

TYRONE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING AGENDA
April 11, 2023 7:00 PM

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC:

APPROVAL OF THE AGENDA:

APPROVAL OF THE MINUTES:

- 1) January 10, 2023
- 2) March 14, 2023

OLD BUSINESS:

- 1) Milarch Agribusiness Special Land Use
- 2) Master Plan
- 3) Utility-Scale Solar Facility Discussion

NEW BUSINESS:

- 1) Fenton Concrete Minor Site Plan Amendment

CALL TO THE PUBLIC:

MISCELLANEOUS BUSINESS:

- 1) Next Workshop Meeting

ADJOURNMENT:

**TYRONE TOWNSHIP PLANNING COMMISSION
PUBLIC HEARING AGENDA
April 11, 2023 7:30 PM**

**The notice below was published in the Tri-County Times on Sunday, April 2, 2023,
in compliance with the Open Meetings Act.**

**TYRONE TOWNSHIP PLANNING COMMISSION
NOTICE OF PUBLIC HEARING**

Notice is hereby given the Tyrone Township Planning Commission will hold a Public Hearing on Tuesday, April 11, 2023, beginning at 7:30 pm at the Tyrone Township Hall, 8420 Runyan Lake Road, Fenton, Michigan 48430. The purpose of the Public Hearing is:

To receive public comments regarding the following proposed Special Land Use Permit:

1. A request by Mike Milarch for a proposed Agribusiness Special Land Use (a custom woodworking business), located at 9149 Center Road, Parcel #4704-17-300-008, zoned FR – Farming Residential. Reference Tyrone Township's Zoning Ordinance #36 Article 22 Special Land Use Permits and Article 23 Site Plan Review and Impact Assessment.

Additional information is available at the Tyrone Township Zoning Department, 8420 Runyan Lake Road, Monday through Thursday, 9:00 am to 5:00 pm. They can be reached at (810) 629-8631 or via email at zoning@tyronetownship.us. Individuals with disabilities requiring auxiliary aids or services should contact the Tyrone Township Clerk at (810) 629-8631 at least seven (7) days prior to the meeting.

**Rich Erickson, Chairman
Tyrone Township Planning Commission**

PUBLIC HEARING AGENDA:

- 1) Open the Public Hearing
- 2) Reading of the Public Notice
- 3) Review of the Application
- 4) Receive Public Comments
- 5) Planning Commission and Planner Comments
- 6) Close the Public Hearing

OLD BUSINESS #1

Milarch Agribusiness Special Land Use

1 **TYRONE TOWNSHIP PLANNING COMMISSION**
2 **REGULAR MEETING & PUBLIC HEARING MINUTES**
3 **January 10, 2023 7:00 p.m.**

4
5 **This meeting was held at the Tyrone Township Hall**
6
7

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

10 **ABSENT:** Kevin Ross
11

12 **OTHERS PRESENT:** Ross Nicholson & Zach Michels (CWA)
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14 **CALL TO ORDER:** The meeting was called to order at 7:00 by Chairman Erickson.
15

16 **PLEDGE OF ALLEGIANCE:**
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18 **APPROVAL OF THE AGENDA:** Steve Krause moved to amend the agenda to move New
19 Business #1 ahead of all other business. Jon Ward supported the motion. The motion carried by
20 unanimous voice vote.
21

22 **CALL TO THE PUBLIC:**
23

24 Chairman Erickson opened the floor to receive public comments.
25

26 A couple of residents made comments.
27

28 **NEW BUSINESS:**
29

30 **1) Hamilton Temporary Dwelling During Construction:**
31

32 Chairman Erickson stated that if the time it takes to reconstruct a home due to a fire is expected
33 to take longer than three (3) months, it requires Planning Commission approval. Ross Nicholson
34 explained that in the event of a disaster, such as a fire, the Zoning Department staff can authorize
35 a temporary dwelling.
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43 Zach Michels gave an overview of the review he prepared for the Peabody Ice Climbing Special
44 Land Use. Items reviewed included driveways, parking spaces, landscaping, lighting, signage,
45 hours of operation, employees, traffic impacts, and submitting an annual report to the Township
46 with any updates or changes to the Special Land Use. He reiterated to the Planning Commission
47 that they are making a recommendation to the Township Board on both the Special Land Use
48 and the combined preliminary final site plan.

49
50 Chairman Erickson opened the public comment part of the public hearing.

51
52 Resident Scott Dietrich of White Lake Road spoke about some of his concerns about the
53 Peabody Ice Climbing business. After voicing his concerns, he told the applicant he hoped he
54 would get approved.

55
56 Another member of the public spoke and said there would be no reason to worry about traffic
57 problems or safety. He said he lives just north of the Peabodys and they're doing a great thing.
58 He said they're very safety conscious. He hoped the Planning Commission would vote yes on
59 this.

60
61 Resident Janette Ropeta of Fuller Drive spoke in support of the special land use. She reiterated
62 that the Township needs to be more transparent as far as what's being published and sent to the
63 community. She offered to help promote the Peabody Ice Climbing business on her Facebook
64 page.

65
66 Another resident spoke about the driveway. She said it should be just a one-way entrance and
67 exit so they wouldn't need to widen it.

68
69 Chairman Erickson brought it back to the Planning Commission for their comments. Vice-
70 Chairman Schulze talked about no alcohol being permitted on the premises. Mr. Peabody
71 explained that in the waiver he has customers sign, it says no alcohol or drugs allowed. Vice-
72 Chairman Schulze said that not everyone there has signed a waiver; there could be spectators that
73 sneak in alcohol. Mr. Peabody said he'd be glad to put up a sign indicating alcoholic beverages
74 are prohibited on the premises. Vice-Chairman Schulze then asked who assesses the safety of
75 the ice every day; Mr. Peabody confirmed that he does the assessment. Vice-Chairman Schulze
76 asked how often the safety of the ice was assessed. He asked if it was assessed after a rainy day
77 or when the temperatures were going up. Mr. Peabody explained that he is very conservative
78 when it comes to people being able to get onto the tower when they can. He makes the ice every
79 night and adds it in a way that is not ridiculously big and that it's manageable. It gets climbed,
80 ice falls off and you end up getting down to the more solid part of it. They flood it a bit just like
81 an ice rink but if there are parts that look like they could potentially fall off, he knocks them off.
82 He's been doing this for over 10 years, and they've never had to use emergency services. He said
83 he knows when to close it down if it's unsafe.

Vice-Chairman Schulze asked if they were open now. Mr. Peabody said it requires the temperatures to be below 25 degrees for at least four nights, so they're not open now. They are looking out for customer experience and don't want them climbing on bad ice.

Vice-Chairman asked about the lighting. The applicant stated the lights are out by 10:00 pm on the weekdays. They typically close at 7:00 pm on the weekends because they open up earlier. Vice-Chairman Schulze asked them to review Tyrone Township's lighting ordinance to understand how lighting affects the area of the neighborhood around there.

