

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING AGENDA  
MAY 17, 2022 - 7:00 P.M.  
(810) 629-8631**

This meeting will be held both in person at the township and electronically via Zoom. Details to join the meeting via Zoom follow this agenda.

This meeting can be watched live on our [YouTube channel](#).

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

**ROLL CALL**

**APPROVAL OF AGENDA – OR CHANGES**

**APPROVAL OF CONSENT AGENDA**

- Regular Board Meeting Minutes – April 19, 2022
- Treasurer’s Report – April 30, 2022
- Clerk’s Warrants and Bills –

**COMMUNICATIONS**

1. Livingston County Sheriff Report – April 31, 2022
2. Fire Service Report – May 10, 2022
3. Planning Commission Approved Meeting Minutes- December 14, 2021
4. Planning Commission Approved Meeting & Public Hearing Minutes- January 11, 2022
5. Planning Commission Approved Meeting Minutes- February 8, 2022
6. Planning Commission Approved Meeting Minutes- March 8, 2022
7. Planning Commission Approved Meeting Minutes- April 12, 2022

**PUBLIC REMARKS**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

1. Public Township Meetings Conduct Policy.
2. Runyan Lake Heights private road paving request.
3. Runyan Lake fireworks permit application.
4. Request to write off uncollectible fire service charges.
5. Elimination of employee per diem rates.
6. Val Royal site plan amendment.
7. Closed session to discuss pending litigation.

**MISCELLANEOUS BUSINESS**

**PUBLIC REMARKS**

**ADJOURNMENT**

\* \* \* \* \*

Please note: Anyone wishing to address the Township Board may do so during Public Remarks. 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.

### Join Zoom Meeting

<https://us02web.zoom.us/j/81776095217?pwd=cStxaXZCdGMzWXluTmFsSWczd1g4dz09>

Meeting ID: 817 7609 5217

Passcode: 047776

One tap mobile

+13126266799,,81776095217#,,,,\*047776# US (Chicago)

+16465588656,,81776095217#,,,,\*047776# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 817 7609 5217

Passcode: 047776

Find your local number: <https://us02web.zoom.us/j/81776095217?pwd=cStxaXZCdGMzWXluTmFsSWczd1g4dz09>

# **CONSENT AGENDA**

**Regular Board Meeting Minutes – April 19, 2022**

Treasurer's Report – April 30, 2022

Clerk's Warrants and Bills – May 11, 2022.

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING  
APPROVED MINUTES – APRIL 19, 2022 – PAGE 1**

**CALL TO ORDER**

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on April 19, 2022 at 7:00 p.m. at the Tyrone Township Hall.

**ROLL CALL**

Present: Supervisor Mike Cunningham, Clerk Pam Moughler, Treasurer Jennifer Eden, Trustees Herman Ferguson, Kurt Schulze, Zach Tucker and David Walker.

**APPROVAL OF AGENDA – OR CHANGES**

Trustee Walker moved to approve the agenda as amended. (Treasurer Eden seconded.) The motion carried; all ayes. The amendment was as follows:

Added New Business #10 Request to recognize the Tyrone Historical Society as a nonprofit organization to obtain a charitable gaming license.

**APPROVAL OF CONSENT AGENDA**

**Regular Board Meeting Minutes – March 29, 2022**

**Treasurer's Report – March 31, 2022**

**Clerk's Warrants and Bills – April 10, 2022**

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

**COMMUNICATIONS**

- 1. Livingston County Sheriff Report- March 31, 2022**
- 2. Fire Service Report- April 12, 2022**
- 3. Planning Commission Approved Meeting Minutes – October 12, 2021**
- 4. Planning Commission Approved Meeting Minutes – November 17, 2021**
- 5. Planning Commission Approved Meeting Minutes – November 30, 2021**

Trustee Walker moved to receive and place on file Communications #1-5 as presented. (Trustee Tucker seconded.) The motion carried; all ayes.

**PUBLIC REMARKS**

Jeff Cooper asked the status of the Lake Urban project.

**UNFINISHED BUSINESS**

None.

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING  
APPROVED MINUTES – APRIL 19, 2022 – PAGE 2**

**NEW BUSINESS**

**1. Carlisle/Wortman’s proposal of services for the Master Plan.**

Trustee Schultz moved to accept Carlisle/Wortman’s proposal for Master Plan services for the cost not to exceed \$35,500. (Trustee Walker seconded.) The motion carried; all ayes.

**2. Road chloride quote from Chloride Solutions.**

Trustee Walker moved to accept the quote from Chloride Solutions for road chloride service. (Trustee Tucker seconded.) The motion carried; all ayes.

**3. ARPA budget amendment (general fund to road fund).**

Trustee Walker moved to authorize the budget amendment to move \$450,000 of ARPA funds from the general fund to the road fund. (Trustee Tucker seconded.) The motion carried; all ayes.

**4. Road improvement agreement for Runyan Lake Road (Foley to White Lake).**

Trustee Walker moved to approve the road improvement agreement for Runyan Lake Road (between Foley and White Lake). (Treasurer Eden seconded.) The motion carried; all ayes. The cost of the project is estimated to be \$520,000; the township’s cost is not-to-exceed \$260,000.

**5. Aflac disability and life insurance policy proposal.**

Trustee Walker moved to approve the Aflac disability and life insurance policy (option 2) for township employees. (Trustee Ferguson seconded.) The motion carried; all ayes.

**6. Employee Covid time-off policy.**

Trustee Walker moved to approve the employee Covid time-off policy that was offered in conjunction with approval of the Aflac insurance. (Treasurer Eden seconded.) The motion carried; all ayes. The policy is as follows:

Tyrone Township  
Employee COVID Time Off Policy  
With Board Approved Aflac Policy  
April 19, 2022

With the interest of the health and wellness of all employees, the Township will implement a new Employee COVID Time Off policy to address employee’s illness and/or exposure due to COVID.

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING  
APPROVED MINUTES – APRIL 19, 2022 – PAGE 3**

We will continue to follow the CDC guide lines and instruct our associates to use the Quarantine and Isolation Calculator.

Each employee receives 64 hours of sick/personal time every year on April 1st. In addition, the township board has approved an Aflac Policy for each employee which will pay employees on day 1 of any injuries and day 8 of any illness.

If illness and/or exposure due to COVID causes an employee to require more time off and the employee does not have any sick/personal or vacation time left to use, the employee may request additional time through the Personnel Committee. The Personnel Committee consists of the Township Supervisor, Clerk and Treasurer. Determination of awarding additional time will be determined solely by the Personnel Committee on a case-by-case basis and with the best interest of the health and wellness of all employees.

**7. Quote to clean township hall carpets.**

Trustee Ferguson moved to accept the quote from Modernistic of \$674.00 to clean the township hall carpets. (Trustee Tucker seconded.) The motion carried; all ayes.

**8. Approval of road-right-of-way tree cutting.**

Trustee Ferguson moved to authorize one day of tree cutting by Ronald's Tree Service along road rights-of way at the cost of \$3,000. Tree cutting will be done along Bennett Lake, Denton Hill, and Tipsico Lake Roads. (Trustee Walker seconded.) The motion carried; all ayes.

**9. Commercial insurance policy for township hall.**

Trustee Walker moved to approve the commercial insurance policy (\$15,820) and the cybersecurity policy (\$4,198.75) through Burnham & Flower for the township building. (Treasurer Eden seconded.) The motion carried; all ayes.

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING  
APPROVED MINUTES – APRIL 19, 2022 – PAGE 4**

**10. Request to recognize the Tyrone Historical Society as a nonprofit organization to obtain a charitable gaming license.**



**RESOLUTION #220401**

**LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES**  
(Required by MCL 432.103(K)(II))

At a regular meeting of the Tyrone Township Board  
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD  
 called to order by Supervisor Cunningham on 4/19/2022  
DATE  
 at 7:00 pm a.m./p.m. the following resolution was offered:  
TIME  
 Moved by Trustee Tucker and supported by Trustee Walker  
 that the request from Tyrone Historical Society of Tyrone Township,  
NAME OF ORGANIZATION CITY  
 county of Livingston County, asking that they be recognized as a  
COUNTY NAME  
 nonprofit organization operating in the community for the purpose of obtaining charitable  
 gaming licenses, be considered for approval.  
APPROVAL/DISAPPROVAL

	APPROVAL		DISAPPROVAL
Yeas:	<u>7</u>	Yeas:	_____
Nays:	<u>0</u>	Nays:	_____
Absent:	_____	Absent:	_____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Tyrone Township Board at a regular meeting held on April 19, 2022.  
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL  
DATE

SIGNED: Pam Moughler  
TOWNSHIP, CITY, OR VILLAGE CLERK  
Pam Moughler, Tyrone Township Clerk  
PRINTED NAME AND TITLE

Tyrone Township, 8420 Runyan Lake Rd., Fenton, MI 48430  
ADDRESS

COMPLETION: Required.  
PENALTY: Post-dates denial of application.

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING  
APPROVED MINUTES – APRIL 19, 2022 – PAGE 4**

**MISCELLANEOUS BUSINESS**

None.

**PUBLIC REMARKS**

Tom Brushaber said he read the City of Fenton would be repaving State Road and asked if the township had plans to repair the north section of Hartland Rd. at the same time. (Hartland Road turns into State Road at the city border.)

**ADJOURNMENT**

Trustee Tucker moved to adjourn. (Treasurer Eden seconded.) The motion carried; all ayes. The meeting adjourned at 7:32 p.m.



# CONSENT AGENDA

Regular Board Meeting Minutes – April 19, 2022

**Treasurer's Report – April 30, 2022**

Clerk's Warrants and Bills – May 11, 2022.

4/1/2022

## TYRONE TOWNSHIP TREASURER'S REPORT

TD

Period ending April, 2022

TOWNSHIP FUNDS	Interest Ckg	INVESTMENTS ICS	Int Rate	MICHIGAN CLASS	Int Rate Monthly AVG	FLG PEG CD matures 8/9/22	Int rate	Grand Totals Each Fund
General 101	\$3,031,170.23	\$ 2,429,350.80	2.22%					\$ 5,460,521.03
Tech Fund 141	\$51,781.85	\$ 5,000.00	2.22%					\$56,781.85
Building & Site 145	\$136,722.87	\$ 7,500.00	2.22%					\$144,222.87
Parks/Recreation 208	\$5,934.23		0.40%					\$5,934.23
Liquor Control 212	\$0.00		0.40%					\$0.00
Road 245	\$394,654.66	\$ 44,224.80	2.22%	\$262,155.59	1.00%			\$ 701,035.05
Revolving 246	\$249,966.26	\$ 97,500.00	0.40%	\$192,581.41	1.00%			\$ 540,047.67
Right of Way 259	\$25,878.56		0.40%					\$25,878.56
Peg 274	\$198,242.75					\$ 194,450.42	0.20%	\$392,693.17
Lk Tyrone Grant 281			0.40%					\$0.00
<b>Special Assessments</b>								
Jayne Hill Lts 218	\$1,627.22		0.40%					\$1,627.22
Walnut Shores Lts 219	\$786.07		0.40%					\$786.07
Shannon Glen Rubbish 225	\$5,802.01							\$5,802.01
Jayne Hill Rubbish Removal 226	\$16,194.80		0.40%					\$16,194.80
Apple Orchard Rubbish Removal 230	\$5,602.73							\$5,602.73
Great Oaks Dr 232	\$10,554.16		0.40%					\$10,554.16
Laural Springs Rubbish removal 233	\$6,755.00							\$6,755.00
Silver Lake Rubbish Removal 234	\$12,351.28							\$12,351.28
Parkin Lane Snow 238	\$15,713.64		0.40%					\$15,713.64
<b>Account Totals</b>	<b>\$4,169,738.32</b>	<b>\$ 2,583,575.60</b>		<b>\$454,737.00</b>		<b>\$ 194,450.42</b>		<b>\$ 7,402,501.34</b>
<b>Health Flex Spending 101</b>		<b>The State Bank</b>						<b>Health Flex Total</b>
FSA Account (\$10K Loan to Open)		\$ 11,517.94	0.00%					\$ 11,517.94
								\$ 11,517.94
<b>Public Safety- 205</b>								
Public Safety 205 - State Bank checking		\$ 569,554.19	0.40%					\$ 569,554.19
Public Safety 205- State Bank Savings		\$ 6,403.17						\$ 6,403.17
Public Safety 205 - Level One Bank		\$ 205,557.59	0.40%					\$ 205,557.59
Public Safety ICS- 205 State Bank		\$ 774,515.23	2.22%					\$ 774,515.23
								\$ 1,556,030.18
<b>SEWER O&amp;M CHECKING ACCT- 590</b>								
		<b>Flagstar</b>						<b>Sewer O&amp;M Total</b>
Sewer Operation and Maintenance CK (5710)		\$ 478,818.08	0.70%					\$ 478,818.08
Sewer Operation and Maintenance SV (4865)		\$ 4,883.93	1.39%					\$ 4,883.93
CIBC- O&M CD(matures 8/6/22)(6337)		\$ 163,084.77	0.20%					\$ 163,084.77
O&M CDARS (matures 8/11/2022)(2729)		\$ 144,350.52	1.50%					\$ 144,350.52
O&M CDARS (matures 8/10/2022)(4710)		\$ 146,335.94	0.20%					\$ 146,335.94
								\$ 937,473.24
<b>TYRONE TOWNSHIP SEWER 2003- 599</b>								
		<b>Flagstar/CIBC</b>						<b>Tyrone Sewer 03 Total</b>
Debt Service 599 Flagstar Bank		\$ 360,557.11	0.6%					\$ 360,557.11
Flagstar CDARS 2003 (matures 4/20/2023)(6643)		\$ 548,367.12	0.80%					\$ 548,367.12
CIBC CD 2003 (matures 3/31/23)(7397)		\$ 1,003,313.66	0.90%					\$ 1,003,313.66
Flagstar CDARS 2003 Fund Martures 9/15/22)(6804		\$ 469,180.07	0.15%					\$ 469,180.07
								\$ 2,381,417.96
<b>TRUST &amp; AGENCY- 701</b>								
		<b>Chase</b>						<b>Trust &amp; Agency Total</b>
Township Trust and Agency 701 Savings		\$ 1,514.47	0.18%					\$ 1,514.47
Township Trust and Agency 701 Checking		\$ 31,191.90	0.00%					\$ 31,191.90
								\$ 32,706.37
<b>Road Improvements-</b>								
		<b>Flagstar</b>						<b>Road Improvement Total</b>
Parkin Lane Rd 2010 (858)		\$ 34,445.63	0.70%					\$ 34,445.63
Lake Shannon 2018 (863)		\$ 404,454.30	0.70%					\$ 404,454.30
Laurel springs (864)		\$ 60,325.75	0.70%					\$ 60,325.75
Irish Hills (865)		\$ 241,154.54						\$ 241,154.54
CIBC- Parkin Lane CD(matures 8/9/2022)		\$ 127,853.69	0.20%					\$ 127,853.69
								\$ 868,233.91
								\$ 5,787,379.60
<b>Total Township Monies</b>								<b>\$ 13,189,880.94</b>

# CONSENT AGENDA

Regular Board Meeting Minutes – April 19, 2022

Treasurer's Report – April 30, 2022

**Clerk's Warrants and Bills – May 11, 2022**

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 001 STATE BANK COMMON ACCOUNT					
04/19/2022	001	23083	118	APEX SOFTWARE	620.00
04/19/2022	001	23084	AT&T MOBIL	AT&T MOBILITY	78.66
04/19/2022	001	23085	297	BLUE CROSS BLUE SHIELD OF MICHIGAN	9,936.48
04/19/2022	001	23086	111	BS&A SOFTWARE, INC.	1,229.00
04/19/2022	001	23087	CWA	CARLISLE/WORTMAN ASSOCIATES, INC	940.00
04/19/2022	001	23088	108	CHARTER COMMUNICATIONS	129.98
04/19/2022	001	23089	41	CONSUMERS ENERGY	273.05
04/19/2022	001	23090	127	HARRIS & LITERSKI ATTORNEYS AT	2,035.50
04/19/2022	001	23091	IVS COMM	IVS COMM, INC.	125.00
04/19/2022	001	23092	RICOH LEAS	RICOH USA INC	196.28
04/19/2022	001	23093	172	VC3 INC.	1,824.00
04/20/2022	001	23094	VOYA	VOYA INSTITUTIONAL TRUST COMPANY	850.00
05/03/2022	001	23095	GRIFFIN	GRIFFIN PEST SOLUTIONS, INC	51.00
05/03/2022	001	23096	207	MICHIGAN ASSOC OF PLANNING	675.00
05/03/2022	001	23097	52	POSTMASTER	2,870.34
05/03/2022	001	23098	173	SHRED-IT USA	140.12
05/03/2022	001	23099	VOYA	VOYA INSTITUTIONAL TRUST COMPANY	205.00
05/03/2022	001	23100	BEAUCHAMP	BEAUCHAMP WATER TREATMENT & SUPPLY	118.91
05/03/2022	001	23101	12	BURNHAM & FLOWER OF MICHIGAN	20,018.75
05/03/2022	001	23102	CHASE CARD	CHASE CARD SERVICE	1,091.48
05/03/2022	001	23103	41	CONSUMERS ENERGY	467.43
05/03/2022	001	23104	RONALD	RONALD'S TREE SERVICE LLC	3,000.00
05/11/2022	001	23105	AT&T MOBIL	AT&T MOBILITY	83.55
05/11/2022	001	23106	97	CITY OF FENTON	1,748.26
05/11/2022	001	23107	41	CONSUMERS ENERGY	272.85
05/11/2022	001	23108	IVS COMM	IVS COMM, INC.	330.00
05/11/2022	001	23109	871	LIVINGSTON COUNTY TREASURER	401.50
05/11/2022	001	23110	RESERVE	PITNEY BOWES BANK RESERVE ACCOUNT	2,500.00
05/11/2022	001	23111	RICOH USA	RICOH USA, INC.	522.11
05/11/2022	001	23112	SPICER	SPICER GROUP	1,083.50
05/11/2022	001	23113	25	STAPLES ADVANTAGE	412.24
05/11/2022	001	23114	SUNSET	SUNSET MAINTENANCE, LLC	560.00
05/11/2022	001	23115	172	VC3 INC.	150.00
05/11/2022	001	23116	VIEW NEWS	VIEW NEWSPAPER GROUP	702.00
05/11/2022	001	23117	ZASKI	ZASKI ACCOUNTING, LLC	1,775.00

001 TOTALS:  
Total of 35 Checks: 57,416.99  
Less 0 Void Checks: 0.00  
Total of 35 Disbursements: 57,416.99

Bank 022 STATE BANK - PUBLIC SAFETY checking

04/19/2022	022	1297	19	CHARTER TOWNSHIP OF FENTON	27,493.00
04/19/2022	022	1298	16	CITY OF FENTON FIRE DEPARTMENT	24,599.00
04/19/2022	022	1299	176	HARTLAND AREA FIRE DEPARTMENT	5,788.00
05/03/2022	022	1300	CHASE CARD	CHASE CARD SERVICE	58.47
05/03/2022	022	1301	176	HARTLAND AREA FIRE DEPARTMENT	7,235.00
05/03/2022	022	1302	938	LIVINGSTON COUNTY SHERIFF'S DEPT	38,996.50

022 TOTALS:  
Total of 6 Checks: 104,169.97  
Less 0 Void Checks: 0.00  
Total of 6 Disbursements: 104,169.97

Bank 102 SEWER O&M CHECKING 590

04/19/2022	102	459	24	LIVINGSTON COUNTY DRAIN COMM.	83,099.77
05/03/2022	102	460	96	TYRONE TOWNSHIP	135,561.02
05/03/2022	102	461	96	TYRONE TOWNSHIP	9,511.35
05/11/2022	102	462	24	LIVINGSTON COUNTY DRAIN COMM.	76,393.99

102 TOTALS:  
Total of 4 Checks: 304,566.13  
Less 0 Void Checks: 0.00  
Total of 4 Disbursements: 304,566.13

Bank 203 TRUST & AGENCY 701 CKG

04/19/2022	203	1949	CWA	CARLISLE/WORTMAN ASSOCIATES, INC	100.00
04/19/2022	203	1950	871	LIVINGSTON COUNTY TREASURER	2,252.50
04/19/2022	203	1951	96	TYRONE TOWNSHIP	450.56
05/03/2022	203	1952	CROMAINE	CROMAINE LIBRARY	13.13

Check Date	Bank	Check	Vendor	Vendor Name	Amount
05/03/2022	203	1953	GISD	GISD	31.26
05/03/2022	203	1954	706	HARTLAND CONSOLIDATED SCHOOLS	89.76
05/03/2022	203	1955	LESA	LESA	13.96
05/03/2022	203	1956	945	LINDEN COMMUNITY SCHOOLS	45.50
05/03/2022	203	1957	871	LIVINGSTON COUNTY TREASURER	130.23
05/03/2022	203	1958	MOTT	MOTT COMMUNITY COLLEGE	22.42
05/03/2022	203	1959	96	TYRONE TOWNSHIP	31.94
05/11/2022	203	1960	871	LIVINGSTON COUNTY TREASURER	2,252.50
05/11/2022	203	1961	SPICER	SPICER GROUP	1,499.75
05/11/2022	203	1962	96	TYRONE TOWNSHIP	450.56

203 TOTALS:

Total of 14 Checks:	7,384.07
Less 0 Void Checks:	0.00
Total of 14 Disbursements:	7,384.07

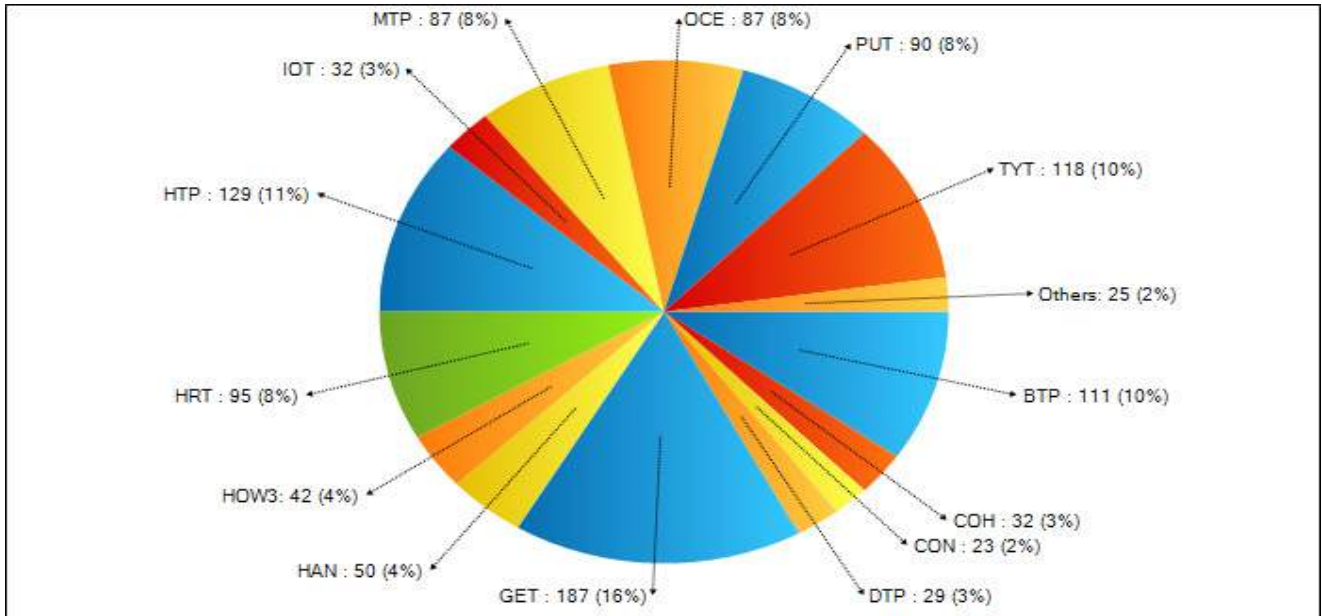
REPORT TOTALS:

Total of 59 Checks:	473,537.16
Less 0 Void Checks:	0.00
Total of 59 Disbursements:	473,537.16

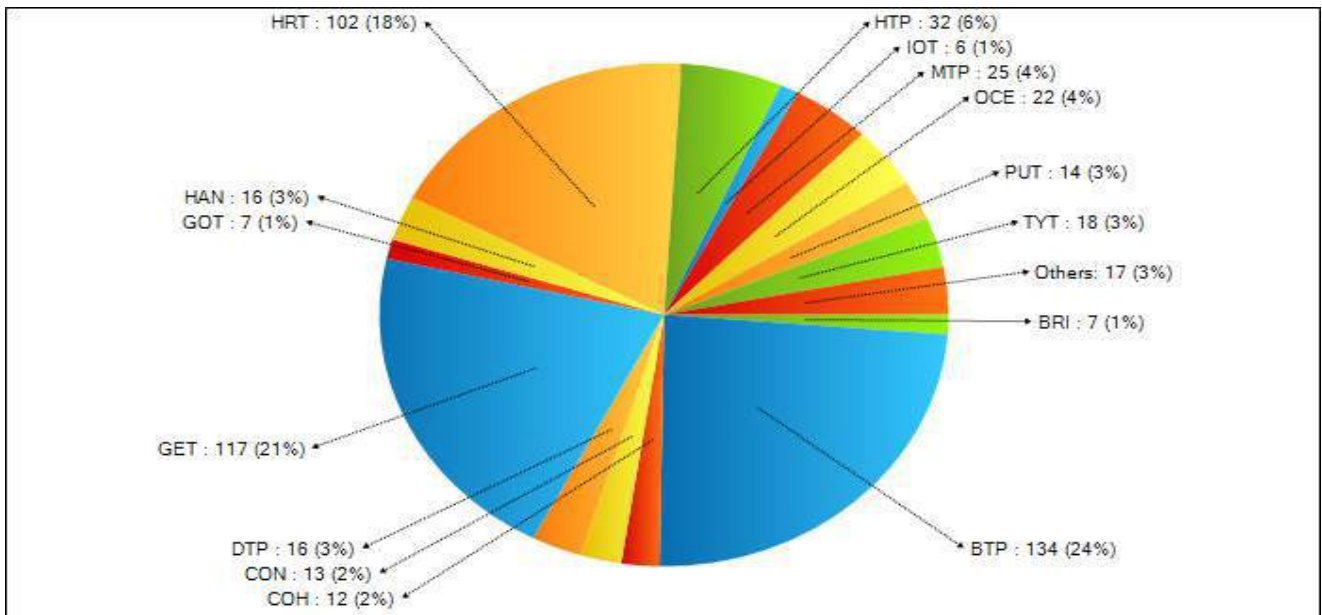
# **COMMUNICATION #1**

Livingston County Sheriff Report – April 31, 2022

**LIVINGSTON COUNTY SHERIFF'S OFFICE  
APRIL 2022 CALLS FOR SERVICE**



**MICHIGAN STATE POLICE  
APRIL 2022 CALLS FOR SERVICE**



**LIVINGSTON COUNTY SHERIFF'S OFFICE  
TYRONE TOWNSHIP APRIL 2022**

Nature	# Events
911 HANG UP	1
ABANDONED VEHICLE	1
ALARM	5
ANIMAL COMPLAINT	8
AREA CHECK	1
ASSIST EMS	14
ASSIST FIRE DEPARTMENT	4
ASSIST OTHER AGENCY	4
CARDIAC/RESPIRATORY ARREST	2
CITIZEN ASSIST	7
CIVIL COMPLAINT	1
CRIMINAL SEXUAL CONDUCT REPORT	1
DISTURBANCE/TROUBLE	1
DOMESTIC PHYSICAL IN PROGRESS	2
DOMESTIC VERBAL	3
DRUGS/VCSA	1
FRAUD	2
GENERAL NON CRIMINAL	1
HAZARD	5
HIT AND RUN ACCIDENT	1
INFO- GENERAL	1
INTIMIDATION THREATS HARASSMEN	4
LOST/FOUND ANIMAL INFORMATION	1
MDOP	3
MENTAL/CMH/PSYCH	1
MISSING PERSON/RUN-A-WAY	1
MOTORIST ASSIST	2
NOISE COMPLAINTS	1
PARK/TRAF COMP	1
PATROL INFORMATION	3
PDA	9
SHOTS FIRED	1
STALKING	1
STRUCTURE FIRE	1
SUICIDAL SUBJECT	1
SUSPICIOUS PERSON	1
SUSPICIOUS SITUATION	1
TRESSPASSING, LOITERING	3
UNKNOWN ACCIDENT	2
VEH UDAA REPORT	2
VIN INSPECTION	3
WAR ATT/SEARCH	1
WEAPONS OFFENSE	1
WELFARE CHECK	8

**TOTAL: 118**



**COHOCTAH****CONWAY****DEERFIELD****GENOA**

<u>CALLS FOR SERVICE</u>		<u>CALLS FOR SERVICE</u>		<u>CALLS FOR SERVICE</u>		<u>CALLS FOR SERVICE</u>	
JANUARY	32	JANUARY	22	JANUARY	38	JANUARY	253
FEBRUARY	35	FEBRUARY	17	FEBRUARY	32	FEBRUARY	226
MARCH	30	MARCH	32	MARCH	28	MARCH	215
APRIL	32	APRIL	23	APRIL	29	APRIL	187
MAY	0	MAY	0	MAY	0	MAY	0
JUNE	0	JUNE	0	JUNE	0	JUNE	0
JULY	0	JULY	0	JULY	0	JULY	0
AUGUST	0	AUGUST	0	AUGUST	0	AUGUST	0
SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0
OCTOBER	0	OCTOBER	0	OCTOBER	0	OCTOBER	0
NOVEMBER	0	NOVEMBER	0	NOVEMBER	0	NOVEMBER	0
DECEMBER	0	DECEMBER	0	DECEMBER	0	DECEMBER	0
	<b>129</b>		<b>94</b>		<b>127</b>		<b>881</b>

<u>TICKETS WRITTEN</u>		<u>TICKETS WRITTEN</u>		<u>TICKETS WRITTEN</u>		<u>TICKETS WRITTEN</u>	
JANUARY	4	JANUARY	0	JANUARY	4	JANUARY	67
FEBRUARY	2	FEBRUARY	3	FEBRUARY	4	FEBRUARY	53
MARCH	5	MARCH	2	MARCH	6	MARCH	73
APRIL	3	APRIL	4	APRIL	2	APRIL	61
MAY	0	MAY	0	MAY	0	MAY	0
JUNE	0	JUNE	0	JUNE	0	JUNE	0
JULY	0	JULY	0	JULY	0	JULY	0
AUGUST	0	AUGUST	0	AUGUST	0	AUGUST	0
SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0
OCTOBER	0	OCTOBER	0	OCTOBER	0	OCTOBER	0
NOVEMBER	0	NOVEMBER	0	NOVEMBER	0	NOVEMBER	0
DECEMBER	0	DECEMBER	0	DECEMBER	0	DECEMBER	0
	<b>14</b>		<b>9</b>		<b>16</b>		<b>254</b>

<u>ARRESTS</u>		<u>ARRESTS</u>		<u>ARRESTS</u>		<u>ARRESTS</u>	
JANUARY	1	JANUARY	0	JANUARY	2	JANUARY	10
FEBRUARY	1	FEBRUARY	0	FEBRUARY	1	FEBRUARY	10
MARCH	1	MARCH	0	MARCH	1	MARCH	12
APRIL	0	APRIL	1	APRIL	1	APRIL	8
MAY	0	MAY	0	MAY	0	MAY	0
JUNE	0	JUNE	0	JUNE	0	JUNE	0
JULY	0	JULY	0	JULY	0	JULY	0
AUGUST	0	AUGUST	0	AUGUST	0	AUGUST	0
SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0
OCTOBER	0	OCTOBER	0	OCTOBER	0	OCTOBER	0
NOVEMBER	0	NOVEMBER	0	NOVEMBER	0	NOVEMBER	0
DECEMBER	0	DECEMBER	0	DECEMBER	0	DECEMBER	0
	<b>3</b>		<b>1</b>		<b>5</b>		<b>40</b>

**HANDY****HARTLAND****HOWELL****IOSCO**

<u>CALLS FOR SERVICE</u>		<u>CALLS FOR SERVICE</u>		<u>CALLS FOR SERVICE</u>		<u>CALLS FOR SERVICE</u>	
JANUARY	52	JANUARY	121	JANUARY	144	JANUARY	29
FEBRUARY	58	FEBRUARY	119	FEBRUARY	109	FEBRUARY	22
MARCH	57	MARCH	113	MARCH	125	MARCH	26
APRIL	50	APRIL	95	APRIL	129	APRIL	32
MAY	0	MAY	0	MAY	0	MAY	0
JUNE	0	JUNE	0	JUNE	0	JUNE	0
JULY	0	JULY	0	JULY	0	JULY	0
AUGUST	0	AUGUST	0	AUGUST	0	AUGUST	0
SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0
OCTOBER	0	OCTOBER	0	OCTOBER	0	OCTOBER	0
NOVEMBER	0	NOVEMBER	0	NOVEMBER	0	NOVEMBER	0
DECEMBER	0	DECEMBER	0	DECEMBER	0	DECEMBER	0
	<b>217</b>		<b>448</b>		<b>507</b>		<b>109</b>

