

1                                   **TYRONE TOWNSHIP PLANNING COMMISSION**  
2                                   **REGULAR MEETING & PUBLIC HEARING MINUTES**

3                                   September 14, 2021 7:00 p.m.

4                                   **Meeting Held at the Tyrone Township Hall**

5                                   **The Meeting was Recessed at 7:30 pm for a Public Hearing**  
6  
7

8       **PRESENT:** Kurt Schulze, Jon Ward, Garrett Ladd, Steve Krause, Bill Wood, and Rich Erickson  
9

10       **ABSENT:** Dan Stickel  
11

12       **OTHERS PRESENT:** Ross Nicholson and Zach Michels (CWA)  
13

14       **CALL TO ORDER:** The meeting was called to order at 7:00 by Vice Chairman Schulze.  
15

16       **PLEDGE OF ALLEGIANCE:**  
17

18       **CALL TO THE PUBLIC:**  
19

20       Vice Chairman Schulze opened the floor to accept public comments not related to items on the  
21       agenda.  
22

23       Jannette Ropeta (resident) asked the Planning Commission if they could better notify residents  
24       when meeting agendas become available. She stated that a number of residents were in  
25       attendance specific to the Lake Urban Crossing Preliminary PUD application which the Planning  
26       Commission had mentioned may not be discussed. Vice Chairman Schulze indicated that they  
27       intended to discuss the item but, unfortunately, they had not received a revised Planner review of  
28       the application since new information was provided by the applicants. She stated that she would  
29       appreciate it if the Planning Commission could better notify residents of changes to the agenda in  
30       advance. Vice Chairman Schulze stated that, moving forward, they would do their best.  
31

32       Jeff Cooper (resident) referenced a previous discussion regarding whether or not the proposed  
33       Lake Urban Crossing PUD could be located along Runyan Lake Road because it is not classified  
34       as a County primary road as required by the Zoning Ordinance. Vice Chairman Schulze  
35       indicated that the Planning Commission is currently investigating and would discuss further at a  
36       future meeting.  
37

38       Scott Dietrich (resident) asked why he was told that the Vale Royal event barn special land use  
39       application did not require a public hearing when a public hearing was subsequently scheduled  
40       for the current meeting. Vice Chairman Schulze apologized, stating that he made the previous  
41       statement in error and that a public hearing was required.  
42

43       **APPROVAL OF THE AGENDA:**  
44

45       Kurt Schulze asked if anyone would like to make a motion to approve the agenda as amended,  
46       noting that the Lake Urban Crossing Preliminary PUD application had been removed due to a

47 revised Planner review being unavailable and moving Old Business item #3 ahead of all other  
48 business. Steve Krause made a motion to approve the agenda as amended. Rich Erickson  
49 supported the motion. Motion carried by unanimous voice vote.

50

51 **APPROVAL OF THE MINUTES:** Deferred.

52

53 **OLD BUSINESS #3: Durocher Special Land Use Site Plan Amendment:**

54

55 Vice Chairman Schulze asked Zach Michels to provide a summary of the application and read  
56 through the review he had prepared. Zach Michels stated that the proposal is for a major site  
57 plan and special land use permit amendment to an existing special land use for a contractor's  
58 office and outdoor storage yard. He summarized the proposal and read through the review he  
59 had prepared for the application. He provided recommendations for additional agency reviews  
60 that the Planning Commission may require. He explained that the Planning Commission had  
61 previously determined that the existing special land use was similar to existing special land uses  
62 permitted within the zoning district and did not classify the operation specifically as an open  
63 storage yard. He provided the Planning Commission with recommendations for specific aspects  
64 of the proposal including modifications to the use statement and site plan including  
65 landscaping/screening, paving, stormwater management, parking, etc.. He stated that the  
66 proposal is generally consistent with the Zoning Ordinance standards with minor modifications  
67 and concluded with a list of recommendations for additional information that the Planning  
68 Commission may request.

69

70 Vice Chairman Schulze asked if the applicant or authorized agent would like to comment. Tim  
71 Zimmer with Livingston Engineering (authorized agent) thanked Zach Michels and the Planning  
72 Commission and indicated that they are open to make modifications to the site plan and use  
73 statement as the Planning Commission requires. He commented on the suggestions provided in  
74 Zach Michels' review letter. He stated that he welcomes any comments or questions the  
75 Planning Commission may have.

76

77 Steve Krause asked if it would be possible to make modifications to the proposed berm shown on  
78 the site plan at the north property line of the site. The Planning Commission briefly discussed  
79 with Tim Zimmer.