Jon Ward asked about safety as far as the ice breaking and people falling. The ultimate point of safety is where the rope connects to the tower. The applicant explained that the ropes and equipment are inspected every day. The anchor systems are all backed up. He reiterated that he was certified and knows what these loads can hold as far as weight. He explained that the anchor system is like if you're climbing, you're tied to a rope and there's someone on the ground that's holding the other rope so if you fall you don't even fall more than a foot. It's all backed up – they're chaining connections. 6 x 6 poles are rated for thousands and thousands of pounds so it's 10 times of what our weight is – he said it's industry standard.

Jon Ward asked about what would happen if they approved the Special Land Use with the use statement as is and they do differently than the use statement. For example, the use statement says they close at 10:00 pm. What if they remain open later and someone complains? Would they have to revoke the permit? Also, the number of visitors could change. Vice-Chairman Schulze asked what the maximum number of climbers would be if they were to hold a competition. The maximum number of climbers for a day may be different than when competitions are being held. The applicant said he'd still stick with the number of climbers he has in his use statement. He said 100 climbers a day is the most they've ever seen. The Planning Commission said he should have a maximum number of climbers per day as well as the number of climbers for competitions. They'd want to know the number of spectators as well as climbers.

The applicant explained that there are 16 ropes, so 16 people can climb at one time. There are 8 ropes on each of the two towers. The total number of 100 would include spectators and climbers. He said they wouldn't be staying open past 10:00 pm because most people drive an hour to get home.

Kevin Ross asked how long each climb session lasted. The applicant stated they last between 2 and 4 hours.

There was more discussion about traffic and safety, and a member of the public said he sees no issues with the traffic. He's been on the road at the school bus stops and he sees no safety issues at all. He hopes the Planning Commission grants the permit.

126 There was more discussion among the Planning Commissioners regarding the lighting and
127 traffic. Jon Ward commented that during the past 6 months or so while working on the Master
128 Plan, they've received a lot of public comments about the lack of recreational opportunities in
129 Tyrone Township and we are the only township in the county without a park. He said recreation
130 is needed in the township and he thinks it should be done in a safe way and controlled manner.
131 Vice-Chairman Schulze motioned to close the public hearing and go back to the regular meeting.
132 Jon Ward supported the motion. The motion carried by unanimous voice vote.
133

134 The Planning Commission returned to Old Business #2, Peabody Ice Climbing. Vice-Chairman
135 Erickson said they have covered some items that need to be addressed on the site plan and the
136 goal of tonight's meeting is to provide direction to the applicant. He said they could potentially
137 make a recommendation tonight. He said that Jon Ward was correct and that it should be clear
138 what the use is as far as the maximum amount of people on site, etc. Chairman Erickson asked
139 about the sign and asked that it be labeled on the site plan. The applicant said it is 18" x 18" and
140 it's nailed to a tree at the driveway. It is reflective so it can be seen at night.
141

142 Vice-Chairman Schulze told the applicant they should check with the Livingston County Road
143 Commission (LCRC) regarding their driveways since they're using the site for commercial use.
144 They need to ensure they don't have any issues with the amount of traffic flow that comes out of
145 their facility and that there are no blind spots so people can see cars entering and exiting. He
146 said if they're going to use one driveway for the entrance and one for the exit, they need to be
147 clearly marked so people aren't driving into the exit. Jon Ward said checking with the LCRC
148 could be a condition of a potential approval. Jon Ward said it should be a requirement that a
149 certified person be always on-site. The applicant stated that it was an insurance requirement and
150 there will always be a certified person on-site.
151

152 Chairman Erickson said there was a note on the site plan that said the distance between the
153 buildings on the property and the property lines should be noted. The applicant said he'd update
154 the site plan to show those measurements.
155

156 Getting approval from the Livingston County Health Department was discussed and would be a
157 condition of the approval. The township would require the applicant to have insurance and
158 should keep the township informed of their general insurance for liability and property damage,
159 etc. The applicant said he sent a copy of the insurance policy to the township; Vice-Chairman
160 Schulze said he recalled seeing it, but it wasn't in the package for tonight's meeting.
161

162 Jon Ward asked about bathrooms on the site. Vice-Chairman Schulze said they'd need to know
163 the locations of bathrooms or porta potties. The applicant would need to have the septic system
164 cleared by the County Health Department. The applicant said that if they needed to add a
165 bathroom in the future, they'd come back to the Planning Commission. The applicant stated that
166 all the septic fields are noted on the site plan, and he will indicate where the bathroom(s) are.
167

Vice-Chairman Schulze asked about correspondence from the fire chief. The applicant said he would follow up with him and ask for a review letter. Also discussed was parking and ensuring there was plenty of parking for up to 100 people. It was brought up that the driveway has been there for 70 years and there has never been a problem. It was determined that parking was appropriate. Jon Ward said he didn't think a traffic impact study was necessary unless the LCRC requested it. The LCRC needs to review the exits and entrances on Foley Road. Chairman Erickson asked if the insurance covered the towers *and* the gym. The applicant stated that it did. Vice-Chairman Schulze asked about summer operations. The applicant stated they do the altitude testing in the gym, and they have about 13 people a week. Rather than shutting down the operation, it would be a limited operation during the months between April and November. This should be clarified in the use statement.

Steve Krause stated he was going to abstain from voting because he is within 300' of the property and received the mailing on the special land use. He said he is in favor of it but will abstain from voting. He commented that they've never received a complaint in the entire time they've been operating.

Chairman Erickson told the applicant that they've provided him with lots of directions and if there is anything he's not clear on he can follow up with Ross Nicholson. Jon Ward said he didn't see the need for additional trees to be planted. They discussed the conditions for approval, including after-hours maintenance, landscaping, the Health Department analysis, and the Road Commission analysis. They'd also like to see something from the fire department.

The Planning Commission asked Zach Michels to explain the Tyrone Township Lighting Ordinance. Mr. Michels explained how the light can be measured to ensure compliance with the ordinance. Vice-Chairman Schulze said that commercial lighting falls under a different situation than residential lighting.

Someone in the public asked about how the ice was made. Mr. Peabody explained that it was like a shower head that sprays for about an hour and trickles down.

Zach Michels summarized what the Planning Commission has determined. He said the Planning Commission has determined that appropriate parking is provided, and the turf parking area is appropriate, the existing site conditions are consistent with the intent of the landscaping article, a traffic impact is not necessary, and they're not concerned about additional safety barriers or measures around the climbing facility. He continued by listing the potential conditions he heard from the Planning Commissioners: setbacks for existing building structures & building coverage added to the site plan, access and circulation approval by the Livingston County Road Commission and fire chief are needed, approval from the Livingston County Health Department of well and sanitary septic systems for public use is needed. The lighting information that was provided is sufficient. A permit can be pulled for the sign, so the sign doesn't necessarily have to be on the site plan. The owner-operator must provide an annual report and the use statement

should be updated regarding maintenance, clearly delineating the 100-maximum capacity, and better details for the hours and months of operation for the gym. Some sort of notice or sign indicating no alcohol is allowed on the premises is also required. The no alcohol rule should be added to the use statement.