<u>TICKETS WRITTEN</u>		<u>TICKETS WRITTEN</u>		<u>TICKETS WRITTEN</u>		<u>TICKETS WRITTEN</u>	
JANUARY	9	JANUARY	26	JANUARY	71	JANUARY	1
FEBRUARY	15	FEBRUARY	83	FEBRUARY	42	FEBRUARY	1
MARCH	26	MARCH	26	MARCH	43	MARCH	12
APRIL	13	APRIL	29	APRIL	31	APRIL	3
MAY	0	MAY	0	MAY	0	MAY	0
JUNE	0	JUNE	0	JUNE	0	JUNE	0
JULY	0	JULY	0	JULY	0	JULY	0
AUGUST	0	AUGUST	0	AUGUST	0	AUGUST	0
SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0
OCTOBER	0	OCTOBER	0	OCTOBER	0	OCTOBER	0
NOVEMBER	0	NOVEMBER	0	NOVEMBER	0	NOVEMBER	0
DECEMBER	0	DECEMBER	0	DECEMBER	0	DECEMBER	0
	<b>63</b>		<b>164</b>		<b>187</b>		<b>17</b>

<u>ARRESTS</u>		<u>ARRESTS</u>		<u>ARRESTS</u>		<u>ARRESTS</u>	
JANUARY	5	JANUARY	3	JANUARY	2	JANUARY	1
FEBRUARY	0	FEBRUARY	4	FEBRUARY	3	FEBRUARY	0
MARCH	3	MARCH	9	MARCH	2	MARCH	1
APRIL	1	APRIL	0	APRIL	4	APRIL	1
MAY	0	MAY	0	MAY	0	MAY	0
JUNE	0	JUNE	0	JUNE	0	JUNE	0
JULY	0	JULY	0	JULY	0	JULY	0
AUGUST	0	AUGUST	0	AUGUST	0	AUGUST	0
SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0
OCTOBER	0	OCTOBER	0	OCTOBER	0	OCTOBER	0
NOVEMBER	0	NOVEMBER	0	NOVEMBER	0	NOVEMBER	0
DECEMBER	0	DECEMBER	0	DECEMBER	0	DECEMBER	0
	<b>9</b>		<b>16</b>		<b>11</b>		<b>3</b>

**MARION****OCEOLA****PUTNAM****TYRONE**

<u>CALLS FOR SERVICE</u>		<u>CALLS FOR SERVICE</u>		<u>CALLS FOR SERVICE</u>		<u>CALLS FOR SERVICE</u>	
JANUARY	82	JANUARY	84	JANUARY	75	JANUARY	111
FEBRUARY	89	FEBRUARY	78	FEBRUARY	53	FEBRUARY	91
MARCH	68	MARCH	78	MARCH	97	MARCH	112
APRIL	87	APRIL	87	APRIL	90	APRIL	118
MAY	0	MAY	0	MAY	0	MAY	0
JUNE	0	JUNE	0	JUNE	0	JUNE	0
JULY	0	JULY	0	JULY	0	JULY	0
AUGUST	0	AUGUST	0	AUGUST	0	AUGUST	0
SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0
OCTOBER	0	OCTOBER	0	OCTOBER	0	OCTOBER	0
NOVEMBER	0	NOVEMBER	0	NOVEMBER	0	NOVEMBER	0
DECEMBER	0	DECEMBER	0	DECEMBER	0	DECEMBER	0
	<b>326</b>		<b>327</b>		<b>315</b>		<b>432</b>

<u>TICKETS WRITTEN</u>		<u>TICKETS WRITTEN</u>		<u>TICKETS WRITTEN</u>		<u>TICKETS WRITTEN</u>	
JANUARY	21	JANUARY	23	JANUARY	6	JANUARY	17
FEBRUARY	9	FEBRUARY	18	FEBRUARY	3	FEBRUARY	15
MARCH	16	MARCH	38	MARCH	20	MARCH	21
APRIL	7	APRIL	34	APRIL	9	APRIL	19
MAY	0	MAY	0	MAY	0	MAY	0
JUNE	0	JUNE	0	JUNE	0	JUNE	0
JULY	0	JULY	0	JULY	0	JULY	0
AUGUST	0	AUGUST	0	AUGUST	0	AUGUST	0
SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0
OCTOBER	0	OCTOBER	0	OCTOBER	0	OCTOBER	0
NOVEMBER	0	NOVEMBER	0	NOVEMBER	0	NOVEMBER	0
DECEMBER	0	DECEMBER	0	DECEMBER	0	DECEMBER	0
	<b>53</b>		<b>113</b>		<b>38</b>		<b>72</b>

<u>ARRESTS</u>		<u>ARRESTS</u>		<u>ARRESTS</u>		<u>ARRESTS</u>	
JANUARY	3	JANUARY	1	JANUARY	2	JANUARY	2
FEBRUARY	3	FEBRUARY	1	FEBRUARY	1	FEBRUARY	0
MARCH	2	MARCH	2	MARCH	5	MARCH	2
APRIL	1	APRIL	1	APRIL	0	APRIL	0
MAY	0	MAY	0	MAY	0	MAY	0
JUNE	0	JUNE	0	JUNE	0	JUNE	0
JULY	0	JULY	0	JULY	0	JULY	0
AUGUST	0	AUGUST	0	AUGUST	0	AUGUST	0
SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0	SEPTEMBER	0
OCTOBER	0	OCTOBER	0	OCTOBER	0	OCTOBER	0
NOVEMBER	0	NOVEMBER	0	NOVEMBER	0	NOVEMBER	0
DECEMBER	0	DECEMBER	0	DECEMBER	0	DECEMBER	0
	<b>9</b>		<b>5</b>		<b>8</b>		<b>4</b>

<u>TOWNSHIP</u>	<u>NUMBER OF CALLS 3:00PM - 11:00PM</u>	<u>RESPONSE TIME CONTRACT TIME 3:00PM - 11:00PM</u>	<u>NUMBER OF CALLS 11:00PM - 3:00PM</u>	<u>RESPONSE TIME NON CONTRACT TIME 11:00PM - 3:00PM</u>	<u>TOTAL</u>
BRIGHTON	27	19:10	84	24:54	111
COHOCTAH	14	30:01	18	24:57	32
CONWAY	6	1:25:25	17	27:55	23
DEERFIELD	10	32:09	19	22:28	29
GENOA	73	19:31	114	22:06	187
HANDY	15	40:32	35	20:45	50
HARTLAND	37	21:01	58	24:19	95
HOWELL	51	15:51	78	20:13	129
IOSCO	13	30:47	19	28:47	32
MARION	32	29:48	55	34:00	87
OCEOLA	36	23:56	51	19:11	87
PUTNAM	42	13:27	48	42:30	90
TYRONE	84	15:35	34	34:37	118

# TYRONE TOWNSHIP

<u>MONTH</u>	<u>CALLS FOR SERVICE</u>	<u>TICKETS WRITTEN</u>	<u>ARRESTS</u>
JANUARY	111	17	2
FEBRUARY	91	15	0
MARCH	112	21	2
APRIL	118	19	0
MAY			
JUNE			
JULY			
AUGUST			
SEPTEMBER			
OCTOBER			
NOVEMBER			
DECEMBER			
YTD TOTALS:	432	72	4

# **COMMUNICATION #2**

Fire Service Report – May 10, 2022

**EMERGENCY SERVICES BILLED TO TYRONE TOWNSHIP**

	CITY OF FENTON		FENTON TWP		HARTLAND		MONTHLY'S TOTALS	BILLABLE
	# RUNS	\$1,447.00	# RUNS	\$1,447.00	# RUNS	\$1,447.00		
	# MEDICAL	\$400.00	# MEDICAL	\$400.00	# MEDICAL	\$400.00		
	#EXCEPTION	\$500.00	#EXCEPTION	\$500.00	#EXCEPTION	\$500.00		
Apr-21	(3) 14	\$20,258	(1) 9	\$13,023	(1) 15	\$21,705	\$54,986	5 \$7,235
May-21	8	\$11,576	(2) 12	\$17,364	(1) 11	\$15,917	\$44,857	3 \$4,341
Jun-21	(5) 1 EXCP 15	\$20,758	11	\$15,917	(1) 17	\$24,599	\$61,274	6 \$8,682
Jul-21	(1) 12	\$17,364	(1) 10	\$14,470	10	\$14,470	\$46,304	2 \$2,894
Aug-21	(7) 1 MED 17	\$24,599	9	\$13,023	(8) 14	\$20,258	\$57,880	15 1 MED (rev) \$20,658
Sep-21	(9) 23	\$33,281	(1) 5	\$7,235	(3) 9	\$13,023	\$53,539	13 (rev) \$18,811
Oct-21	(8) 23	\$33,281	(3) 9	\$13,023	10	\$14,470	\$66,774	11 \$15,917
Nov-21	(2) 14	\$20,258	5	\$7,235	(2) 17	\$24,599	\$52,092	4 \$5788
Dec-21	(3) 17	\$24,599	(1) 6	\$8,682	(1) 12	\$17,364	\$50,645	5 \$7235
Jan-22	8	\$11,576	(2) revised 9	\$13,023	(2) 7	\$10,129	\$36,175	4 \$5788
Feb-22	(1) 9	\$13,023	3	\$4,341	(1) 11	\$15,917	\$33,281	2 \$2894
Mar-22	(4) 17	\$24,599	(1) 6	\$8,682	9	\$13,023	\$46,304	5 \$7235
Excp								
MED								
<b>YTD TOTALS</b>		\$255,172		\$136,018		\$205,474	\$598,111	\$104,584
<b>YTD RUNS</b>	177		94		142			75
<b>YTD Excp</b>	1							(12-15-21 Sept revision)
<b>YTD MED</b>	1							1





**CITY OF FENTON FIRE RUNS  
COLLECTION ACCOUNTS**

INCIDENT DATE	INCIDENT #	BALANCE	STATUS	NAME
Feb-16	53	\$1,391.00	COLLECTIONS	
Feb-16	62	\$1,391.00	COLLECTIONS	
Mar-16	76	\$1,391.00	COLLECTIONS	
Aug-15	283	\$350.00	COLLECTIONS	
Oct-15	354	\$390.00	COLLECTIONS	
Jun-16	197	\$1,391.00	COLLECTIONS	
Jun-16	225	\$1,391.00	COLLECTIONS	
Jun-16	226	\$1,391.00	COLLECTIONS	
Jul-16	285	\$1,391.00	COLLECTIONS	
Jul-16	296	\$1,391.00	COLLECTIONS	
Sep-16	371	\$1,391.00	COLLECTIONS	
Aug-16	436	\$1,391.00	COLLECTIONS	
Nov-16	461	\$1,391.00	COLLECTIONS	
Jan-17	49	\$1,391.00	COLLECTIONS	
Mar-17	371	\$1,391.00	COLLECTIONS	
Mar-17	120	\$400.00	COLLECTIONS	
Mar-17	125	\$1,391.00	COLLECTIONS	
Jun-17	235	\$1,405.00	COLLECTIONS	
Jul-17	318	\$400.00	COLLECTIONS	
Jul-17	328	\$1,405.00	COLLECTIONS	
Oct-17	431	\$1,405.00	COLLECTIONS	
Nov-17	468	\$1,405.00	COLLECTIONS	
Nov-17	483	\$1,405.00	COLLECTIONS	
Jan-18	22	\$1,405.00	COLLECTIONS	
Jan-18	27	\$1,405.00	COLLECTIONS	
Mar-18	117	\$1,405.00	COLLECTIONS	
Jul-18	296	\$1,419.00	COLLECTIONS	
Nov-18	438	\$1,419.00	COLLECTIONS	
Nov-18	484	\$1,419.00	COLLECTIONS	
Apr-18	161	\$1,024.00	COLLECTIONS	
Aug-19	327	\$1,319.00	COLLECTIONS	
Oct-19	401	\$1,419.00	COLLECTIONS	
Nov-19	447	\$1,261.00	COLLECTIONS	
Dec-19	486	\$1,419.00	COLLECTIONS	
Dec-19	499	\$400.00	COLLECTIONS	
Feb-20	70	\$1,419.00	COLLECTIONS	
Jun-20	177	\$1,433.00	COLLECTIONS	
Jun-20	220	\$1,433.00	COLLECTIONS	
Aug-20	286	\$1,433.00	COLLECTIONS	
Jul-17	306	\$485.00	COLLECTIONS	
Nov-20	391	\$1,433.00	COLLECTIONS	
Nov-20	416	\$1,433.00	COLLECTIONS	
Jan-21	2	\$1,433.00	COLLECTIONS	

**CITY OF FENTON FIRE RUNS  
COLLECTION ACCOUNTS**

Feb-21	67	\$1,433.00	COLLECTIONS	
Apr-21	153	\$1,447.00	COLLECTIONS	
Jun-21	239	\$1,447.00	COLLECTIONS	
Jun-21	237	\$1,447.00	COLLECTIONS	
Aug-21	373	\$1,447.00	COLLECTIONS	
Aug-21	387	\$400.00	COLLECTIONS	
Aug-21	395	\$1,447.00	COLLECTIONS	
Sep-21	401	\$1,447.00	COLLECTIONS	
Oct-20	371	\$533	COLLECTIONS	
Sep-21	405	\$1,447.00	COLLECTIONS	
Oct-21	473	\$1,447.00	COLLECTIONS	
Oct-21	493	\$1,447.00	COLLECTIONS	
Oct-21	502	\$1,447.00	COLLECTIONS	
Jul-15	228	\$1,391.00	COLLECTIONS	
Aug-15	247	\$1,391.00	COLLECTIONS	
Sep-15	306	\$1,622.60	COLLECTIONS	







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

**RECEIVED**  
 APR 14 2022

## Acknowledgment Report

Placements From 3/1/2022 Thru 3/31/2022

TYR001  
 TYRONE TOWNSHIP  
 ATTN:ERANDA KRISTO  
 8420 RUNYAN LAKE RD

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 #	
0020102500	✓ OFFERMAN, DANIELLE NICHOLE	11/16/20	\$533.00	0012531562	
0021090201	✓ BOHN, SEAN PATRICK	10/04/21	\$1,447.00	0012531560	
0021092000	✓ BEAVERS, CHAD EDWARD	10/26/21	\$1,447.00	0012531565	
0021100800	✓ DEARMAS, JULIO	11/01/21	\$1,447.00	0012531561	
0021101801	✓ EVANS, DONNIE JOHN	11/08/21	\$1,447.00	0012531564	
0021101900	✓ HENMAN, SCOTT MICHAEL	11/03/21	\$1,447.00	0012531566	
0021102300	✓ ISOM, RASHONDA MONIQUE	11/03/21	\$1,447.00	0012531563	
<b>Total Accounts</b>	<b>7</b>	<b>Average Age at Listing</b>	<b>173</b>	<b>Total Amount Assigned</b>	<b>\$9,215.00</b>

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.





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

1

INVOICE 034655  
 03/31/22

**RECEIVED**  
 APR 14 2022

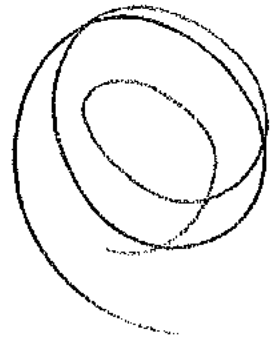
No. 71

UN10  
 TYR001 TYRONE TOWNSHIP FIRERUNS  
 8420 RUNYAN LAKE RD  
 NNEDNN FENTON, MI 48430

Date	Name / Ref No.	Sts	COLLECTIONS		Our Comm	Remain Princ	Net Amt Due
			Pd You	Pd Us			
03/01	DURISH, LAURA 0019061400	PDC		79.00		42.11	79.00-
03/01	DURISH, LAURA 0019061400	PDC		21.00	21.00	42.11	
03/11	WELTER, ADAM 19403	PDC		4.32		199.22	4.32-
03/11	WELTER, ADAM 19403	PDC		1.15	1.15	199.22	
	*SubTotals*				22.15		83.32-
	*SubTotals*			105.47			

Gross Collections This Cycle.....\$105.47

Check No. 017540 Enclosed.....\$83.32





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

1

INVOICE 034656  
 03/31/22

\* RECAP \*

RECEIVED  
 APR 14 2022

No. 71

UN10  
 TYR001 TYRONE TOWNSHIP FIRERUNS  
 8420 RUNYAN LAKE RD  
 NNEDNN FENTON, MI 48430

Date	Name / Ref No.	Sts	COLLECTIONS		Our Comm	Remain Princ	Net Amt Due
			Pd You	Pd Us			
03/02	* Previous Balance Forward						118.97

Open Invoices:

Number	Date	Amount	Ttl Paid	Last Paid	LastDate	Amount Due
032987	03/01/21	401.24	.00	.00		401.24
033110	04/01/21	397.32	.00	.00		397.32
034542	03/02/22	118.97	.00	.00		118.97
000001	02/18/21	401.24	.00	.00		401.24
						1318.77

=====

118.97

\*Totals\* 22.15 83.32-  
 \*Totals\* 105.47

Gross Collections This Cycle.....\$105.47  
 Total Enclosed Checks.....\$83.32  
 Unpaid Previous Balance.....\$118.97  
 Please Remit Your Payment.....\$118.97



**Closed Report**  
Accounts Closed From 3/1/2022 Thru 3/31/2022

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

**RECEIVED**  
APR 14 2022

TYR001  
TYRONE TOWNSHIP  
Attn: ERANDA KRISTO  
8420 RUNYAN LAKE RD

FENTON, MI 48430

Reference #	Close Reason	Account Name	Assign Date	Closed Date	Amount Cancelled
0000053	STATUTE OF LIMITATIONS EXPIRED	BROWN,COURTNEY	08/30/16	03/08/22	1,391.00
0000062	STATUTE OF LIMITATIONS EXPIRED	THOMMEN,JAMES	10/28/16	03/08/22	1,391.00
0000197	STATUTE OF LIMITATIONS EXPIRED	CAMPBELL,BRANDON	12/01/16	03/08/22	1,391.00
0000228	STATUTE OF LIMITATIONS EXPIRED	WALBECQ,RODNEY	08/09/16	03/08/22	1,391.00
0000247	STATUTE OF LIMITATIONS EXPIRED	ELLIS,ERICA	08/09/16	03/08/22	1,391.00
0000283	STATUTE OF LIMITATIONS EXPIRED	LAFOND,ASHLEE M	12/01/16	03/08/22	350.00
0000296	STATUTE OF LIMITATIONS EXPIRED	CMC LOGISTICS	12/01/16	03/08/22	1,391.00
0000306	STATUTE OF LIMITATIONS EXPIRED	SYKES,MARIAH	08/30/16	03/08/22	1,622.60
0000322	STATUTE OF LIMITATIONS EXPIRED	ORDIWAY,SASHA D	12/01/16	03/08/22	1,391.00
0000354	STATUTE OF LIMITATIONS EXPIRED	LUNDELL,DENISE	09/30/16	03/08/22	401.20
001603600	STATUTE OF LIMITATIONS EXPIRED	WILIAMS,GEREMY DESHAWN	09/30/16	03/08/22	1,391.00
15635	STATUTE OF LIMITATIONS EXPIRED	VINIC,JOSEPH	10/28/16	03/08/22	1,391.00
16-114	STATUTE OF LIMITATIONS EXPIRED	HEICHEL,JESSICA	08/30/16	03/08/22	1,391.00
Totals	13				





# **COMMUNICATION #3**

Planning Commission Approved Meeting Minutes-  
December 14, 2021

**TYRONE TOWNSHIP PLANNING COMMISSION  
APPROVED REGULAR MEETING MINUTES  
December 14, 2021 7:00 PM**

**This meeting was held at the Tyrone Township Hall with remote access via Zoom videoconferencing**

**PRESENT:** Kurt Schulze, Rich Erickson, Jon Ward, Garrett Ladd, Bill Wood, and Chet Shultz

**ABSENT:** Steve Krause

**OTHERS PRESENT:** Ross Nicholson and Zach Michels

**CALL TO ORDER:** 7:00 pm.

**PLEDGE OF ALLEGIANCE:**

**CALL TO THE PUBLIC:**

Chairman Erickson opened the floor to receive public comments.

A resident in attendance (name not provided) asked the Planning Commission if the Township were to establish a park if the Township would be responsible for upkeep, maintenance, and insurance. Chairman Erickson deferred to Zach Michels. Zach Michels indicated that it would depend on specific details. He stated that the traditional model would make the municipality responsible for upkeep, maintenance, and insurance, however, there are now additional methods for creating and maintain parks where the responsibility may not default to the municipality. He cited the riverfront park in Detroit as an example of where a park is owned by the municipality but funded, managed, and maintained by a separate entity. Kurt Schulze added that ownership of the property is a big factor in determining responsibility for management and maintenance. Ross Nicholson added that there are a number of private organizations such as nature associations that create, manage, and maintain parks. The resident asked how insurance is typically managed for parks. Zach Michels indicated that, in his experience, liability insurance is fairly low and may be obtained by a unit of government or private entity depending on how it is set up. Scott Dietrich (resident) suggested to the resident who presented the previous question to contact Deerfield Township to inquire about how their parks are owned, managed, and maintained. The resident indicated that there are currently more than twenty (20) parks in Livingston County and she thought that if Tyrone Township were to create a park, maintenance and liability would go into individual property taxes. She stated that she doesn't feel that Tyrone Township needs a park because there are so many available in nearby communities. Scott Dietrich indicated that Tyrone Township residents already need to pay for maintenance of Metro Parks through taxes.

**APPROVAL OF THE AGENDA:**

Kurt Schulze made a motion to approve the agenda as presented. Chet Shultz supported the motion. Motion carried by unanimous voice vote.

**APPROVAL OF MINUTES:**

The item was deferred.

**OLD BUSINESS:**

## **OLD BUSINESS #1: Master Plan Discussion:**

Chairman Erickson asked Zach Michels if he had any new information to share to be discussed by the Planning Commission regarding the Master Plan update. Zach Michels indicated that there are some items that should be discussed regarding the scope of the process. He stated that the Planning Commission is currently still in the kickoff phase where big picture items haven't necessarily been discussed. He began to read through the memo he had prepared outlining the Master Planning process. He stated that it has been established that the Planning Commission will be the steering committee for the project. He indicated that it was not clear if there would be smaller groups or subcommittees that would be involved or if everything would first go through the Planning Commission. Ross Nicholson stated, for reference, that the last major Master Plan review was performed primarily by the Planning Commission, but the Township could potentially go in different directions if they choose. Chairman Erickson indicated that it would be likely that the bulk of the discussion and review would be at the Planning Commission level. Ross Nicholson stated that it may be possible, if the Township chooses, to appoint smaller groups to work on specific aspects of the process such as photos to be included in the Master Plan.

The Planning Commission briefly discussed strategy with Zach Michels for holding discussions and compiling information relating to the Master Plan. They discussed the possibility of sending out a community survey to gather information from residents to aid in the Master Plan discussion. Zach Michels briefly elaborated on options available to the Township for community surveys. The Planning Commission briefly discussed various options for the community survey with Zach Michels including content and distribution. The Planning Commission requested that Zach Michels provide some examples of community surveys for their reference and prepare additional information specific to the distribution options for the survey. The Planning Commission briefly discussed survey content with Zach Michels including potential categories for survey questions and the number/extent of the questions. Zach Michels requested that the Planning Commission work on determining what specific categories and questions should be included in the survey so he can prepare a draft survey for review. He stated that he will work on preparing broad survey categories and questions to be discussed at future workshop meetings. The Planning Commission briefly discussed strategy for preparing categories and questions for the survey.

Zach Michels asked the Planning Commission for their thoughts on the types and amount of demographic information they feel is necessary to be included in the survey. The Planning Commission asked questions and discussed demographic information amongst themselves and with Zach Michels. Zach Michels recapped the discussion and noted that the Planning Commission would like to obtain as much demographic information as possible through the survey.

Zach Michels asked if the Planning Commission had any ideas of other Master Plans that they would like to use as rough examples or models when preparing the Tyrone Township Master Plan. The Planning Commission briefly discussed. The Planning Commission provided Zach Michels with several communities to be reviewed as examples including the City of Fenton, Argentine Township, Deerfield Township, and Fenton Township.

Zach Michels stated that he has a list of other agencies municipalities generally communicate with while preparing master plans. He asked the Planning Commission if they had any agencies in mind that they would definitely want to reach out to while preparing the Master Plan. The Planning Commission briefly discussed. They indicated that they would like to communicate with the Livingston County Road Commission (LCRC), the Michigan Department of Transportation (MDOT), and the Livingston County Drain Commissioner's office (LCDC) in addition to other agencies.

Zach Michels asked about the amount of information on land use classifications they would like to be obtained through the community survey. He indicated that there is available data they can use if they are satisfied with the extent of the information but could include additional questions in the survey if they feel the available data is insufficient. The Planning Commission briefly discussed.

Zach Michels asked the Planning Commission how much they would like to focus on natural features. He noted that he is aware that bodies of water and wetlands are a known aspect that they would likely want to include. The Planning

Commission briefly discussed agriculture and agricultural preservation. They indicated to Zach Michels that focus on agricultural preservation should be included because it directly aligns with the current Master Plan intent to maintain rural character. Zach Michels elaborated on agricultural preservation and purchase of development rights.

Zach Michels indicated that the Planning Commission has already expressed interest in public sanitary sewer, roads, and refuse collection. He asked if the Planning Commission would like to explore any additional infrastructure and public services further. The Planning Commission briefly discussed. They suggested also focusing on broadband/high-speed internet access.

Zach Michels asked the Planning Commission what their vision is for Master Plan visioning sessions. He suggested that the Planning Commission research and think about potential visioning session topics, goals, and objectives. The Planning Commission briefly discussed ideas for visioning sessions. Zach Michels recapped the discussion. He indicated that he hears that the Planning Commission generally feels that they may be interested in holding a number of visioning sessions with specific focus on certain topics, to be determined.

Zach Michels asked the Planning Commission if they had a preference on when public hearings should be held, whether it be towards the end of the process when all of the pertinent information is available or throughout the process as topics are being discussed. The Planning Commission briefly discussed. They determined that they would like to hold public hearings throughout the process as well as at the end when the full draft Master Plan is available.

Zach Michels briefly described implementation plans. He explained the benefits of implementation plans, noting that it is not required but may be of benefit for establishing timelines and planning budgeting for projects. He asked the Planning Commission if they were interested in incorporating an implementation plan in the Master Plan. The Planning Commission briefly discussed. They determined that they would like to incorporate some kind of implementation plan into the Master Plan.

Zach Michels indicated that he had obtained some good feedback and will prepare documents pertaining to the survey and scope of work for the Master Plan review process. He stated that he will be gathering sample surveys and master plans for future discussion. He indicated that the Planning Commission should work on determining categories for the survey and visioning sessions to be discussed in the future. The Planning Commission briefly discussed intent to plan notifications.

### **OLD BUSINESS #2: PC Action List:**

Chairman Erickson brought up the Planning Commission Action List on the overhead display screens. The Planning Commission briefly discussed the items on the list including; sign regulations, medical marijuana caregiver regulations, Planned Unit Development (PUD) standards, Master Plan review, sight line regulations, Cluster Development Option (CDO) standards, residential outdoor lighting standards, accessory structure standards, alternative building materials in residential construction, tiny homes, cemetery standards, limited lot waivers, temporary housing standards, and private road standards. They crossed off completed items, changed the status of several items, and added several additional items to the list.

### **NEW BUSINESS #1: Sight Lines:**

Chairman Erickson introduced the topic and brought up the current sight line regulations from the Zoning Ordinance on the overhead display screens. He summarized the intent of reviewing the standards. He stated that deficiencies in the existing regulations have been identified during recent sight line evaluation requests. He indicated that the Planning Commission will be reviewing the regulations to determine whether or not sight line regulations should be retained and amended to improve the review standards or be eliminated and default to standard setback requirements.

Kurt Schulze elaborated on the challenges that come with regulating sight lines, primarily the difficulty with measuring what appropriate views for a specific property should be when there are so many variables to be considered such as

topography, vegetation, existing development, and variations in shorelines (coves and peninsulas). Zach Michels cited several examples of areas where sight lines are and are not regulated in other municipalities. He elaborated on how some municipalities structure sight line regulations.

The Planning Commission briefly discussed potential options and methods for evaluating and regulating sight lines. They discussed previous examples of issues that have occurred as a result of sight line regulations. They determined that the ultimate goal in reviewing the sight line regulations is to come up with a method of regulation that would be the most fair to all parties involved. Discussion continued. Zach Michels provided suggestions regarding options for calculating waterfront views.

Chairman Erickson asked Zach Michels to compile examples of sight line regulations from other municipalities to aid in the discussion moving forward. The Planning Commission continued discussion on potential options for evaluating sight lines.

#### **CALL TO THE PUBLIC:**

Chairman Erickson opened the floor to receive public comments.

Scott Dietrich (resident) commented on the difficulties associated with residential lakefront development and sight line regulations. He stated that the taxpayers have the most skin in the game when it comes to the Master Plan and proposed community survey. He encouraged the Planning Commission to limit survey distribution to taxpayers.

#### **MISCELLANEOUS BUSINESS:**

Chairman Erickson indicated that the next workshop meeting would be held on Wednesday, December 22<sup>nd</sup>, at 6:00 pm. The Planning Commission briefly discussed potential items to be discussed during the next workshop.

#### **ADJOURNMENT:**

Kurt Schulze made a motion to adjourn the meeting. Garrett Ladd supported the motion. Motion carried by unanimous voice vote.

The meeting was adjourned at 9:28 by Chairman Erickson.

# **COMMUNICATION #4**

Planning Commission Approved Meeting & Public  
Hearing Minutes- January 11, 2022

**TYRONE TOWNSHIP PLANNING COMMISSION  
APPROVED REGULAR MEETING & PUBLIC HEARING MINUTES  
January 11, 2022 7:00 p.m.**

**PRESENT:** Rich Erickson, Kurt Schulze, Steve Krause, and Jon Ward

**ABSENT:** Bill Wood, Chet Schultz, and Garrett Ladd

**OTHERS PRESENT:** Ross Nicholson and Zach Michels

**CALL TO ORDER:** The meeting was called to order at 7:00 by Chairman Erickson.

**PLEDGE OF ALLEGIANCE:**

**CALL TO THE PUBLIC:** Several public comments were received.

**APPROVAL OF THE AGENDA:**

Vice-Chairman Kurt Schulze moved to approve the agenda as presented Commissioner Steve Krause seconded. The motion carried.

**APPROVAL OF THE MINUTES:**

- 1) 08/10/2021 Regular Meeting & Public Hearing Minutes: Approved as amended.
- 2) 08/18/2021 Regular Meeting Minutes: Approved as presented.

**OLD BUSINESS:**

**1) Niemi Shared Private Driveway**

Zach Michels summarized the application and read through the review letter. He said that even though there is a revised shared driveway easement he didn't think it was in recordable form. The things they want in it are there, but they are particular about the size of the font, margins, etc.

Ross Nicholson stated that the applicant was not present. Commissioner Jon Ward asked why they wait to have the public hearing portion at 7:30, and why they don't just have them at 7:00 and the rest of the meeting at 7:30. Schulze explained that they're set up that way to allow for the meeting to get started and then the public hearing is a part of the meeting after it gets started. He said he wasn't sure what the reason behind it was, but with township rules, you want to keep them standardized. They discussed moving New Business #2 ahead of Old Business #1. Ward made a motion to move New Business #2 on the agenda before Old Business #1. Chairman Erickson supported. The motion carried.

## **1)Private Road Standards**

Nicholson explained that Runyan Lake Heights Association approached the township stating they wanted to pave a portion of their private roads for safety purposes. There is a subsection in Article 24 of our ordinance which says you can do upkeep, maintenance, and repairs to an existing unpaved road but if you go to pave it then you need to bring the road into compliance with current private road standards. In that particular instance, it's very difficult because the right-of-ways were platted back in the 1940s and 50s as a cottage community so the road easements are only about 40-feet wide as opposed to the current standard of 66-feet. Because it was a cottage community, the lots are very small and most of the homes that are on there are a number of lots that have been combined; between three and five lots combined for one single-family home. Based on the pattern of development it would be very difficult for them to bring the entire road system into conformity with the current standards. This is why it's up for discussion. He said that Michels may have identified something which may allow the Planning Commission some discretion whereas an amendment would not be necessary, and he would let Michels speak on that.

