

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

3 **November 10, 2020 7:00 p.m.**

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

5
6
7 **PRESENT:** Dan Stickel, Kurt Schulze, Steve Krause, and Jon Ward

8
9 **ABSENT:** Rich Erickson, Bill Wood & Perry Green

10
11 **OTHERS PRESENT:** Ross Nicholson

12
13 **CALL TO ORDER:** The meeting was called to order by Chairman Stickel at 7:01 pm.

14
15 **PLEDGE OF ALLEGIANCE:**

16
17 **CALL TO THE PUBLIC:**

18
19 Chairman Stickel asked if there were any members of the public in attendance who would like to
20 ask any questions or make public comment.

21
22 No public comments or questions were received.

23
24 **APPROVAL OF THE AGENDA:**

25
26 Kurt Schulze suggested amending the agenda to include the Pledge of Allegiance. Kurt Schulze
27 made a motion to approve the agenda as amended. Steve Krause supported the motion. Motion
28 carried by unanimous voice vote.

29
30 **APPROVAL OF THE MINUTES:**

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32 09/08/2020 Regular Meeting Minutes

33
34 Kurt Schulze made a motion to approve the September 9, 2020 Regular Meeting and Public
35 Hearing minutes as presented. Steve Krause supported the motion. Motion carried by
36 unanimous voice vote.

37
38 09/16/2020 Regular Meeting Minutes

39
40 Kurt Schulze made a motion to approve the September 16, 2020 Regular Meeting and Public
41 Hearing minutes as presented. Steve Krause supported the motion. Motion carried by
42 unanimous voice vote.

43
44 **OLD BUSINESS #1: Fults/Pine Meadow Drive Land Division & Shared Private Driveway:**

46 Chairman Stickel introduced the topic and requested that Ross Nicholson provide a summary of
47 the application. Ross Nicholson explained that the application had been recommended for
48 conditional approval by the Planning Commission in 2018. The conditions for the
49 recommendation of approval were the submission and approval of a shared private driveway
50 maintenance agreement in recordable format, a wetland delineation report/sketch, and revisions
51 to the building envelopes shown on the survey drawings. He stated that the applicant had
52 submitted the requested documents to fulfill the conditions for approval. He stated that the
53 reason the land division application needed to be sent back to the Planning Commission was
54 because a significant period of time had passed, during which time the land division
55 requirements had changed and the membership of the Planning Commission had changed. He
56 stated that the application would still fall under the previous land division and shared private
57 driveway application requirements that were in effect when the application was received in 2018.
58 He stated that the Planning Commission would need to confirm that the recently provided
59 documents adequately fulfill the conditions for approval and make a recommendation for
60 approval or denial to the Township Board.

61
62 The Planning Commission briefly reviewed the documents submitted by the applicant to fulfill
63 the conditions for a favorable recommendation. The Planning Commission went through the
64 application and discussed. The consensus was that the provided documents adequately fulfilled
65 the conditions for approval.

66
67 Steve Krause made a motion to recommend Township Board approval of the Fults/Pine Meadow
68 land division and shared private driveway application. Kurt Schulze supported the motion.
69 Motion carried by unanimous voice vote.

70
71 *The item was closed.*

72
73 **OLD BUSINESS #2: Irish Hills/Ron Gordon Proposed PUD Agreement Amendment:**

74
75 Chairman Stickel opened discussion with a brief summary of the request. He asked Ross
76 Nicholson if he could summarize as well. Ross Nicholson indicated that the latest Irish Hills
77 Planned Unit Development (PUD) agreement includes language indicating that the commercial
78 parcel in the Irish Hills PUD was restricted to a set timeframe for operation of the Fenton
79 Trading Post (Trailer Sales). He stated that the timeframe had expired and the owner, Ron
80 Gordon, was requesting an extension for the approval to allow continuing operation of the
81 Fenton Trading Post. Ross Nicholson indicated that Mr. Gordon had provided a draft
82 amendment of the PUD agreement prepared by his attorney for Township review and
83 consideration. He stated that the Planning Commission is tasked with the initial review of the
84 proposed amendment so that they can make a recommendation for approval or denial to the
85 Township Board.