80

81 Jon Ward asked if topsoil screening was previously permitted under the existing special land use  
82 permit. Tim Zimmer indicated that he believes so. The Planning Commission briefly discussed.  
83 It was noted that the topsoil screening aspect should be included on the use statement.

84

85 Vice Chairman Schulze asked the Planning Commission if they felt that a performance guarantee  
86 should be required. He asked Tim Zimmer if there would be any objection to providing a  
87 financial guarantee, if necessary. Tim Zimmer indicated that it would not be a problem.

88

89 Steve Krause suggested revising the landscaping plan to include a variety of different trees. Tim  
90 Zimmer indicated that they could revise the planting types if necessary.

91

92 Jon Ward asked if there were any additional hours of operation beyond those listed in the use  
93 statement. Gerry Durocher (applicant) indicated that the hours are slightly reduced with seasonal  
94 Steve Krause asked if requiring a maintenance schedule for stormwater management systems on  
95 the site would be appropriate for the special land use. Zach Michels indicated that it may be  
96 appropriate to require in this case though it is not as common for commercial uses as it is in  
97 condominiums.

98  
99 Vice Chairman Schulze indicated that the time was 7:30 pm and indicated that the scheduled  
100 public hearing should start.

101  
102 Rich Erickson made a motion to temporarily suspend the regular meeting to hold the scheduled  
103 public hearing. Steve Krause supported the motion. Motion carried by unanimous voice vote.

104  
105 *The item was temporarily deferred.*

106  
107 **PUBLIC HEARING #1/OLD BUSINESS #1: Vale Royal Barn Special Land Use and Site**  
108 **Plan Amendment:**

109  
110 Vice Chairman Schulze opened the public hearing and read the public hearing notice that was  
111 published in the Tri County Times on Sunday, August 29<sup>th</sup>, 2021, in compliance with the Open  
112 Meetings Act:

113  
Notice is hereby given the Tyrone Township Planning Commission will hold a Public Hearing on Tuesday, September 14,  
2021, beginning at 7:30 at the Tyrone Township Hall, 8420 Runyan Lake Road, Fenton, Michigan 48430. The purpose for  
the Public Hearing is:

1. To receive public comments regarding a request by Valerie Johnson, for an amendment to an event venue special land use known as Vale Royal Barn & Inn, regulated by Zoning Ordinance #36 Section 4.03.H - FR/RE Recreational Area Special Land Uses, and Section 22.05.F – Commercial Recreation Areas, located at 11009 Old US-23, Fenton, Michigan 48430, Tax ID 4704-09-100-007. The property is zoned RE (Rural Estate).
2. To receive public comments regarding a request by DMN Property Holdings, LLC for 2 proposed shared private driveways as part of a land division creating eight (8) new parcels; one at the end of the cul-de-sac on Riverwalk Drive and 1 at the end of Shannon Glen Drive in Shannon Glen site condominium. The parent parcel is Parcel ID: 4704-32-100-010, zoned R-1 (Single-Family Residential).

114  
115 Additional information is available at the Tyrone Township Planning & Zoning Department, 8420 Runyan Lake Road,  
Monday through Thursday, 9 a.m. to 5 p.m. 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.

116 Vice Chairman Schulze suggested starting with item #1, the Vale Royal barn Special Land Use  
117 and Site Plan Amendment.

118  
119 Zach Michels summarized the request and read through the review letter he had prepared for the  
120 application.

121  
122 He stated that the request is to allow additional large and small events beyond what is currently  
123 permitted. He went through the review letter making notes of the items that had been addressed  
124 and those that remained to be addressed.

125 He stated that the site plan has been revised to include all necessary information and would just  
126 need to be stamped and signed by a registered professional per the Zoning Ordinance  
127 requirements.

128  
129 Valerie Johnson (applicant) asked for clarification on whether the site plan or use statement  
130 should be revised to specify the maximum number of guests and employees permitted for large  
131 and small events. Zach Michels indicated that both documents should be revised to include the  
132 information.

133  
134 Vice Chairman Schulze asked the Planning Commission if they had any questions or comments.  
135 None were received.

136  
137 Vice Chairman Schulze opened the floor to receive public comments.

138  
139 Scott Dietrich (resident) stated that the location of the site is perfect for the special land use. He  
140 stated that it is important that these types of uses are located appropriately. He stated that he  
141 believes a sign at the entrance may be beneficial to make the site more easily identifiable to  
142 reduce potential traffic issues.