Michels explained that he found language in the front of Section 24.04 on non-conforming roads. He said it's very similar language to what is for new roads. It states that the Planning Commission may recommend approval of a modified standard for a non-conforming private road in a particular application where it can be demonstrated that the modified standard meets safety and sound engineering requirements. Modifications to these design standards shall be considered and recommended for approval or denial by the Planning Commission. The Township Board shall consider the recommendation of the Planning Commission and take final action on the request for a modified design standard. The modification, if granted, shall be based on a practical difficulty associated with the request but as such not limited to pre-existing development, natural features, and topography or protection of the health, safety, and welfare of township residents.

Also, in the section on non-conforming roads, there are very specific things about the number of units and the dry hydrants. Michels said he would recommend they should identify all the modifications they're asking for such as lot width, the right of way being 40-feet instead of 66-feet, etc. They need to reference their practical difficulty similar to when determining a variance. He recommends the Planning Commission makes findings based on that, that they believe this is safe and believe all the items listed and make a recommendation to the Township Board, then they can modify the standards for that application. The way it's set up is similar to variances, it's not necessarily presidential because you grant it in this case but it doesn't mean you have to grant it in the future because you're looking very specifically at this application.



The Planning Commission continued the discussion. They said there had been some ponding issues and people were slipping, so there are likely drainage issues that need to be fixed first. The Planning Commission felt they should address that. They agreed that it would be tough to make them meet the 66-foot-wide requirement since it was platted years ago and there isn't any room to increase the width. Nicholson asked the Planning Commission to confirm that they'd like to request additional information with more details. They'd like drainage details as well as an application to come before the Planning Commission formally to make a determination as to whether they believe it's sound planning and sound design to make the modification. Ward stated that a site visit would be important and a rough drawing with topo details. He said they're talking about paving an unpaved road, which means increasing the impervious area and has other implications so most likely they'd want to have the township engineer look at it.

A resident spoke via Zoom. He said they have a quote for the road, and he wanted the Planning Commission to know that it's not a drainage issue. Ward asked Nicholson if the original issue was that there was ponding water and people were slipping. Chairman Erickson said they'd know once they see the application. The resident on Zoom said that the ponding was not due to water but to ice in the winter. Ward said he still considers that a drainage issue that could just be fixed by paving the road. The other commissioners concurred.

Chairman Erickson asked Nicholson if the process was just to repave and not take up the roadbed. Nicholson said the only information he had was the email he sent over, which is very vague. He said he will request as much detail as possible to get the ball rolling and come before the Planning Commission. Ward said he recommends that the applicants review the current standards for the ordinances and then they can determine which of those they feel are practical difficulties. If they're just trying to pave the surface because that's all they can afford, that going to be tough without showing the practical difficulty. Krause said they're adding quite a bit of aggregate to the roadbed which would result in a finished surface significantly higher than the current grade. Ward stated that he would be in favor of waiving some of the requirements because of the unique circumstances but suggested that more details should be provided for review so that the Planning Commission may determine what specific requirements can be waived or modified.

Erickson asked Nicholson if this would require a public hearing. Nicholson said it would not be required if the request can be evaluated based on the existing Zoning Ordinance standards without requiring a text amendment. Nicholson said the Planning Commission can tell the applicant what you deem necessary to make a determination in accordance with the subsection on modification of a private road.

Krause asked if they needed to have Livingston County Road Commission approval. Nicholson stated that if they were modifying the approach they might need a permit waiver, but it doesn't sound like they are intending on widening it or making any significant changes. He said he will still run it past them to see if it is required.

## **PUBLIC HEARING #1:**

**1) Niemi Shared Private Driveway:** Chairman Erickson read aloud the public hearing notice. Michels gave a quick version of the request. He said it is a request for a shared private driveway that can provide access for up to four single-family lots with a maximum length of 1,200 feet. In this case, the proposed shared private driveway would be for two properties which is less than the maximum length and it would allow for land divisions putting a current property into two parcels. He said they had discussed previously that the maximum length for a shared private driveway, the 1,200 feet, is measured not just for the shared private driveway but the entire road where it connects with the public road.

The township checked with the fire chief regarding dry hydrants and they were told there was nowhere to put dry hydrants but they said it's not an issue because Indian View is very easy to get in and they can turn around and do their jobs.

Immediately to the south of this property is an existing shared private drive that could be expanded. The applicant said they had asked, but that it was easier to do it this way and didn't want to ruffle any feathers. The reason the zoning ordinance wants to first try to use an existing driveway is to reduce the number of curb cuts. In this case, there's not a real issue with the number of curb cuts because it's a dead-end street as opposed to a through-street where there's a lot of traffic and a lot of turning movements.

They received additional information including contours and a revised maintenance agreement, which is consistent with the zoning ordinance. The actual form will need some amending before being recorded at the Register of Deeds. If the Planning Commission feels that the other elements are to their liking, they could approve it contingent upon receiving a copy of the recorded document, and then it will be up to the applicant to work to get it into recordable form.

Michels quickly reviewed his report showing that there were no issues with the proposed shared private driveway. All the requirements have been met. They just need to get clarification from the Register of Deeds on what format they want the maintenance agreement in so they can record it.

A member of the public spoke (inaudible) regarding a maintenance agreement.

A recommendation can be made after the public hearing.

## **PUBLIC HEARING #2:**

**Sultani Caregiver Special Land Use:** Chairman Erickson asked if the applicant would like to speak before Michels gives his review. The applicant stated that the other applicant for this was

on Zoom and would be able to answer any questions regarding the plans and how the operation will be set up and anything operational. He said that everything is laid out in the use statement that they provided.

Michels gave a quick version of his review. He explained that the special land use was a medical marijuana caregiver operation. These types of uses potentially have a greater impact on the area of the community so they require this extra review of the public hearing. He explained the limitations such as the number of plants that can be grown. The proposed special land use at 9165 Fausset Road is calling for using an existing accessory building at the back of the property. There will be no physical changes to the outside. It has to have a site plan, and all structures must be on it. The site plan is missing some information that needs to be added such as the setback from the accessory building to the water body. This would be a good place for the Planning Commission to provide guidance to the applicant as to what other things they want on the site plan.

For access and circulation, it's going to use the existing driveway. He said he recommends the address be visibly posted there. There are no issues with parking or loading. For essential services, he recommends adding the existing utilities to the site plan. No additional landscaping or screening will be required. There will be no outdoor lighting except for some security with motion-activated lights. There will be no outdoor advertising or signs.

He said that for the audience he wanted to mention the many conditions that will be placed on this special land use. There will be a limit to the number of caregivers and the number of plants that can be grown. There can't be transfers taking place on the property. Those things were addressed in the use statement.

Chairman Erickson asked the applicant about the construction there and whether members of the Planning Commission would be able to visit the site. The applicant stated that they would be able to visit the site. He also said they have been working with the Livingston County Building Department trying to get compliant.

## **PUBLIC COMMENTS:**

Resident C.J. Callaghan said that the property is just houses away from him and he is against any drugs being manufactured there for whoever; it doesn't matter if it's for medical or not. His understanding is that they've been growing this stuff without a permit already. Nicholson confirmed that they have been growing, and that is what brought this to light. Mr. Callaghan said they've already broken the law by planting the stuff without a permit. He said the place looks like (expletive). He said that ever since the property was stolen in 1975 nobody has taken care of it. He said he doesn't want drugs in Tyrone Township, and he expects them to vote against it. Ward asked him if he was okay with the applicants going to a township that has an ordinance that allows it. Mr. Callaghan said yes, in a city. They're rural and they don't want

that. It's okay to grow corn or raise cattle, but they don't want marijuana. He continued to talk about how bad the property looked.

Gabe Borreson of 9147 Faussett Road spoke next. He said they live directly behind this property. They have an easement alongside the property. They moved out there about four years ago and met the previous owner, who has since passed away. About two years ago they started noticing activity at the residence while they were down at the bus stop. It's a multi-family bus stop right there so there are a lot of kids. They want to keep an eye on what and who is around there. They have a 1,200-foot driveway, and they'd like their kids to be able to walk up it but with all the unknown traffic and the unknown occupants or whoever is there, they don't feel safe allowing the kids to walk up the driveway. He said there are weird smells and noises. There are different vehicles and people there at all hours of the day and night and it is very concerning to them. They don't know if whoever is going there is doing so legally; if they are the caregiver or the patient or just out of jail or off the street or if they are there with bad intentions. He looked through the township's ordinances and he said there are many that are not being followed. It may be legal at the state level, but he believes there is probably a reason why Tyrone Township does not have experience with this type of special land use permit. He asked if there was any other caregiver operation in the township. Nicholson said that there is not currently another caregiver operation. He said they've received several applications over the years. Mr. Borreson asked why they were denied. Nicholson said one was approved and it was later revoked due to non-compliance. The others were withdrawn. Mr. Borreson asked who monitors the operation and who oversees determining compliance or non-compliance. Would it be Livingston County or the police who will be monitoring? They went for a year or two before anything was done officially. Had it not been for local citizens saying something, they'd still be doing this. He said he researched the name on the application, and he has a Class A grower's license which is far beyond what a caregiver is allowed to do. He asked if they planned on following the guidelines of the Township or do they plan on going beyond that and doing what they want.

Daisy Borreson of 9147 Faussett Road spoke. She said that back in March of 2020 is the first time she had had a conversation with Halim Sultani. He told her at the time that he was going to make a machinery shop in that building and that was going to be a place of business. She said her concern was customers coming and going. March 23, 2021, was the first time that they opened their front door and walked outside and all they could smell was marijuana. Their neighbors had also been complaining for the past two weeks about the smell. At that point, there had already been a large operation happening. On March 24, 2021, the State Police were called, and the County was on the scene. At that time, a comment was made by the renter of that property that was growing marijuana that said that he was getting his commercial license to expand that operation. Her concern is not only the people coming and going but the fact that for a couple of years they had been doing this illegally with no building permits, no permits for anything. Now that the Township is aware of it, they are going to suddenly abide by the laws when for two years nobody's done anything?

Scott Dietrich from White Lake Road spoke next. He said he was aware of another neighbor on Faussett Road who was very concerned about this. She'd asked him what was going on and he said he didn't know yet. He finds it troubling that the Township keeps getting these issues with people coming here, asking to do business on their property, but they send their nephew or somebody else to do their bidding. He wants to hear from the applicant; where is the uncle, is he here? He is the one who is responsible and hasn't complied. Why does the Township reward people that don't comply? They show what they are: lawbreakers. He said he'd dealt with this down the road from his house. He said if you give them an inch, they take a mile. He said the people growing the marijuana should have been thrown in jail and put away for a long time. He said he is not anti-marijuana and he's not anti-beer but there is a proper procedure for doing things. These people don't and they won't. He said we've seen it like what's going on down on 23 – the storage place. He said they're not going to comply and who will babysit them? He asked if Ross had time to babysit. He said the police won't have time. He said the neighbors have to police it; he has it across the street from his house. They are putting drugs, addicts, and alcoholics in there and he says he couldn't fight it because the state overrode it.

C.J. Callaghan spoke again. He reiterated how bad the property looked and asked if there were any procedures in place to clean it up. He asked if they can't have a nice neighborhood because of one bad egg that wants to grow drugs and let his place look like hell. He feels they need to do a whole lot of work on that property before they even think about the marijuana. He said he expects the Planning Commission to back him up.

John & Donna raised their hand on Zoom. John said he wanted to know the best way to contact Ross Nicholson to provide more information for the Runyan Lake thing... Chairman Erickson said that this is a public hearing for this application at the moment, so please contact Ross outside of this meeting.

Robert (last name not given) spoke via Zoom. He asked who would be responsible for the legality of the number of plants being grown. He said they can often smell the strong odor of marijuana several times a year during harvest season. He said he doesn't think anything can be done to address that. He said he didn't believe the applicant can make promises that they'll monitor the air quality or whatever they do to prevent that odor from escaping, but it does permeate the area. He said he understands what others are saying in the area, he's experienced it, too.

Schulze asked Michels if he could specifically address the obligations of the Township under the Medical Marijuana Act for caregivers when he goes over his review. Michels said that he would give the short version. The law was adopted in 2008 and it's still unsettled. Someone from the audience said "but there are specific laws", and Michels said that there were, but the courts were still deciding what the laws mean. The people write the laws, and the courts tell you what it actually means later. This law was written by a group that passed the amendment, so it was not left up to the legislature to make a determination but now the courts are still fighting about the

specifics of the information that we voted on. The medical marijuana act was voter-approved in 2008 and it allows people to have medical marijuana and allows caregivers to grow plants for up to six qualified patients. Those patients need a card from a doctor. You need to be registered with the state for both caregiver and patient. The act allows you to grow up to twelve plants for up to six caregivers.

Michels continued to read through his review. He explained that the review that is done by this board is to ensure the special land use will not cause an impact and not whether they like someone or don't like someone. They have criteria they have to follow. To answer the question about who monitors the operation, the township does not have a policy where the staff drives around looking for violations, so they will act when they receive a complaint. They are complaint-based. The very first action is the neighbors. As far as the condition of the property, it could be something that could be addressed as conditions that the grass is maintained, and the shrubs are done.

He continued to say the Planning Commission and the Township Board have the opportunity to place more conditions on it. There were concerns about who might be coming onto the property. If the Planning Commission finds there are concerns with that they could say they approve with the condition that a 6-foot fence is placed along the property line, or they put landscaping or a berm.

He continued to review the marijuana use standards, which can be found in Tyrone Township's Zoning Ordinance, section 21.55.

Someone (unidentified) in the audience asked if this application was online and he was told it was on the website. He also asked Michels to reiterate some of the points in his report, specifically odors. Michels said it's different from community to community.

Another audience member (unidentified) said that their driveway is 1,200 feet long, which is almost ¼ mile, and they can't open doors or windows without smelling the odor. Their kids didn't want to go outside because it smelled so bad. They have over nine acres and the odor can be smelled all over their yard. She said her biggest issue was that they were doing this illegally and she doesn't believe they will just suddenly obey the law.

Ward asked Michels how the smell comes into play with our ordinances. Would it go under a nuisance? How can that be measured? Michels said that is a challenge, and that he recommends that the approval can be conditional upon it not creating a noticeable odor off the property. Krause said that was nearly impossible. He said he's been near a couple of those and they are intense. He said they could deny this special land use because of the smell impacting the welfare of residents. Michels said that if the Planning Commission believes it creates a substantial negative impact on the use and enjoyment of neighboring properties, then yes, it could be denied.

Nicholson clarified that the township only permits this in a few residential districts; he thinks only FR and RE, so the higher density zoning district is not permitted. It is permitted in some commercial districts and industrial districts, as well as FR & RE which are our lowest density zoning districts.

C.J. Callaghan asked what the amount of property a resident has to have in order to have a medical marijuana place. Chairman Erickson reiterated what Nicholson had said, that it could only be in FR & RE. Mr. Callaghan said he is still asking how much property. Nicholson said he didn't believe they have standards for that. Mr. Callaghan asked if someone could buy a lot in Lake Shannon and the township would be good with the growing of marijuana. Nicholson said that was not a permitted special land use in that zoning district. That would be in the R-1 district, and marijuana operations are only permitted in FR & RE. Mr. Callaghan asked how a neighbor just one house away from him can have a different zoning classification. Nicholson said that it's based on the zoning map. Mr. Callaghan said that didn't make any sense to him. He asked why that was. Michels said that nobody knows, but at some point in time the township decided you have to draw a line between zoning districts. There are lots of elements that go into determining that map. Michels and some of the commissioners continued to explain the various ways they make decisions on the zoning map. Chairman Erickson told Mr. Callaghan that they understood his question and comment. Mr. Callaghan said he appreciates that, but he didn't think he got anywhere with them.

Scott Dietrich said that the smell of these places is nauseating. Ward asked the applicant to address the odors. The applicant said that he wants to assure everyone that they're there in good faith. He said they know they've had issues in the past but now they are here to do things legally. He said they're investing a lot of money into the place to fix it up and do it right. He assured everyone that they were making the necessary investments to do everything that the city and the county requires. He said they will bring everything up to code including a state-of-the-art filtration system so that any odors that are released from the plants are dissipated. They are adding 6-inches of foam all around the building, as well as foam boards. They're doing everything the industry requires to keep the odor secure, so he wants the neighbors to rest assured that they're not there to hurt them or their children, they just want to grow medicine for their patients legally.

A member of the audience began shouting out questions to the applicant, and the Chairman asked that he direct his questions to the Planning Commission and not to the applicant.

Ward asked the applicant if he'd had this odor system in place back in March of 2021. The applicant stated that they had not, that they just recently invested in the barn to make sure it was revamped. He apologized that he hadn't gone through the necessary steps of getting the permits but there's been new ownership in the property since last summer. There were issues with the old owner and now they're starting fresh. They want to do everything legally with respect to the neighbors and the community and abide by the law regarding caregivers.

Schulze asked the applicant if they were currently growing plants. The applicant said they are waiting until everything is legal, and they get all of their approvals.

Janette Ropetta of Fuller Drive asked what the name and address were of the person who was speaking and what his relationship to this endeavor was. The applicant gave that information.

Another member of the audience (unidentified) said that there is no operation there currently because they were found in violation of what...

Nicholson explained that they were required to have a special land use in order to operate a caregiver operation. The same audience member said that "it just goes with the fact that not following rules only when caught". He said they should know what the police came up with when they investigated. Nicholson said he could try to obtain the police report but as far he knew they were found to be in compliance with all state regulations but were in violation of township regulations which is why the enforcement fell on us. The audience member asked if it was under county regulations, as well. Nicholson said it was under state and the county is only involved when it comes to structural building permits. The Livingston County Sheriff could potentially enforce but they're enforcing the laws of the state. The audience member asked where he would file a FOIA (freedom of information act) to find the police report. Nicholson stated that the Supervisor has all the information and if he contacts the township the next day they can get him that information.

Another unidentified audience member asked the Planning Commission to ask the applicant if the people coming to get the marijuana are Tyrone Township residents. Ward asked if that was a requirement of the special land use. The audience member asked them to ask the question that he just asked and then when he gets the answer that the majority of patients are not in Tyrone Township then the question is "go back to wherever you live and open it up in some area that's industrial and leave our little bedroom community alone". Chairman Erickson wanted to clarify that when they receive an application they have to review it impartially and cannot ask questions, like Ward mentioned, they have to review based on their ordinance. The ordinance states that they must be qualifying patients, it does not state that they have to be qualifying patients that live in Tyrone Township. The audience member said, "so they're going to wreck the area for their benefit and we're not going to get a (expletive) thing out of it".

Michels explained that the zoning ordinance, section 21.55, and the Medical Marijuana Act don't have residency built in about how far patients have to be from the facility but if the caregiver or if the patient lives there then that allows for them to consume it on-site because that's where they live. But in general, it doesn't specify they need to live anywhere specific. They just need to be a qualifying patient with the papers from a doctor.



The same audience member said the applicants talked about a fancy air filtration system and they can't even mow their grass. He asked how they expected him to believe they are going to expect him to take care of this property. He asked them if they intended to make the applicant take care of their property. Ward said that the applicants are expected to follow the ordinances. The audience member asked if there was an ordinance about having your place unkempt. Nicholson said there is no ordinance on mowing or maintaining lawns. He said there are ordinances prohibiting things like machinery, equipment, inoperable vehicles, sharp metal objects, anything hazardous. As far as the house, it just needs to be sealed up. If there are any openings they'd need to be boarded up. The audience member asked if it's okay that no one lives in it, and Nicholson said it just needs to be secure so there is no way for anyone to get in. The audience member asked about their "do not trespass" signs and would that be enough to keep people out? Nicholson said they are a complaint-based township, and they don't go around door to door to every single property. The audience member said he understood that but once someone like himself brings something to the township's attention he'd want them to inspect it. Nicholson said that they would check the property and check for violations if they received a formal, signed complaint.

Ward asked Nicholson if the caregiver operation be considered the entire parcel or just the barn where it's grown. Michels said he interpreted it as the entire site.

The same audience member asked if the rules change and they can grow more marijuana, how many barns can they put up on that property to grow marijuana. What if they want a thousand customers? Nicholson explained that at the township level they only allow medical marijuana which is based specifically on the State Act. Commercial operations are something totally different and that is something the township has opted out of. The audience member said what if they have a thousand people? Nicholson said they are limited to 72 plants maximum. The audience member said he understood that but was concerned if the rules changed. Nicholson stated that if the state laws changed, they would need to address them in the local ordinances and make changes as necessary. Michels explained that the very large growth facilities are done under the Medical Marijuana Facilities Act and are primarily directed towards recreational and they're large with thousands of plants. That is not a part of the Medical Marijuana Act.

Schulze said that he felt it important that people understand that they don't have the option to opt-out of medical marijuana, the caregiver part of it.

Michels said that one of the challenges with odors is people have different sensitivities. He said he thinks it reasonable that a condition of approval would be that no unreasonable odor is off the property.

Ward asked Nicholson if the township would investigate if a neighbor were to smell the odor and make a complaint. Nicholson said that it would depend on the specific conditions that were placed on the application, but if that's the way it's written that is possible the special land use

could be revoked if they noticed an odor. The specifications need to be as specific as possible when putting conditions on a special land use, similar to noise. Someone in the audience asked if there were meters to measure odor. Nicholson said not that he was aware. Another audience member asked if that would be on her driveway because if she walks down her driveway, she can smell it because the barn is about twenty feet away. Nicholson said it would be whatever the Planning Commission determines, however it is written if they recommend approval. The audience member reiterated that when they and other neighbors go to the bus stop which is right by the property, the smell is right there.

Another audience member asked if there would be a performance bond associated with this. Nicholson said that as a special land use, he believes the Township Board could require that, but it would need to be for something specifically... the audience member chimed in and said it would be an ordinance violation, they violate some kind of vested interest. Nicholson said he'd need to look into that. Michels stated that performance guarantees are generally related to some physical improvement as opposed to potential fines in anticipation that violations may occur. In this case, the penalty is if a complaint or violation of the condition of approval is documented and not corrected, the use stops.

Schulze moved to close the public hearing. Krause seconded. The public hearing was closed, and they returned to Old Business number one.

### **Old Business #1:**

#### **Niemi Shared Private Driveway**

The Planning Commission determined that the only thing that needed to be done was checking with the register of deeds to ensure his maintenance agreement was in recordable format. They already had the fire chief's approval. The fire department said they need to have addresses for all the residents.

Ward made a motion to recommend conditional approval, the conditions being that the applicant provides a maintenance agreement in recordable format, and they meet the recommendations of the fire department as provided in the letter. Schulze seconded. The motion carried by unanimous vote.

### **Old Business #2:**

#### **Master Plan**

Michels said the next big step is looking at the survey. He said he had sent some sample surveys from other communities and asked that they postpone sending them out because he wanted them to come up with their own general categories. What each community asks is what is most

important to them. Generally, the main categories are housing, questions about residential development, public services, transportation, recreational parks, or programs. Oftentimes, demographic questions are asked to find out who's answering the questions. Some will put their goals and policies in their questions, asking if these are important to the resident.

Getting feedback from the community can be done as part of a visioning session or a second follow-up survey. Schulze asked what the timeline was on this. They need to pick a date when the surveys would be due, as well as schedule visioning sessions. He said he'd like to see a rough timeline.

The Planning Commission continued its discussion regarding the Master Plan process. They discussed deciding the topics they wanted to be included in the survey, and which format they wanted the survey to be in, paper or electronic. They determined they need to focus on the Master Plan, and it needed to be on every meeting agenda. They agreed they had a lot of work to do on the Master Planning process.

## **New Business #1**

### **Sultani Caregiver Special Land Use**

Krause reiterated what he had said earlier about the odor being intense. He said if they're going to make this contingent upon the odor being controlled, they should have some way to measure it at the property line. He said it's their responsibility to look out for the township residents and with this special land use, they need to look at the welfare and health of the people who are directly impacted. Michels said he recommends the Planning Commission provide guidance to the applicant as to what needs to be addressed, such as the filtration system, more specific information about property maintenance, and screening from adjacent properties.

Chairman Erickson asked the applicant to indicate on the site plan the distance between the building and the neighboring properties. Ward asked about the architectural plans, specifically the CO2 in the ceilings and the scrubber. He asked if that was part of the odor elimination process. He asked if those items plus fully sealing the building would help with odor. The applicant explained that the scrubbers eliminate the odor. The CO2 was just a mechanism for the plants to eat. There is no ventilation for air to go in and out. Krause asked if there was a fire suppression system in the barn. It was confirmed there is not a fire suppression system. There is no vent to the outside. Krause asked if there were scrubbers in place back in March of 2020 when they had received complaints about the odors. The applicant said there were no scrubbers or any sort of filtration system at all back then. Ward asked if they had ever run an operation with this system before. The applicant stated that commercial operations are where they got this idea, to contain the odor. He said in the past, the vents would suck out the odor from the barn and release it outdoors, and now they've changed the whole operation and the odor will be contained within the barn. He explained that they changed all their lighting to LED green efficiency. There

will be no heat from the lights. They have air conditioning to keep the plants cool. They have 16 lights in each room which are three amps each. There are trays the plants will sit on to avoid any leakage when they are watered. Chairman Erickson asked them to label those on the site plan. Only one Caregiver will work at this operation. Schulze asked what type of security system they will have. The applicant said they will have a full-out security system with cameras throughout the facility and the outside, as well, as motion cameras that will alert them in real-time if there is any noise or activity when they're not there. They are going to install an alarm system and put a gate at the door so it's fully secure. They will internet wi-fi alarm cameras and are even planning to put up a fence on the property. Schulze asked if the fencing was proposed for just around the building, or for the entire property. The applicant said it would be the entire property. Schulze said that should be shown on the site plan. The architect for the applicant spoke via Zoom. He stated they intended to fence in the cluster of buildings and not the entire property.

Ward asked if anyone lived at the house. The applicant stated that at this time no one did, but it would be better to have someone live there for security purposes. The house needs to be fixed up to become livable. Once the property is fixed up, it will be a getaway for their family, and it will be only for family. Schulze said he would like to see a general statement included with their application with a timeline of when that will happen. Because it is a special land use, they need to know exactly what it's going to be used for. They need to know if anyone will or will not be living there.

Schulze made a motion to table the application until they get the information and the corrected site plan, including the fencing and location of housing within the adjacent properties. Krause said he'd also like to see some information and specs on the scrubber system. Krause seconded. The motion carried by unanimous vote.

### **CALL TO THE PUBLIC:**

Janette Ropetta said that there are people in the community that would like to help with the Master Planning and the survey. There is someone who took a long master planning course and is ready to help. She said they will work for free, and they just want to give their input. She also wanted to know what budget was being used to pay the planner to do the master plan stuff. Schulze said that the planning company is paid for their services, and the master planning is not separated out. Chairman Erickson said there probably is a budget for it and they aren't aware of it but what they know right now is it's not prohibiting them from moving forward with what they need to do. Ms. Ropetta said that she wants to know exactly what the planner will be paid for his services on the master plan. Chairman Erickson said he believed that would be a question for the Township Board. Schulze said they first must tell the planner what they want. He said he thinks they expect that it will cost a minimum of \$25,000. It could cost more; it depends on what they ask for, how many meetings they have, how big a survey they have, what type of analysis he's going to do, and how much editing and writing he's required to do. Krause said this was a 10-year document and that this is money well spent. Having been on the Planning Commission for

less than a year, he said he appreciates the professional help, and he thinks it's necessary. Ms. Ropetta said she would ask the Township Board about the budget. She then asked Chairman Erickson if he would enforce people coming up to the podium when they talk. She said she's doing Facebook live, and there's a reason she's doing that. People attending Zoom calls can't see who's talking, and they can't hear real well. It would be easier to have them come up to the podium. She then said that when the meeting schedule is changed the night of or during the meeting, she finds that very confusing. She also said she has an issue with the changing of documents on the website. She said she wouldn't get into right then, but that she'd be sending a letter to them to let them know what she observed. She thinks it should be duly noted when a document is replaced on the website in order to show clarity and transparency and let people know that things have changed.

C. J. Callaghan said the applicants mentioned that there may be an instance where they don't want to drive home. He said everyone has a job as a rule and they all drive home so that tells him that these people aren't from our area. He wanted to know if the county or the township issued an occupancy permit. Nicholson asked if he was referring to a certificate of occupancy, and Mr. Callaghan confirmed it was. Nicholson said that the Livingston County Building Department issues them. Mr. Callaghan asked if he were to contact Livingston County if they'd come out and check. Nicholson said he was not sure of their procedures, but Mr. Callaghan could try. Nicholson explained that if there were a complaint filed against the property, and the complaint alleged that there was a dangerous structure, then the township would pass that along the necessary channels, which include Livingston County Building Department.

Scott Dietrich of White Lake Road stated that he found it weird that the applicants said "we're going to be working out there" but then they said there would only be one caregiver. He doesn't think it's a good idea to combine a caregiver operation with residential. Mr. Dietrich said the applicant said he's going to bring the family out there for recreational pod parties. He is worried they will have 25-50 people there getting loud. He wanted to know who was going to police the property. He knows Ross won't and he knows Kurt won't, so the neighbors will be stuck doing it. They're going to have to call the police to say there's more than one caregiver there. He continued about how he thinks it should be either a caregiver operation or a residential property, not both.

Daisy Borreson wanted to reiterate what she'd said earlier. She said the first time she spoke with Halim Sultani in March of 2020 they claimed they'd just taken ownership. Halim had told her at that time that he was renting the property, so it has been them all along. He just purchased it legally now and is not renting it anymore. This is another thing he is lying about.

An audience member who didn't identify himself and didn't come up to the podium said that only landowners should get the survey for the master plan because renters come and go.

There were no more public comments. Chairman Erickson stated that regarding the public comment about input on the master plan, they'd definitely welcome someone. They can send them an email. They receive emails daily and that's an avenue where you can share information and input that you may have as well as these meetings. Krause said their next meeting is a workshop which starts at six o'clock. Chairman Erickson said master planning will be the miscellaneous business. They won't vote on anything, they'll just talk. Ward said he didn't think it was appropriate to reach out to certain citizens and ask for their help. He said if they're going to reach out to the community, they've got to reach out to everyone.

**MISCELLANEOUS BUSINESS:** None

**ADJOURNMENT:** The meeting was adjourned at 9:44 pm by Chairman Erickson.

# **COMMUNICATION #5**

Planning Commission Approved Meeting Minutes-  
February 8, 2022

**TYRONE TOWNSHIP PLANNING COMMISSION**  
**APPROVED REGULAR MEETING MINUTES**  
February 8, 2022 7:00 PM

**This meeting was held at the Tyrone Township Hall with remote access via Zoom videoconferencing**

**PRESENT:** Kurt Schulze, Jon Ward, Steve Krause, Chet Schultz, and Rich Erickson

**ABSENT:** Bill Wood and Garrett Ladd

**OTHERS PRESENT:** Ross Nicholson and Zach Michels

**CALL TO ORDER:** The meeting was called to order at 7:00 pm by Chairman Erickson

**PLEDGE OF ALLEGIANCE:**

**CALL TO THE PUBLIC:**

Chairman Erickson opened the floor to receive public comments.

No public comments were received.

**APPROVAL OF THE AGENDA:**

Kurt Schulze made a motion to approve the agenda as presented. Steve Krause supported the motion. Motion carried by unanimous voice vote.

**APPROVAL OF MINUTES:**

The item was deferred.

**OLD BUSINESS #1: Sultani Caregiver Special Land Use:**

Chairman Erickson introduced the topic and asked Zach Michels if he had comments to go through based on his review of the application. Zach Michels stated recommended that the applicants revise the site plan to include technical specifications for the equipment to be used on the site associated with the special land use request. He recommended that any outdoor lighting associated with the proposed operation should comply with the Zoning Ordinance standards for outdoor lighting inclusive of cut off angles and color temperature. He stated that the fencing proposed on the site plan exceeds the maximum height requirement for front yard locations. He recommended reducing the height of fencing in the front yard location from six (6) feet to no more than forty-two (42) inches to comply with the Zoning Ordinance standards for fencing or relocate the fencing so the 6-foot portions of fence is located within side and/or rear yards only. He noted that the residential address sign is shown to be posted visibly at the driveway. He also noted that a revised use statement had been submitted which addresses most of the previous deficiencies.

The Planning Commission briefly discussed the latest site plan drawings and use statement that was submitted. Chairman Erickson stated that the revised use statement makes reference to outside employees being brought to the site during certain times when additional help is needed for trimming and similar work. He asked Zach Michels how the outside employees could be permitted since they are prohibited by the Zoning ordinance Special Land Use specific standards.



