERVISOR'S SALARY FOR THE 2020-2021 FISCAL YEAR**

WHEREAS, pursuant to MCLA 41.95(3), which provides that in a Township that does not hold an annual meeting, the salary for officers composing the Township Board shall be determined by the Township Board; and

WHEREAS, the Board of Tyrone Township deems it desirable to adjust the salary of the Township Supervisor to ensure that compensation for this position remains equitable and commensurate with the duties of said elective office;

NOW, THEREFORE, BE IT RESOLVED, that as of April 1, 2020, the salary for the office of Tyrone Township Supervisor shall be \$45,620.00.

RESOLVED BY:
SUPPORTED BY:

VOTE:

ADOPTION DATE: March 3, 2020

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on March 3, 2020, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Marcella Husted
Township Clerk

NEW BUSINESS #7

**RESOLUTION #2003xx
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

**TO ESTABLISH THE TOWNSHIP
CLERK'S SALARY FOR THE 2020-2021 FISCAL YEAR**

WHEREAS, pursuant to MCLA 41.95(3), which provides that in a Township that does not hold an annual meeting, the salary for officers composing the Township Board shall be determined by the Township Board; and

WHEREAS, the Board of Tyrone Township deems it desirable to adjust the salary of the Township Clerk to ensure that compensation for this position remains equitable and commensurate with the duties of said elective office;

NOW, THEREFORE, BE IT RESOLVED, that as of April 1, 2020, the salary for the office of Tyrone Township Clerk shall be \$45,620.00.

**RESOLVED BY:
SUPPORTED BY:**

VOTE:

ADOPTION DATE: March 3, 2020

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on March 3, 2020, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Marcella Husted
Township Clerk

NEW BUSINESS #8

**RESOLUTION #2003xx
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

**TO ESTABLISH THE TOWNSHIP
TREASURER'S SALARY FOR THE 2020-2021 FISCAL YEAR**

WHEREAS, pursuant to MCLA 41.95(3), which provides that in a Township that does not hold an annual meeting, the salary for officers composing the Township Board shall be determined by the Township Board; and

WHEREAS, the Board of Tyrone Township deems it desirable to adjust the salary of the Township Treasurer to ensure that compensation for this position remains equitable and commensurate with the duties of said elective office;

NOW, THEREFORE, BE IT RESOLVED, that as of April 1, 2020, the salary for the office of Tyrone Township Treasurer shall be \$45,620.00.

RESOLVED BY:
SUPPORTED BY:

VOTE:

ADOPTION DATE: March 3, 2020

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on March 3, 2020, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Marcella Husted
Township Clerk

NEW BUSINESS #9

**RESOLUTION #2003xx
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

**TO ESTABLISH THE TOWNSHIP
TRUSTEE'S SALARY FOR THE 2020-2021 FISCAL YEAR**

WHEREAS, pursuant to MCLA 41.95(3), which provides that in a Township that does not hold an annual meeting, the salary for Trustees composing the Township Board shall be determined by the Township Board; and

WHEREAS, the Board of Tyrone Township deems it desirable to adjust the salary of the Township Trustees to ensure that compensation for this position remains equitable and commensurate with the duties of said elective office;

NOW, THEREFORE, BE IT RESOLVED, that as of April 1, 2020, the salary for the office of Tyrone Township Trustee shall be \$205.82 per meeting attended.

RESOLVED BY:
SUPPORTED BY:

VOTE:

ADOPTION DATE: March 3, 2020

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on March 3, 2020, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Marcella Husted
Township Clerk

NEW BUSINESS #10

RESOLUTION #2003xx
TYRONE TOWNSHIP, LIVINGSTON COUNTY

BUDGET FOR FISCAL YEAR ENDING MARCH 31, 2021

WHEREAS, it is the intention of the Tyrone Township Board to comply with the provisions of Michigan Public Act 621 of 1978, the Uniform budgeting and Accounting Act, as modified to fit the needs of Tyrone Township;

THEREFORE, BE IT RESOLVED THAT the following budgetary policies and procedures for reconciling the 2019-2020 budget and for establishing a 2020-2021 budget, in accordance with said Act, be set forth as follows:

1. The chief administrative officer of the budget shall be the Supervisor.
2. The chief administrative officer or Supervisor shall receive assistance in performance of budgetary responsibilities from the Clerk and from the accountant employed by the Township Board.
3. By November 30, 2020, the Supervisor shall compile the information, as outlined in the Act, for presentation to the chairman or officer of each department, board and commission of Tyrone Township.
4. By December 31, 2020, each department, board and commission shall complete the forms requested by the Supervisor as to their estimates of the amount of money required for each line item in their activity for the ensuing fiscal year. Any department, board or commission which generates revenue from the public hearings, land use permits or the sale or rental of services shall estimate anticipated revenue for the ensuing fiscal year.
5. No later than February 1, 2021, the Tyrone Township Board shall meet in special work session to review the requests of each department, board and commission to make recommendations on the content of the proposed fiscal year budget, ensuring that the total of estimated expenditures does not exceed the total estimated revenue and accumulated fund balance.
6. The Supervisor shall compile the recommendations of the Tyrone Township Board into a budget document, all Funds, and shall present the proposed budget to the Tyrone Township Board no later than the first regularly scheduled Board Meeting in March. The Tyrone Township Board shall set time, date, and place for all required public hearings on the proposed budget.

7. No later than the second regularly scheduled Tyrone Township Board Meeting in March, the Board shall pass, by Resolution, a general appropriations measure which spells out the policies and procedures of the Tyrone Township Board regarding compliance with and modifications to P.A. 621 of 1978.
8. The Supervisor shall be required to monitor the expenditures of each department, board and commission to ensure that expenditures do not exceed the budgeted amount, and shall make recommendations to the Tyrone Township Board to amend the budget when such action seems necessary.
9. The Supervisor shall provide quarterly reports of actual revenues and expenditures compared to budgeted amounts, as required by the Act. Quarterly reports shall be provided to the Tyrone Township Board for the first three-quarters; thereafter, the comparison reports shall be required monthly until the end of the fiscal year.
10. The Tyrone Township Clerk has been authorized by board action on September 3, 1991, to obligate the Township in an amount up to \$2,000 without prior approval of the Board, and that the Clerk summarize the items and amounts so warranted and submit the report for approval of the Board at the following meeting as outlined by Resolution #090103 adopted January 20, 2009.
11. The Tyrone Township Clerk has been authorized, in action taken September 3, 1991, to make capital expenditures up to \$400 with authorization by the Board at the next meeting. Capital expenditures over \$400 must have prior Township Board approval.

FURTHER, BE IT RESOLVED THAT, pursuant to MCL 141.412 notice of a public hearing on the proposed budget was published on March 1, 2020, and a public hearing on the proposed budget was held on March 3, 2019, the Tyrone Township Board adopts the 2020-2021 budget of all funds by revenue and expense, as prepared and presented.

RESOLVED BY:
SUPPORTED BY:

VOTE:

ADOPTION DATE: March 3, 2020

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on March 3, 2020, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Marcella Husted
Township Clerk

NEW BUSINESS #11