Mr. Michels said a Planning Commission member could make a favorable recommendation with those conditions.

Jon Ward motioned to approve the special land use combined preliminary and final site plan review as described by Zach and further conversation with all the conditions as discussed and recommend favorable approval from the Township Board. Vice-Chairman Schulze supported the motion.

Zach Michels quickly reviewed all the conditions:

- Coverage and height for the climbing tower added to the site plan with measurements made as described in the zoning ordinance.
- Access and circulation approval by the Livingston County Road Commission and Fire Department.
- Approval of well and sanitary septic systems for public use by the Livingston County Health Department.
- Lighting information provided sufficient to determine compliance with zoning ordinance standards.
- A permit shall be secured for the sign.
- The owner-operator shall prepare and submit an annual report as outlined in section 22.05.F.10.
- The use statement shall be updated to show hours and months of operation for the gym.
- Maintenance hours should be clarified in the use statement.
- Maximum capacity of 100 should be clarified.
- Use statement should indicate that there is a certified climber on the premises when in operation.

The motion carried by unanimous voice vote, with Steve Krause abstaining from voting.

NEW BUSINESS:

1)Master Plan:

Zach Michels read through the draft Master Plan text. He explained that they started with the input they got and threw in the background information they'd gathered, and these were things that were tested at the second group of the community visioning sessions. They're slightly

different that the current one. He explained how they broke things down by goals, objectives, and action-oriented things. There was a lengthy conversation between Mr. Michels and the Planning Commission about the draft Master Plan.

Mr. Michels and the Planning Commission discussed the Future Land Use Map aspect of the Master Plan. The current Future Land Use map has 13 different categories on it, which Mr. Michels said seems like a lot for Tyrone Township. Currently, there are a lot of non-residential categories such as Pyro, Planned Office, Planned Commercial Services, Planned Industrial Research, etc. He asked the Planning Commission if they were ok with that collapsing a little bit. They agreed that that's the direction they're looking at simply because they don't need all that.

After a long conversation between the Planning Commission and Mr. Michels, Mr. Michels asked a couple of questions: *one*: are you interested in better matching the intent with what's there and *two*: do you want agriculture...do you really want agriculture? And are you going to do the tough things to ensure that it's there or are you okay with part of the rural characters just having really big lots with an occasional 40 of hayfield? Vice-Chairman Schulze said part of it is understanding what agriculture means and what that's going to be 10 or 20 years from now. We can't know for sure what agriculture is going to look like. There was more discussion regarding agriculture and what they'd like it to look like.

They continued their discussion on the Master Plan draft. Mr. Michels said all the background articles are near the final draft quality and they only need to add hyperlinks and pictures if desired and update page references. The last big thing is going to be the Future Land Use Map. He said they're doing well as far as the timeline goes.

MISCELLANEOUS BUSINESS: None

ADJOURNMENT: The meeting was adjourned at 9:56 pm by Chairman Erickson.

**TYRONE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
March 14, 2023 7:00 p.m.**

This meeting was held at the Tyrone Township Hall

PRESENT: Rich Erickson, Kurt Schulze, Garrett Ladd, Kevin Ross, and Steve Krause

ABSENT: Bill Wood and Jon Ward

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

PLEDGE OF ALLEGIANCE:

APPROVAL OF THE AGENDA: Steve Krause moved to amend the agenda to move New Business #1 ahead of all other business. Kevin Ross supported the motion. The motion carried by unanimous voice vote.

APPROVAL OF THE MINUTES:

11/02/2022 Regular Meeting Minutes: Kurt Schulze moved to approve the minutes as amended; Steve Krause supported the motion. The motion carried by unanimous voice vote.

12/13/2022 Regular Meeting & Public Hearing Minutes: Kurt Schulze moved to approve the minutes as amended; Steve Krause supported the motion. The motion carried by unanimous voice vote.

Prior to opening the floor for public comment, Chairman Erickson mentioned that Zach Michels was no longer with Carlisle Wortman and that Doug Lewan would be covering for Zach.

CALL TO THE PUBLIC:

Chairman Erickson opened the floor to receive public comments.

Residents Steve Hasbrouck and Janette Ropetta spoke in favor of the proposed Special Land Use for a woodworking agribusiness.

Resident Kim Fracalossi had some questions about solar facilities. Resident Stefani Schulte expressed concerns regarding utility-scale solar facilities. Resident Scott Dietrich spoke regarding the Peabody Ice Climbing business as well as the woodworking agribusiness special land use. Resident Craig Drelles spoke against solar farms.

43
44 **NEW BUSINESS:**
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- 46 1) **Milarch Agribusiness Special Land Use:** The applicant provided a summary of the
47 request to the Planning Commission. Ross Nicholson then gave an overview of
48 where they were in the process. The Planning Commission discussed the site plan,
49 anticipated traffic, fire safety, hours of operation, noise, special events, number of
50 customers, signage, parking, and equipment used for the business. It was discussed
51 that the Planning Commission Subcommittee had met with the applicant to review his
52 application and that they determined it would fit into the agribusiness category for a
53 special land use. They requested additional information to be provided before the
54 public hearing such as the distance between structures and property lines and adding
55 hours of operation to the site plan. It was determined that a public hearing would be
56 scheduled.
57

58 **NEW BUSINESS:**
59

- 60 1) **Master Plan:** The Planning Commission went over the status of the Master Plan
61 process. Rich Erickson asked the Planning Commission to review the draft Existing
62 Land Use Map and make notes to be discussed at the next workshop meeting.
63

64 **CALL TO THE PUBLIC:**
65

66 Several public comments were received regarding solar farms and other Special Land Use
67 applications currently under review. Resident Scott Dietrich expressed concerns that the
68 neighbors of Mr. Milarch will be affected by his woodworking business. More concerns were
69 raised about the Peabody Ice Climbing business. Regarding the proposed woodworking Special
70 Land Use, resident Steve Hasbrouck said he didn't feel like the Planning Commission should
71 require an engineered site plan; he felt it was unnecessary.
72

73 **MISCELLANEOUS BUSINESS:**

- 74 1) **Utility-Scale Solar Facility Discussion:** The Livingston County Planning Department
75 provided a courtesy review of the current Tyrone Township Utility-Scale Solar Facility
76 standards. The Planning Commission discussed this review and determined that they
77 would like to review and potentially amend the standards at a future meeting.

78 **ADJOURNMENT:** The meeting was adjourned at 8:23 pm by Chairman Erickson.

OLD BUSINESS #1

Milarch Agribusiness Special Land Use



Carlisle | Wortman
ASSOCIATES, INC.

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

February 16, 2023

Special Land Use and Combined Preliminary and Final Site Plan Review for Tyrone Township, Michigan

PETITION INTRODUCTION

Applicant: Mike Milarch
Owner: Mike and Becky Milarch
Request: Special land use and combined preliminary and final site plan for an agribusiness use
Plan Date: No date
Use Statement Date: February 2, 2023

PETITION DESCRIPTION

The applicant is requesting a special land use and combined preliminary and final site plan for a new agribusiness operation. The proposed operation would represent an expansion of an existing home occupation for custom woodworking.