Zach Michels indicated that it is difficult to determine because the use is regulated by local zoning as well as the Michigan Medical Marihuana Act (MMMA/Initiated Law #1 of 2008). He cited the definition of “caregiver” from the MMMA and elaborated on the specific language of the Act relating to limitation for the number of caregivers per permitted operation. He stated that the Act is not specific when it comes to outside employees working directly under the supervision of the licensed caregiver. He recommended deferring the question to the Township Attorney for clarification on whether or not temporary outside employees could be permitted. The Planning Commission briefly discussed. Kurt Schulze asked Zach Michels for clarification on whether or not someone who needed to perform installation or repairs of electrical equipment in/at the structure where the proposed operation would be located could do so and, if so, would it be required that the are under the direct supervision of the licensed caregiver. Zach Michels indicated that, based on the Zoning Ordinance language indicates that the only person permitted within the grow facility is the licensed caregiver and any additional person(s) who would need to access the grow facility for installation, repair, or maintenance of equipment would need to be under the direct supervision of the licensed caregiver. He stated that if someone is hired to do work on the property not associated with the actual grow facility, such as lawn maintenance/landscaping, where no access is granted to the actual grow area, that would be permitted without requiring direct supervision by the caregiver. Jon Ward asked for clarification/confirmation that the grow operation would be limited to the detached accessory structure noted on the site plan drawings and referenced in the use statement. Zach Michels confirmed.

Chairman Erickson asked Zach Michels if the filtration equipment noted in the use statement is adequate on its own or if the details should also be incorporated onto the site plan drawings. Zach Michels indicated that he would recommend that the information is incorporated into the site plan drawings as well as the use statement.

Kurt Schulze stated that we have received comments from the public regarding upkeep and maintenance of the lawn and vegetation on the subject property. He asked Zach Michels if it would be possible to require that the lawn and landscaping be maintained as a condition for the special land use permit. Zach Michels indicated that, as a special land use, lawn maintenance may be required if deemed necessary. He suggested several options for landscaping and screening that may be appropriate for the proposed use including plastic slats or fabric over the chain link fence to reduce visibility of the site from adjacent properties. He also recommended that a “Knox Box” be installed to allow for emergency vehicle access to the site if the property owner is not present during an emergency. The Planning Commission briefly discussed landscaping, screening, and fencing.

Chairman Erickson asked the applicants in attendance if they would like to make any comments pertaining to the latest site plan drawings and use statement that was submitted. Scott Brock (agent for the applicants) stated that he feels the latest site plan drawings and use statement should sufficiently address the items requested by the Planning Commission during the previous review of the application. He stated that most of the items discussed during the present meeting should be acceptable to his clients. He stated that, in his opinion, incorporating slats into the proposed chain link fence would potentially draw more attention to the subject property than a fence without slats. He stated that his clients are fully compliant with Michigan law and local ordinances. He stated that he hopes that approval can be granted during the present meeting. He stated that he would be happy to answer any questions the Planning Commission may have. The Planning Commission briefly discussed fencing and screening with Scott Brock. They briefly discussed site plan information including equipment technical specifications with Zach Michels.

Kurt Schulze noted that he had noticed a number of vehicles being stored on the property which appear to be unused/inoperable. He stated that the vehicles as well as unmaintained yard may give the outward appearance that the property is abandoned. He suggested including language as a condition for the special land use that requires that no inoperable/unlicensed vehicles are stored outdoors on the premises. Scott Brock stated that the storage of vehicles is typical in the Rural Estates (RE) and Farming Residential (FR) zoning districts. Kurt Schulze stated that the Planning Commission’s objective in reviewing special land use applications is to mitigate potential nuisance factors inclusive of attempting to minimize the likelihood that someone would assume the property is abandoned and trespass to strip parts from the inoperable/unlicensed vehicles. Scott Brock stated that he understands. Jon Ward asked Ross Nicholson for clarification on the ordinance requirements regarding the keeping of unlicensed/inoperable vehicles. Ross Nicholson explained that unlicensed/inoperable vehicles are considered “junk vehicles” and are prohibited from being stored

outdoors in residential zoning districts. Jon Ward suggested that the use statement be revised to include a statement that the use must comply with all applicable Township ordinances.

Chet Shultz asked Scott Brock if the applicants would be proposing any barbed wire on the fencing around the grow facility or any additional security measures. Chairman Erickson noted that the use statement specifies additional security measures including security cameras and an alarm system. The Planning Commission briefly discussed the use of barbed wire as an added security measure. It was determined that barbed wire could potentially draw additional attention to the property, be unnecessary when considering the additional proposed security measures, and would not comply with the Township's residential fencing standards. Scott Brock stated that he believes the applicants are going far above and beyond what is typical for caregiver operations. The Planning Commission briefly discussed security requirements relating to the Zoning Ordinance and the MMMA.

Steve Krause brought up several comments that were received during the previous meeting in which the application was discussed regarding potential odor from the grow facility and general maintenance of the property. He stated that he feels the sealing of the structure and filtration equipment may be sufficient to mitigate nuisance odors. He stated that the property can definitely use some maintenance in terms of junk removal, lawn maintenance, and landscaping. The Planning Commission briefly discussed options for incorporating property maintenance requirements in the application documents.

Kurt Schulze stated that he has not heard anything regarding whether or not a fire suppression system would be required to be installed within the grow facility. He asked if any fire suppression is proposed. Calvin Shunia (agent for the applicants) indicated that they are proposing fire extinguishers and they are working with the Livingston County Building Department (LCBD) to confirm that the proposed facility complies with Michigan building and fire codes. Kurt Schulze stated that they will need to obtain confirmation from the fire department having jurisdiction will approve the use of the structure with or without fire suppression.

Chairman Erickson asked for clarification on the number of plants that would be grown within the facility based on the plans provided. Calvin Shunia stated that the plans will not show each individual plant because they will need to be moved around to different areas during the grow cycle. He elaborated on specific details regarding plant containment and configuration during the various stages of the grow cycle. He stated that they would have no more than the maximum number of plants permitted for a single caregiver in compliance with the MMMA and the Zoning Ordinance.

The Planning Commission discussed and began compiling a list of items to be addressed in the site plan drawings and use statement. Zach Michels explained the procedural aspects of the review process to the applicants and agents in attendance. Chairman Erickson asked Zach Michels whether it makes any difference that the facility was improved to accommodate a grow operation prior to obtaining special land use approval from the Township. Zach Michels cited a hypothetical example where a party installs a residential deck prior to obtaining land use and building approvals. He indicated that the procedure is generally to send a notification of a violation and require that the party obtains the necessary permits and approvals to become compliant with the zoning and building requirements as opposed to requiring the deck be demolished/removed. He explained that it is generally a similar process in this case where there was growing that occurred prior to approval, received notification of violation and ceased operation, and is currently in the process of trying to obtain the necessary approvals for the operation to be permitted.

Jannette Ropeta (resident) asked the Planning Commission if they would be willing to accept public comments regarding the application prior to taking action on the application. The Planning Commission continued to work on compiling a list of items that would need to be addressed within the application documents prior to making a recommendation to the Township Board.

Chairman Erickson asked the applicants how they intend to dispose of waste from the site. Calvin Shunia indicated that they have contacted with a company for waste removal who they can call to remove waste as necessary. He stated that all waste materials would be stored indoors except for when it is scheduled to be removed by the waste removal company.

Chairman Erickson asked if the waste removal details were included in any of the application documents. Calvin Shunia indicated that it is currently not specified but they can add the information to the site plan and/or use statement as requested by the Planning Commission. Chairman Erickson requested that the waste disposal details be incorporated within the use statement.

The Planning Commission continued compiling a list of items to be addressed.

Several members of the public spoke out and requested that the Planning Commission accept public comments on the application. Chairman Erickson asked Ross Nicholson if it would be appropriate to accept public comments at the present time. Ross Nicholson indicated that the Planning Commission may but it is not required since there will be an opportunity to speak during the second call to the public scheduled for later during the meeting and the public hearing that was required for the special land use application had already been held. Zach Michels confirmed that the required public hearing had been held and that it is not required that the Planning Commission accept public comments pertaining to the application at the present time but may if they choose to do so. Chairman Erickson asked the Planning Commission if they would be amicable to accept public comments pertaining to the application at the present time. He addressed the public in attendance and indicated that the Planning Commission is required to make recommendations based on the Zoning Ordinance standards and cannot make decisions based on personal beliefs, feelings, or ideas. The Planning Commission briefly discussed. They agreed to accept comments from the public in attendance.

Jannette Ropeta (resident) thanked the Planning Commission for making the exception to accept public comments at the present time. She stated that she was going to ask what the application and review process is and where it currently stands but she now has a better understanding. She asked the Planning Commission if they will be asking the applicants to specify how they would be managing pests. She asked how the sprayers would be cleaned and stored. She asked if there would be any chemicals used for pest control and how any contaminated materials/liquids would be disposed of. She asked if all processing of plants would occur within the facility or if they would be processed off-site. She asked how liquids would be contained. She stated that the application indicates that water would drain from the plants onto trays and asked where the water would ultimately go. She stated that the application references a "sub pump". She asked if the applicants meant to say "sump pump" and, if not, what do they mean by "sub pump". She asked, if it is a sump pump, does the Planning Commission know where it is located, what waterways are there, and where the waterways go. She stated that she understands that the fire department is very strict when it comes to fire safety precautions and asked which fire department has jurisdiction over the subject property and when exactly they would be inspecting the facility. She stated that she believes the fire department should be involved. She stated that she wonders how the equipment was ever installed in the barn but she guesses she understands that it could be used for growing tomatoes. She asked if the proposed caregiver operation could ever be expanded to grow plants for more than six (6) patients. She stated that fire suppression was discussed and it was stated that fire extinguishers would be utilized. She stated that she is unaware of how much the applicants know about fire suppression but she believes it should be required because it was required for a wedding barn located within the Township. She stated that the fire suppression system installed in the wedding barn cost around one hundred thousand dollars (\$100,000.00). She stated that the applicants had previously indicated that they plan on holding family reunions on the site. She stated that she is uncertain whether or not she is not comfortable with what may or may not be going on at the subject property but believes the Planning Commission should ask about chemicals that would be used associated with the proposed operation.

Daisy Borreson (resident) stated that she is concerned that the applicants indicate that all drainage would flow into the sump pump. She stated that there are a lot of wetland areas on and nearby the subject property, a lot of which are protected federally. She stated that she is wondering what kinds of aquatic negative effects are going have on the environment and livestock. She stated that there is a nearby farm and water systems that are connected. She stated that in the initial application documents it was stated that most well and septic systems are strained by marijuana grow operations. She stated that the listing from 2005 for the property indicated that the house was abandoned so any existing well and septic on the site should be inspected and repaired/replaced as necessary.

CJ Callaghan (resident) stated that he could barely hear the Planning Commission, Ross Nicholson, or Zach Michels. He suggested that they should make it easier for residents to hear them. Ross Nicholson indicated that there are microphones and speakers that project throughout the room. CJ Callaghan asked if the speakers could be turned up. Ross Nicholson indicated that he was not sure how the volume is controlled. CJ Callaghan stated that they should be turned up to allow the residents in attendance to hear more clearly. He asked the Planning Commission if they would volunteer that they consume marijuana and would be customers of the proposed operation. He stated that if any members of the Planning Commission is going to benefit from the proposed operation they should recuse themselves from discussion on the application. He asked the Planning Commission if any members owned property near the subject property. He stated that the subject property has not been nice since 1975. He stated that he helped build the accessory structure that is proposed to be utilized as the grow facility sometime around late 1969 or early 1970. He stated that the property is an accident waiting to happen. He stated that Consumers Energy does not need the additional drain on the system that would result from the proposed operation. He stated that his property lost power just the other day and the power should be reserved for residents in the area. He stated that he is sixty-nine (69) years old and has been a resident of Tyrone Township his whole life. He asked the Planning Commission if they know what “4-H” stands for. He stated that it stands for “head, heart, hands, and health”. He stated that they are supposed to be teaching their kids 4-H values. He stated that everyone wants to move into the Township and change it to something different. He stated that he hopes the Planning Commission does not have to look at the subject property on a daily basis. He stated that the previous owners of the property would not even drive down Faussett Road because it was too painful for them to see the property in the condition it is in. He asked if the applicants lived in the Township. He stated that if the applicants do not live in the Township the special land use application should not be considered. He asked if the applicants had ever been involved with a grow operation in other communities. He stated that it does not appear that the applicants know what they are doing. He stated that he feels we deserve better. He asked what the applicants would do if the if the Planning Commission does not approve the special land use application. He stated that the well and septic systems on the property were in poor condition prior to the sale of the property in 1975.

Steve Atkinson (resident) asked if the application documents were available to the public for review. Jon Ward indicated that the documents are included in the meeting packet which is available on the Township webpage. Steve Atkinson asked if a caregiver as defined in the application is referring to one person. He stated that he noticed that the maximum number of plants permitted would be seventy-two (72). He asked if additional plants could be grown when some of the plants reach maturity. He stated that he feels the language in any approval documents should state that there is a maximum number of 72 plants permitted at any time.

Gabe Borreson (resident) stated that he had spoken during the last meeting and that it is his first time dealing with this type of issue. He stated that he was told during the last meeting that the Township doesn’t enforce anything and that residents are responsible for enforcements. He stated that if no one had reported the grow operation the applicants would still be operating without the necessary approvals. He stated that the applicants do not care about the rules. He stated that he does not take issue with the growing of medical marijuana but has an issue with the applicants for not following the rules. He stated that the applicants were blatantly not following rules and got shut down because they got caught. He stated that the Planning Commission can make up all of the conditions they would like to but it doesn’t matter because residents are responsible for enforcement. He stated that he has concerns regarding the electrical equipment associated with the operation. He stated that they would be running around two-hundred (200) amps to support the operation. He stated that if the electrical system has not been updated in thirty (30) years, then he can guarantee it cannot support the electrical equipment necessary to run the operation. He stated that once the applicants turn the lights on in the grow facility all of the neighbors will lose power. He stated that the lighting proposed are six hundred and fifty (650) watts per piece which is the equivalent of six and a half (6.5) hundred-watt light bulbs. He stated that when you add up all of the proposed lighting equipment it will be the equivalent of three hundred (300) hundred-watt light bulbs. He stated that there are frequently stories in the news where grow facilities burn down whether it is from the gas they use or electrical issues. He stated that his home is nearby and could potentially catch fire if the grow facility catches fire. He stated that he had noticed people coming and going from the property which is nearby a bus stop for school busses. He stated that it is unsafe for the children to walk down their driveway to the bus stop because they are uncertain what kinds of people will be at the subject property. He stated that he has confidence that the Livingston County Building Department (LCBD) will

inspect the grow facility and shut it down if found to be noncompliant with building code. He stated that if the Township denies the special land use permit application, the applicants will continue to operate the grow facility.

Robert Kerr (resident) stated that he has questions regarding the nuisance mitigation aspects of the proposal. He stated that the scrubbers described in the application documents say that they will help to dissipate odors but not eliminate all odors. He stated that the application documents indicate that there will be no fresh air intake or outtake. He stated that he doesn't understand how plants can be grown without fresh air intake. He stated that there was previously mechanical ventilation systems at the facility which was pressurized and would bring fresh air in and pump odors outdoors. He stated that to say there will be no fresh air intake or outtake is a completely unrealistic statement. He stated that if you walk through the door of the facility air will come in and go out which creates big concerns in terms of potential odor being released. He suggested that the Planning Commission ask the applicants to further elaborate on nuisance mitigation equipment and practices.

CJ Callaghan (resident) asked to have an additional three (3) minutes to speak on behalf of his wife who would prefer not to speak herself. Chairman Erickson requested that the public comments remain limited to 3 minutes per person.

Diana Callaghan (resident) stated that last year when she was mowing her lawn all she could smell is skunk, which is an unpleasant odor to people who do not smoke marijuana. She stated that she understands that people may use marijuana for medical reasons but she believes it should be grown in a business district and not in residential areas where families with children reside. She stated that it is easy for children to climb fences and she believes that, if approved, children will find a way to access the grow facility. She stated that she is concerned that the water systems in the area will become contaminated if the grow facility is approved which could pollute the drinking water that is consumed by people and animals in the area. She stated that they have raised cows for nearly forty (40) years and was never informed by the Township that growing was occurring at the subject property. She asked the Planning Commission if they would like to have the applicants as neighbors.

Steve Bissell (resident) asked if there is a reason that the grow operation is limited to a certain number of plants. The Planning Commission and Zach Michels explained that it would be the maximum number of plants permitted under the MMMA/ Initiated Law #1 of 2008.

Sara Dollman-Jersey (resident) stated that she believes she heard that grow operations are licensed through the state of Michigan. She asked who would be responsible for the checks and balances. She asked at which level enforcement would occur.

Chairman Erickson asked if there were any additional public comments regarding the application. None were received. Chairman Erickson closed public comments.

Chairman Erickson stated that in the Special Land Use standards within the Zoning Ordinance there is a requirement for an annual report. He asked if Ross Nicholson could provide details on the annual report requirement. Ross Nicholson indicated that the Township may require an annual report for all special land uses if deemed necessary. He stated that the Planning Commission may determine what the content of the report should include, if required. If an annual report is required, the applicants must submit the requested information to the Township for review on an annual basis.

Zach Michels stated that he would like to address some of the questions received pertaining to the MMMA. He stated that the Act is also referred to as Initiated Law #1 of 2008 and includes definitions for a number of terms and definitions. He stated that the Act defines caregivers and qualified patients. He stated that, under the law, there is a maximum number of seventy-two (72) plants based on the maximum number of qualifying patients per permitted caregiver grow operation. He stated that both caregivers and qualifying patients must have licenses through the state of Michigan. He stated that it is evolving law because it was voted on at the ballot box, it takes a supermajority of the state legislature to amend the law. He stated that the courts are continuously changing what the law means. He provided an example referencing the Tyrone Township Zoning Ordinance requirements for caregiver operations. He stated that the Zoning Ordinance currently allows for caregiver grow operations in specific zoning districts including FR and RE. He stated that the Act was not clear on

whether or not municipalities could regulate caregiver operations by zoning district until about one and a half (1.5) years ago. He stated that the standards in the Zoning Ordinance were actually fairly aggressive at the time they were adopted. He referenced a court case involving Byron Township where they restricted caregiver operations to be located only within specific industrial zoning districts. He stated that the court determined the restrictions to be reasonable because they allow for the use in some areas and did not completely prohibit it. He stated that prior to that decision, most lower courts were ruling that you could not limit caregiver operations to specific zoning districts and they could essentially be located anywhere. He stated that the Act does not specify how far caregivers and qualifying patients must be in relation to one another, just that they are both located within the state of Michigan. He stated that, based on his understanding of fire code, the structure in which the proposed grow operation would be located is likely not large enough to require a fire suppression system. He stated that if any members of the Planning Commission or Township Board were direct neighbors to the subject property, that would generally disqualify them from participating in discussion on the application because they would have a different impact from the rest of the community. He stated that his understanding is that a conflict of interest does not exist with any member of the Planning Commission or Township Board. He recommended that the Planning Commission include as a condition for a favorable recommendation that they require all water from the site must be disposed of in the on-site sewage system that is regulated by the Livingston County Health Department (LCHD). He stated that he does not believe that the LCHD requires a time of sale inspection for septic fields so he recommended that the Planning Commission also include a condition requiring that the septic system at the site is inspected and approved by the LCHD.

Zach Michels asked if there were any additional questions that he missed. Chairman Erickson stated that he believes that the LCBD only performs inspections on the structural and electrical aspects of the structure. He asked Ross Nicholson for clarification. Ross Nicholson indicated that the on-site septic system would not be inspected by the LCBD and would need to be evaluated by the LCHD, Environmental Health division. Zach Michels realized that he had not addressed a question regarding odor control. He stated that the structure originally utilized an open ventilation system so air came in and went out. He stated that the structure was recently spray-foam insulated which is a very efficient method for preventing odors and air movement. He stated that his understanding that there are no longer vents connecting the inside of the structure to the outside so there would no longer be air intake or outtake. He stated that carbon dioxide for the plants is proposed to be provided from propane tanks, based on his understanding from reviewing the provided specification sheets in the application documents.

Ross Nicholson stated that he would like to address the questions and comments regarding enforcement. He stated that the Township policy is complaint-based enforcement which means that the Township does enforce violations of Township Ordinances and special land uses, but the enforcements are generally initiated following receipt of a formal complaint. He stated that the policy basically means that the Township does not actively search for violations but instead relies on potential violations being reported by residents and/or other who may observe them. Jannette Ropeta asked how the Township can enforce if violations cannot be seen. Ross Nicholson indicated that neighbors or other observers should report any nuisance factors that are observed to the Township so that they can investigate the complaint and enforce as necessary. He stated that the Township unfortunately does not have a full-time ordinance enforcement staff that can actively drive around the Township and search for potential violations.

Jannette Ropeta stated that the question regarding the use of pesticides and chemicals had not been addressed. Jon Ward stated that the application documents indicate that all plants would be organically grown. Jannette Ropeta stated that organically grown can mean a lot of things and that they need to know what the applicants will be using for pest control. She asked how they control pests and what chemicals they would be using that could flow into the drain trays to the sump pump. CJ Callaghan stated that it is important to know where any chemicals would ultimately end up. Chairman Erickson asked the applicant/agents if they would be willing to elaborate on what methods they intend to use for pest control and if any chemicals or pesticides would be used. He stated that he understands that the carbon dioxide (CO<sub>2</sub>) is proposed to be provided by propane tanks but asked if they could elaborate further on how the proposed system would work. Scott Brock elaborated on the proposed method for air circulation and management. He explained that the tanks provide CO<sub>2</sub> for the plants to consume, and the plants release oxygen. He stated that there are no vents to allow the air to escape from the structure, and they propose to use scrubbers and insulation to prevent air leakage to the outside. He stated

that the system is intended to keep everything isolated within the structure, so no air or odors are released outside of the structure. He stated that he fails to see how the oxygen and CO2 and oxygen levels within the structure are relevant to the discussion. He stated that the proposed system is the same as those utilized in marijuana grow facilities throughout the country to mitigate nuisance odors, so it is a standard practice.

Kurt Schulze suggested that an annual report requirement and inspection and approval of the on-site septic system from the LCHD should be added to the list of conditions if there is a favorable recommendation.

Jon Ward asked the applicants/agents if the intent is that the plants would consume all the water provided or if excess water would need to be disposed of. Calvin Shunia stated that they are proposing that all plants are grown organically which would include the nutrients and the water. He stated that there is a three (3) stage water filtration system. He stated that the water would flow through a pre-filter and two filters before the water reaches the reservoir. Once the water reaches the reservoir it would be mixed with organic nutrients which would be fed to the plants which would absorb all the water and nutrients so there would be very minimal runoff. He stated that if there is any runoff, it would be vacuumed or mopped up from the drain trays but there will likely be no runoff. He stated that the plants would be automatically fed, and any potential runoff would be caught by the drain trays so there would be no seepage into the ground that could flow into bodies of water. Jon Ward asked if there are any existing or proposed flood drains in the structure. Calvin Shunia indicated that there are not any existing or proposed floor drains. The Planning Commission briefly discussed the sump pump and proposed water management system. Zach Michels suggested that the Planning Commission request clarification from the applicants on what the purpose of the sump pump in the grow facility is. Jon Ward stated that he doesn't have any experience with growing marijuana but has started garden plants indoors. He stated that, in his experience, the plants that he has grown absorbed all the water he provided them. He asked the applicants if the marijuana plants are expected to absorb all the water provided as well. Calvin Shunia confirmed that the intent is that all water and nutrients are absorbed by the plants. Jon Ward asked for clarification on the purpose of the sump pump. He indicated that he noticed that there were dehumidifiers installed and that he expects that they would drain into the sump pump. Calvin Shunia stated that the sump pump drains groundwater to the outside of the structure. Scott Brock stated that there would be very little discharge from water used for the plants and no wastewater would be discharged into the sump pump. He stated that the intent is that the water system is as efficient as possible and the sump pump would be utilized to drain groundwater if the water level rises high enough, in the same way they are used in typical dwellings. He stated that, ideally, the sump pump will never be needed but it is installed as a safeguard. He reiterated that any drainage from the plants would not be discharged into the sump pump.

The Planning Commission briefly discussed the sump pump and water management system. Chairman Erickson asked Zach Michels for his thoughts on the sump pump and proposed water management system. Zach Michels stated that the intent for special land uses is that they are thoroughly reviewed because they have the potential to generate greater negative impacts than principal permitted uses. He stated that if there is a significant discharge of water from a use, such as a powerplant, there is generally a need to extensively review the potential impacts that could be caused by the water discharge. He stated that in the case of this applications, the applicants have indicated that there would be little to no water discharge because any water being utilized would result in losing money because the water is being filtered and fortified with nutrients. He stated that though no water is anticipated to be discharged, there is still a potential for water seepage in the event of power outages and freezing. He stated that the Planning Commission should balance how likely there is to be volumes of water discharge greater than that of a typical residential use. The Planning Commission briefly discussed the potential for excessive water discharge. The general consensus was that the proposal would not likely generate a volume of water discharge greater than that of a typical residential use.

Chairman Erickson asked the Planning Commission if they wanted to discuss the potential requirements for an annual report for the proposed special land use. Jon Ward asked how the state licensing required for the caregiver operation would be verified. Ross Nicholson indicated that the Planning Commission could require proof of current licensing as part of the annual report. Jon Ward asked how long a caregiver license is valid. Calvin Shunia indicated that the licenses are valid for two (2) years. The Planning Commission briefly discussed potential requirements for an annual report.

CJ Callaghan stated that he does not believe the applicants could make enough money to justify the costs associated with the grow facility if they are only allowed to have a maximum of seventy-two (72) plants growing at a time. Jon Ward indicated that the amount of profit the applicants could make is not relevant to the Planning Commission's discussion.

The Planning Commission continued discussion on potential requirements for an annual report. Zach Michels explained that the maximum number of 72 plants can only be grown if the caregiver has the maximum number of qualifying patients, which is six (6). He stated that if the caregiver only has three (3) qualifying patients, the maximum number of plants permitted would be reduced to thirty-six (36). The Planning Commission briefly discussed the state requirements for caregiver operations with Zach Michels and continued discussion on potential requirements for an annual report. Kurt Schulze asked Zach Michels if he felt the Planning Commission should include any additional requirements in the draft list of requirements for an annual report. Zach Michels stated that he feels the draft list is fairly robust and should be sufficient for the time being. He stated that because the Act requires that local units of government permit caregiver operations and prescribe specific standards, it is difficult for local units of government to regulate beyond what the Act specifies. He stated that every municipality in the state of Michigan is required to allow up to 72 plants per permitted caregiver operation. He stated that Tyrone Township is more restrictive than most municipalities regarding caregiver operations because they limit where they can be permitted and require special land use approval. CJ Callaghan stated that the Planning Commission should consult with Rose Township on requirements for caregiver operations because he knows that they are wrong in believing caregiver operations cannot be prohibited. The Planning Commission continued discussing requirements prescribed by the MMMA with Zach Michels. Zach Michels stated that because the Township treats caregiver operations as special land uses, they have a greater ability to place conditions on the use to mitigate potential negative impacts.

The Planning Commission continued discussion on potential conditions to place on the application for a favorable recommendation and whether or not it would be best to recommended conditional approval at the present time or table the application pending fulfillment of the list of conditions.

Scott Brock stated that he feels the Planning Commission should make a motion to conditionally approve the application instead of tabling it until the conditions are fulfilled because they are equipped with all of the necessary information and are charged with making a decision.

Chet Shultz made a motion to table the application pending fulfillment of the items included in the list of conditions (list of conditions included below for reference). Steve Krause supported the motion. Motion carried by unanimous voice vote.

*List of Conditions:*

- 1. Site Plan fence location needs to be changed to show surrounding the barn only*
- 2. Ventilation and Filtration system needs to be documented on the Site Plan*
- 3. Outdoor lighting needs to be documented on the site plan with a maximum of 3000K*
- 4. Employees shall only enter facility and perform work under direct supervision of the Caregiver*
- 5. No residential use is permitted inside the grow facility*
- 6. Property shall be improved and maintained in a residential condition including but not limited to, exposed wood or metal on structures, dead brush or trees, grass, junk vehicles, rubbish, and other waste materials.*
- 7. Disposal process and location of any waste or bi products shall be stored inside the grow facility until removed from the site. This shall be documented on the Site Plan and Use Statement*
- 8. Annual Report Provided yearly upon date of Approval – Caregiver and Patient License Provided to Township / Number of plants harvested and delivered / Number of Qualified Patients / Number of Complaints*
- 9. Building Department and other agency approvals*

**OLD BUSINESS #2: Master Plan:**



Chairman Erickson introduced the topic and stated that it was previously discussed at the previous workshop meeting. Zach Michels indicated that he had been provided with different ideas for survey questions and he is working on preparing a draft survey and probable cost estimate for the Master Plan process which he hopes to have available for review prior to the discussion on the topic at the next workshop meeting. Kurt Schulze stated that Ross Nicholson had also sent out information prepared by the Planning Commission in 2019 regarding potential items to include in the next Master Plan. Zach Michels confirmed that he had received the list and would be incorporating the information into the documents he prepares. Ross Nicholson stated that the notice of intent to plan letter had been sent out to adjacent municipalities and relevant agencies/entities.

The Planning Commission briefly discussed strategy and timing for preparing the Master Plan survey and Master Plan in general with Zach Michels and Ross Nicholson.

Chairman Erickson asked Zach Michels if he needed any additional information from the Planning Commission at the present time that would be pertinent in order for him to complete the draft survey and additional documents. Zach Michels indicated that no additional information is necessary at the present time. Chairman Erickson asked the Planning Commission if they had any questions or comments pertaining to the survey or Master Plan. No additional questions or comments were received.

### **CALL TO THE PUBLIC:**

Chairman Erickson opened the floor to receive public comments.

CJ Callaghan stated that the Master Plan should have been set up a long time ago so that marijuana uses could be designated in specific areas along Old US-23. He stated that there is a plant located near him where there is concrete being hauled in and out but he has no problem with it because it is in an area designated for such uses. He stated that a storage facility is proposed nearby which he doesn't know if it will be approved or not but, if approved. He would have no problem with it as long as it is located along Old US-23. He stated that the Master Plan should prohibit marijuana uses in residential areas. He stated that the Township will face a lawsuit from himself and other residents if they approve the proposed caregiver special land use and it generates odor.

Kim Fracalossi (resident) stated that the Master Plan is very critical. She explained to the public in attendance that the Planning Commission and Township Board are bound by their ordinances, and she feels that the Master Plan update will allow for the residents to have a voice in determining which areas are best suited for certain uses so the ordinances can be amended to reflect the needs and preferences of residents expressed in the Master Plan. She indicated to the Planning Commission that it is difficult to make decisions that they are required to make when residents oppose them so it is important to improve the Master Plan so the ordinances can be made consistent with what the community wants.

Steve Bissell suggested to the Planning Commission that they should request that the applicants requesting the caregiver operation special land use provide a visual flowchart to describe the details of the medical marijuana growing and processing. He stated that he believes a flowchart would help to reduce the potential for confusion about how the operation would operate. He stated that the Livingston County Building Department has to have inspected the proposed caregiver grow facility to ensure it complies with state building code.

Jannette Ropeta stated that she would like the Planning Commission to request that the applicants requesting the caregiver operation special land use provide details on methods for pest control because she knows there are going to be pests. She stated that the application documents indicate that water would drain out of the drain trays. She stated that she grew up on a farm and currently grows garden plants and starts them indoors. She stated that water is not always completely consumed by plants. She stated that she would like to know how they propose to clean sprayers that will be used for pesticides because she believes contaminated water would drain from the structure and impact the environment.

Sara Dollman-Jersey (resident) asked if the Planning Commission, consultants, or staff are keeping a list of ordinances that need to be amended when deficiencies are identified.

Chairman Erickson asked if there were any additional public comments. None were received.

Chairman Erickson closed public comments.

Chairman Erickson stated, in response to the question from Sara Dollman-Jersey, that the Planning Commission keeps an action list to track and prioritize potential ordinance amendments. He asked Ross Nicholson and Zach Michels if they had any comments on the question. Ross Nicholson stated that the Planning Commission action list is the best way to keep track of and prioritize potential ordinance amendments. He stated that Township staff also keeps informal lists of potential ordinance amendments when deficiencies are identified. Zach Michels stated that a common practice amongst municipalities to track potential ordinance amendments is to pay attention to the number of variances requested for specific issues because it helps identify ordinance standards that could potentially be improved. He stated that municipalities also generally hold joint meetings to discuss potential ordinance deficiencies. He stated that the Master Plan is also a valuable tool to use to improve ordinances. He noted that the Master Plan is a policy document so it is not considered to be law like the Zoning Ordinance, but it can be used to model ordinance text after. He indicated that the current Zoning Ordinance is more complex than it needs to be and should be reviewed to simplify certain areas.