143  
144 Vice Chairman Schulze asked if there were any additional public comments. None were  
145 received.

146  
147 Vice Chairman Schulze indicated that the Planning Commission could potentially make a motion  
148 on the request.

149  
150 Rich Erickson made a motion to recommend conditional approval of the proposed site plan and  
151 special land use amendments with the conditions that the site plan and use statement documents  
152 are revised to clearly specify the maximum number of guests and employees and the final site  
153 plan is stamped and signed by a registered professional. Steve Krause supported the motion.  
154 Motion carried by unanimous voice vote.

155  
156 **PUBLIC HEARING #2/NEW BUSINESS #1: DMN Properties Shared Private Driveways**  
157 **for Proposed Land Division:**

158  
159 Vice Chairman Schulze asked Zach Michels to provide a summary of the request.

160  
161 Zach Michels stated that the request is for two (2) new shared private driveways to provide  
162 access to properties that would result from a proposed land division. He described shared private  
163 driveways as they are defined in the Zoning Ordinance. He stated that both proposed shared  
164 private driveways would take access from existing private roads which would require consent  
165 from the association having jurisdiction of the private roads (Shannon Glen Association). He  
166 stated that there was initially a question regarding whether the private roads within Shannon  
167 Glen are considered conforming or nonconforming in reference to the current Zoning ordinance  
168 private road standards. He stated that the Zoning Ordinance does not clearly define “single  
169 access point”. He stated that, based on Township records, the private roads in Shannon Glen  
170 were originally approved with a single entrance with the condition that the entrance was

171 designed as a boulevard with two lanes of traffic spaced apart and divided by an island. He  
172 stated that the intent was to provide a secondary access point for emergency vehicle access if  
173 ever there was an instance where one of the two lanes was obstructed. He stated that, based on  
174 the previous approval of the Shannon Glen private roads, they are considered conforming and,  
175 therefore, could be expanded/extended by means of the proposed shared private driveways.  
176

177 Zach Michels continued with his summary of the proposal. He made several suggestions to  
178 improve the maintenance agreement documents for the proposed shared private driveways  
179 including providing separate agreements for each shared private driveway and clarifying access  
180 for proposed "Lot 5". He stated that the drainage design and line of sight have been provided  
181 and appears to be sufficient. He stated that the proposal includes "T-style" turnarounds, which  
182 may be approved as an alternative to circular turnarounds/cul-de-sacs if the Planning  
183 Commission determines they meet the intent of the design standards and recommends approval.  
184 He stated that the fire inspector had previously expressed concerns regarding adding additional  
185 parcels that would take access from the existing Shannon Glen private roads. He indicated that  
186 since those concerns were expressed it was noted that there is a dry hydrant system available for  
187 use in the area and that they would recommend approval as long as deed restrictions were  
188 attached to the new parcels requiring fire suppression systems in all new residential dwellings.  
189 He stated that the site plan mentions traffic control devices that are not depicted in the drawings.  
190 He recommended that the traffic control devices are added to the site plan drawings.  
191

192 Vice Chairman Schulze asked if the applicant or a representative of DMN was present and if  
193 they would like to address the Planning Commission regarding the request.  
194

195 Brent LaVanway (authorized agent of the applicant) introduced himself and the applicant (Dave  
196 Bair). He provided a summary of the request to the Planning Commission. He noted the  
197 location of the subject property and stated that he would respond to the items noted by the  
198 Planner in his review. He stated that, in regards to the access for proposed "Lot 5", access would  
199 be limited and restricted to only the east proposed shared private driveway. He stated that they  
200 understand the comments noted by the Planner and would be willing to make adjustments to the  
201 plans and documents as requested by the Planning Commission. He asked if the Planning  
202 Commission had any questions regarding the proposal.  
203

204 Vice Chairman Schulze asked what the total length from the end of Riverwalk Drive to the T-  
205 turnaround was. Brent LaVanway indicated that it was eight hundred and fifty feet (850') and  
206 the other shared private driveway distance was slightly shorter, around six hundred and fifty feet  
207 (650'). Vice Chairman Schulze asked if there were separate maintenance agreements for each  
208 proposed shared private driveway. Brent LaVanway indicated that there is currently only one  
209 maintenance agreement drafted, but they would be revising it to be two separate agreements.  
210 Vice Chairman Schulze asked how far the dry hydrant system is from the proposed shared  
211 private driveways. Brent LaVanway indicated that the dry hydrant is located at Faussett Road.  
212 He noted that the Fire Department's review indicated that the distance would be acceptable as  
213 long as all new single-family dwellings on parcels resulting from the land division would be  
214 required to install residential fire suppression systems. Rich Erickson asked if there was any  
215 particular reason they are proposing T-style turnarounds. Brent LaVanway indicated that, based  
216 on the number and layout of parcels that would result from the land division, they determined