The agribusiness would include additional production workspace, showroom, photography studio, and parking. The agribusiness would also host monthly and seasonal special events.

The use statement indicates that the agribusiness would use harvested trees from this property and from tree services and mulch companies.

Agribusinesses are an accessory use to an agricultural use of land in FR Farming Residential districts. As defined in the Zoning Ordinance, at least 50 percent of the agricultural product, in this case, trees need to come from the property or other properties controlled by the agricultural operator.

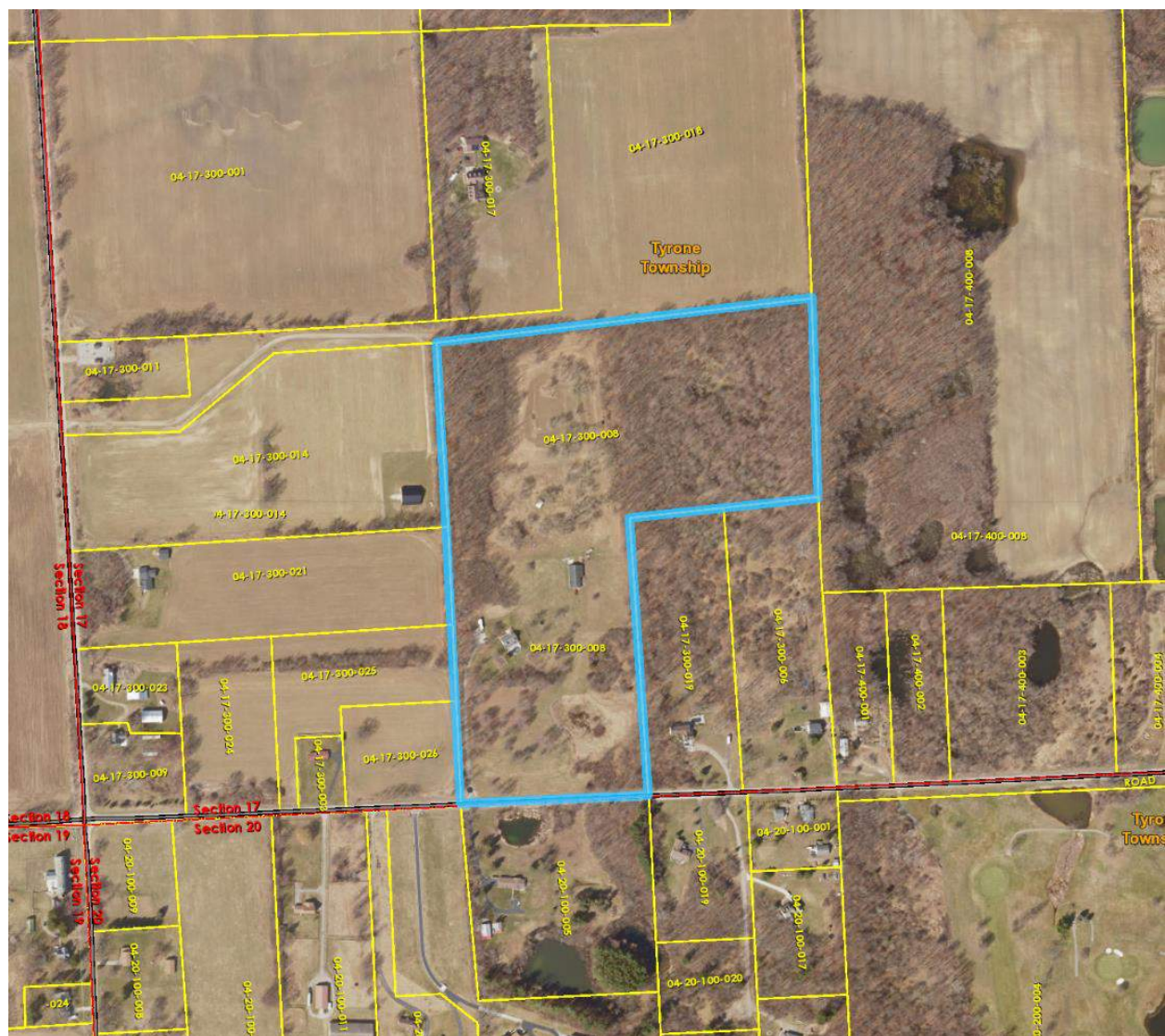
The Planning Commission reviews special land use and site plan applications and makes a recommendation, and the Township Board makes the final decision.

*Benjamin R. Carlisle, President Douglas J. Lewan, Executive Vice President John L. Enos, Vice President
David Scurto, Principal Sally M. Elmiger, Principal R. Donald Wortman, Principal
Paul Montagno, Principal, Megan Masson-Minock, Principal, Laura Kreps, Senior Associate
Richard K. Carlisle, Past President/Senior Principal*

PROPERTY INFORMATION

Address: 9149 Center
Location: North side of Center, between Old US-23 and Linden
Parcel Number: 4704-17-300-008
Lot Area: ~34.0 acres (*net*)
~34.5 acres (*gross*)
Frontage: ~653 feet along Center
Existing Land Use: Single-family dwelling, Home occupation (*custom woodworking*)