86
87 The Planning Commission reviewed the proposed PUD agreement amendment and discussed.
88 They arrived at the consensus that there were no objections to the amendment as proposed,
89 however, they would recommend that the Township's attorney review the proposed text before
90 the Township Board moves to approve.

91

92 Kurt Schulze made a motion to recommend Township Board approval of the proposed Irish Hills
93 PUD Agreement conditional upon review and comment by the Township’s attorney. Steve
94 Krause supported the motion. Motion carried by unanimous voice vote.

95
96 *The item was closed.*

97
98 *Kurt Schulze mase a motion to amend the agenda to move New Business Item #1 (Joint Meeting*
99 *Preparation) ahead of all other items. Steve Krause supported the motion. Motion carried by*
100 *unanimous voice vote.*

101
102 **NEW BUSINESS #1: Joint Meeting Preparation:**

103
104 Chairman Stickel indicated that the Township Board would like to hold a joint meeting with the
105 Planning Commission in the near future. He suggested December 1, 2020 as a potential date to
106 hold the Joint Meeting. The members of the Planning Commission in attendance indicated that
107 they could potentially attend a meeting on that date. Chairman Stickel requested that Ross
108 Nicholson send out an email to the full Planning Commission inquiring about the potential
109 meeting date of December 1, 2020.

110
111 The Planning Commission briefly discussed the latest version of the Planning Commission
112 Action List. Chairman Stickel requested that Ross Nicholson convert the Action List to a
113 spreadsheet format and generate brief descriptions for each item so that the Planning
114 Commission can keep the list up-to-date and as detailed as possible.

115
116 *The item was temporarily closed.*

117
118 *Chairman Stickel temporarily recessed the regular meeting to hold the scheduled public hearing*
119 *at 7:30 pm.*

120
121 **PUBLIC HEARING #1: Swimming Pool Enclosures:**

122
123 Chairman Stickel opened the public hearing and read the public hearing notice that was
124 published in the Tri-County Times newspaper on Sunday, October 25, 2020:

125
126 “Notice is hereby given the Tyrone Township Planning Commission will hold a Public Hearing on
127 Tuesday, November 10, 2020, beginning at 7:30 p.m. at the Tyrone Township Hall. The purpose for the
128 Public Hearing is:

129 To receive public comments regarding proposed amendments to Zoning Ordinance #36:

- 130 1. Swimming Pool Enclosures: Article 21, Section 21.21.F – to revise the requirements and
131 standards for swimming pool enclosures in all residential zoning districts.

132
133 Additional information is available at the Tyrone Township Clerk’s Office, 8420 Runyan Lake Road,
134 Monday through Thursday, 9 a.m. to 5 p.m. Individuals with disabilities requiring auxiliary aids or
135 services should contact the Tyrone Township Clerk, at (810) 629-8631, at least seven days prior to the
136 meeting.”