The Planning Commission briefly discussed building inspection processes and procedures in relation to the caregiver special land use applications. Zach Michels elaborated on the standards for special land uses and enforcement of violations for the public in attendance.

**MISCELLANEOUS BUSINESS:**

**ADJOURNMENT:**

Kurt Schulze made a motion to adjourn the meeting.

The meeting was adjourned at 9:31 by Chairman Erickson.

# **COMMUNICATION #6**

Planning Commission Approved Meeting Minutes-  
March 8, 2022

**TYRONE TOWNSHIP PLANNING COMMISSION  
APPROVED REGULAR MEETING MINUTES  
March 8, 2022 7:00 PM**

**This meeting was held at the Tyrone Township Hall with remote access via Zoom  
videoconferencing**

**PRESENT:** Kurt Schulze, Jon Ward, Steve Krause, Chet Schultz, and Rich Erickson

**ABSENT:** Bill Wood and Garrett Ladd

**OTHERS PRESENT:** Ross Nicholson and Zach Michels

**CALL TO ORDER:** The meeting was called to order at 7:00 pm by Chairman Erickson

**PLEDGE OF ALLEGIANCE:**

**CALL TO THE PUBLIC:**

Chairman Erickson opened the floor to receive public comments.

No public comments were received.

**APPROVAL OF THE AGENDA:**

Steve Krause made a motion to approve the agenda as presented. Kurt Schulze supported the motion. Motion carried by unanimous voice vote.

**APPROVAL OF MINUTES:**

**1. September 14, 2021 Regular Meeting and Public Hearing Minutes:**

Chairman Erickson brought the draft meeting minutes up on the overhead display screens. Steve Krause made a motion to approve the minutes as presented. Kurt Schulze supported the motion. Motion carried by unanimous voice vote.

**OLD BUSINESS #1: Foster Storage Condominium Special Land Use:**

Chairman Erickson introduced the topic and asked Zach Michels if he had comments to go through based on his review of the application.

Zach Michels read through the review he had prepared based on the application materials provided. He summarized the request. He indicated that the proposal is for a special land use similar to mini-warehousing in the Planned Commercial Industrial (PCI) zoning district. He stated that the proposal includes a condominium aspect which would require condominium documents and an association. He stated that the subject property is located at the southwest corner of Faussett Road and Old US-23 and is

approximately nine and a half acres in area excluding road rights-of-way. He stated that surrounding properties are zoned Farming Residential (FR). He briefly described the topography and soils of the subject property. He stated that the Planning Commission may request a soil map but it may not be of significant benefit because conditions are likely to change with grading of the property. He briefly described the setback and dimensional requirements for the PCI zoning district. He briefly described setback variances that were obtained for the subject property. He explained the setback requirements pertaining to access roads and parking. Ross Nicholson brought up the variance approvals from the Zoning Board of appeals and read the decision letter.

Brendan Foster (applicant) indicated that there was a calculation error on the engineered drawings regarding setback distances from a proposed structure to the right-of-way. He indicated that they are working on correcting the error and will provide updated drawings once resolved.

Zach Michels continued reading through his review of the application. He recommended including a note on the site plan documents pertaining to the variances that were obtained for setbacks. He stated that the proposal is to access the site from a single driveway off Faussett Road with a controlled gate to restrict access. He stated that the fire inspector will likely request that a lock box or “Knox Box” be installed at the gate to allow emergency vehicle access so he would recommend that the applicant requests a review from the fire department having jurisdiction. He indicated that the driveway approach will need to be approved by the Livingston County Road Commission (LCRC). He stated that the proposed driveway and interior access drives appear to be sufficient for emergency vehicle maneuverability but suggested requesting additional data on turning radiuses.

Zach Michels continued reading through his review. He stated that the subject property would be served by municipal sewer and varied electrical supply. He suggested that the applicant provide additional information on electrical lines. He stated that stormwater would be managed on-site via a retention basin which will required review from the Township Engineer and the Livingston County Drain Commissioner’s office (LCDC). He stated that there is not a dumpster shown on the site plan so it is implied that owners of the units would be responsible for removal of waste from the site. He suggested that a statement be provided on the site plan and/or use statement so that waste management/collection is clearly described.

Zach Michels continued reading through his review. He described the proposed landscaping for the property and indicated that it appears to be compliant with the standards for the proposed use. He stated that the site plan does not include an irrigation system. He suggested that an irrigation system may be necessary because the proposed landscaping may require a lot of watering, especially while the plantings are young and because of the loamy soils on the subject property. He stated that the proposed landscaping along Old US-23 may need to be modified because it may not adequately screen the proposed structures due to a significant change in elevation between the structures and the road. He suggested that the Planning Commission should review and determine whether or not additional landscaping for screening is necessary.

Zach Michels briefly described the proposed lighting for the site based on the provided photometric plan. He stated that the proposed lighting appears to be consistent with the requirements for the use but suggested that lighting specifications are provided detailing the lighting angles, intensity, and color temperatures. He stated that it is important to review the site lighting, especially for wall-mounted lighting, because there is a potential for generating increased glare from the walls of the structures. He suggested that the Planning Commission requests clear vision zones on the site plan drawings.

Zach Michels continued reading through his review. He moved on to the use-specific standards for mini-warehouse special land uses. He stated that the proposal complies with the lot area requirement. He stated that there are three options for screening mini-warehouse facilities; masonry walls, chain-link fencing, or landscaping. He stated that the applicant is proposing an aluminum picket fence, which would essentially function as a chain-link fence, as well as landscaping for screening purposes. He stated that the Planning Commission will need to determine if the proposed screening is sufficient for the proposed use. He stated that the Zoning Ordinance does not allow for open bay doors to face towards streets unless adequate screening is provided. He noted that the site plan shows that the easternmost proposed structure does show that bay doors would be facing Old US-23 with screening from the proposed fence and landscaping. He stated that the requirements for exterior appearance can be tricky because the standards in the Zoning Ordinance require that it shall be a finished quality design compatible with the designs of structures on surrounding properties. He stated that the surrounding properties are currently used for residential purposes, agricultural purposes, and undeveloped woodlands. He stated that the nearest commercial building is Suburban Propane, located on the opposite side of Faussett Road. He described the appearance of the structure at Suburban Propane and indicated that it is a much different architectural style than the structures proposed at the subject property. He described the proposed architectural design of the structures proposed on the subject property. He stated that the Zoning Ordinance gives the Planning Commission discretion on whether or not masonry facades and/or alternative design options are necessary for the structures to be considered compatible with nearby development. He stated that the Zoning Ordinance allows for a resident manager on site for mini-warehouse uses but noted that a resident manager is not proposed in this application.

Zach Michels continued through his review. He stated that the driveways proposed would all be intended to allow for two-way traffic. He described the proposed driveway layout and configurations. He noted that the Zoning ordinance requires some delineation between drive lanes and parking areas so he suggested painting the paved surface to identify drive lanes and parking areas. He recommended that fire lanes, if required, be identified on the site plan with signage.

Zach Michels stated that the application includes most of the required information but does not include some items. He stated that the application does not include information on surrounding properties and specific information on proposed site lighting including projected lighting limits that note what areas would be disturbed. He stated that the Planning Commission has the ability to recommend granting waivers for certain requirements that are deemed unnecessary.

Zach Michels moved on to the topic of requirements for site plan review which are described in Section 23.03 of the Zoning Ordinance. He noted the information that was not included in the application and recommended that the Planning Commission require that it be included in the site plan documents excluding any items they waive.

Zach Michels moved on to the topic of condominium requirements. He indicated that the majority of requirements included in the Zoning Ordinance are specific to site condominiums, however, there are a few items that may be applied to the storage condominium proposal including the requirement for condominium documents including a master deed and bylaws. He briefly explained general standards that apply to the proposal including site location, stormwater management, impact on public utilities, impact on traffic, public services, and general safety and welfare.

Zach Michels explained the review process and procedures. He provided the Planning Commissions on how they can proceed with the process.

The Planning Commission discussed the application based on the review provided by Zach Michels. The Planning Commission asked several questions regarding the application documents and made comments directed towards the applicant. Brendan Foster answered questions and made comments. The Planning Commission provided direction to Brendan Foster regarding revisions to the application documents and additional information that will be required. Brendan Foster read back the list of items the Planning Commission requested for confirmation. The items included revisions to the application documents regarding parking and circulation, fire code, storage of hazardous materials, architectural design features, landscaping, stormwater management, sewer capacity and usage, condominium association roles, condominium documents, site lighting, nuisance mitigation, and engineering and agency reviews.

**OLD BUSINESS #2: Sight Lines:**

Chairman Erickson introduced the topic. He stated that the Planning Commission had received several examples of sight line regulations from other municipalities from Zach Michels since the last discussion on the topic. He asked Zach Michels if he would like to make any comments regarding the sample sight line regulations he provided.

Zach Michels stated that the example ordinance text he provided from Webster Township is very complex and may be difficult to interpret. He stated that a simplified explanation for that example is that it attempts to utilize averaging to regulate sight lines. He stated that it uses measurements from the road to the back façade of adjacent properties to establish waterfront setbacks. He stated that the text was designed for very specific circumstances where an established line of houses existed, and it was designed to maintain the pattern of development as closely as possible. He stated that the text accomplishes what it was designed to do in that application. He stated that there are other more simplified versions of the same concept that could potentially accomplish similar goals such as measuring averages linearly from the ordinary high-water mark to adjacent houses.

Zach Michels moved on to explain the example he provided from Dexter Township. He indicated that he had direct involvement in drafting the Dexter Township example using similar methods to regulations he had drafted for a municipality in Indiana. He stated that this example was designed with the intent to regulate sight lines in areas where there were many lots and existing houses including some that were on platted lots dating back to the 1910's, 1920's, and 1930's, prior to when access roads were installed. He stated that the intent of the regulations is based on the view property owners have from the back of their homes towards the lake. He stated that it uses the concept of a traverse line that extends from the farthest points of two surrounding properties. He stated that there are several variations that take into account the existence of vacant adjacent lots as well as shoreline variations such as coves and peninsulas. He stated that this approach utilizes maximum and minimum measurements based on specific lakes and features that impact views. He stated that the Township has taken measurements based on existing development around each lake in order to establish the minimum and maximum for specific areas. He stated that Tyrone Township could potentially use a similar approach or set more broad standards that apply to all lakes in the Township.

Zach Michels further elaborated on the specific methods for sight line measurements used in the Dexter Township example. He stated that the methods used in each example will require property surveys to determine exact measurements for subject and adjacent properties.

Chairman Erickson asked Zach Michels, based on his experience, what types of issues have arisen regarding sight line regulations, if any. Zach Michels indicated that he has experienced issues with the regulations in areas where there were long, narrow lots with many houses being set back significant

distances from lakes. He stated that where there were minimum setbacks of fifty (50) feet to the water, situations arose where property owners wanted to build new homes as close to the water as possible which led to reduction of waterfront views from existing houses. He stated that in situations where there is no existing lakefront development minimum setbacks generally work fine without sight line regulations but, in areas where there is an existing pattern of development, there are generally challenges associated with preserving views from existing homes.

Chairman Erickson briefly described the current Tyrone Township sight line regulations and noted that there had been recent examples of challenges associated with them. He asked Ross Nicholson to elaborate on the issues that he has come across with lakefront residential development under the current regulations. Ross Nicholson indicated that there is a lot of potential for disagreements in evaluating sight lines under the current standards because they lack specific formulas or other methods for evaluating views. He stated that the local issue is that the Zoning Ordinance does not specify how the Planning Commission should evaluate sight lines in cases where shoreline variations exist such as coves and peninsulas. He stated that the intent to regulate sight lines exists in the Zoning Ordinance, but it does not provide mechanisms to evaluate them adequately and equally in all scenarios. Chairman Erickson asked if there were any recommendations or input from Livingston County on how to regulate sight lines. Ross Nicholson stated that sight lines are not regulated at the county level, but he had researched how various local municipalities in Livingston County regulate or do not regulate sight lines. He stated that one of the communities in Livingston County with a significant number of lakes is Hamburg Township, which does not have any regulations specific to sight lines. He stated that Hamburg Township simply defaults to minimum setbacks for residential lakefront development. He stated that he had researched most of the local municipalities in the area to find out how waterfront views are regulated and found that very few examples of sight line regulations exist. He stated that most local municipalities use minimum setback requirements for residential lakefront development.

Zach Michels stated that there are many different potential options for regulating residential lakefront development with the intent of preserving lake views. He stated that the Township could just default to the minimum waterfront setback but specify different minimums for specific lakes and areas based on existing patterns of development. Ross Nicholson asked Zach Michels if the Township decides to regulate sight lines with specific minimum setback for specific areas if he would suggest creating overlay districts or incorporating the minimum setbacks for specific areas directly into the Zoning Ordinance text. Zach Michels indicated that there are several different ways to accomplish it but either method could be utilized. He suggested that writing specific setbacks into the text may be the simplest method if the Township chooses to go that route.

The Planning Commission briefly discussed examples of lakefront development patterns that exist around lakes in the Township. They discussed the example regulations Zach Michels had provided. They discussed the potential to use illustrations for clarifying whatever methods of sight line regulations they decide to utilize. They discussed variables that should be considered when evaluating lake views including topography, shoreline variations, distance, development patterns, and vegetation. They discussed potential challenges with regulating sight lines on lakes that lie partially within the Township boundaries with portions extending into other municipalities. They discussed private lake associations with architectural control which could potentially evaluate sight lines. They weighed pros and cons of regulating sight lines with calculation methods/mechanisms verses setback requirements, whether universal or specific to individual lakes/areas.



Chairman Erickson asked Ross Nicholson how difficult it would be for Township staff to compile data on specific lakes based on existing development patterns to aid in future discussion on the topic. Ross Nicholson indicated that they could compile the requested data.

The Planning Commission and Zach Michels continued discussion on potential methods/mechanisms for evaluating sight lines. Ross Nicholson requested clarification on what type of data the Planning Commission would like staff to compile. The Planning Commission briefly discussed and provided direction.

Discussion on the topic concluded.

Chairman Erickson asked if there were any additional items on the agenda to be discussed. Chet Schultz asked if there were any options for placing moratorium on new caregiver operation special land use applications until the Planning Commission reviews and potentially makes amendments to the standards. The Planning Commission briefly discussed amongst themselves and with Zach Michels. The Planning Commission asked Ross Nicholson to seek a legal opinion on the topic from the Township Attorney.

### **CALL TO THE PUBLIC:**

Chairman Erickson opened the floor to receive public comments.

CJ Callaghan (resident) stated that he would like to make comments regarding the Foster Storage Condominium special land use application. He stated that he drives by the subject property every day and noticed that real estate signs come and go so he is uncertain if the applicant is the same person that originally purchased the property or not. He stated that he does not understand how condominiums work so he asked if the Planning Commission could provide a summary of how the condominium aspect of the request would function. Zach Michels explained that the proposal is similar to mini warehousing except that each individual unit would be privately owned. CJ Callaghan stated that he understood that aspect but wanted to know why it was called a condominium. Zach Michels explained that the method of ownership proposed is that of a condominium which is regulated by the Michigan Condominium Act. CJ Callaghan asked what the zoning of the subject property is. Ross Nicholson stated that the property is zoned PCI (Planned Commercial Industrial). CJ Callaghan asked if the area is supposed to be zoned PCI. Ross Nicholson indicated that the PCI zoning is consistent with the Future Land Use Map and was rezoned to PCI in 2018. CJ Callaghan asked why the proposed entrance is located along Faussett Road as opposed to Old US-23. Ross Nicholson indicated that the Livingston County Road Commission (LCRC) determined that the driveway approach should be located along Faussett Road. CJ Callaghan stated that he doesn't want the proposed facility to lead to major traffic congestion such as at the Clyde Road and Old US-23 intersection. Ross Nicholson stated that the Township Engineer and LCRC would both need to review the proposed approach based on the proposed use to determine whether or not it will be appropriate at the current proposed location. CJ Callaghan stated that he had another question regarding site topography. He noted that the property has a significant change in elevation (drop) from the area where buildings are proposed to the road frontages. He asked why the applicant would not try to apply for the use on a different property with less elevation variations. Ross Nicholson stated that he did not have an answer but assumed it was because the property was available and zoned appropriately. CJ Callaghan stated that the applicant indicated there were no wetlands on the subject property. He stated that Old Ore Creek runs through the area. CJ Callaghan asked about the status of an application for a caregiver special land use. Ross Nicholson indicated that the applicant had contacted the Township by phone to indicate they would like to withdraw their application. He stated that he had asked that they provide a request to withdraw in writing to officially withdraw the application. He stated that the written

request had not yet been received so the application is technically still open. CJ Callaghan asked if the application is withdrawn if they could operate a grow facility on any level. Ross Nicholson indicated that if the application is withdrawn the applicants would need to reapply if they wanted to pursue a grow operation beyond the twelve (12) plants that all property owners are permitted to grow for personal use under Michigan law. CJ Callaghan stated that the applicants invested over one hundred thousand (100,000) dollars into the barn which he had helped build and does not understand what else they would do with the structure besides grow marijuana.

**MISCELLANEOUS BUSINESS:**

The next workshop meeting was scheduled for March 16<sup>th</sup>, beginning at 6:00 pm.

CJ Callaghan stated that he would like to volunteer to help with discussion on caregiver regulations. He stated that he would be willing to offer any assistance they would like free of charge.

**ADJOURNMENT:**

Kurt Schulze made a motion to adjourn the meeting.

The meeting was adjourned at 9:00 pm by Chairman Erickson.

# **COMMUNICATION #7**

Planning Commission Approved Meeting Minutes-  
April 12, 2022

**TYRONE TOWNSHIP PLANNING COMMISSION  
APPROVED REGULAR MEETING MINUTES  
April 12, 2022 7:00 p.m.**

**PRESENT:** Rich Erickson, Kurt Schulze, Steve Krause, Garrett Ladd, and Jon Ward

**ABSENT:** Chet Schultz

**OTHERS PRESENT:** Ross Nicholson and Zach Michels

**CALL TO ORDER:** The meeting was called to order at 7:00 by Chairman Erickson.

**PLEDGE OF ALLEGIANCE:**

**CALL TO THE PUBLIC:**

Scott Dietrich spoke via Zoom. He said he supports the Vale Royal wedding venue. He said he was concerned about REUs and how much discharge there will be. He wanted to know how it would be billed. Nicholson explained that his understanding was that residential accounts pay a set quarterly rate, and commercial businesses are based on meter readings.

**APPROVAL OF THE AGENDA:**

Vice-Chairman Kurt Schulze moved to approve the agenda as presented. Steve Krause supported the motion. Motion carried by unanimous voice vote.

**APPROVAL OF THE MINUTES:**

- 1) **10/12/2021 Regular Meeting Minutes & Public Hearing Minutes:** Approved as presented.
- 2) **11/17/2021 Regular Meeting Minutes:** Approved as presented.
- 3) **11/30/2021 Special Meeting Minutes:** Approved as presented.

**OLD BUSINESS:**

- 1) **Vale Royal Special Land Use & Site Plan Amendment:**

Chairman Erickson explained that this had been previously recommended for approval by the Planning Commission and it has not been sent to the Township Board for final approval yet. The applicant has added some things to the site plan. He asked the applicant

to summarize the changes. The applicant explained that they would like to be able to allow someone to spend the night, just one evening, in the cabin. She said that Nicholson had told her she may need to ask for a variance to build the cabin closer than the required 50-feet from the river. If she pushes it back 50-feet, it will be very close to where her barn already exists. She wanted some input from the Planning Commission. Nicholson stated that that aspect would be solely up to the Zoning Board of Appeals; the Planning Commission can discuss the use aspect of it, but not the setback itself. The applicant explained that the use would be an area for the groomsmen to get ready. The grain building is for storage & currently is where the caterers are getting ready and prepping. They tend to leave a lot of bins and things outside where it's kind of close to one of the cocktail areas, so she wants to have an area where they can store items. The third thing is the patio; they want to add a deck with a linking porch for caterers to have a flat, dry surface to work on when it rains.

Chairman Erickson asked if the 30 x 30 deck was existing; the applicant stated it was not. He asked if this deck and porch changed the occupancy or scope of use that they're planning. She said it did not. He said he felt that having overnight capabilities changes the scope of the special land use and from the Planning Commission's perspective his opinion was that they should have their planner review it and provide feedback. The applicant stated that the current special land use approvals allow for limited use of the Inn for guests to stay overnight. Chairman Erickson asked if this was limited to the wedding party. The applicant stated it was. Chairman Erickson stated they would need a revised statement of use. Nicholson said adding another enclosed structure complicates things a bit. He said the grain bin just for storage should be fine, it's just a shed, basically. The cabin does not meet the setback and they will need more details such as whether it will have facilities, etc. He said that as far as the existing recommendation for approval the cabin itself may require a little bit of additional review and possibly a public hearing just based on our ordinance standards. He said the other two aspects could potentially be considered under a modified recommendation because it really isn't changing too much; they should be noted in the use statement. Chairman Erickson agreed.

Schulze asked for Zach Michels' opinion. Michels said it's difficult to opine what is a minor or major amendment since it hasn't all been approved yet. He said that the new items could be added since it hasn't been to the Township Board. He said he'd recommend a new public hearing with a revised statement of use. The ZBA would need to weigh in on the variance. The site plan does need to be prepared and stamped by a registered professional surveyor, engineer, or architect. The applicant then asked if she should just take the cabin off and do it another time because an engineered drawing is going to cost her more money. Nicholson stated that the application is currently open, so if the Planning Commission wanted to move it forward, they potentially could. The cabin aspect seems to be the biggest issue; he says the Planning Commission could modify or

do conditional recommendation if they felt it was not a major change for the storage and the deck. He said they were minor and would comply with all the other ordinance standards. He said he believed they could withdraw their previous recommendation and make a new recommendation with conditions, one of which would be to remove the cabin. It may also be necessary to amend the use statement to clarify what the buildings will be used for (storage and work staff preparation).

Chairman Erickson agreed that they'd want a new use statement that will clearly explain the buildings and their functions.

The applicant asked if there were any ordinances regarding Air BNBs. Nicholson said that we don't have a short-term rental ordinance written specifically. Ward asked if that meant that it was not allowed or not denied. Michels said that the scheduled use table lists the things that are permitted. Anything not on there is not permitted. Having a bed and breakfast on this property would be a bit tricky because it must be in the same building. As part of a principal building, it would be easier but with a detached structure, there is no current path to do this. There is a potential to change our ordinances to allow for bed and breakfasts in small cabins on the property.

The applicant said she thought there was a business in the Township that has cabins available for rental. Nicholson said there was a youth camp at a church. He believed it to be an existing non-conforming that predates the standards.

Krause asked if the cabin were not to be rented out overnight, would it make it easier to get it through this application. Nicholson said it does not meet the setbacks and the applicant should seek the variance prior to the Planning Commission making a recommendation.

The applicant asked if she were to move the cabin into a tree as a treehouse, would the setbacks still apply. Michels stated that they would.

Nicholson stated that the modified recommendation would be to remove the cabin from the site plan and amend the use statement and make note of the uses allowed in the grain bin and the deck. Krause asked if they could just amend the recommendation. They pulled up the original recommendation. The original recommendation from the August 18, 2021, meeting was to recommend conditional approval of the site plan and special land use amendment with conditions that the site plan has the dumpster locations and has a stamp. The site plan must have the same notes consistent with the use statement.

Krause moved to make a recommendation of approval conditional upon the removal of the cabin from the sight plan and making note of the deck and grain bin including the

uses of such on the use statement. Ward seconded. The motion carried by unanimous vote.

**2) Foster Storage Condominium Special Land Use:**

Chairman Erickson said that in previous meetings they had requested that the Township engineer provide feedback and a report which was just received this week just before tonight's meeting. They will defer this item until they have time to review that report and to give the applicant time to provide all the items they requested at the last meeting. Nicholson stated that it was the applicant who asked that it be deferred.

**3) Runyan Lake Heights Private Road Improvements:**

Chairman Erickson asked Nicholson to summarize this item. Nicholson explained that our ordinance has a provision in it for existing non-conforming roads that allows for modification of the standards. This is an existing non-conforming road. He said we allow for standard maintenance and upkeep. It is allowed to exist as is with maintenance as needed, but maintenance does not include paving. The Planning Commission does have the option to allow a modification. He referred to Article 24.04.D, repair and maintenance. D.2 indicates that replacement of a private road or paving of a previously unconfirmed, non-conforming road shall require bringing the private road into compliance with the ordinance.

Chairman Erickson asked the applicant, Brian Helm, to give a summary. Mr. Helm said that he had been elected to be the rouge chairman or commissioner of his neighborhood. He said he's lived there a little over five years, and the roads are in rough shape. He said they've brought in 15 tons of stone to build it up and level it out and they are still having severe ice problems in the winter. There is a hill and a pretty big slope, and no delivery trucks will go into the neighborhood because they can't get back out. He said they've constantly sanded it and they still can't get up and down. They've had to pull people out and it's become a big concern of the road itself and the ice, it's just a sheet of ice getting in and out of the road. The community voted, checked into paving, and got all the information on how to build it. They want it safe, and everyone voted yes. They secured their own funds to do the project so they're not asking for any outside funds.

Chairman Erickson put up the description on the big screen. Richard George with Quality Paving explained that they did a core sample, and it came back positive. He said there is a very negative pitch coming from Carmer Road; it's straight down so there is nothing they can do as far as pitching it away from there, but they can do a two-percent crown. They anticipate the roadway will be about 18-20 feet wide, but they will prep about 22-foot wide to leave a little spillway for it to flow. Halfway down Carmer Road, there is a bridge which is the lowest point of the entire private community. That is where everything flows and there is a creek there, so that's where they're going to channel most

of it. They are going to do a two percent crown to keep it off the centers. The asphalt is going to provide more traction than gravel or dirt. They have an awesome base there that needs to be touched up and some regraded and recut. They have to add a little bit more base but he is confident that four inches of asphalt and two lifts would be a great benefit to Brian and his community.

Schulze asked Nicholson what the current standard was for the depth of asphalt. Ward said he looked for the information and couldn't find it. He thinks that it refers to Livingston County, and Livingston County doesn't have standards for private roads. Richard George said that nine times out of ten it's four inches at two-inch lifts.

Ward asked how many houses were on this dead-end road. Richard George stated he believed there are seven houses. It does provide access to the whole neighborhood, which he believes is 69 homes. There is always a big dust problem in the summer even with the chloride treatments. Chairman Erickson asked if it would be possible to get a sketch showing the edges and dimensions.

The Commissioners continued to discuss the topic. They discussed runoff, grading, and maintenance. They agreed that they were in support of the road being repaired. The Planning Commission said they need to know who will be maintaining the road. They also said they'd recommend it be approved by the Township Engineer.

The applicant stated they'd like to get this approved as soon as possible and the asphalt dries faster when it's cooler. The Planning Commission listed the things he needed to provide such as precisely how wide the road would be and how thick the pavement will be. No action was taken.

## **New Business:**

### **1) Gasior Zoning Map Amendment:**

Michels summarized the review he prepared, which can be found in its entirety on the Tyrone Township website. Chairman Erickson asked Mr. Gasior if he would like to explain his application. Mr. Gasior wanted to clarify that rather than it being a 40% increase in the number of lots, it will be a 15% reduction in the lot size. The average lot size is going to be 2.53 acres. It's going from 5 to 7 lots. He said he'd like to build homes on the properties. He said that 2.53 acre lots aren't much different than three acres, in his opinion. He said trying to put seven homes in there makes more economic sense than trying to do five. He is being transparent in what he wants to do.

Nicholson explained to the Planning Commission that they can determine at this time if the application is adequate enough to schedule the public hearing. Krause said he'd recommend it for the next meeting; it seems to be pretty cut & dry. No comments have been received from the public yet since there has been no public hearing notification. Schulze asked Mr. Gasior if he was planning to put in site condos, he said he would be platting the lots as subdivision. He said there would be three land divisions and then four platted lots. Michels said that plats are rare; Gasior said everything's on a public road,



so it makes no sense to do a site condo. He's done them both ways and he prefers the plats, especially in a situation like this where you're on a public road and there is no private road. He likes them because everybody owns their own parcel, they're on a public road, they're not tied to their neighbors, their mortgage isn't tied in with a master deed, etc.

The Planning Commission continued the discussion on the rezoning. Ward said that he felt like the minimum 1.75 acres fits well in a rural community. There was more discussion about the future land use map.

Nicholson explained that the next step would be the public hearing for the rezoning. After the public hearing, the Planning Commission could potentially make a recommendation. It would then be forwarded to the Livingston County Planning Commission for review. With the outcome of the Tyrone Township Planning Commission and the Livingston County Planning Commission, it is then forwarded to the Township Board for a final decision. Assuming it is approved, the applicant would then be able to apply for a land division.

#### **CALL TO THE PUBLIC:**

Janice Stevenson of Sleepy Shores Path said that her concern is about the asphalt from Carmer down to the bridge and where the runoff is going to be going. She asked if it would be going into the creek and then putting more silt into Runyan Lake. She is concerned because it goes through her sister's property, and she already has flooding issues when it rains. When she built her house, she had to put in a retaining wall so her house wouldn't fall into the creek. Chairman Erickson explained that that was why they asked the applicants to provide a better plan to the township engineer. Ward said he understood that would be a concern, but if they fix the road properly, there should be less sediment going down there.

Scott Dietrich of White Lake Road spoke via Zoom. He was sharing his concerns about Durocher and his special land use. Nicholson explained that if he had any specific environmental concerns, he should contact the responsible agencies. They are investigating site plan-related issues. As far as environmental spills or hazardous contamination, no evidence has been provided. All we have is speculation. There is no reason to believe that anything does exist, but Mr. Dietrich is more than welcome to file complaints with additional agencies he has concerns. Mr. Dietrich asked if the Township officials care about what Durocher is doing; Nicholson said if there was any official report, then absolutely they would care. Currently, it's just speculation. Mr. Dietrich told Nicholson it was his job to be sure things are done properly. Nicholson agreed that it was his job to ensure they are compliant with the site plan and the approvals and the terms of the special land use. Michels said that when it comes to complex enforcement, there are different hands involved. The Township cares but they don't regulatory care, and by that,

he meant if someone is doing something that requires an EGLE permit, that's EGLE's enforcement. The Township can't enforce. There are things that the Township would be concerned about, but they don't have the ability to do enforcement against them. Mr. Dietrich then about a property down the road from the Township Hall with all the cars and trucks. Nicholson said that we had just recently received a complaint and enforcement has been initiated.

**MISCELLANEOUS BUSINESS:**

The next Workshop meeting is scheduled for 4/20/2022.

**ADJOURNMENT:** The meeting was adjourned at 8:49 pm by Chairman Erickson.

# **NEW BUSINESS #1**

Public Township Meetings Conduct Policy

**RESOLUTION #2205xx**  
**TYRONE TOWNSHIP, LIVINGSTON COUNTY**

**CODE OF CONDUCT FOR PUBLIC TOWNSHIP MEETINGS**

This Code of Conduct applies to all persons attending public meetings of any Tyrone Township board or commission. This policy is intended to promote open meetings without disruptions and the performance of any board or commission's functions without obstruction, impairment, or hindrance, providing a welcoming debate of issues considered in an atmosphere of fairness, courtesy and respect for differing points of view.

**1. Public Meeting Decorum**

- a. Persons in the audience will refrain from behavior which disrupts a public meeting. This will include making loud noises, clapping, shouting, booing, hissing, interrupting board or commission members or other members of the public, or engaging in any other activity that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b. Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact or verbal abuse.
- c. Persons in the audience will silence and refrain from using mobile phones and/or pagers while the meeting is in session.
- d. Persons in the audience shall not use threatening, inappropriate, or abusive language toward members of any board or commission or other persons in attendance, or engage in any other conduct that disturbs, disrupts, or impedes the orderly conduct of the meeting.

**2. Addressing the Board or Commission**

- a. Persons wishing to address a board or commission on any item may do so by raising their hand when the Supervisor or Chairperson asks for public comments and waiting to be recognized.
- b. Each speaker should provide his or her name and address at the beginning of his or her remarks for the formal record. If a speaker represents an association or group, he or she should identify the entity he or she represents.
- c. Groups of attendees are encouraged to designate a single member to speak on behalf of the group.

- d. Each speaker will be given three (3) minutes to speak, subject to extension at the discretion of the Supervisor or Chairperson.
- e. Speakers' comments shall be directed to the board or commission, not to the audience.
- g. If an individual wishes to submit written comments or handouts, he or she may submit it to the Supervisor or Chairperson, and the comments will be distributed to the board or commission members.

**3. Recording and Telecasting of Meetings**

- a. Attendees who desire to record or telecast any public township meeting is permitted to do so as long as recording is done from the designated south-east back corner of the meeting room, so as not to impede the flow of traffic, block exits or the view of attendees.
- b. No cables, microphones, cameras, tripods, cell phones being used to record, or other equipment will be allowed outside of the designated area.
- c. All recording and telecasting devices in the meeting room shall be under the control of a person who is physically present by the device at all time.
- d. There shall be no recording or telecasting at meeting locations before the meeting is called to order, during meeting recesses, or after the meeting is adjourned.