Aerial of the Site



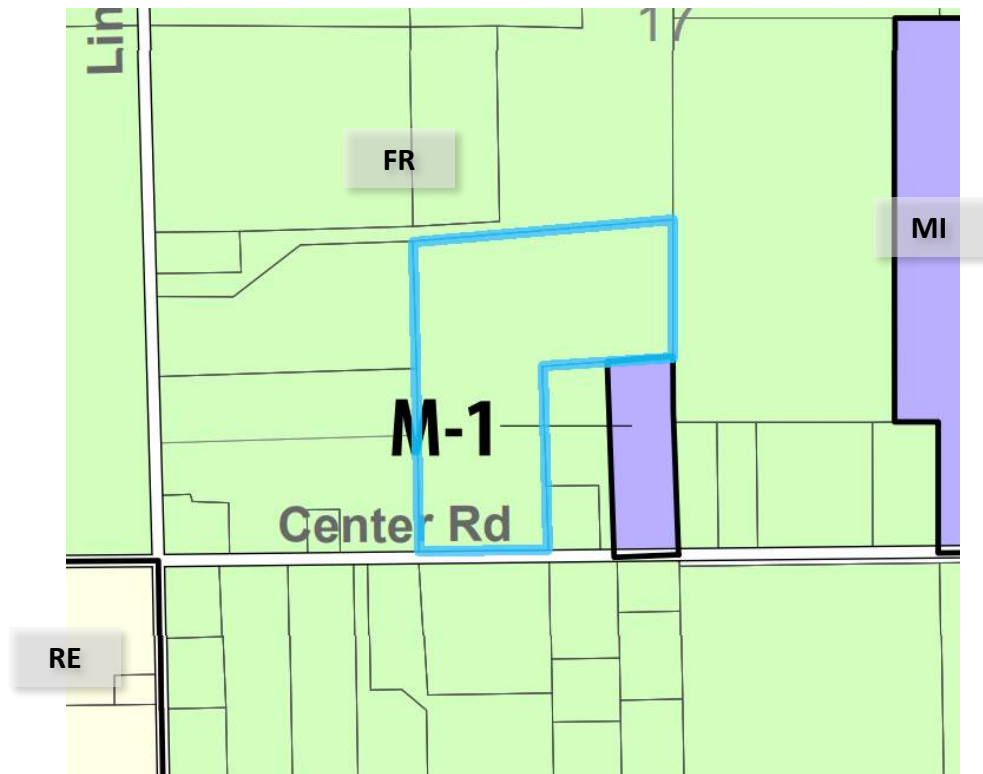
ZONING

The site is within the FR Farming Residential district. A summary of the intent of that district is below.

Current Zoning: FR Farming Residential

The intent of the FR Farming Residential District is to protect lands best suited to agricultural uses from the encroachment of incompatible uses, while designating an area appropriate to the type of single-family residential development that does not alter the general agricultural character of the district. Moreover, the intent also is to protect vital natural resources, including wetlands, inland lake water quality, groundwater supplies, fertile and stable soils, and significant stands of wood lots and vegetative cover. Lands in the FR and RE District are not likely to be served with centralized public water and sewer facilities.

Current Zoning Map

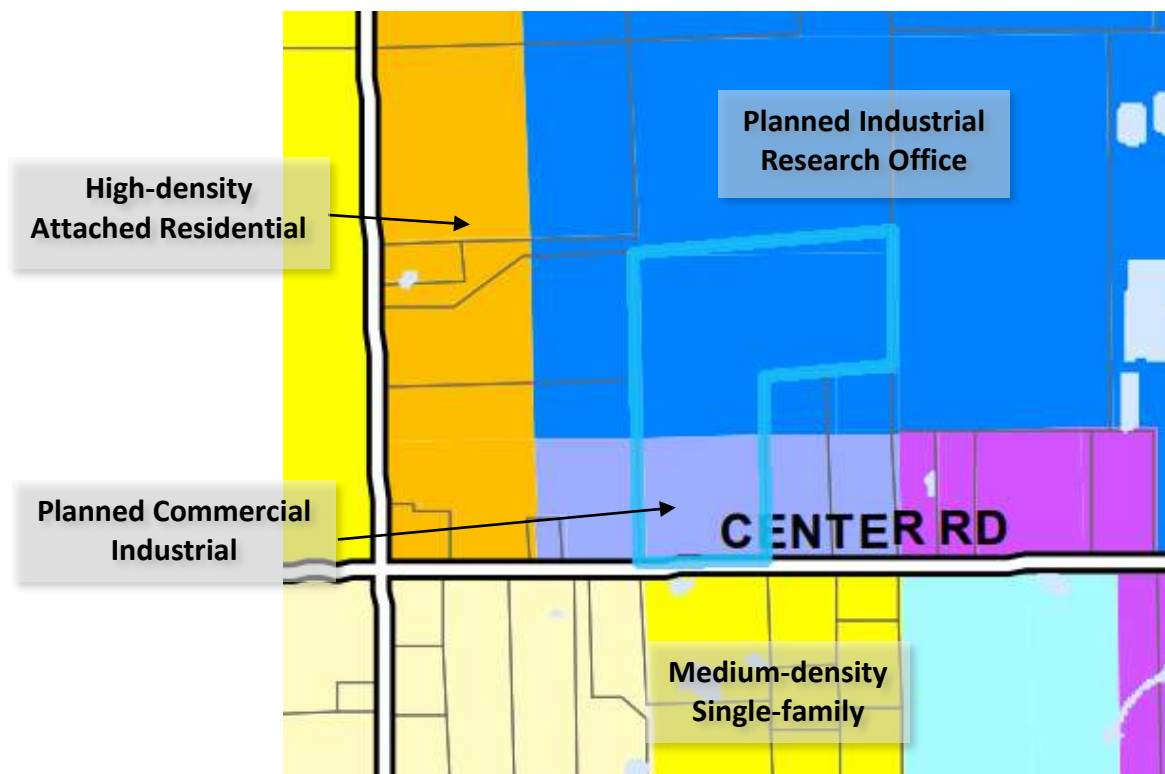


FUTURE LAND USE MAP

The site is within the Planned Industrial Research Office and Planned Commercial Industrial areas. Summaries of the intent of those areas are below.

<p>Future Land Use Map</p>	<p>Planned Industrial Research Office</p> <p><i>The U.S. 23 corridor is a desirable location for enterprises that require facilities to house research laboratories, design studios, technology-oriented product development, prototype manufacturing and similar light industrial and laboratory uses that require a substantial office adjunct on the same site. This classification is intended to provide a location for those types of uses. Occasionally such uses may also include packaging and light assembly operations. Warehousing, assembly, and fabrication may be permitted in the PIRO classification when the uses are appropriately located and designed to be an attractive neighbor for other nearby uses. The Township also recognizes that some enterprises may require some light assembly operations or product packaging on the PIRO site. However, the primary utilization of floor area will be for purposes other than product assembly and packaging.</i></p> <p><i>Overall, the facilities to be developed in such a use-group will be designed to provide an attractive, landscaped site and a pleasing corporate identification for the company housed on the site. Where possible, the uses will be developed in a professional business park setting. Typically, such business parks are platted subdivisions or site condominiums with carefully drafted deed restrictions and park association bylaws. The development would be designed to accommodate truck traffic and employee parking areas while retaining an attractive appearance from adjacent sites and roads. Loading and unloading areas will be screened and concealed to the rear of structures or in screened side yard areas.</i></p> <p><i>The design of these facilities will be carefully reviewed so as to control the impact from the sites on the remainder of the community. When a site is developed independent of a professional business park, it should be well-landscaped with appropriate screening in order to provide compatibility with other developing businesses in the area and the community as a whole. Truck traffic routes will be considered and planned so that other traffic in the Township is not unnecessarily impeded while the freight trucks are provided with reasonable paths to and from their destinations. The Township intends that businesses established in the PIRO area will be attractive, clean corporate citizens. In particular, the Planning Commission intends that pollution sources such as air, water, noise, odor, and light emissions will be controlled and will not become offensive to other land uses in the Township.</i></p> <p>Planned Commercial Industrial</p> <p><i>South of the area planned as PCI is land that has potential access to sanitary sewer, and while farther from the Center Road/US 23 interchange, has both good access via Old U.S. 23 and good visibility from the freeway. Along Old U.S. 23 south of Center Road, are several developed sites including Pennington Gas, Action Watersports, small industrial uses, and construction contractors, that are land extensive operations that could be characterized as heavy commercial or light industrial. The Planned Commercial Industrial plan category anticipates development of similar uses that do not need to be at an interchange but do depend on traffic and paved primary road access. Development should be in a PUD environment with care given to generous landscaping, attractive high-quality architecture, and the appearance from the road, consistent with the character of the Township. Protections should be required during site plan review to minimize any negative impacts on the residential neighbors.</i></p>
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Future Land Use Map



SURROUNDING PROPERTIES

The surrounding properties are used for single-family dwellings, agricultural uses, or are undeveloped.