137 Chairman Stickel read the proposed text amendment and summarized the intent. He indicated
138 that the proposed amendment is intended to allow for the use of approved swimming pool safety
139 covers to fulfill residential swimming pool enclosure requirements consistent with the Michigan
140 Residential Building Code. He stated that the Zoning ordinance currently requires a fully-fenced
141 enclosure with a self-latching gate meeting the minimum Building Code requirements. He stated
142 that, in recent years, the State Building Code had been amended to recognize the use of certain
143 safety covers as viable alternatives to fencing. He asked Ross Nicholson if he had any
144 comments. Ross Nicholson indicated that over the past several years, residents and building
145 inspectors have been applying for land use permits to install residential swimming pools utilizing
146 an approved pool safety cover in lieu of fencing. He stated that the Livingston County Building
147 Department (LCBD) and the Michigan Building Code allow for the use of approved safety
148 covers in lieu of fencing, however, due to the Township's current Zoning Ordinance residential
149 swimming pool enclosure requirements, it was preventing the issuance of land use permits that
150 are required prior to issuance of building permits. He continued, stating that the Township has
151 been permitting residential swimming pools with approved safety covers for the last several
152 years as long as the application included a signed written agreement. He stated that the
153 agreement was drafted by staff and reviewed by the Township's attorney prior to being utilized.
154 He summarized the agreement stating that it indicated the Township was in the process of
155 reviewing proposed amendments to the pool enclosure requirements to potentially allow for the
156 use of an approved safety cover in lieu of a fenced enclosure with a self-latching gate. By
157 signing the agreement, applicants agreed to erect a fenced enclosure with a self-latching gate
158 meeting the minimum specifications of the Building Code if the Township Board ultimately
159 decided not to allow for the use of approved safety covers. He concluded, stating that the
160 proposed text amendment would basically defer the minimum pool enclosure requirements to the
161 LCBD, who are responsible for inspecting pools and enclosures to ensure compliance with the
162 Michigan Building Code. The Planning Commission briefly discussed.

163
164 Chairman Stickel asked if there were any public questions or comments.

165
166 Don Peitz (resident in attendance) made a brief statement regarding the suitability of approved
167 safety covers as an alternative to fenced enclosures. He commended the Planning Commission
168 for the work they've done on the draft and amendment process.

169
170 Chairman Stickel asked if there were any additional public questions or comments. No
171 additional questions or comments were received. He asked the Planning Commission and Ross
172 Nicholson if they had any additional questions or comments. No additional questions or
173 comments were received.

174
175 Steve Krause made a motion to close the public hearing and resume the regular meeting. Kurt
176 Schulze supported the motion. Motion carried by unanimous voice vote.

177
178 *Chairman Stickel closed the public hearing.*

179
180 **OLD BUSINESS #3: Pool Enclosure Requirements:**

181

182 Steve Krause made a motion to recommend Township Board approval of the proposed Zoning
183 Ordinance amendment to Section 21.21.F following review and comment by the Livingston
184 County Planning Commission (LCPC). Kurt Schulze supported the motion. Motion carried by
185 unanimous voice vote.

186
187 *The item was closed.*

188
189 **NEW BUSINESS #1: Joint Meeting Preparation (continued):**

190
191 Chairman Stickel asked Ross Nicholson to convert the latest version of the Planning
192 Commission Action List into a spreadsheet format and generate brief descriptions for each item
193 prior to the next workshop meeting in preparation of the future joint meeting with the Township
194 Board. Ross Nicholson agreed.

195
196 *The item was closed.*

197
198 **NEW BUSINESS #2: Master Plan Update Preparation:**

199
200 Chairman Stickel opened discussion. The Planning Commission briefly discussed the upcoming
201 review and update of the Township's Master Plan. They arrived at the consensus that it would
202 be beneficial for the Township to have a Planning Consultant on retainer for the review and
203 amendment process and that it would be beneficial to have the results from the 2020 National
204 Census available for review during the process. Chairman Stickel requested that Ross Nicholson
205 look into when the latest census data is projected to be published. Ross Nicholson agreed.

206
207 *The item was closed.*

208
209 **CALL TO THE PUBLIC:**

210
211 Chairman Stickel asked if there were any public questions or comments.

212
213 Don Peitz made a brief statement regarding the future Master Plan review and update. He
214 stressed the importance of researching and planning for improvements to roads and infrastructure
215 within the Township during the review and amendment process.

216
217 *The item was closed*

218
219 **MISCELLANIOUS BUSINESS #1: Next Workshop Meeting:**

220
221 A Workshop meeting was scheduled for Wednesday, November 18, 2020, beginning at 6:00 pm.

222
223 *The item was closed.*

224
225 *The meeting was adjourned at 8:05 pm by Chairman Stickel.*