

1 **TYRONE TOWNSHIP PLANNING COMMISSION**
2 **REGULAR MEETING MINUTES**
3 **November 30, 2021 7:00 p.m.**

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5 **PRESENT:** Rich Erickson, Kurt Schulze, Steve Krause, Garrett Ladd and Chet Shultz

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7 **ABSENT:** Jon Ward (present via Zoom) and Bill Wood

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

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

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13 **PLEDGE OF ALLEGIANCE:**

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15 **CALL TO THE PUBLIC:**

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17 Scott Dietrich (resident) spoke briefly about fixing some of the language in the zoning ordinance.
18 He feels like the township should be working on it and it shouldn't be that hard to do.

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20 **APPROVAL OF THE AGENDA:**

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

23 **APPROVAL OF THE MINUTES:**

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25 1) **06/08/2021 Regular Meeting Minutes:** Approved as presented.
26 2) **07/13/2021 Regular Meeting and Public Hearing Minutes:** Approved as presented.

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28 **OLD BUSINESS:**

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30 **1) Lake Urban Crossing Preliminary PUD Plan:**

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32 Chairman Erickson asked Zach Michels if there was anything he felt would prevent the
33 Planning Commission from making the decision on this preliminary plan. Mr. Michels
34 stated they had received a traffic impact statement. He said he would defer to the
35 township engineer for details but, overall, it appears generally consistent with the norms
36 and practices. The PUD is reviewed by the Planning Commission with recommendations
37 to the township board. Preliminary approval of the PUD site plan and special land use
38 basically grants an applicant permission to apply for final approval. Oftentimes, more
39 information is collected between preliminary and final approval. There are some things
40 that the Planning Commission should make a determination on. Some of those things are
41 determining if the one-inch to 150-foot scale is adequate for a substantial review of the

42 preliminary plan. The zoning ordinance says the biggest scale should be one-inch to 100-
43 feet and that's something we'd expect to see on the final site plan.

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45 We want to be sure utilities are in proper places and things are spaced properly. Does the
46 150-foot scale provide adequate details for review? Another thing that is required is
47 attention is whether to waive all or part of the requirements to show the location of
48 existing structures within 500 feet of the lot. That is something that would be expected to
49 be shown on a final site plan. Next is the traffic impact study that needs to be reviewed.
50 The Planning Commission should determine if a use statement is necessary for
51 preliminary review. Statements of use are necessary for special land uses, and a PUD is a
52 special land use. Mr. Michels recommends that the special land use not be final until the
53 site plan and PUD are final. The Planning Commission also needs to determine if the
54 parallel plan is reasonably feasible. The idea of a parallel plan is the Planning
55 Commission needs to be able to believe that it could be developed as it stands or with
56 minor modifications. The reason that is important is that this PUD is requesting
57 additional lots beyond what's developed in there and the parallel plan serves as the basis
58 for how many additional lots could be included.

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60 Mr. Michels continued with other items the Planning Commission needs to review &
61 make determinations on.

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63 The commissioners spoke amongst each other. They discussed the items that need to be
64 reviewed, including the traffic impact study and open space requirements.

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66 The applicant said that they are basically giving up 89.73 acres, almost twice the amount
67 they're required. They're missing three acres from upland but getting more wetlands and
68 more natural features.

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70 The commissioners read through the traffic impact study and discussed it. The conclusion
71 in the report was that it's not expected to have a noticeable impact on the roadways or
72 intersections and is well suited for a PUD. That, in Vice-Chairman Krause's opinion, is a
73 green light.

74
75 The applicant said it appeared that the traffic study was broken down to roughly peak
76 hours which would be 7:30 to 8:30 in the morning. He is projecting one car coming out
77 for half the lots on phase one and phase two roughly during peak hours.

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79 Mr. Michels explained that because this is preliminary, the Planning Commission can
80 approve it knowing they need more detail. They further discussed items and details they
81 still want to see on the final site plan. Mr. Michels suggested the chairman ask for votes
82 on the various determinations that need to be made, such as the scale of the preliminary
83 site plan, etc. That way it's on record saying they're good with the preliminary plan.

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Chairman Erickson went through each item on Mr. Michel’s list asking the commissioners if they had any objections to the preliminary plan knowing the final site plan will reflect the required changes. There were brief discussions on each item. The Planning Commission recommended the waiver for the 30% of open space. They also recommend a couple of different tree species be planted.

Mr. Michels explained the process of preserving open space in a PUD. Vice-Chairman Schulze asked the applicants how the HOA would guarantee they no longer want to use the wetlands and decide to backfill the wetlands or make changes to them in five years. The applicants stated that the Master Deed would prevent that, and a copy of the bylaws would be provided to the township. The township will review the bylaws as part of the process and if there are ever any major amendments, they would have to run it by the township.

Vice-Chairman Schulze made a motion to recommend approval of the preliminary PUD plan based on the bottom of page 26 numbers 1-11, excluding three, from the November 4, 2021, Carlyle Wortman review which the Planning Commission has discussed and approved. Commissioner Krause seconded. Ross Nicholson clarified that it was a motion for recommendation of approval of the preliminary PUD to the township board based on items 1-11, excluding number three in the Carlyle Wortman review updated November 4, 2021. The motion carried.