	North	East	South	West
Surrounding Zoning	<i>FR Farming Residential</i>	<i>FR Farming Residential</i>	<i>FR Farming Residential M-1 Light Manufacturing</i>	<i>FR Farming Residential</i>
Surrounding Land Uses	<i>Agricultural fields</i>	<i>Woodlands Agricultural fields</i>	<i>Single-family dwellings</i>	<i>Single-family dwellings Agricultural fields</i>
Future Land-Use Map	<i>Planned Industrial Research Office</i>	<i>Planned Industrial Research Office Planned Commercial Industrial</i>	<i>Medium-density Single Family Planned Industrial Research Office</i>	<i>Planned Industrial Research Office Planned Commercial Industrial</i>

NATURAL RESOURCES

- Topography:** The site is relatively flat, with a general slope downwards from east to west.
- Wetland:** According to the EGLE Wetlands Map Viewer, there is a small wetland area on the southern portion of the site.
- Woodland:** There are mature trees located throughout the site, including woodland areas along the western side of the site and in the northeastern portion of the site.
- Soil:** According to the USDA National Resource Conservation Service, a majority of the soils on the site are Hillsdale-Miami loam and Wawasee loam, which are generally compatible with development.
- Water:** There are no waterbodies on the site, but the wetland area may hold water during spring or during rainy seasons.

Items to be Addressed: Wetland and woodland areas should be clearly defined on the site plan.

AREA, WIDTH, HEIGHT, AND SETBACKS

The proposed site, buildings, and improvements must meet the developmental standards for the zoning district in which it is located.

The rough location of buildings to be used for the workshop and showroom and the rough location of parking are shown on the site plan. The site plan is not drawn to scale, and distances are not dimensioned.

Developmental Standards

Minimum/Maximum	Required FR	Proposed
Lot Area	3 acres	34.0 acres
Lot Width	250 feet	653 feet
Building Height	30 feet	unknown ¹
Building Coverage	25 percent	unknown ¹
Front Setback	150 feet	unknown ¹
Side Setback	30 feet	unknown ¹
Rear Setback	75 feet	unknown ¹

- 1) It appears that the proposed structures meet the developmental standards, but not enough information is provided to confirm the dimensions noted above.

Items to be Addressed: Additional information, such as scaled drawings or dimensions, added to site plan.

ACCESS AND CIRCULATION

The agribusiness site will be accessed by a single driveway, from Center Road to the south.

The application notes that a commercial driveway approval will be required from the Livingston County Road Commission and that engineered drawings are being prepared.

The site plan does not describe how wide the driveway will be or how far it is located from the western lot line. Ideally, driveways for commercial uses will be at least 16 feet wide to allow incoming and outgoing traffic to pass each other.

The site plan does not describe what material will be used for the driveway. Paved driveways are not required for agribusiness uses. The type of material could have an impact on stormwater management, especially if it is close to a lot line. It would be ideal for at least a portion of the driveway along Center Road to be paved.

The driveway will terminate in a parking area which should allow adequate space for large vehicles to turn around.

Items to be Addressed: 1) Approval of the driveway by the Livingston County Road Commission. 2) Circulation review and approval by the fire inspector and Township Engineer. 3) Additional details, such as driveway width and materials, added to site plan.

OFF-STREET PARKING AND LOADING

The site plan shows an area for parking to the north of the building.

The use statement indicates there will be adequate space for at least 25 vehicles.

The site plan does not show the configuration of the parking lot or dimensions for parking spaces or maneuvering lanes. It is not possible to determine if the parking lot will be consistent with the layout standards of §25.02 Off-street Parking Space Layout, Standards, Construction, and Maintenance.

Parking lots with 26 spaces to 50 spaces must provide at least 2 barrier-free spaces. It is not clear in the site plan or use statement if barrier-free spaces are provided.

Parking surfaces in the FR Farming Residential district do not need to be paved. The Township could require a paved surface as part of special land use approval if it is determined to be necessary. It is not clear in the site plan or use statement what material will be used for the parking surfaces.

Curbing or curb stops are required when parking is adjacent to landscaped areas or sidewalks. It is not clear in the site plan or use statement if curb stops are required.

The use statement indicates that the parking area may be used to set up vendor tents for spring and fall special events. During these events, temporary parking will be accommodated in another area. The site plan does not show the location of this temporary parking.

Items to be Addressed: 1) Scaled parking lot layout added to site plan. 2) Parking lot must provide at least 2 barrier-free parking spaces. 3) Parking surface material to be defined. 4) Curbing or curb stops to be provided.

LANDSCAPING AND SCREENING

The site plan does not include a landscape plan. Landscaping is required for certain non-residential uses within single-family zoning districts.

Although not noted in the site plan or use statement, it appears that the existing trees along the boundary of the site will remain. These trees appear to provide adequate screening from adjacent dwellings and the agribusiness workshop/showroom building and parking lot.

Parking lots with more than 15 spaces are supposed to provide at least 15 square feet of interior landscaping for each space. This landscaping should be located within the parking lot to improve safety, direct traffic, and improve appearance, but the Planning Commission can approve placement adjacent to the parking lot if doing so achieves the same purpose. It is not possible to determine if this standard has been satisfied.

Items to be Addressed: 1) Existing vegetation along property boundaries to remain. 2) Additional information about parking lot landscaping to be provided.

LIGHTING

The site plan and application do not include a photometric plan, fixture specifications, or other details about exterior lighting.

It is not possible to determine compliance with lighting standards at this time.

Items to be Addressed: Lighting details added to site plan.

OUTDOOR ADVERTISING AND SIGNS

The use statement describes the intent to place a sign near the driveway, with a height of 7 to 8 feet and an area of 24 square feet. The sign would have 4 solar spotlights.

The proposed sign area would be consistent with what is allowed for agribusinesses, but the proposed height exceeds the 6-foot height allowed.

The proposed location for the sign is not shown on the site plan. It is not possible to determine compliance with location standards at this time. The sign would have to be reviewed for compliance as part of a separate permit.

Items to be Addressed: 1) Use statement revised to reference maximum sign height of 6 feet. 2) Any sign lighting to be pointed down and shielded. 3) Separate permit required for sign.

ESSENTIAL SERVICES

The site will be served by on-site well and sanitary sewer systems. The locations of existing and proposed wells and sanitary-sewer systems are not shown on the site plan.

The site will be served by electrical service from existing overhead electrical lines to the south along Center Road. The locations of electrical distribution lines within the site and to the buildings are not shown.