217 that the T-style turnarounds would be most appropriate. Jon Ward asked Ross Nicholson and  
218 Zach Michels if the Shannon Glen private roads and proposed shared private driveways could be  
219 approved under the current Zoning Ordinance standards based on the length, number of lots, and  
220 access point. Ross Nicholson indicated that the Zoning ordinance does have specific standards  
221 regarding the maximum length and number of units, but some deviations may be granted,  
222 depending on review and recommendations from the fire authority having jurisdiction. Zach  
223 Michels weighed in, stating that it depends on a number of factors. He stated that the  
224 interpretation of “single access point” has a lot to do with whether or not approval could be  
225 considered. He stated that International Fire Code dictates certain design requirements such as  
226 maximum length and maximum number of units. He stated that it is fairly common in other  
227 municipalities that better define single access points in their ordinances that boulevard  
228 approaches are not considered to be single access points. Vice Chairman Schulze weighed in,  
229 stating that the fire authority gave the OK for the proposed shared private driveways with the  
230 conditions that a dry hydrant system is available in the area and that all new residential dwellings  
231 install fire suppression systems. The Planning Commission briefly discussed.

232  
233 Vice Chairman Schulze asked if there were any additional questions from the Planning  
234 Commission. None were received.

235  
236 Vice Chairman Schulze opened the floor to accept public comments.

237  
238 Shari Pollesch (attorney representing the Shannon Glen Association) stated that she wants to  
239 make sure the Planning Commission is aware that final approval of the proposed shared private  
240 driveway should be conditional upon the Association granting permission to use the private  
241 roads. She noted that there are thirty-five (35) existing lots that currently take access from the  
242 Shannon Glen private road system.

243  
244 Vice Chairman Schulze asked if there were any additional public comments. None were  
245 received.

246  
247 Vice Chairman Schulze asked the Planning Commission if they had any additional questions or  
248 comments. The Planning Commission briefly discussed. Vice Chairman Schulze noted that any  
249 favorable recommendation would be conditional upon consent/approval from the Shannon Glen  
250 Association for use of the private roads. He asked Ross Nicholson for confirmation. Ross  
251 Nicholson confirmed. The Planning Commission briefly discussed and compiled a list of  
252 potential conditions with Zach Michels. The list included: approval for use of the private roads  
253 from the Shannon Glen Association, providing two separate maintenance agreements (one for  
254 each shared private driveway), placing deed restrictions for fire suppression on the resulting  
255 parcels, clarification of the proposed access for “Lot 5”, and noting that the Planning  
256 Commission grants a design waiver for the T-style turnarounds.

257  
258 Steve Krause made a motion to recommend conditional approval of the DMN shared private  
259 driveway application with the conditions that the maintenance agreement documents are revised  
260 so that each shared private driveway has a sperate agreement, approval for use of the private  
261 roads is obtained from the Shannon Glen Association, deed restrictions requiring fire suppression  
262 for all residential dwellings erected on the parcels resulting from the land division are recorded,



263 the documentation is revised to specify that Lot 5 will take access exclusively from the east  
264 shared private driveway, and the site plan is revised to include traffic control devices, noting that  
265 the Planning Commission is recommending approval of the T-style turnarounds. Rich Erickson  
266 supported the motion. Motion carried by unanimous voice vote.

267  
268 Steve Krause made a motion to close the public hearing and resume the regular meeting. Rich  
269 Erickson supported the motion. Motion carried by unanimous voice vote.

270  
271 Vice Chairman Schulze closed the public hearing to resume the regular meeting.

272  
273 **OLD BUSINESS #3 (continued): Durocher Special Land Use Site Plan Amendment:**

274  
275 Vice Chairman Schulze recommended that the Planning Commission pick up on the discussion  
276 where they left off before the public hearing.

277  
278 The Planning Commission briefly recapped the items that had been previously discussed. The  
279 Planning Commission briefly discussed on-site maintenance of vehicles and equipment with the  
280 applicant.