**RESOLVED BY:**  
**SUPPORTED BY:**

**VOTE:**

**ADOPTION DATE:**

### **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 \_\_\_\_\_, 2022, 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.

---

Pam Moughler  
Township Clerk

# **NEW BUSINESS #2**

Runyan Lake Heights private road paving request

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

**Subject: Agenda Request, Runyan Lake Heights Private Road Paving Request**

Dear Township Board Members:

At our Planning Commission meeting held 5/10/2022 the Planning Commission supported a favorable recommendation of the Runyan Lake Heights Private Road Paving Request

**Motion:**

Kurt Schulze made a motion to recommend Township Board approval of the proposal from the Runyan Lake Heights Association for modified standards to pave a portion of an existing nonconforming private road (Merrill Drive) based on the drawings provided with the conditions that the two trees noted in the Spicer Group Assessment letter dated 05/09/2022 and that it is acknowledged that the Township will not be held liable for any drainage issues, damages, or other issues resulting from the road improvements (hold harmless clause). Steve Krause supported the Motion. Votes in favor: Schulze, Krause, Ward, Wood, Schultz. Votes opposed: Erickson. Motion carried.

Regards,

*Rich Erickson*

Chairman -Tyrone Township Planning Commission



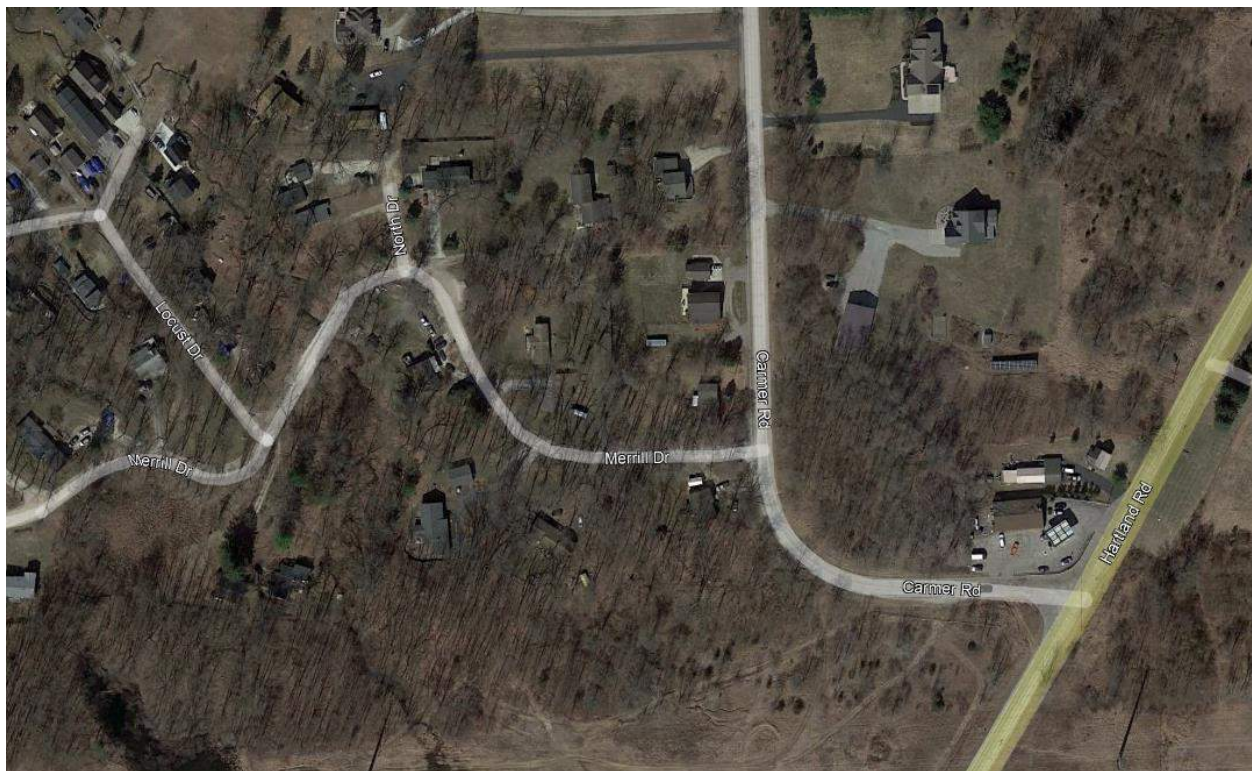
May 9, 2022

Ross Nicholson, Director of Planning and Zoning  
Tyrone Township  
8420 Runyan Lake Rd.  
Fenton, MI 48430

RE: Private Road Paving Assessment  
Merrill Drive

Dear Mr. Nicholson,

Per your request, we have reviewed the condition of the approximately 745-foot portion of Merrill Drive from Carmer Road west to the bridge. A site visit was conducted on May 4<sup>th</sup>, 2022 to assess the road condition and make recommendations on the viability of paving this previously unpaved nonconforming private road.



**Figure 1 - Proposed Paving Location**

The road is currently a gravel roadway with widths varying between 18 feet and 40 feet with little to no shoulder provided for most of the segment. The Township ordinance requires private roads to meet the Livingston County Road Commission standards, which would require a width of 30 feet. Section VII, Design Requirements, Typical Cross Section Item c. of the LCRC Specifications for Plat Development states:

The minimum residential roadway surface width shall not be less than thirty feet. This dimension will be measured from either, shoulder hinge point to shoulder hinge point, or from face of curb to face of curb. Open ditch section roadways will have a minimum of twenty - two feet of pavement width and a gravel or paved shoulder width of four feet on either side of the pavement. Commercial subdivisions will require additional width cross sections, multiple lanes, turn lanes, etc as determined by the Livingston County Road Commission Department of Traffic and Safety based on the size, location, anticipated traffic volumes, or intended use of a specific subdivision. As a minimum, commercial subdivisions will be required to have twenty four feet of pavement with a four foot shoulder either side.

Based on LCRC requirements, the minimum section for the proposed Merrill Drive paving should be 22 feet of pavement with either a gravel or paved shoulder on either side of the road, 4 feet in width. The section being proposed for Merrill is generally 18 feet of pavement with a 40-foot widening near the gang mailboxes at the west end of the project. There is no mention of aggregate or paved shoulders in the proposal.



**Figure 2 – Existing Roadway – Merrill Drive at Carmer Road**

The Township ordinance does allow the Planning Commission and Township board to consider approval of a modified standard for a nonconforming private road where it can be demonstrated that the modified standard meets safety and sound engineering requirements. The modification shall be based on a practical difficulty associated with the request, such as natural features and topography. In the case of the proposed Merrill road paving, requiring the typical LCRC cross section will require significant grading and tree removal that will dramatically alter the natural setting of the area and will likely make paving cost prohibitive for the residents. Therefore, we recommend the Township consider a modified standard for Merrill Road. Please note this only applies to the project area being presented; future paving should be considered on its own merits.

We recommend a road cross section with 18 feet of pavement and either a 1-foot gravel shoulder or a 2-foot grass shoulder each side of the road. A 20- or 22-foot section will allow sufficient space for one emergency to pass another emergency or other vehicle which is parked along the edge of the road. We also recommend that all trees and landscaping elements should be relocated or removed if they are within 2 feet of the proposed edge of shoulder. Again, this is to ensure adequate clearance for emergency vehicles and services.



**Figure 3 – ROW Obstructions**

The unique topography of this location makes drainage a concern. There are significantly steep slopes, particularly at the east end of the site. As drainage moves from northeast to the southwest and ultimately to the creek it appears to cross the roadway in several locations. Extensive rilling in the existing gravel roadway is evidence that effective drainage is not being achieved. There is a significant potential that, if paved, the edges will prematurely erode and break. We suggest that the roadway be sloped from northeast to southwest instead of the proposed 2 percent crown. We also recommend that curb and gutter be installed along the south edge of the pavement to direct the drainage to the rip-rap outlet. While this will add cost to the project, controlling the drainage is essential to the long-term stability of the pavement. Swales can also be used, but check dams will be needed to control the velocity of the runoff.



**Figure 4 – Rilling of Existing Gravel Roadway**

May 9, 2022

Page 4 of 4

The proposed cross section of 4-inches of MDOT 1100T HMA and 6-8 inches of MDOT 21AA aggregate base course is sufficient for this road.

Per the Township ordinance, if the road does not have a maintenance agreement, one should be prepared and executed. No official road right-of-way (ROW) is indicated in the application and it is unclear if any official ROW or ingress/egress easement exists. If not, it would be beneficial to establish that at this time. The minimum ROW to meet the LCRC requirements is 66 feet, however that is not practical in this case. The ROW or easement should be wide enough to encompass the paving, shoulders and road drainage elements.

We would make the following recommendations for acceptance of the proposed plan by the Planning Commission:

- The road cross section should be 18 feet of HMA with either a 1-foot gravel or 2-foot grass shoulder along either side.
- Remove all obstructions within 2 feet of the edge of the shoulder, including trees
- Slope the paved roadway towards the creek to promote effective drainage and add curb and gutter along the southern edge of the road.
- A maintenance agreement should be prepared and executed if it does not already exist.

If you have any questions or require anything further, please feel free to contact me.

Sincerely,



**Adam C. Jacqmain**  
Design Engineer  
Phone: (989) 598-6196  
mailto: [adamj@spicergroup.com](mailto:adamj@spicergroup.com)



**Philip A. Westmoreland, P.E.**  
Principal  
Phone: (517) 375-9449  
mailto: [philaw@spicergroup.co](mailto:philaw@spicergroup.co)

**SPICER GROUP, INC**  
125 Helle Blvd, Suite 2  
Dundee, MI 48131



Asphalt Curb. Approx. 6"  
higher than existing new  
Pavement.



EXPERT WORK SINCE 1980

294 Ivy Dr  
Belleville, MI, 48111

(313) 209-7217

info@qualitypavingmichigan.com

QualityPavingMichigan.Com

Facebook.Com/QualityPavingMI

## Estimate

# Quality Paving LLC

For: Brian Helm  
brianhelmhomes@aol.com  
10526 Merrill Dr  
Fenton, MI, 48430

Estimate No: 9969  
Date: 09/11/2021

Description	Quantity	Rate	Amount
<b>BASE AND PAVE- PHASE 1</b> (Carmer - Bridge) Asphalt paving driveway approx. 15,500 sq ft.  1.) re cut, re grade, current product to be excavated, pitched, leveled, and prepared. 2.) adding stone if needed to meet standard base level to be graded, pitched, and compacted. 6-8" 21AA needed for proper base. 3.) install 4" of 1100T commercial (M-DOT topping) w/ machine at approx. 225 degrees F. in 2 lifts (2 layers). 4.) steam roll for compaction. cross roll compaction @ 95% max compaction.	1	\$58,400.00	\$58,400.00
		Subtotal	\$58,400.00
		Total	\$58,400.00

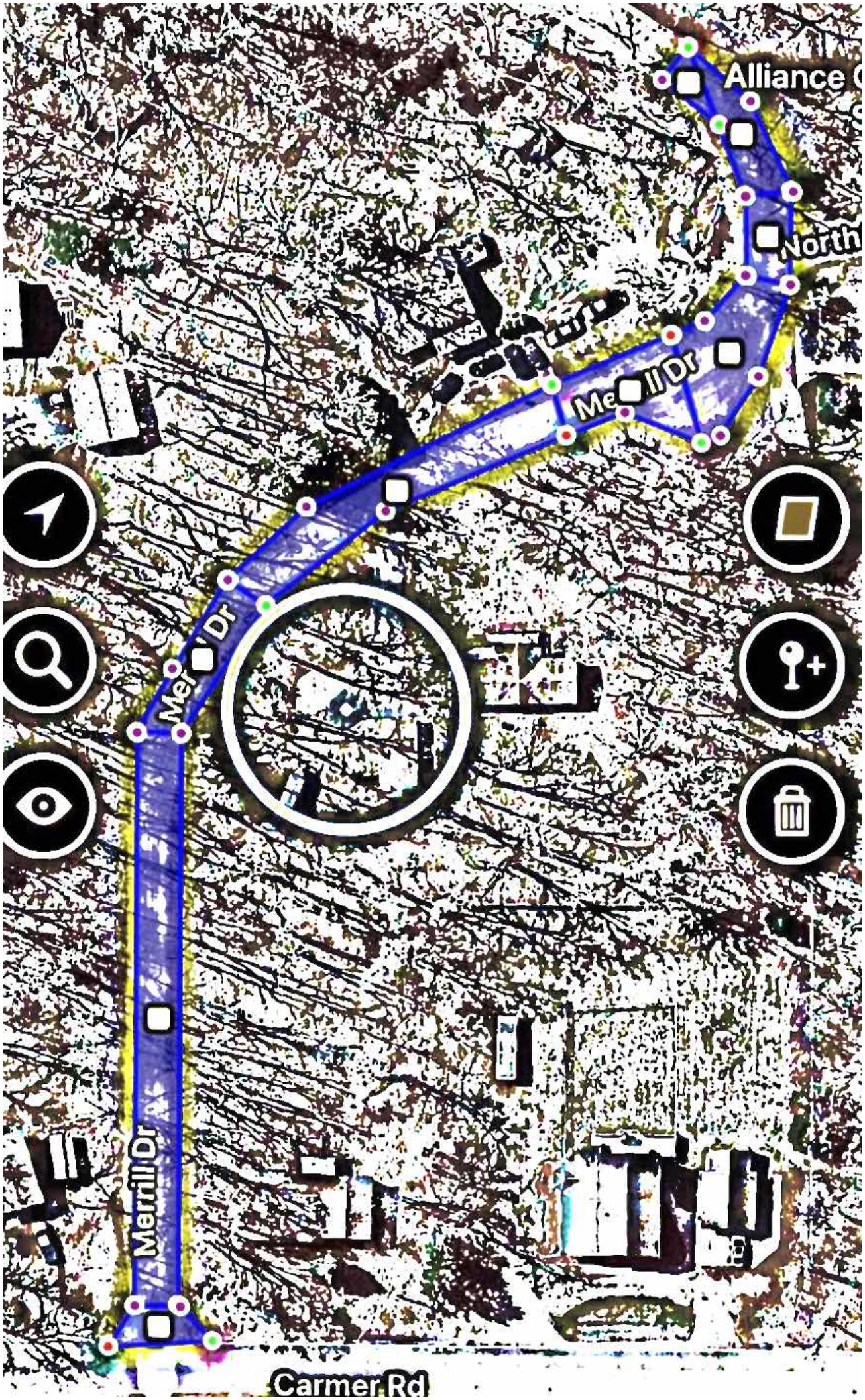
**Total \$58,400.00**

### Comments

313.960.5210.  
QualityPaving46@Gmail.Com  
Richard, direct line and email.

### Terms and Conditions

- \* all work is guaranteed for 1 year(s). If project is maintained by us, extended warranty may apply.
  - \* not responsible for 100% water control.
  - \* not responsible for 100% weed control.
- 50% down payment is required,  
leaving 50% due on completion.



Alliance C

North

Merrill Dr

Merrill Dr

Carmer Rd



Asphalt will be installed on a 2% crown

On each side of the new pavement will be approx. 6" of exposed 21AA to help catch some drainage

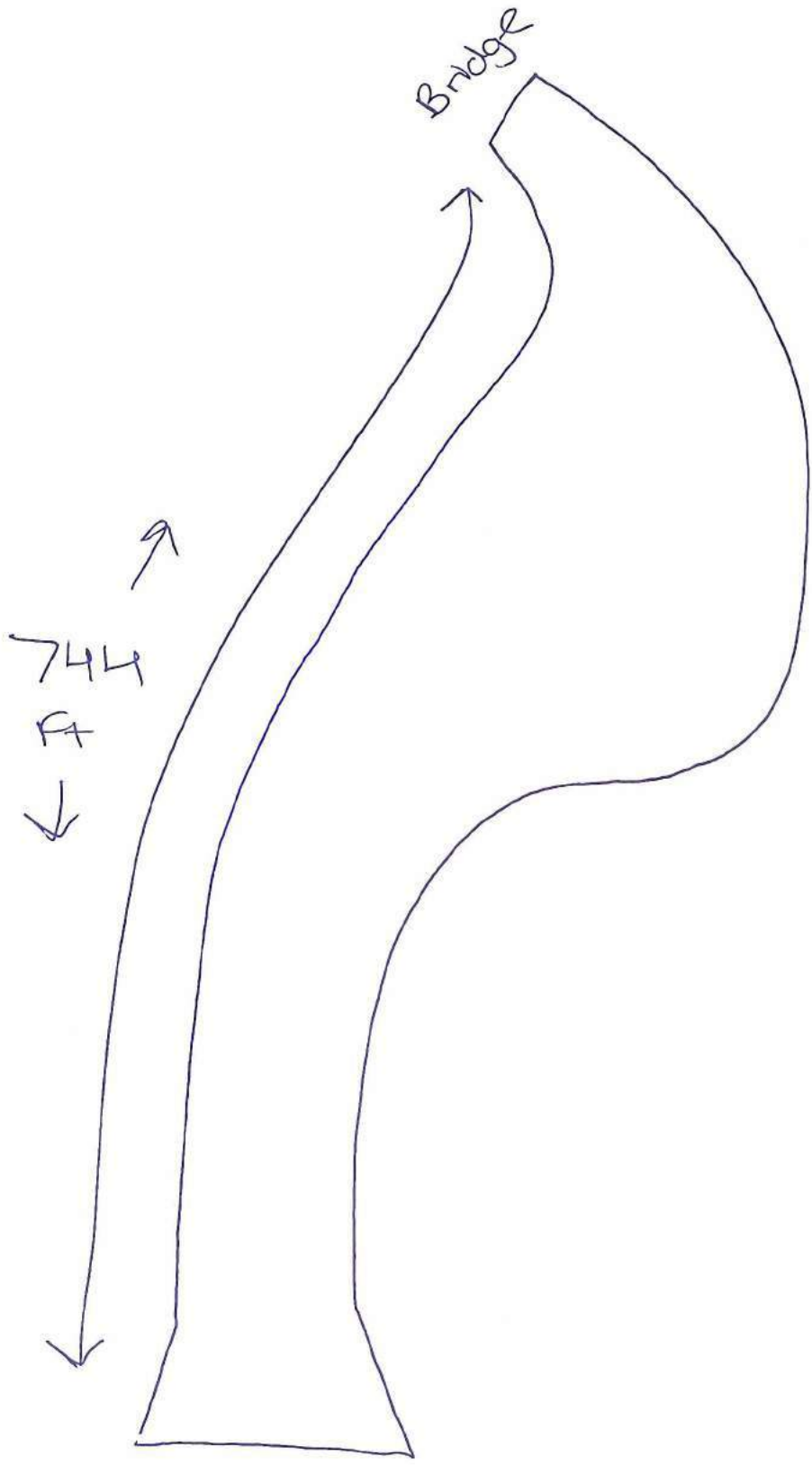


2"	1100T Asphalt
2 1/2"	1100L Asphalt
8"	21AA
6"	1x3
6"	1x5
	sub base

Corner

313 960 5210  
Richard George





← Opening up to  
to  
Approx.  
36 foot.

# **NEW BUSINESS #3**

Runyan Lake fireworks permit application


# 2022 Application for Fireworks Other Than Consumer or Low Impact

FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY

DATE PERMIT(S) EXPIRE:

Authority: 2011 PA 256

The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc. under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.

TYPE OF PERMIT(S) (Select all applicable boxes)		<input type="checkbox"/> Agricultural or Wildlife Fireworks		<input type="checkbox"/> Articles Pyrotechnic		<input checked="" type="checkbox"/> Display Fireworks	
<input checked="" type="checkbox"/> Public Display		<input type="checkbox"/> Private Display					
<input type="checkbox"/> Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes							
NAME OF APPLICANT Runyan Lake Inc.		ADDRESS OF APPLICANT 10169 Carmer, Fenton, MI 48430		AGE OF APPLICANT 18 YEARS OR OLDER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER		ADDRESS OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER					
IF A NON-RESIDENT APPLICANT (LIST NAME OF MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)		ADDRESS (MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)		TELEPHONE NUMBER			
NAME OF PYROTECHNIC OPERATOR Great Lakes Fireworks, LLC		ADDRESS OF PYROTECHNIC OPERATOR 3275 W. M-76, PO Box 276 West Branch, MI 48661		AGE OF PYROTECHNIC OPERATOR 18 YEARS OR OLDER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
NO. YEARS EXPERIENCE 20+	NO. DISPLAYS 200+	WHERE Throughout Michigan					
NAME OF ASSISTANT TBD		ADDRESS OF ASSISTANT		AGE OF ASSISTANT 18 YEARS OR OLDER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
NAME OF OTHER ASSISTANT TBD		ADDRESS OF OTHER ASSISTANT		AGE OF OTHER ASSISTANT 18 YEARS OR OLDER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
EXACT LOCATION OF PROPOSED DISPLAY Island in Runyan Lake, Fenton MI							
DATE OF PROPOSED DISPLAY July 1, 2022 (Rain: July 5)				TIME OF PROPOSED DISPLAY Approx. 10:00pm			
MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT  Stored at federally licensed facility until date of display.							
AMOUNT OF BOND OR INSURANCE (TO BE SET BY LOCAL GOVERNMENT) \$5,000,000				NAME OF BONDING CORPORATION OR INSURANCE COMPANY BRITTON GALLAGHER			
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY ONE CLEVELAND CENTER, 1375 E 9TH ST, 30TH FLOOR, CLEVELAND OH 44114							
NUMBER OF FIREWORKS		KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)					
Approx. 200		3" Display Shells					
Approx. 219		4" Display Shells					
Approx. 120		5" Display Shells					
Approx. 57		6" Display Shells					
Approx. 14		8" and 10" Display Shells					
Approx. 21		Various Barrage Cakes 2.5" and smaller					
SIGNATURE OF APPLICANT 						DATE 5/6/2022	

## 2022 Permit for Fireworks Other Than Consumer or Low Impact

Authority: 2011 PA 256	The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc. under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.
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*This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of an at the place listed below only through permit expiration date.*

TYPE OF PERMIT(S) (Select all applicable boxes) <input type="checkbox"/> Agricultural or Wildlife Fireworks <input type="checkbox"/> Articles Pyrotechnic <input checked="" type="checkbox"/> Display Fireworks  <input checked="" type="checkbox"/> Public Display <input type="checkbox"/> Private Display  <input type="checkbox"/> Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes		FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY.  PERMIT(S) EXPIRATION DATE (ENTER DATE OF EXPIRATION)
NAME OF PERSON PERMIT ISSUED TO <b>Runyan Lake Inc.</b>		AGE (18 YEARS OR OLDER) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ADDRESS OF PERSON PERMIT ISSUED TO <b>10169 Carmer, Fenton, MI 48430</b>		
NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION		
ADDRESS		
NUMBER AND TYPES OF FIREWORKS (Please attach additional pages if necessary) Approx. 200 3" Display Shells Approx. 219 4" Display Shells Approx. 120 5" Display Shells Approx. 57 6" Display Shells Approx. 14 8" and 10" Display Shells Approx. 21 Various Barrage Cakes 2.5" and smaller		
EXACT LOCATION OF DISPLAY OR USE <b>Island in Runyan Lake</b>		
CITY, VILLAGE, TOWNSHIP <b>Fenton, MI</b>	DATE <b>July 1, 2022</b> (Rain date: July 5th)	TIME <b>Approx. 10:00pm</b>
BOND OF INSURANCE FILED <b>Yes</b>		AMOUNT <b>\$5,000,000</b>

Issued by action of the Legislative Body of a  <input type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Township of _____ on the _____ day of _____, 2022.  <hr style="width: 80%; margin-left: auto; margin-right: auto;"/> (Signature and Title of Legislative Body Representative)
--

**\*THIS FORM IS VALID UNTIL THE DATE OF EXPIRATION OF PERMIT\***

DATE PERMIT(S) EXPIRE:

Authority: 2011 PA 256

The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.

TYPE OF PERMIT(S) (Select all applicable boxes)

- Agricultural or Wildlife Fireworks  Articles Pyrotechnic  Display Fireworks
- Public Display  Private Display
- Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes

NAME OF APPLICANT Runyan Lake Inc.		ADDRESS OF APPLICANT 10169 Carmer, Fenton, MI 48430	AGE OF APPLICANT 18 YEARS OR OLDER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER		ADDRESS PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER	
IF A NON-RESIDENT APPLICANT (LIST NAME OF MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)		ADDRESS (MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)	TELEPHONE NUMBER
NAME OF PYROTECHNIC OPERATOR Great Lakes Fireworks LLC		ADDRESS OF PYROTECHNIC OPERATOR 3275 W M-76 P.O. BOX 276 West Branch, MI 48661	AGE OF PYROTECHNIC OPERATOR 18 YEARS OR OLDER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NO. YEARS EXPERIENCE 20+	NO. DISPLAYS 200+	WHERE Throughout Michigan	
NAME OF ASSISTANT Liz overfield		ADDRESS OF ASSISTANT 3275 W M-76 P.O. BOX 276 West Branch, MI 48661	AGE OF ASSISTANT 18 YEARS OR OLDER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NAME OF OTHER ASSISTANT TDB		ADDRESS OF OTHER ASSISTANT TDB	AGE OF OTHER ASSISTANT 18 YEARS OR OLDER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
EXACT LOCATION OF PROPOSED DISPLAY Island in Runyan Lake , Fenton, MI			
DATE OF PROPOSED DISPLAY July 1, 2022 Rain Date July 5, 2022		TIME OF PROPOSED DISPLAY Approx. 10:00 pm	
MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT Stored at a Federally Licensed Facility until date of display.			
AMOUNT OF BOND OR INSURANCE (TO BE SET BY LOCAL GOVERNMENT) \$5,000,000		NAME OF BONDING CORPORATION OR INSURANCE COMPANY Britton Gallagher	
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY One Cleveland Center, 1375 E 9th St, 30th Floor, Cleveland, OH 44114			
NUMBER OF FIREWORKS	KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)		
Approx. 200	3" shells		
Approx. 219	4" Shells		
Approx. 120	5" shells		
Approx. 57	6" shells		
Approx. 14	8" And 10" Shells		
Approx. 21	Various barrage cakes 3" and smaller		
SIGNATURE OF APPLICANT 			DATE 5/6/2022

## Instructions for Application for Fireworks Other Than Consumer or Low Impact

Applications shall be submitted to the legislative body of a city, village or township board. A permit may be issued as a result of official action by the legislative body. A permit shall be valid only for use within the limits of the jurisdiction of the legislative body of a city, village or township board.

1. Type of Permit – check all boxes that may apply to the type of permit needed. You may select several permit types depending on your fireworks display. You may check with your legislative body of a city, village or township board for assistance when making your selection. Please review the following definitions to determine which type of permit to select:
  - Agricultural or Wildlife Fireworks – devices distributed to farmers, ranchers, and growers through a wildlife management program administered by the US Department of Interior or Michigan DNR.
  - Articles Pyrotechnic – 1.4G fireworks for professional use only that is classified as UN0431 or UN0432.
  - Display Fireworks – 1.3G fireworks for professional use only
  - Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes – devices with a combination of chemical elements or compounds capable of burning independently of the oxygen of the atmosphere and designed and intended to produce an audible, visual, mechanical or thermal effect for pest or animal control.
  - Public Display – a fireworks display that is open to all persons for viewing.
  - Private Display – a fireworks display that is not open to the general public for viewing.
2. Name of applicant – list the name of the applicant. The applicant may be a person representing an organization, group, firm or corporation, or self. If the applicant is also the operator, enter the same name in the operator's section.
3. Address of applicant – complete the address of the applicant; include the street address, city, state and zip code.
4. Name of person or resident agent representing corporation, LLC, DBA or other – list the name of the person or resident agent that represents the corporation, LLC, DBA or other.
5. Address of person or resident agent that represents the corporation, LLC, DBA or other – list the address of the person or resident agent representing the corporation, LLC, DBA or other.
6. Non-resident applicant – list the name of the non-resident applicant. A non-resident applicant shall appoint a Michigan attorney or Michigan resident agent in writing to be the applicant's legal representative upon whom all service of process in any action or proceeding may be served.
7. Name of pyrotechnic operator – list the name of the pyrotechnic operator. The pyrotechnic operator is the person in charge of the display. The legislative body of a city, village or township board shall rule on the competency and qualifications of the operator before granting a permit and may require an affidavit from the applicant as to the operator's experience, former pyrotechnic accidents, criminal record, sobriety, etc.
8. Address of pyrotechnic operator – list the address of the pyrotechnic operator; include the street address, city, state and zip code.
9. Age of the pyrotechnic operator – list the age of the pyrotechnic operator; the operator must be 18 years of age or older.
10. Name of assistant – list the name of the assistant to the pyrotechnic operator;
11. Address of assistant – list the address of the assistant; include the street address, city, state and zip code. If there is more than one assistant, please list additional assistants on a separate sheet and include the address and age of those additional assistants.
12. Age of assistant – list the age of the assistant to the pyrotechnic operator; the assistant must be 18 years or older.
13. Name of other assistant – list the name of other assistant to the pyrotechnic operator.
14. Age of other assistant – list the age of the assistant to the pyrotechnic operator; the assistant must be 18 years or older.
15. Exact location of proposed display – list the address of the exact location of the proposed fireworks display.
16. Date of proposed display – indicate the date of the proposed fireworks display; only one display date can be used per application.
17. Time of proposed display – indicate the time of the proposed fireworks display.
18. Manner and place of storage - indicate the manner and place of storage within the legislative body of a city, village or township board of fireworks that are ready for display, just prior to the display in the area of exhibition. The legislative body of a city, village or township board shall obtain approval from the local fire authorities of the manner and place of storage before any permit is issued.

19. Amount of bond or insurance - the issuing legislative body of a city, village or township board shall set the amount of and proof of bond or insurance for the protection of the public to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of the person, firm or corporation, or any agent or employee of the applicant. The applicant shall assure the bond or insurance required is provided.
20. Name of bonding corporation or insurance company – provide the name of the bonding corporation or insurance company for which the bond was issued through.
21. Address of bonding corporation or insurance company – list the address of the bonding corporation or insurance company; include the street address, city, state and zip code.
22. Number of fireworks and kind of fireworks to be displayed– indicate the total amount of fireworks proposed for the display or use and a description of the type of fireworks for display; such as 10 aerial bombs, 30 aerial rocket bursts, etc.
23. The application is valid for the calendar year in which the application was received and permit was issued.
24. Permit fees shall be established by the legislative body of a city, village or township board and shall be submitted to and retained by legislative body of a city, village or township board.
25. Permitting will be in compliance with the [Michigan Fireworks Safety Act, PA 256 of 2011, MCL 28.466, Section 16](#).
26. **Mail the application to the legislative body of a city, village or township board within the location jurisdiction of the display.** DO NOT mail the application to the Bureau of Fire Services (BFS). If mailed to the BFS, it will be returned to the sender.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/11/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	<b>CONTACT NAME:</b> <b>PHONE (A/C No., Ext):</b> 216-658-7100 <b>FAX (A/C, No):</b> 216-658-7101 <b>E-MAIL ADDRESS:</b> info@brittongallagher.com	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> Great Lakes Fireworks LLC 3275 W M76 P.O. Box 276 West Branch MI 48661	<b>INSURER A :</b> Everest Indemnity Insurance Co. <b>NAIC #</b> 10851	
	<b>INSURER B :</b> Axis Surplus Ins Company <b>16044</b>	
	<b>INSURER C :</b>	
	<b>INSURER D :</b>	
	<b>INSURER E :</b>	
<b>INSURER F :</b>		

**COVERAGES**

CERTIFICATE NUMBER: 30592252

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			SIBGL01969-221	1/21/2022	1/21/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	<input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			SIBCA00273-221	1/21/2022	1/21/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$			P-001-000798280-01	2/4/2022	1/21/2023	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.  
 Display Date: July 1, 2022    Rain Date: TBD    Location: Runyan Lake Island

Runyan Lake Association including all its elected and appointed officials, employees, volunteers, boards, commissions and authorities; Tyrone Township including all its elected and appointed officials, employees, volunteers, boards, commissions and authorities.