The site plan does not show the location of a dumpster enclosure or waste storage. The applicant should clarify how refuse will be managed and include details on the site plan.

Information is not provided about stormwater management.

Items to be Addressed: 1) Water and sanitary sewer approval by Livingston County. 2) Location of wells and sanitary sewer systems added to site plan. 3) Location of all electrical service lines added to site plan. 3) Applicant shall clarify refuse management. 4) Stormwater management information added to site plan.

AGRIBUSINESS

§22.05(R)

In addition to the general standards of the Zoning Ordinance, there are specific standards for agribusinesses. These standards, outlined in §22.05(R) Agribusinesses..., are examined below.

Agribusinesses are defined as a retail or tourism-based operation that is clearly incidental to the agricultural use of the property in which at least 50 percent of the agricultural products or services offered have been raised or grown on the property (*or other controlled property*).

The use statement indicates that some of the trees will be harvested from the property and other trees are purchased from tree services and mulch companies. The percentage of trees being used from this property or other property controlled by the applicant should be clarified.

1. **Zoning.** Such uses shall be operated on the same premises as the principal agricultural use by the property owner or farm operator. The allowance and use of such structures and land shall not alter the zoning of land in the Farming Residential or Rural Residential zoning district, and such use shall not be deemed a commercial activity for zoning purposes.

Comments: *The site is located within an FR Farming Residential district. The application states that the operation includes harvesting of trees from the site.*

2. Facility Size.

- a. **Floor Area.** The total floor area above finished grade (one or two stories) of any agribusiness facility falling into this category, including retail space, shall be no larger than 10,000 square feet. The facility may consist of more than one building. Underground space is not limited to, and may be in addition to, the 10,000 square feet of floor area provided that it is below pre-existing ground level and has no more than one loading dock exposed.
- b. **Pre-Existing Buildings.** Building(s) built prior to this amendment may be used for an agribusiness provided that the area dedicated to the agribusiness is limited to 10,000 square feet. The Zoning Board of Appeals may consider variances from setbacks for such a pre-existing building if it shall first be determined that such extension shall not be harmful to public health, safety, or welfare, particularly with regard to surrounding property interests.

- c. **Size Requirements.** The Planning Commission shall have the discretion to alter the size requirements if deemed necessary due to the requirements of the particular use, site considerations, or the potential impacts on adjacent properties.
- d. **Exception.** These limitations on facility size shall not apply to structures engaged solely in the agricultural use of the site and not involved in the business aspects of the use.

Comments: *The building plan sketch shows a building with a total floor area of 6,400 square feet of ground floor area. The use statement indicates that a portion of an existing pole barn is used as a workshop to support the operation and that an additional lean-to may be constructed. Details on other buildings, including floor area, should be added or a note should be added that other buildings will not be used.*

3. Facility / Site Design. The agri-business facility shall be designed to co-exist with the surrounding rural and agricultural land uses. The design of the facility shall achieve the following objectives:

- a. The facility and the site shall be designed in a manner that maintains the rural and agricultural character of the original property.
- b. There shall be no adverse impacts on adjacent properties.
- c. The Planning Commission shall have the ability to alter some of the standards herein or to require higher standards as necessary to protect the rural character of the community.

Comments: *The proposed agribusiness would be located within the interior of the site, with minimal visual impact on surrounding properties or Center Road.*

4. Setback Requirements. All structures related to the agri-business shall meet the setback requirements for the zoning district in which it is located.

Comments: *It appears that all of the structures related to the proposed agribusiness meet the setbacks for the FR Farming Residential district, but it is not possible to confirm without scaled or dimensioned site plans.*

5. Public Events. Participation in Township-wide events at the facility, open to the public, shall be allowed.

Comments: *The use statement indicates an intent to host up to 2 seasonal sales events per year, but it is not clear if these are intended to be public or private events.*

6. Private Events.

- a. **Special Events.** An applicant who desires to host special events shall indicate as such in their application. They shall indicate the types of events, the frequency and number per year, the number of persons expected, the hours and other information as required below or by the Planning Commission for the understanding of the request.
- b. **Facilities Provisions.** The site plan for the use shall demonstrate how the facility will provide for circulation, parking, sanitation, trash collection, noise, and other factors during the events.
- c. **Approval.** The Township Board shall approve a facility's ability to host events when it has demonstrated the largest event desired by the facility can be handled without significant

adverse impacts to adjacent neighbors or Township facilities and services or otherwise creating a detriment to public health, safety, or welfare.

- d. Special Conditions. The special land use approval may specify a maximum number of events per year, number of persons per event, and hours for events.
- e. New Permit. In order to exceed the number of events approved by the Township Board or to host an event of increased intensity, the special use permit must be amended. Otherwise, a new permit is not required for each event.

Comments: *The use statement indicates a desire to hold up to 2 special events with up to 20 vendors and parking for up to 75 vehicles on Saturdays from 10:00 am to 6:00 pm and Sundays from 10:00 am to 4:00 pm. These events would require use of a temporary parking area and 4 to 6 portajohns. The proposed locations for the temporary parking and portajohns are not shown.*

The use statement also indicates a desire to host small special event classes for up to 15 people on a monthly basis. The potential days or hours for these events are not specified.

- 7. **Parking.** Parking shall comply with the requirements of Article 25 - Off-street Parking and Loading. Provisions shall be made to allow cars to turn off the road right-of-way and park outside of the right-of-way. Parking lots in the FR and RE districts are not required to be paved.

Comments: *The proposed parking area appears to provide an adequate number of spaces, except for the larger special events. The layout of the parking area is not provided so it is not possible to determine compliance with parking standards. It is not clear what surface will be used for the parking area.*

- 8. **Signs.** Signage shall comply with the requirements of Article 27 - Signs. Agribusinesses are permitted one ground sign with a maximum area of 48 square feet and a maximum height of 6 feet.

Comments: *The use statement indicates a desire to have a ground sign with an area of 24 square feet (per side) and a height of 7 to 8 feet. The use statement should be revised to match the maximum height of 6 feet.*

- 9. **General Standards.** In addition to the specific standards for Agri-business uses specified above, the Planning Commission and Township Board shall consider the following when making a determination under this section:
 - a. The relationship of the agri-business use to the primary agricultural use on the site.
 - b. The duration of use (i.e. seasonal, annual, weekends, everyday, etc.).
 - c. Hours of operation.
 - d. Relationship of agri-business use and proposed development to the overall size of the parcel.
 - e. Potential traffic impacts created by the proposed use.
 - f. Other potential impacts on the Township or adjacent properties including but not limited to lighting, noise, dust, and drainage.

Comments: *The use statement indicates that some trees will be harvested from the property, but it is not clear what percentage of trees used come from this property vs materials purchased from tree services or mulching companies. The percentage of trees harvested from this property or other controlled properties should be clarified.*

The use statement indicates that the agribusiness will be open year-round and will hold small monthly special events, with up to 15 participants, and larger special (spring and fall) events with up to 20 vendors.