Vice-Chairman Schulze stated he would walk through motion number two. Ross Nicholson said they didn’t need two motions, just one motion with conditions. He recommended they would want to make the recommendation for approval and the conditions to be within the same motion. Chairman Erickson said he wanted to re-do the motion, so everyone is clear. They agreed they could condense the two motions into one. The initial motion would be recommending approval of the preliminary PUD based on numbers 1-11 minus three from this review with the conditions that the items the Planning Commission wants fulfilled prior to either preliminary or final depending on what they want to do. Erickson wanted to clarify that the second part was 1-10 minus four. Schulze asked if they needed to include the 1-10. Mr. Michels said that they should.

Vice-Chairman Schulze said it will be one through three and five through ten. Those are the conditions; Chairman Erickson made a motion to support the amended motion. The motion carried by unanimous vote.

The applicants thanked the Planning Commission for their time. He said he appreciates that they can work together rather than against each other. He hopes to take this to the next step and see how it goes. He thanked Commissioner Krause for taking the time to walk the property.

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2) Master Plan Discussion:

Vice-Chairman Schulze moved to amend the agenda to move new business number one ahead of old business number two. Commissioner Krause seconded. The motion carried.

NEW BUSINESS:

1) Niemi Shared Private Driveway: Chairman Erickson explained that at the last meeting Mr. Michels summarized the latest review letter he had prepared for the application, which is available on Tyrone Township’s website.

Chairman Erickson summarized the last meeting. He said that they all reviewed the information and asked the applicant to get a determination from the fire chief. The Planning Commission did get that letter and it should be shared before having Mr. Michels give a quick summary. He explained the request was for a shared private driveway to provide access to two single-family lots for a proposed land division. He stated there has been more information provided since the last meeting including some details of the proposed shared driveway cross-section and layout, some drainage details, and the reference letter from the fire chief. The shared driveway would be to allow for a spilt of the property. There is a limit to how many lots can be served and the length that can be served with shared private driveways and the length is measured from where it connects with the main road all the way to the back of the shared driveway. The reason we needed the letter from the fire chief is that the proposed shared driveway would have pushed it past the 1,200 feet that the zoning ordinance allows.

The fire department said there’s nowhere to get water there and we’re not going to lose sleep if there’s not a dry hydrant there because there’s adequate space for us to get our apparatus in and turn it around. He said a waiver could be granted for the length. There is no issue with the number of lots to be served.

A driveway access easement maintenance agreement was provided. It needs a little tweaking to get it consistent with the zoning ordinance and into a recordable format. The sketch now shows the cross-section. He said he would recommend showing more contour so they can see exactly where the water is going to drain within some additional detail. He’d like to see more details about the culvert. They should add some language to the plan that says they won’t block the sight distance at the intersection.

168 After Mr. Michels finished summarizing his report, Mr. Nicholson explained that this
169 application is required to have a public hearing so they can't take action tonight. They
170 can go through the information that's been provided based on the review and make
171 recommendations to the applicant as to whether they need anything additional before
172 they schedule the public hearing.

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174 Commissioner Krause asked if all the neighbors would be aware of this proposed
175 driveway; Mr. Nicholson said that all properties within 300' of the applicant will be
176 notified. The public hearing will be the first Planning Commission meeting in January
177 2022.

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179 The Planning Commission confirmed that they need a better maintenance agreement,
180 and they need to waive the 1,200-foot requirement. Mr. Michels said the Planning
181 commission could request engineered drawings unless they're comfortable with what
182 was submitted. The Planning Commission stated they had no further questions for
183 the applicant.

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185 **Old Business No. 2:**

186 **Master Plan Discussion**

187 The Planning Commission returned to Old Business number two on the agenda. They received a
188 work plan from the planners regarding the master plan process. Chairman Erickson asked Mr.
189 Michels to run through it for them.

190 Mr. Michels stated that there were several phases. The first phase is the kick-off and the next one
191 is the background – looking at what you already have and documenting assets and challenges.
192 Phase three is visioning – what do you want to do and be? The fourth phase is the actual
193 preparation and adoption of the document. Kick-off typically takes one to three months,
194 although it can be shorter or longer. The next step is to establish a steering committee. Once
195 goals and objectives have been developed, you'll want to have a public meeting. One suggestion
196 Mr. Michels had was to create a website (such as tyronetownshipmasterplan.com). This can be
197 on all the surveys and there can be links to the surveys. They discussed other methods of getting
198 a survey out. When doing a master plan, all the neighbors and utility companies, etc., need to get
199 a notice that we are working on a master plan and that we will be sending it out for review in the
200 future. This can happen right now.

201 The next phase is documenting the conditions that are around. Generally, this is three to six
202 months but could be shorter because of all the available information. The final phase is where
203 you start to envision what the future is and there may be a lot of interest in having visioning
204 sessions or community workshops. Mr. Michels spoke in detail about the master planning
205 process.

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207 **CALL TO THE PUBLIC:**

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209 A few members of the public spoke about the Lake Urban PUD and the Master Planning process.

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211 **MISCELLANEOUS BUSINESS:** Chairman Erickson asked Mr. Michels if he had any updates
212 on the bill that was going through the Michigan House & Senate regarding the ability to rent out
213 your home as a short-term rental. Mr. Michels said he believed it was still in the Senate
214 subcommittee. Mr. Michels then spoke about open space preservation. He said the township
215 could do a development agreement with terms and conditions. That would be a contract that
216 could be upheld in court. He also explained how he interprets our ordinance language. He
217 explained the way they should interpret the ordinances.

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219 **ADJOURNMENT:** The meeting was adjourned at 9:33 pm by Chairman Erickson.

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