**CERTIFICATE HOLDER****CANCELLATION**

RUNYON LAKE INCORPORATED  
 10169 CARRMER RD  
 FENTON MI 48430

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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# Runyan Lake

10" shells (700')

## Legend

☐ Runyan Lake East





## Runyan Lake Inc.

PO Box 105  
Fenton MI 48430-0105

May 09, 2022

Subject: Runyan Lake Inc. Fireworks Display Permit – Safety Procedures

Dear Tyrone Township Board,

In response to your request for: [“A letter from your association detailing how you’ll accomplish and enforce keeping people out of the designated danger area and behind safety zone”](#), Runyan Lake Inc. (RLI) will continue to provide safety measures as we have done for more than 25 years of safe fireworks display events. As directed by our contractor to comply with the contractor’s and State of Michigan fireworks display requirements, and Ordinance 41A Section 5.d, the following measures are taken annually by Runyan Lake Inc.:

1. Runyan Lake Inc. communicates safe distance requirement to all of its members prior to the display event by direct email communications. Information is also found on our website.
2. Runyan Lake Inc. establishes a caution taped exclusion zone around the island prior to display set up. The exclusion zone is monitored by both Runyan Lake Inc. and the contractor. Note – this perimeter is for display set up safety only and is not the full safe clear area required for the actual display event.
3. For the actual display event the safe clear area is comprised of the island and a portion of the water surface of Runyan Lake. Runyan Lake Inc. and the contractor monitor the safe clear area for encroachment prior to the start of the display and Runyan Lake Inc. makes direct contact with any offenders to result in relocation outside of the safe clear area prior to the start of the display.
4. During the display event, if any encroachment is identified the contractor stops the display event and notifies Runyan Lake Inc. by phone. Runyan Lake Inc. then makes direct contact with any offenders to result in location outside of the safe clear area prior to restart of the display event. If the offenders refuse to leave the safe clear area the Livingston County Sherriff is contacted and the show is either delayed or cancelled.

Sincerely,

*Runyan Lake Inc. Board of Directors*

Runyan Lake Inc.  
P.O. Box 105  
Fenton, MI 48430  
[RunyanLakeInc@aol.com](mailto:RunyanLakeInc@aol.com)  
[www.runyanlakeinc.com](http://www.runyanlakeinc.com)

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Dean Haase  
Kevin Johnson  
Andy Nester  
Tom MacDonald  
(Trustees)

Pat Maynard  
David Verbeke  
Mark Waligora  
(Trustees)



## City of Fenton Fire Department

205 East Caroline Street  
Fenton, MI 48430  
(810) 629-8595  
Emergency Dial 911

May 11, 2022

Mike Cunningham  
Tyrone Township Supervisor

Re: Runyan Lake Association Fireworks Permit application

Supervisor Cunningham,

I have received the application packet for the fireworks display permit for the Runyan Lake Association. Their show is planned for Friday July 1<sup>st</sup> with a rain date of Tuesday July 5<sup>th</sup>. The show will once again be launched from the island at the SE corner of the Lake. This is the same location as in years past.

I have reviewed the information required for the permit and for the Township. The application submitted by The Runyan lake Association and Great Lakes Fireworks LLC is complete and I am recommending the approval of the display permit.

Respectfully,

*Robert Cairnduff*

Robert Cairnduff  
Fire Chief

Section 5 Articles Pyrotechnic and Display Fireworks

a) Display Fireworks Permit Requirements.

- i. The Fireworks Display Permit shall be obtained from the Township via a Fireworks Display Permit Application submitted at least 30 days prior to the scheduled event to allow the Township Board to review and verify the data contained on the application.
- ii. The permit shall be held by an individual, organization, company or other legal entity residing in or operating in the Township. The permit application shall clearly identify the organization, the officers enabled to act on behalf of the organization and the address of the organization. If an agent is designated to act for the organization, the application shall include a letter stating that authorization.
- iii. The permit application shall state in detail the specifics of the event including the date, time of the display, rain date and time, and the location. The location description of the site shall include a diagram of the area of the display and the specific clear area.
- iv. The permit application shall list the name of the pyrotechnic display

operator and shall provide copies of the company's State and Federal licenses and the name(s), address and qualifications of the actual technicians operating the display, including their certificates of training meeting the (National Fire Protection Association) NFPA-1123. The permit application shall also include copies of the State license necessary for operating the specific event.

- v. The application shall also include a letter from the local fire department that has reviewed the site plan for fire safety, clear area and outlines the level of support or backup provided.
- vi. The permit application shall also list the insurance carrier for the liability insurance, worker's compensation and any other insurance required by State and Federal regulations. A copy of the insurance coverage must be included with the application.
- vii. The application shall include a list of the fireworks to be used during the event.
- viii. The applicant shall pay a permit fee as set forth in the current Tyrone Township fee schedule, which shall be submitted with the completed Fireworks Display Permit Application.

b) Insurance Requirement

- i. The individual, organization or corporation sponsoring the event of the operator shall secure a liability policy that names Tyrone Township as a co-insured entity. The liability insurance shall be a minimum amount of \$1,000,000.

c) Operators

- ii. The operators igniting or discharging the pyrotechnic display shall be trained in the safe operation of such fireworks, following the guidelines of (National Fire Protection Association) NFPA-1123.

d) Safety and Security

- i. The sponsor and operator shall be responsible for providing for the necessary safe clear area. This means they shall provide a method to ensure that unauthorized persons do not enter this clear area during the operation of the display. This may include, but is not limited to simple fencing, security personnel or other means of control.
- ii. The events also tend to create traffic congestion. The sponsors and/or operators shall contact and arrange with the local law enforcement agency

to provide necessary traffic control methods that will minimize the traffic problems. This includes, but is not limited to, additional personnel to direct traffic at intersections that promote the safe efficient movement of vehicles from the event. Should the event exceed 500 people in a single location, then the sponsor must also obtain an Outdoor Gathering permit from the Township.

iii. The sponsors and/or the operators shall contact and identify a plan to expedite availability of emergency medical personnel if such a need should arise.

e) Fireworks Used in the Display

i. The operator shall supply the local fire department with a list of the fireworks, quantity, size, and material being used at an event to allow them to determine the appropriate methods to respond in event of an emergency situation. The listing of the fireworks does not constitute any approval of the devices, but provides information for fire response.

f) Township Responsibility

i. The issuing of a permit does not constitute the Township’s approval of the fireworks operation. The permit merely identifies the organization sponsoring the event, the persons operating the pyrotechnics, and verifies that they have the appropriate federal licenses and related training.

Section 6 Violations

a) Users of fireworks must be in compliance of the requirements of the ACTS, and this Ordinance.

b) Any person, organization or corporation that operates a fireworks display without a permit from the Township will be in violation of this ordinance.

c) Violations of any of the requirements stated in this Ordinance shall be deemed a municipal civil infraction and can be fined in accordance with the following schedule:

	<u>Minimum Fine</u>
1st offense	Warning
2nd offense	\$100.00
3rd offense	\$500.00

# **NEW BUSINESS #4**

Request to write off uncollectible fire service charges

**APRIL 2022 WRITE-OFF REQUEST LIST**

INCIDENT DATE	INCIDENT #	AMOUNT	NAME	STATUS
MARCH 3,2016	CF 53	\$1,391	BROWN, C	UNCOLLECTIBLE
MARCH 15,2016	CF 62	\$1,391	THONNEN,J	UNCOLLECTIBLE
JUNE 14 2016	CF 197	\$1,391	CAMPBELL, B	UNCOLLECTIBLE
JULY 16,2015	CF 228	\$1,391	WALBECQ,R	UNCOLLECTIBLE
AUGUST 6,2015	CF 247	\$1,391	ELLIS,E	UNCOLLECTIBLE
AUGUST 25,2015	CF 283	\$350	LAFOND,A	UNCOLLECTIBLE
AUGUST 18,2016	CF286	\$1,391	CMC LOGISTI	UNCOLLECTIBLE
SEPT 21,2015	CF 306	\$1,622.60	SYKES,M	UNCOLLECTIBLE
Nov 11,2015	CF 354	\$390	LUNDELL,D	UNCOLLECTIBLE
MAY 11,2016	CF 76	\$1,391	WILLIAMS,G	UNCOLLECTIBLE
JAN 7,2016	FT 15635	\$1,391	VINIC,J	UNCOLLECTIBLE
MARCH 29,2016	HT 16-114	\$1,559.34	HEICHEL,B	UNCOLLECTIBLE
<b>TOTAL</b>		<b>\$15,049.94</b>		<b>11.2</b>

UCS AMT \$401.20  
HORN,PAMELA

**\$15,061.14**



# **NEW BUSINESS #5**

Elimination of employee per diem rates

**PER DIEM RATES** revised 5/17/2022

	Rate	Prior 2013 Rate	2013-2018 Rate	2018- present
<b><u>Board of Review</u></b>				
Meetings Full	per diem	55	75	85
Meeting Half	per diem	55	55	65
<b><u>ZBA</u></b>				
Chair	per diem	50	60	75
ZBA Rep.	per diem	45	55	60
<b><u>Election workers</u></b>				
Chair	per diem	160	185	225
Inspector	per diem	130	160	160
Half Day	per diem	65	80	80
Training	per diem	15	25	25
<b><u>Planning (workshop &amp; meetings)</u></b>				
Chair & Secretary	per diem	75	85	125
PC Rep.	per diem	60	70	70
Township Board Rep.	per diem	60	70	70
<b><u>PC Sub Committees</u></b>				
Chairperson	per diem	75	75	75
PC Rep.	per diem	60	60	60
<b><u>Special Mtg./Joint Mtg</u></b>				
Chair & Secretary	per diem	75	85	125
PC Rep.	per diem	60	70	70
Township Board Trustees	per diem	60	70	70
<b><u>Township Board Trustees</u></b>				
Township PC Rep.	per diem	60	70	70
<b><u>Additional Meetings</u></b>				
Special Board Mtg				
Board Approved Seminars				
<b><u>Board Appt. on Other Boards</u></b>				
Supervisor, Treasurer, Clerk*	per mtg.	35	40	40
Trustees	per mtg.	35	40	40
<b><u>Committee Appointments</u></b>				
Chairperson (Trustee or Resident)	per mtg.	45	50	50
Member (Trustee or Resident)	per mtg.	35	40	40
Supervisor, Clerk, Treasurer	per mtg.	0	0	0
<b><u>Voluntary Committees</u></b>				
	per mtg.	0	0	0
<b><u>Recording Sec. (Employees) *</u></b>	per mtg.	no min.	min. \$30	min. 40

\* Outside normal office work hours.

Per township attorney it is illegal to pay employees a per diem wage.

# **NEW BUSINESS #6**

Val Royal site plan amendment.

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

**Subject: Agenda Request, Vale Royal Special Land Use & Site Plan Amendment Recommendation**

Dear Township Board Members:

At our Planning Commission meeting held 4/12/2022 the Planning Commission supported a favorable recommendation of the Vale Royal Special Land Use & Site Plan Amendment

**Motion:**

The amended motion from the 04/12/2022 Meeting is as follows:

Steve Krause moved to make a recommendation of approval of the Vale Royal site plan amendment conditional upon the removal of the cabin from the sight plan and making note of the deck and grain bin including the uses of such on the use statement. Ward seconded. The motion carried by unanimous vote.

**Items of Note:**

The Public hearing for this application took place on (09/14/2021).

The conditions mentioned in the motion have also been fulfilled.

Regards,

*Rich Erickson*

Chairman -Tyrone Township Planning Commission

**Use Statement for Vale Royal LLC:**  
**(Revised September 8, 2021)**

The use is approved as a private event venue featuring a restored historical Livingston County barn that can be used as a large meeting room, conference center or community recreation center intended for private or public events, social activities such as, corporate retreats, conference rooms, birthdays, anniversaries, daddy daughter dances, family reunions, barn dances, **bridal shows, car shows, non-profit events, fundraisers including live music, auctions, raffles, bingo, and** weddings, as well as other social activities. The venue will be seasonal from May 1st through October 31<sup>st</sup>. There will be no events at the facility November 1<sup>st</sup> through April 30<sup>th</sup> of each year. **The venue will be closed on Mondays and Tuesdays.**

**FRIDAY AND SATURDAY EVENTS:**

Friday and Saturday events will be an event that will have up to the maximum number of permitted participants: **163 participants**. The maximum number of large events will be **two** per weekend. A weekend is recognized as a Friday and Saturday. **This would allow for events to be held on Friday and/or Saturday. This could occur when a full weekend has not been rented or a couple only wants a single day rental that frees up the adjoining day (usually Friday). It will not be our intention to make single day weddings on Fridays and or Saturdays our main focus, we will only use any unused days when that rare instance occurs.** The hours of the event space will be from 8 a.m. to midnight on weekends and music will be stopped by 11:30 p.m. The rehearsal dinner and wedding may be on different days, but equal one (1) large event. When holidays occur the day before or day after the weekend, a waiver may be applied for to modify the starting and ending days, if the event occurs over the contiguous weekend and holiday.

**WEEKDAY EVENTS:**

**Weekday Events will be events with the maximum number of permitted participants: 163 participants. The hours of the events will be from 11am to 11 p.m. Music will be stopped by 10:30 p.m. The maximum number of weekday events will be three per week. Weekday Events are recognized as Sunday, Wednesday, and Thursday.**

**THE INN:**

The use of the Inn will be limited to “wedding party support” on Fridays and Saturdays as well as overnight accommodations for a maximum of six people as long as it is used in conjunction with a barn venue rental. **The use of the Inn for wedding support on Sundays is from 11am to 11 pm with no overnights permitted.** The women use the first floor for hair and makeup. The groomsmen get ready off site. Check in time for the Inn is 9 a.m. on Friday and check out time is noon on Sunday. On Saturday, the Inn is used by the bride and her bridesmaids if they choose to get ready on site. The size of a bridal party is typically 5, but no more than 6 will be allowed stay overnight. If hair and makeup artists are on site there are typically two of them. They allow their photographers in the house on Saturday to take pictures of them getting ready. Rehearsal dinners are typically held in the barn or outside. A tent is usually rented if it's held outside. The average rehearsal dinner size is 25. The guests use the bathroom in the barn and are not allowed to use the bathrooms in the Inn. The Inn is separate from my living quarters and contains one great room, three bedrooms and two bathrooms. There is not a kitchen in the Inn. The brick ranch that is attached to the Inn by a shared door is my private residence and is not associated with the wedding venue in any way. The door to the residence is locked during events.

The renter must comply with the Vale Royal contract regarding the occupancy rules assigned inside the barn. This information will be on my website and capacity signs will be posted in the barn. The means for limiting attendance will be addressed in at least two (2) different ways. First, by the use of the signed contract that sets out the occupancy limit. The contract will state that we have the right to shut down any event that breaks the rules of our contract. Second, I will also subcontract my own event planner to manage each event to ensure they run smoothly, guests comply with the rules and occupancy rates are adhered to.

If the renter wishes to rent a tent, they will be required to rent a NFPA certified tent from a licensed tent rental company. The tents will be rented from Classic Tents & Events in Brighton. All are NTFD rated for fire safety as they are PVC coated polyester.

The maximum number of people inside the barn will be 163. **The building department occupancy states that we may have 163 people in the building.** The total number of sub-contracted workers in the barn will be 13. They may include a photographer, DJ, videographer, bartenders, event planner and the caterer's servers. Employees will be dropped off or shuttled in, so the parking on the site is only for the guests. There will be one catering van that will have servers arriving in the van and the van will have a designated parking spot next to the barn. The parking attendants will be friends/family of ours and they will be dropped off here and therefore they won't require parking spaces, nor will they be inside the barn during an event.

Music volume shall be limited to not exceed 50-decibels unless the ambient noise level is greater than that volume, in which case the volume shall not exceed the ambient noise level. The 50-decibel ambient noise maximum sound level will be measured at the lot line. The 50-decibel "night time" noise maximum is to be measured at the property line.

The driveway will be graded regularly to remain smooth and sprayed with calcium chloride as necessary, approximately once a month. Crushed limestone will be used and added when necessary. I have contracted Preiss Companies in Hartland for all of my outdoor services.

My maintenance practices will consist of weekly landscaping and cleaning the site before and after every event.

Traffic will be controlled by the use of four valet attendants, wearing reflective vests and equipped with portable communication devices and stop/go signs. A temporary stop sign will be at the end of the driveway. One attendant will remain at the main entrance and the second will be at the top of the driveway. Posted speed will be 5 mph. The third and fourth will monitor the parking spaces in the main parking lot. A traffic barrier rope will be placed and maintained as a safety precaution to prevent any vehicles from accidentally entering the back part of our property that contains an additional river crossing.

Barrier-free access will be provided using a golf cart. We will have management and valets on-site that can assist anyone for that matter.

The township will be added as additionally insured on all alcohol service contracts. All renters must get "Event Insurance" and "Liquor Liability Insurance" for two days to cover any accidents during their event. A copy will be submitted to the zoning administrator a minimum of 7-days before the event.

I will submit an event summary report to the township annually, listing the number of each type of event, number of attendees, response to any complaints or issues that may have arisen. If any complaints or issues were encountered the report will include how any issue was resolved. As stated previously, the number of attendees is controlled by a signed contract and I will also request a final head count from the bride and groom. In addition, I will use the number of RSVP'S the bride and groom received two weeks before the event. As stated above, I will continue to be certain Tyrone Township is added as additional insured on all insurance forms.

Trash will be contained in my own bins. I have 4 large plastic bins. The designated trash storage location is the detached two car garage nearest the barn. In the event the bins do not provide enough storage, plastic bags of trash may be left out the morning of trash day. Our trash service does not place a limit on the number of bags allowed. As of 2021, we added a dumpster, and its location and dimension has been added to the site plan.

No kitchen, cooking, candles, or smoking is permitted inside the barn unless approved in whole or in part by the Fire Chief.

#### CEREMONY SITES:

There are five ceremony sites. Photos of each site are attached:

The Wooded Site: Behind the barn and between a row of trees. Benches are set up in the grass. The seating capacity is 150.

The Grass Courtyard: Next to the Inn. (Previously the pool) benches are set up in the grass. The seating capacity is 150.

The Field.: A section of the back field is mowed, and the benches are set up in the short grass. The seating capacity is 150.

The Riverside: A 20x20 wood boat dock. Used by the bridal party and one officiant. 13 people max. Benches are set up on the grass in front of the dock. The seating capacity on the grass is 150 people.

The Covered Bridge: A walk through wood accessory structure with a galvanized metal roof. A wood deck with railings is on each side of the structure. The seating capacity is 25 on each deck

Lighting is not proposed in ceremony areas as they are always held during the daytime.

Means of access to all ceremony sites is open grass. There are not any pathways. A gravel road extends from the top of the driveway, through the covered bridge and all the way to the back field. Golf cart rides are given to anyone who requests a ride to and from the ceremony sites. All of the ceremony sites are large and can accommodate a golf cart to and from the area. Per our rental agreement, we require the host to “inform all of your guests that this is a rustic outdoor event and comfortable walking shoes, flats or cowboy/cowgirl boots are in order.” This way all guests are prepared to walk outdoors.

All renters are required to sign a hold harmless agreement. It states that they agree to hold Vale Royal LLC harmless of any responsibility for any bodily injuries, slip and falls, accidents, damages, or theft to themselves and any of their attendees. In addition to the hold harmless agreement, the required liability insurance covers bodily injury and liquor liability and Tyrone Township is required to be named as additional insured.

Private parties during the off season:

When I use my barn for a private: dinner party, family party, holiday party, home retail party or garage sale, the private event will be exempt from the requirements of a public event such as liability insurance, parking attendants and time restraints. Garage sales will be limited to two per year. I will list any private events on the annual report as private parties.

Subcontracted services on site:

The facility may also be rented by other businesses and the contract will be between Vale Royal and other sub-contractors. **These will be within the weekday and weekend event categories. The occupancy will be no more than 150 participants. These events could include but not limited to: food, alcohol, live music, fundraising, raffles, bingo, dancing etc. These events will require event liability insurance. The occupancy for some events will be controlled by the use of pre-purchased tickets. Only 150 tickets will be sold.**

Valerie Johnson  
September 8, 2021





**Carlisle | Wortman**  
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

July 22, 2021

**Site Plan/Special Land Use Amendment Review**  
**for**  
**Tyrone Township, Michigan**

**PETITION INTRODUCTION**

**Applicant:** Valerie Johnson  
**Owner:** Valerie Johnson  
**Plan Date:** March 21, 2018 (*site plan, revised*)  
June 22, 2021 (*use statement/conditions*)  
**Request:** Amendment of conditions of a previously-approved site plan/special land use

**PETITION DESCRIPTION**

The applicant is requesting to amend the description of use (*use statement*) governing the previously-approved site plan and special land use for a public/private recreation area/facility (*event/wedding barn*).

The proposed changes would allow larger events on weekdays (*up to 163 participants rather than the current 60 participants*); extend hours of operation on weekdays (*9:00 am to 11:00 pm rather than the current 2:00 pm to 9:00 pm*); allow for later music on weekdays (*10:30 pm rather than the current 8:30 pm*); clarify use of the Inn for wedding support on Sundays; allow for more events on weekends (*up to 2 events on up to 6 weekends rather than the current 1 event per weekend*); and expand the potential for subcontracted use of the facility.

Description of use statements for public/private recreation areas/facilities are required as part of an application. They outline the nature of the area/facility, when it will operate, the hours of operation, number of employees, nuisance mitigation measures, and other relevant information. Because the description of use statement is reviewed and approved as part of the special land use, it essentially governs how the site is used.

The proposed amendment does not appear to include any changes to the physical site.

## PROPERTY INFORMATION

**Address:** 11009 Old US 23  
**Location:** West side of Old US 23, between White Lake and Nimphie  
**Parcel Number:** 04-09-100-007  
**Lot Area:** ~7.8 acres  
**Frontage:** ~479 feet along Old US 23  
**Existing Land Use:** Single-family house, public/private recreation area/facility

Figure 1- Aerial of the Site

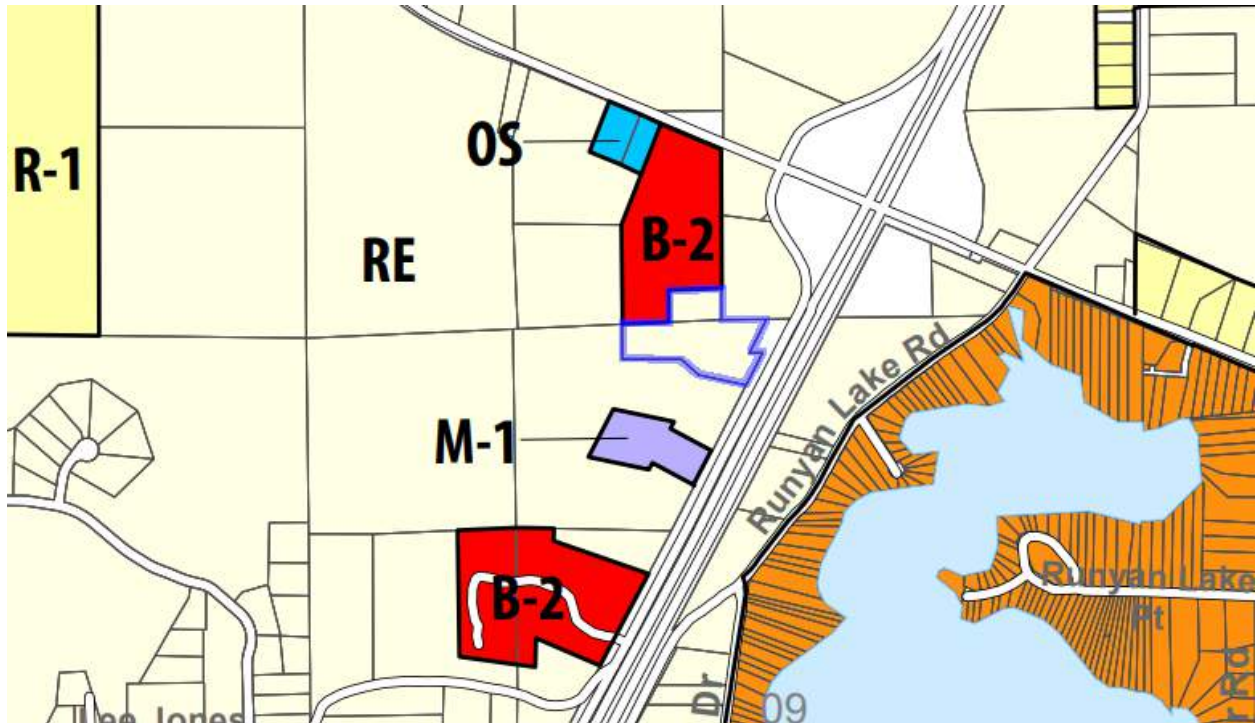


## ZONING

The property is currently within the RE Rural Estate district. The intent of that district is below.

**Zoning per Master Plan:** RE Rural Estate  
*The intent of the RE Rural Estate District is to provide a transitional area between the FR District and other more intense land utilization districts. However, the RE District will generally maintain the same types of land uses permitted in the FR District. The primary difference between the two districts is that the RE District permits the creation and use of smaller lots than the FR District. In order to preserve natural features and to provide design flexibility in the FR and RE Districts, cluster development shall be permitted as described in Article 8.*

**Map 1 – Current Zoning Map**



**Comments:** The public/private recreation area/facility is considered a special land use for the RE Rural Estate district.

**FUTURE LAND USE MAP**

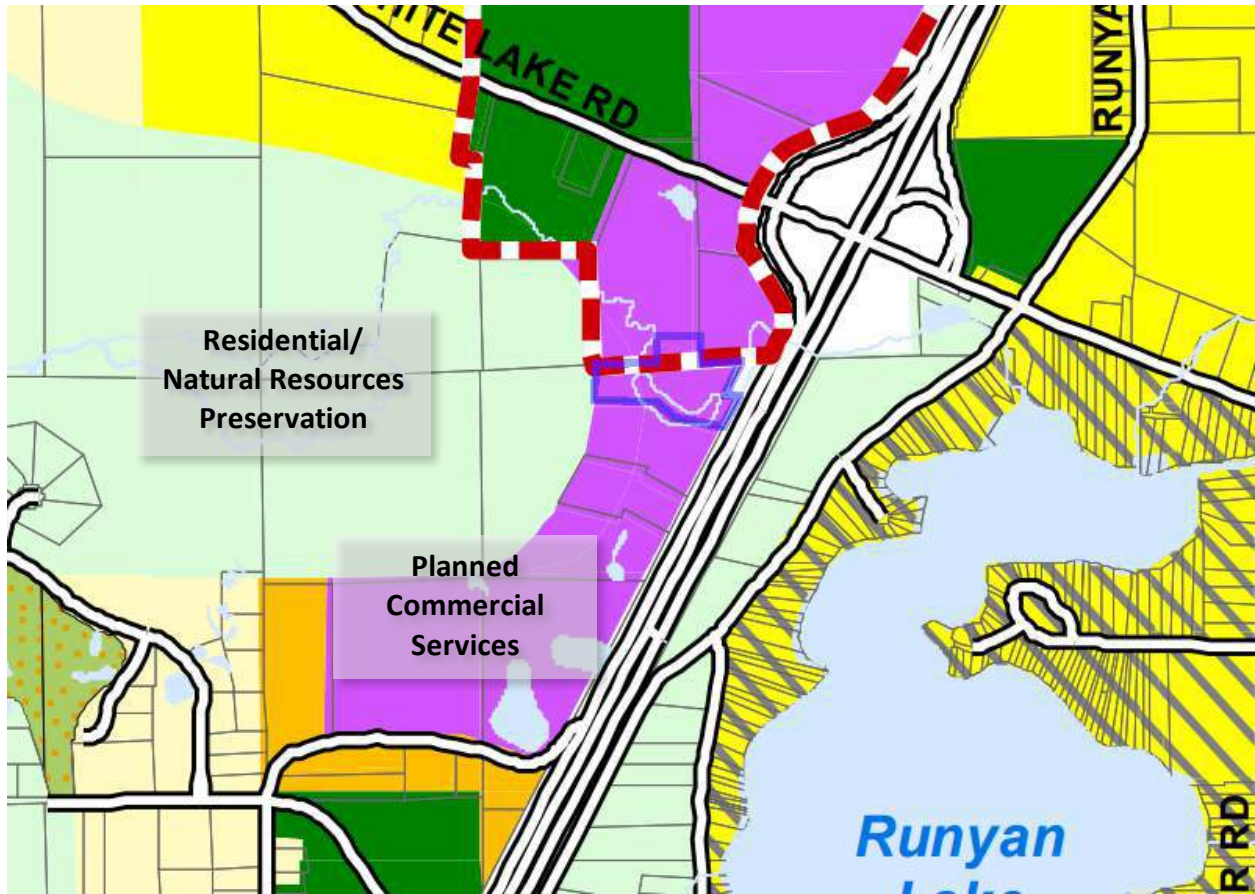
The site and surrounding properties along Old US 23 are within the Planned Commercial Services area, as described below.

**Future Land Use Map Planned Commercial Services**

*Commercial retail and service uses are intended to be located in a PUD environment. The uses may be individually sited in freestanding buildings, clustered in a larger commercial structure housing several uses under one roof such as a shopping center, or contained in a mixed use building on a floor below any residential uses.*

*It is recognized that new commercial uses may serve the Tyrone community or the travelers on U.S. 23 or both the community and highway travelers. The uses in this category require good access and are planned for locations abutting major thoroughfares. Local streets and residential neighborhoods are not appropriate locations. Regardless of whether the use is local or regional in scale, the site and attendant site facilities to service the use must be constructed consistent with the guidelines specified for planned development. The Future Land Use Map calls for Planned Commercial Services near the Center Road/U.S. 23 interchange, and also a small area along Old U.S. 23 near Dean Road.*

**Map 2- Future Land Use Map**



**Comments:** The commercial nature of the use and the proposed changes to the description of use statement are generally consistent with the intent of the future land use map.

**SURROUNDING PROPERTIES**

The surrounding properties are a mix of commercial and residential uses, as noted below.

	North	East	South	West
<b>Surrounding Zoning</b>	<i>B-2 Community Business, RE Rural Estate</i>	<i>RE Rural Estate (across US 23)</i>	<i>RE Rural Estate</i>	<i>RE Rural Estate</i>
<b>Surrounding Land Uses</b>	<i>Cemetery, Single-family house</i>	<i>Woodlands (across US 23)</i>	<i>Concrete plant</i>	<i>Concrete plant</i>
<b>Future Land-Use Map</b>	<i>Planned Commercial Services, Special Planning Area</i>	<i>Residential/Natural Resources Preservation (across US 23)</i>	<i>Planned Commercial Services</i>	<i>Residential/Natural Resources Preservation</i>

## NATURAL RESOURCES

- Topography:** There are a variety of topographies on the site, with greater slopes along water and flat areas near the buildings.
- Waterbodies:** There is a pond along the southern side of the property and a creek that runs through the site
- Wetlands:** There are no wetland areas identified on the site plan.
- Woodlands:** There are several smaller woodland areas on the site.
- Soils:** Carlisle Muck, Miami Loam, and Alluvial Land are present. These soils tend to have slow surface runoff or are subject to flooding.

**Comments:** *The proposed change to the description of use statement does not appear to have an impact on any of the natural resources on the site.*

## AREA, WIDTH, HEIGHT, & SETBACKS

Developments must meet the developmental standards for the zoning district in which it is located. To the best of our knowledge, there are no proposed changes to or additions of any structures or other improvements as part of the proposed change to the description of use statement.

**Comments:** *There are no proposed changes to or additions of any structures or other improvements as part of the description of use statement.*

## ACCESS & CIRCULATION

There is a gravel driveway that connects with Old US 23 to the east. The gravel driveway provides internal access to the buildings and a gravel parking area and a grass parking area. There are no proposed changes to the access or circulation.

**Comments:** *There are no proposed changes to the access or circulation as part of the use statement amendment.*

*Although the potential changes are likely to increase the total volume of vehicles accessing the site, the volume for any single event would not exceed the current maximum vehicle capacity.*

## OFF-STREET PARKING & LOADING

Off-street parking for the public/private recreational area/facility is provided in a gravel parking area and a grass parking area. Alternative (*nonpaved*) parking surfaces are allowed in the RE Rural Estate district. There are no proposed changes to off-street parking or loading.

It is our understanding that the maneuvering lane for the grass parking area has been converted to gravel since the special land use/site plan was approved.

According to the previously-approved site plan, employees/staff park off site and are driven to the property.

**Items to be Addressed:** 1) Consideration should be given to converting the grass parking area to gravel. 2) The site plan should be updated to show the maneuvering lane for the grass parking area has been converted to gravel. 3) The Planning Commission should consider if it needs additional information about the location of employee parking (location, etcera).

## ESSENTIAL SERVICES

It is our understanding that there will be no changes to any of the utilities as part of the proposed amendment.

**Comments:** 1) The applicant should confirm that the existing utilities will be adequate to accommodate the potential increased volume of guests. 2) If grass parking is converted to gravel, the Township engineer should confirm whether or not additional stormwater management will be necessary.

## LANDSCAPING & SCREENING

Natural landscaping is located throughout the site, with screening provided between the site and Old US 23. It is our understanding that there will be no changes to any of the landscaping or screening as part of the proposed amendment.