281  
282 Bill Wood stated that there may be a need to operate outside the listed hours of operation. He  
283 provided an example where a load of sand may be required to address an oil spill on a public  
284 roadway outside of regular business hours. Vice Chairman Schulze asked if the listed hours of  
285 operation would also include emergency services. Gerry Durocher stated that the hours listed do  
286 not take into account emergency services that may occur outside of regular business hours. The  
287 Planning Commission briefly discussed with Ross Nicholson and Zach Michels. Vice Chairman  
288 Schulze asked if they should ask that the use statement is amended to include a statement  
289 regarding emergency services. Zach Michels indicated that it may help to include a statement to  
290 that effect.

291  
292 Scott Dietrich (resident) stated that the Planning Commission should impose a maximum height  
293 requirement for vehicles and equipment stored on site. He stated that they should require that  
294 there are no chemicals stored on site. He stated that the hours of operation are concerning due to  
295 the location of the driveway approach which is along a curve.

296  
297 Jon Ward asked Zach Michels what type of equipment and material storage the Zoning  
298 Ordinance allows and whether or not there is a height limit. Zach Michels indicated that the  
299 Zoning ordinance does not specifically limit the height of equipment or stockpiles for such uses,  
300 but does require screening. Zach Michels continued, stating that the Planning Commission could  
301 require greater setbacks and/or additional screening and/or fencing in certain areas of the site if  
302 deemed necessary. The Planning Commission briefly discussed.

303  
304 Vice Chairman Schulze asked if the Planning Commission felt that additional information would  
305 need to be provided prior to scheduling the required public hearing. Vice Chairman Schulze  
306 asked Ross Nicholson if the Planning Commission is required to take action on the application at  
307 this time. Ross Nicholson indicated that formal action would not be required but recommended  
308 that the Planning Commission should provide the applicant with direction so they can make the

309 necessary revisions to the application documents prior to the public hearing. Ross Nicholson  
310 recommended that the applicants take the recommendations the Planning Commission had  
311 discussed today and come back with revised application documents and plans, at which time they  
312 could schedule the public hearing. Vice Chairman Schulze asked the applicant if he had any  
313 questions for the Planning Commission. Tim Zimmer stated that they understand the Planning  
314 Commission's requests and would work to revise the application documents and plans so they  
315 can come back for the public hearing.

316  
317 No action was taken.

318  
319 **CALL TO THE PUBLIC:**

320  
321 Vice Chairman Schulze asked if there were any additional public comments. None were  
322 received.

323  
324 **MISCELLANIOUS BUSINESS #1: Master Plan Preparation:**

325  
326 Vice Chairman Schulze asked Zach Michels to briefly summarize the Master Planning process.  
327 Zach Michels summarized the purpose and intent of community master plans. He stated that  
328 there are a variety of methods municipalities use to generate and implement master plans. He  
329 recommended that the Planning Commission read through the current Master Plan to begin  
330 formulating ideas and providing direction in terms of the scope of work necessary to make  
331 updates. Vice Chairman Schulze stated that there is significant interest in the community to  
332 create a timeline/scope of work plan to guide the master planning process. The Planning  
333 Commission briefly discussed how to maximize public involvement/participation with Zach  
334 Michels. Discussion continued regarding initiating the master planning process.

335  
336 Scott Dietrich (resident) stated that the Master Plan survey should seek input from residents on  
337 how they would like to see Township-owned property utilized.

338  
339 Discussion on the master planning process amongst the Planning Commission and Zach Michels  
340 continued. Vice Chairman Schulze asked Zach Michels to put together some rough direction on  
341 the process to be discussed during a future meeting.

342  
343 Jannette Ropeta (resident) thanked the Planning Commission for discussing the Master Plan and  
344 involving the public. She asked the Planning Commission what the budget will be for the master  
345 planning process. She stated that there are members of the public in attendance that were  
346 involved in the previous master planning process. She stated that she would like to see a  
347 roadmap/workplan. She stated that she would love to help in the process. She stated that if the  
348 Township plans on generating a survey for the Master Plan that she would like herself and other  
349 residents to be involved in determining survey questions. She stated that she understands that the  
350 Township currently has a good Master Plan and that many communities review their current  
351 Master Plan before creating a new one or making revisions. She stated that there are many  
352 residents who are very eager to help with the master planning process. She said there is a  
353 resident who spent hours of time and lots of money taking master planning training who would  
354 like to be involved.



355 Vice Chairman Schulze thanked Jannette for her comments and indicated that the Township  
356 Board would need to work on coming up with a budget for the Master Plan.  
357  
358 The meeting was adjourned at 8:42 pm by Vice Chairman Schulze.