While the number of larger events could increase as part of the proposed amendment, the areas of the site being used will not be changed, so it is not likely that any additional landscaping or screening is necessary.

**Comments:** The applicant should confirm that there will be no changes to the existing landscaping and screening.

## LIGHTING

The site plan shows the location of some outdoor lighting attached to existing buildings. It does not appear that any additional lighting will be added as part of the proposed amendment.

**Items to be Addressed:** *The applicant should confirm that there will be no changes to the existing lighting.*

## OUTDOOR ADVERTISING & SIGNS

The previously-approved site plan does not include any signs, except for internal traffic management. It does not appear that any additional signs will be added as part of the proposed amendment.

**Items to be Addressed:** *The applicant should confirm that there will be no additional signs.*

## PUBLIC/PRIVATE RECREATIONAL AREA/FACILITY STANDARDS

In addition to the general standards of the Zoning Ordinance, there are specific standards for public/private recreational area/facilities. These standards, outlined in §22.05 F Public and Private Recreational Areas and Facilities, are addressed below.

1. Description of Use. Plans for commercial recreation areas and facilities must include a written statement of use describing the purpose of the facility, the uses proposed, whether the uses will require formal memberships or will be available to the public, whether the use will be permanent, year-round, or seasonal in nature, intended hours of operation, number of employees on a maximum shift, facility bylaws, nuisance mitigation measures, and other information applicable to the business and use.

**CWA Comment:** *The proposed amendment, as presented, is entirely to the description of use statement. The following comments will focus primarily on proposed changes.*

*Additional language has been added adding/clarifying the types of events that may take place at the facility and that it will be open Wednesdays through Sundays. The proposed additional events appear to be generally consistent with currently-outlined events. Some of the additional events may require other licenses/approvals (alcohol, raffles), but they generally would not impact the overall use.*

*Instead of having "large events" and "small events," the proposed amendment would call for "Friday and Saturday events" and "Weekday events." The capacity for events would be 163 participants, which is the same as currently approved for large events. Small events, retitled weekday events, could also have up to 163 participants. This language could be revised to make it clear that there can be up to 150 guests and up to 13 support staff, as described later in the description of use statement.*

*Hours for Friday and Saturday events would be from 8:00 am to 12:00 midnight; hours for Weekday events would be from 11:00 am to 11:00 pm. Music would stop half an hour before the closing hour.*

*While there may be concern that the additional hours may have an impact on the residential uses to the north, any sound would remain subject to §21.16 Noise, which has different standards for daytime (7:00 am to 10:00 pm) and nighttime (10:00 pm to 7:00 am). If there is concern about sound, the Planning Commission may want to consider limiting outdoor music to no later than 10:00 pm.*

*Language is added to allow for use of the guest house to support weddings on Sundays from 11:00 am to 11:00 pm. It does not appear that proposed change would create significant impacts.*

2. Compatibility of Use. Commercial recreational areas and facilities may be permitted in residential districts only where it can be determined the commercial nature of the use does not affect the primarily residential character of the site and surrounding properties. Factors concerning the public health, safety, and welfare of the public, including, but not limited to, liability insurance, parking assistance, safety and security contractors, refuse disposal etc., may be required to ensure compatibility of use.

**CWA Comment:** *The Planning Commission determined that the use, with the previous description of use statement, did not affect the surrounding properties.*

*The proposed amendment will be of a similar nature, but the hours of operation and the number of guests will increase on weekdays. The Planning Commission may consider some changes to sound and trash management if there are concerns of their potential impact on surrounding properties.*

3. Intensity of Use. Recreation areas and facilities may be approved administratively by the Zoning Administrator after it has been demonstrated to his/her satisfaction there will be minimal adverse impacts to the surrounding properties or neighborhood in terms of intensity of use, noise, odor, visual nuisance, traffic, landscape, drainage, duration of use, or any other identified potential impact. The Zoning Administrator may request the opinion of a subcommittee of the Planning Commission to assist in a determination of appropriateness of administrative review. All uses not deemed appropriate for administrative review shall be reviewed as a special land use.

**CWA Comment:** *It is our understanding that Zoning Administrator Nicholson requested the opinion of a Planning Commission subcommittee for the proposed amendment, which determined it should be reviewed by the Planning Commission.*

4. Traffic Impacts and Road Access. The proposed use must not generate traffic volumes of an amount that will create hazardous conditions for users of adjacent properties or contribute to altered character of properties in the vicinity. The Township may request formal feedback from the Livingston County Road Commission and an independent traffic study to determine impacts.

**CWA Comment:** *There are no proposed changes to the previously-approved driveway.*

*The proposed amendment would likely create increased volumes of traffic, as the capacity will be increased for events on weekdays. However, the maximum volume for any single event will not exceed the current maximum volume.*

*The Planning Commission should consider consulting the Livingston County Road Commission to determine if any additional improvements may be necessary for the driveway.*



5. Landscaping and Screening. Landscaping and screening must achieve the standards of Article 21A of this Ordinance. The Township may waive certain landscape requirements where it is determined the intent of the landscaping standards is achieved with existing site conditions.

**CWA Comment:** *It appears there are no proposed changes to landscaping of screening from the previously-approved site plan.*

6. Setbacks. The setback standards in Section 20.01 of this Ordinance apply to all structures associated with the commercial recreation area. Accessory buildings and structures shall be located in accordance with Section 21.02, Accessory Buildings and Structures Provisions, to the extent feasible. Due to the unique and diverse nature of recreation areas defined herein, the Township may modify side and rear setback requirements to accommodate unique circumstances or structure types. Modification of setbacks may only be considered where vegetative screening, berms, or other forms of buffering are proposed to help minimize the effect of the modified setback.

**CWA Comment:** *The are no proposed changes to structures as part of the proposed amendment.*

7. Parking. The number of off-street parking spaces provided in support of temporary uses may be considered on a case-by-case basis. Where specific parking space requirements cannot be determined by Section 25.11 or credible external resources, the site must dedicate 320 square feet of land area for parking per expected vehicle at maximum anticipated capacity.
  - a. Off-street parking. Off-street parking is subject to the standards of Article 25 of this Ordinance, but certain design standards may be waived to permit informal parking areas with surfaces of turf, mulch, stone, or other similar material suitable for driving or parking. Parking area delineation may be accomplished by paint, string, or other means deemed appropriate by the Planning Commission.
  - b. On-street parking. On-street parking is prohibited unless authorization is expressly granted by the Livingston County Road Commission, MDOT, or other applicable authority of record for the road right-of-way.

**CWA Comment:** *There are no proposed changes to the previously-approved parking.*

*While the frequency of larger events may increase with the proposed amendment, the maximum capacity will remain the same, so no additional parking will be necessary.*

*However, there may be greater use of the grass parking area, which may require it or a portion of it, to be changed to a gravel parking surface.*

8. Use-Specific Standards. The following standards are intended to be for a specific use and may not apply to all commercial recreation areas and facilities:

**CWA Comment:** *The proposed public/private recreational area/facility will not include any of the uses described with these use-specific standards.*

10. Annual Review. On an annual basis, special land uses described herein shall undergo review. Due to the unique and potentially evolving nature of these types of uses, the annual review is intended to ensure operations are in harmony with the surrounding neighborhood as intended, conditions of the

approval are being followed, improvements to operations are identified and mutually agreed-upon, and the interests of the owner/operator and Township are supported.

**CWA Comment:** *The applicant has requested eliminating the requirement to submit monthly reports. If the facility has been able to operate without significant issues since it was originally approved, the Planning Commission should consider the owner/operator instead prepare and submit an annual report, as outlined in §22.05.F.10 Annual Review.*

## APPLICABLE DECISION CRITERIA

The proposed use requires both special land use and site plan review. The decision criteria for those approvals are explored below.

Standards for site plan review are outlined in §23.03 Standards for Site Plan Review, and a description of information that must be included in a site plan is outlined in §23.02 Site Plan Information.

**CWA Comment:** *It appears that the previously-approved site plan includes most, but not all, of the information required in this section. Some of the missing information includes: location of trash dumpster and seal of the designer.*

*The Planning Commission should have the applicant describe how any increased trash will be managed. If a dumpster or a bin area is necessary, it should be added to the site plan.*

*Site plan notes should be updated to be consistent with the proposed amendment.*

*The site plan should be stamped by a licensed professional.*

The general review standards for special land uses are outlined in §22.04 General Review Standards for All Special Land Uses. Specific standards for public/private recreational areas/facilities uses have been explored in the Public/Private Recreational Area/Facility Standards section of this report.

A. Master Plan. The special land use will be consistent with the goals, objectives and future land use plan described in the Township's Master Plan.

**CWA Comment:** *The Future Land Use Map calls for planned commercial services to the north and south and residential/natural resources to the west. The use with the proposed amendment appears to be generally consistent with those uses.*

B. Zoning District. The special land use will be consistent with the stated Intent of the zoning district.

**CWA Comment:** *The current use and the proposed amendment are considered a special land use within the RE Rural Estate district and are generally consistent with the intent of that zoning district.*

C. Neighborhood Compatibility. The special land use will be designed, constructed, operated and maintained to be compatible with, and not significantly alter, the existing or intended character of

the general vicinity in consideration of environmental impacts, views, aesthetics, noise, vibration, glare, air quality, drainage, traffic, property values or similar impacts.

**CWA Comment:** *The use is generally well screened from adjacent properties and the street. The proposed expansion of the use and the hours of operation may generate concerns with sound migrating to the adjacent residential properties to the north. Matching the hours of outdoor music to the sound standards of the Zoning Ordinance and providing a reporting procedure for complaints, such as an on-site representative, should mitigate the impacts of sound.*

D. Environment. The special land use will not significantly impact the natural environment.

**CWA Comment:** *The proposed amendment does not appear likely to have a significant impact on the natural environment. Potential conversion of grass parking surfaces to gravel would likely generate more stormwater runoff. The Planning Commission may wish to consult with the Township Engineer.*

E. Public Services. The special land use can be served adequately by public facilities and services such as police and fire protection, drainage structures, water and sewage facilities, refuse disposal and schools.

**CWA Comment:** *The proposed amendment does not appear likely to have a significant impact on public facilities or services. The potential increase in the number of events and number of guests on site is likely to generate more trash. The Planning Commission should have the applicant describe how the additional trash will be managed.*

F. Traffic. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration the following...

**CWA Comment:** *The proposed amendment would likely result in an increase in the number of vehicles accessing the site over time. However, the number of vehicles per event would be consistent with the current approval. The Planning Commission should consult with the Township engineer and the Livingston County Road Commission to confirm that the current driveway will be adequate.*

G. Additional Development. The proposed use shall be such that the location and height of buildings or structures, and the location, nature and height of walls, fences, and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

**CWA Comment:** *The proposed amendment does not appear to discourage the appropriate development or use of adjacent properties or unreasonably affect their value, provide potential impacts from sound, trash, and stormwater are managed.*

H. Health, Safety and Welfare. The proposed use shall be designed, located, planned, and operated to protect the public health, safety, and welfare.

**CWA Comment:** *It appears that the proposed amendment, with some conditions outlined in this report, is likely to function in a manner that does not have a negative impact on the public health, safety, or welfare.*

## SUMMARY & COMMENTS


The proposed special land use/site plan amendment appears to be generally consistent with the Zoning Ordinance or would be with some modifications. The Planning Commission may require additional information of the applicant as part of its review.

Potential conditions of approval or request for additional information are outlined below.


If the amendment is approved, a revised site plan should be provided. Unless the changes to the site plan are significant, staff may review it to confirm consistency with an approval.

- 1) *Consideration should be given to converting the grass parking area to gravel.*
- 2) *The site plan should be updated to show the maneuvering lane for the grass parking area has been converted to gravel.*
- 3) *The Planning Commission should consider if it needs additional information about the location of employee parking (location, etcera).*
- 4) *The applicant should confirm that the existing utilities will be adequate to accommodate the potential increased volume of guests.*
- 5) *If grass parking is converted to gravel, the Township engineer should confirm whether or not additional stormwater management will be necessary.*
- 6) *The applicant should confirm that there will be no changes to the existing landscaping and screening, lighting, or signs.*
- 7) *Language in the description of use statement and site plan should be revised to make it clear that there can be up to 150 guests and up to 13 support staff.*
- 8) *The Planning Commission may want to consider limiting outdoor music to no later than 10:00 pm, if there is concern about sound.*
- 9) *The Planning Commission may consider some changes to trash management, if there is concern about capacity, with any changes added to the site plan.*
- 10) *The Planning Commission should consider consulting the Township engineer and Livingston County Road Commission to determine if any additional improvements may be necessary for the driveway.*
- 11) *The Planning Commission should consider the owner/operator instead prepare and submit an annual report, as outlined in §22.05.F.10 Annual Review.*
- 12) *Site plan notes should be updated to be consistent with the proposed amendment.*
- 13) *The site plan should be stamped by a licensed professional.*

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CARLISLE/WORTMAN ASSOC., INC.  
Zach Michels, AICP  
Planner



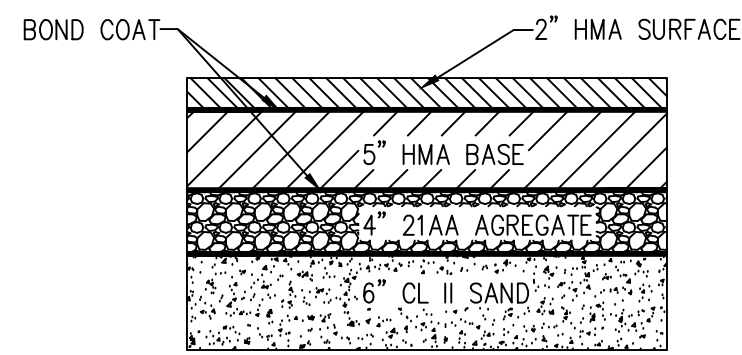
CARLISLE/WORTMAN ASSOC., INC.  
Douglas J. Lewan, AICP  
Executive Vice President

# SITE LAYOUT

PER OWNER	REV	DATE	DESCRIPTION	PER OWNER	REV	DATE	DESCRIPTION
		2/20/2018	REV FIRE SUPPRESSION SHED DIMS		5/15/2018		
		2/20/2018	PER FIRE MEETING		3/21/2018		
		ADD 22'x36' BUILDING ADDITION	PER PLANNING COMMISSION COMMENTS		3/16/2018		
					9/10/2021		
					4/18/2022		

REVISIONS	DATE	DESCRIPTION
PER FIRE DEPT. REVIEW COMMENTS	4/27/2015	
PER OWNER	5/18/2015	
PER TWP REVIEW COMMENTS	9/18/2015	
PER LDCB	9/22/2015	
PER TWP REVIEW COMMENTS	12/17/2015	

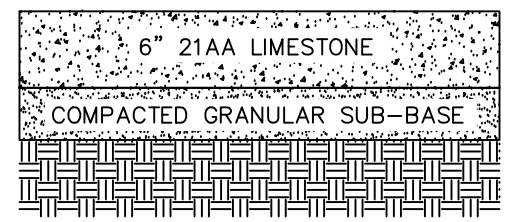
Drawn: M.B.	Checked:	Approved:	Date: 4/14/2015
Sub. no. 15136	Scale:	Vertical: T=40'	Horizontal:
2			



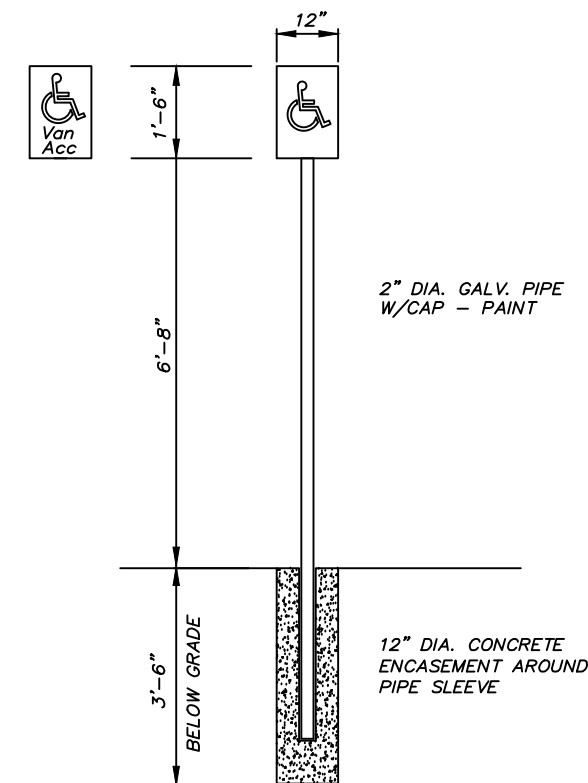
DRIVE APPROACH ASPHALT PAVEMENT SECTION



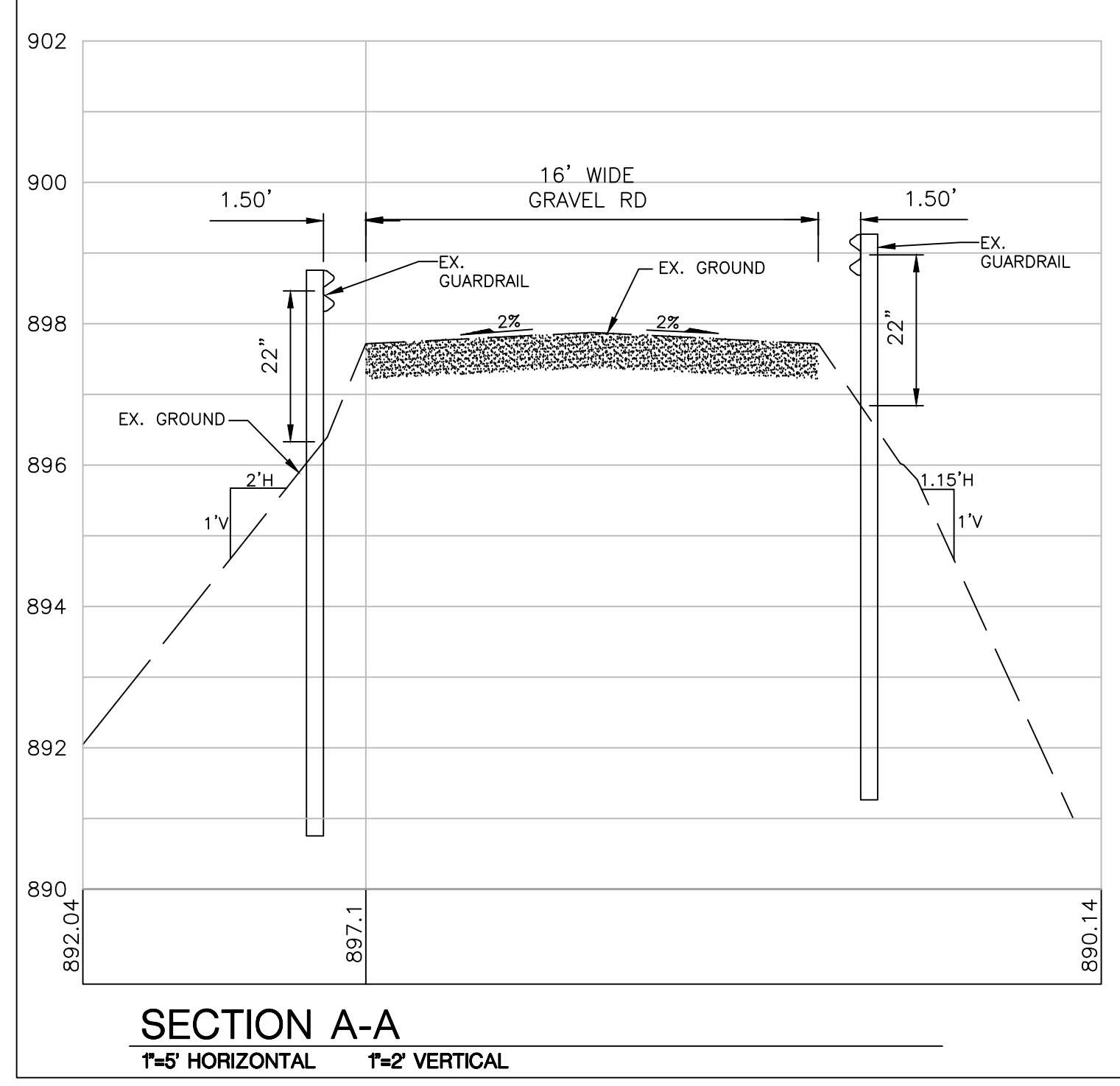
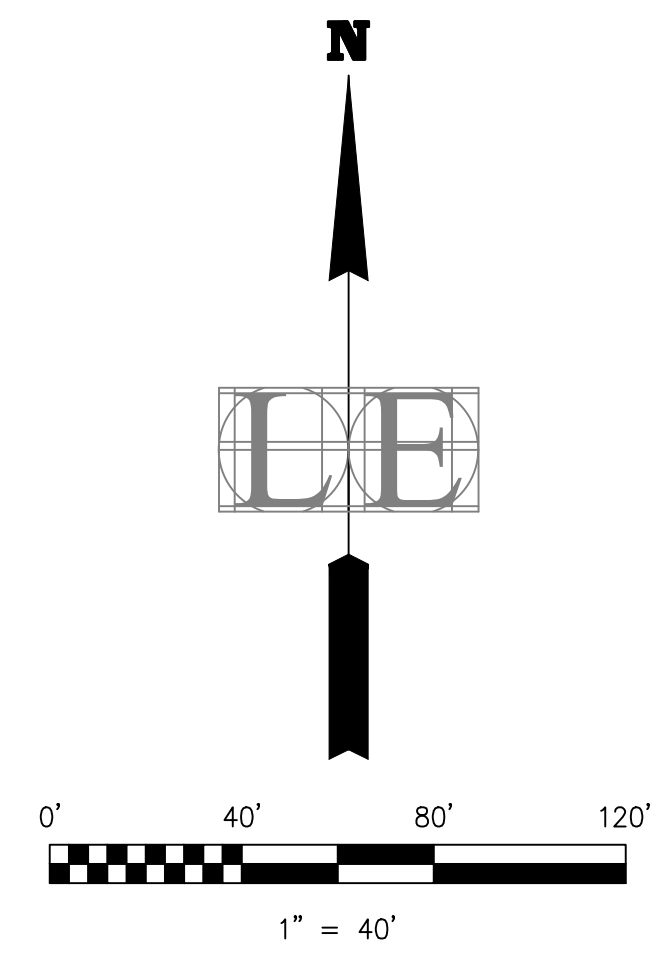
GRAIN BIN DETAIL



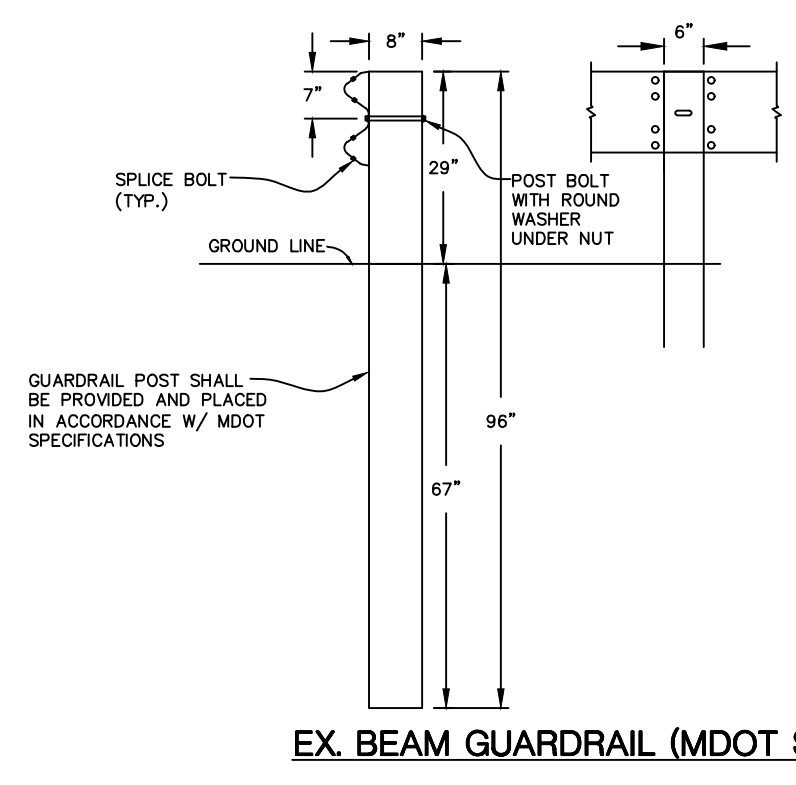
EXISTING GRAVEL SECTION NOT TO SCALE



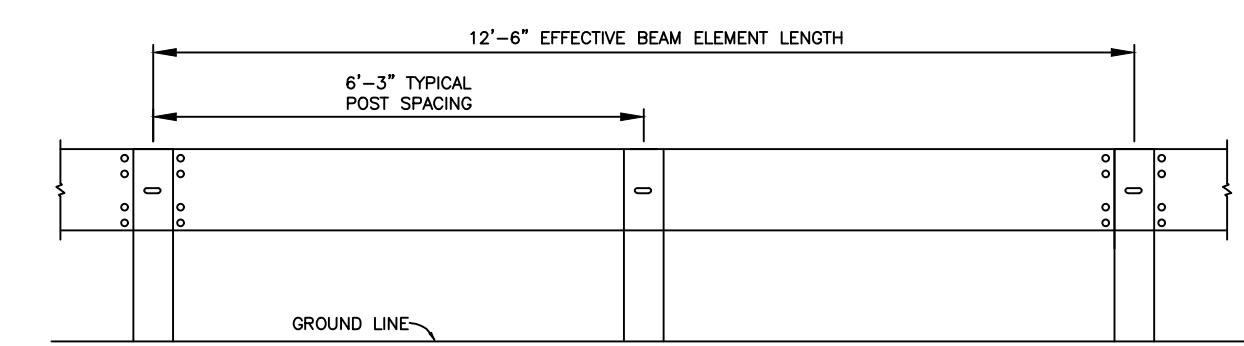
B.F. PARKING SIGN NOT TO SCALE



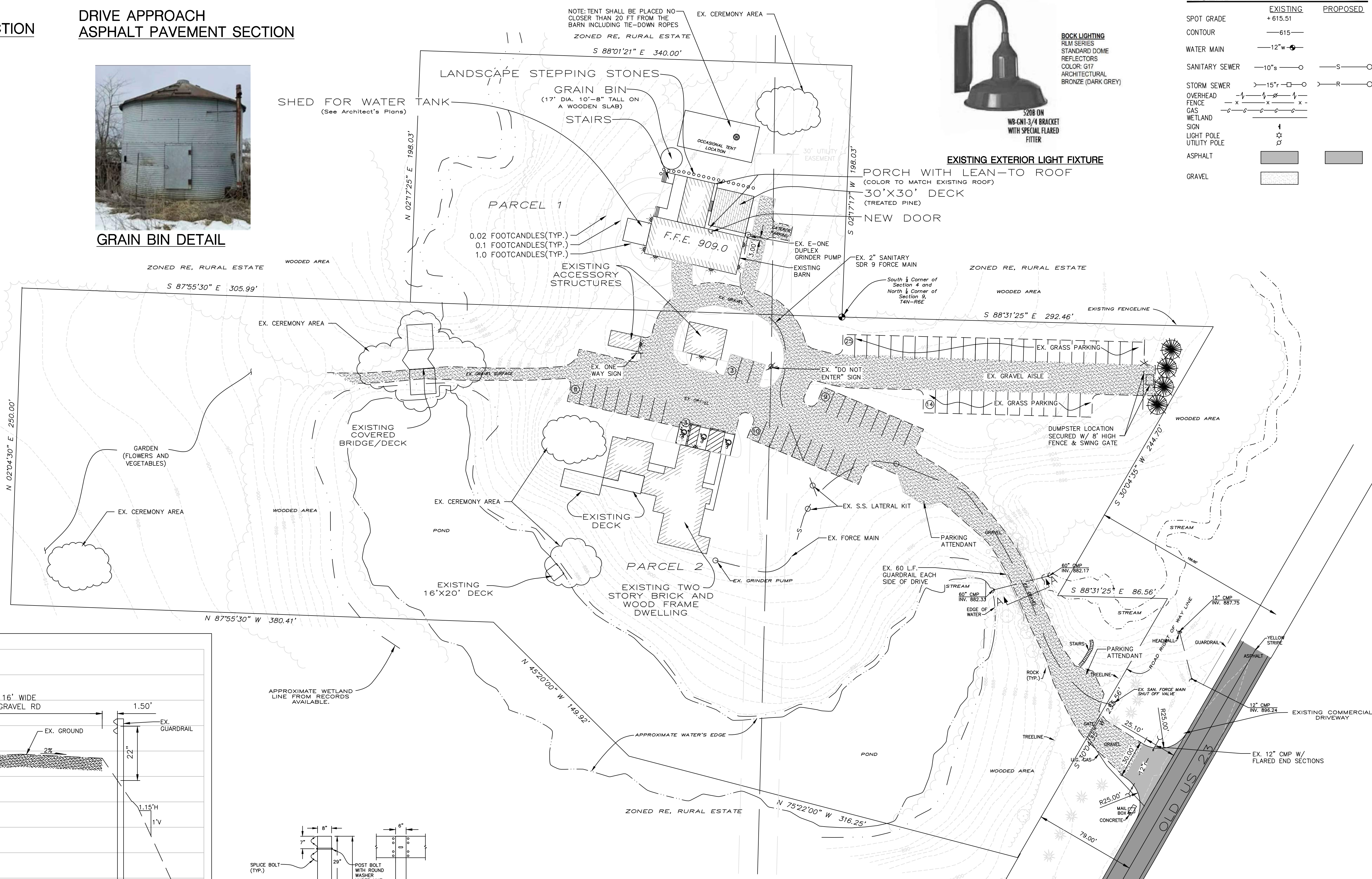
SECTION A-A  
 T=5' HORIZONTAL T=2' VERTICAL



EX. BEAM GUARDRAIL (MDOT STD)



EX. BEAM GUARDRAIL SHOWING POST SPACING (MDOT STD)



EXISTING EXTERIOR LIGHT FIXTURE  
 BOCK LIGHTING RLM SERIES STANDARD DOME REFLECTORS COLOR: G17 ARCHITECTURAL BRONZE (DARK GREY)  
 5008 ON WB-CNT-3/4 BRACKET WITH SPECIAL FLARED FITTER

**LEGEND**

	EXISTING	PROPOSED
SPOT GRADE	+615.51	
CONTOUR	—615—	
WATER MAIN	—12" w —	—S—
SANITARY SEWER	—10" s —	—S—
STORM SEWER	—15" r —	—R—
OVERHEAD FENCE	—x—x—x—	
GAS	—G—G—G—	
WETLAND		—W—
SIGN	—S—	
LIGHT POLE	—L—	
UTILITY POLE	—U—	
ASPHALT		—A—
GRAVEL		—G—

- NOTES**
- DURING EVENTS, A PARKING/TRAFFIC ATTENDANT WILL BE LOCATED AT THE SITE ENTRANCE, EAST SIDE OF THE ONE WAY DRIVE CROSSING AND NEAR THE BARN TO DIRECT VISITORS.
  - PARKING ATTENDANTS ARE FAMILY MEMBERS.
  - ANY DEAD OR DISEASED LANDSCAPE TREES WILL BE REPLACED WITHIN 6 MONTHS OR IN THE NEXT APPROPRIATE PLANTING SEASON.
  - VENUE WILL BE CLOSED ON MONDAYS & TUESDAYS.
  - VENUE OCCUPANCY IS 163, 150 GUEST AND 13 STAFF/VENDORS.
  - THE HOURS OF OPERATION ON WEDNESDAY, THURSDAY, AND SUNDAY ARE 11 AM TO 11 PM. MUSIC WILL END AT 10:30 PM.
  - THE HOURS OF OPERATION ON FRIDAY AND SATURDAY ARE 9 AM TO MIDNIGHT. MUSIC WILL END AT 11:30 PM.
  - THE OWNER WILL SUBMIT AN ANNUAL REPORT OF USE AS OUTLINED IN ORDINANCE 22.05 F. 10 ANNUAL REVIEW.
  - THE GRAIN BIN SHED WILL BE USED BY CATERERS FOR STORAGE PURPOSES.
  - THE LEAN-TO DECK WILL NOT INCREASE OCCUPANCY. IT WILL PROVIDE WORK SPACE FOR CATERERS.

FILE: C:\Users\user\Dropbox (Living)\Projects\2015\15136\_ Johnson\_Twp.dwg Site Plan\15136\_2\_Layout.dwg

# NEW BUSINESS #7

Closed session to discuss pending litigation.

*(No documents attached)*