The use statement indicates the showroom will be open Tuesday through Saturday from 10:00 am to 6:00 pm; building and assembly operations will take place Monday through Friday from 8:00 am to 5:00 pm; the photography studio will be available daily from 10:00 am to 4:00 pm; and special sales events would take place on Saturday from 10:00 am through 6:00 pm and Sunday from 10:00 am to 4:00 pm.

The proposed area to be used for the agribusiness operations, excluding tree harvesting, appears to be appropriately-sized for the site.

The potential traffic impacts appear to be relatively limited. The anticipated daily trips would be slightly higher than a typical single-family dwelling. The anticipated trips and traffic impacts would be most noticeable for monthly events and special events. The Livingston County Road Commission will require certain geometry based on anticipated trips. Center Road is a paved county road.

Additional information is necessary to determine potential impacts due to lighting, dust, or drainage.

APPLICABLE DECISION CRITERIA

§23.03/§22.04

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

Site Plan Review

Information that must be included in a site plan is outlined in §23.02 Site Plan Information.

As noted throughout this report, there is a lot of information missing from the site plan. Some of this information has been noted as necessary to determine compliance with the Zoning Ordinance. Other information that is not necessary can receive a waiver from the Planning Commission.

Comments: *The site plan that has been submitted does not include a lot of information generally required for site plans: date, scale, north arrow, location and height of all structures proposed for agribusiness use, dimensioned property lines and setbacks, parking and driveway details, landscaping details, utility information, location map, stormwater drainage details or narrative, trash receptacles, and signature of licensed professional.*

Determination of additional information that is necessary for Planning Commission review and what information can be waived.

Decision criteria for site plan review are outlined in §23.03 Standards for Site Plan Review. Comments addressing these standards are included throughout this report and below.

Comments: *Additional information is necessary in order to determine compliance with site plan review standards.*

Special Land Use Review

The general review standards for special land uses are outlined in §22.04 General Review Standards for All Special Land Uses and are included below. Specific standards for agribusinesses have been examined in the Agribusiness section of this report. Comments addressing these standards are included throughout this report and below.

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.

Comments: *The proposed agribusiness is located within an area identified for commercial/industrial uses in the Future Land Use Map. The proposed use would be generally consistent with the goal of supporting agricultural operations if it demonstrated that the agribusiness is accessory to an agricultural operation.*

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

Comments: *The FR Farming Residential district is intended for agricultural uses, which includes agribusinesses as an accessory use. The Planning Commission subcommittee has determined that the proposed use could be submitted for consideration as an agribusiness.*

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.

Comments: *The proposed agribusiness appears to be generally located and designed in a manner that would have minimal impacts on the natural environment or the surrounding area.*

Some additional information appears necessary in order to determine potential impacts from dust and stormwater.

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

Comments: *It does not appear that the proposed agribusiness would have a significant impact on the natural environment. The use statement indicates there will be on-site storage and use of wood finishes that are generally consistent with what can be found in many households.*

Additional information should be provided to ensure there would not be adverse impacts from stormwater runoff or dust.

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.

Comments: *The proposed agribusiness will be served by on-site well and sanitary sewer systems, to be reviewed and approved by the Livingston County Health Department.*

It does not appear likely that there would be a significant impact on police protection, drainage structures, schools, or other public services.

Additional comment on fire protection is deferred to the Fire Chief.

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...

Comments: *It does not appear likely that proposed agribusiness would make vehicular or pedestrian traffic more hazardous. Except for special events, the volume of trips generated or attracted by the site is likely to be slightly increased from that of a single-family dwelling.*

The Livingston County Road Commission is likely to require some geometry changes to facilitate safe vehicular movements.

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.

Comments: *It does not appear likely that the proposed use or structures would interfere or discourage development of adjacent properties.*

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

Comments: *If the Planning Commission determines that the proposed agribusiness is consistent with the standards in the Zoning Ordinances and other conditions it determines appropriate, the proposed agribusiness should not create a negative impact on public health, safety, or welfare.*

SUMMARY & COMMENTS

For site plans and special land uses, the Planning Commission reviews applications and forwards it to the Township Board for final action.

The Planning Commission may determine missing information is necessary to make a decision. Missing information that the Planning Commission determines is not necessary for review could receive a waiver.

The Planning Commission could make a favorable recommendation, with or without conditions, if it determines decision criteria and developmental standards are met or would be met with conditions.

The Planning Commission could postpone action if it determines missing information is necessary for its review or there are significant or too many changes or conditions that would be necessary to receive a favorable recommendation at this time. If this is the case, it should direct the applicant to prepare revisions based on its review and provide guidance as to what additional information or changes would be necessary.

The Planning Commission could make an unfavorable recommendation if it determines decision criteria and developmental standards are not met or could not easily be met with changes or conditions.

Planning Commission Decisions/Determinations/Findings

The list below includes items that require Planning Commission decision, determination, or finding.

1. *The Planning Commission should determine what additional information is necessary for Planning Commission review.*
2. *The Planning Commission should determine if missing information is eligible for a waiver because it is unnecessary for substantial review and state the reasons for waiving such requirements.*
3. *The Planning Commission should determine if the site plan is consistent with §23.03 Standards for Site Plan Review.*
4. *The Planning Commission should determine if the special land use is consistent with §22.04 General Review Standards for All Special Land Uses.*

Potential Conditions

The list below includes potential conditions that have been identified throughout this report to aid in the Planning Commission's deliberation.

Additional potential conditions could also be identified before or at the Planning Commission meeting.


1. *The percentage of trees harvested from this property or other controlled properties should be clarified.*
2. *Wetland and woodland areas should be clearly defined on the site plan.*
3. *Additional information, such as scaled drawings or dimensions, added to site plan to document the proposed setbacks.*
4. *Approval of the driveway by the Livingston County Road Commission.*
5. *Circulation review and approval by the Fire Inspector and Township Engineer.*
6. *Additional details, such as driveway width and materials, added to site plan.*
7. *Scaled parking lot layout added to site plan.*
8. *Parking lot must provide at least 2 barrier-free parking spaces.*
9. *Parking surface material to be defined.*
10. *Curbing or curb stops to be provided.*
11. *Existing vegetation along property boundaries to remain.*
12. *Additional information about parking lot landscaping to be provided.*

Milarch Agribusiness

Special Land Use and Combined Preliminary and Final Site Plan

February 16, 2023

13. *Lighting details added to site plan.*
 14. *Use statement revised to reference maximum sign height of 6 feet.*
 15. *Any sign lighting to be pointed down and shielded.*
 16. *Separate permit required for sign.*
 17. *Water and sanitary sewer approval by Livingston County.*
 18. *Location of wells and sanitary sewer systems added to site plan.*
 19. *Location of all electrical service lines added to site plan.*
 20. *Applicant shall clarify refuse management.*
 21. *Stormwater management information added to site plan.*
 22. *Details on other buildings, including floor area, should be added or a note should be added that other buildings will not be used.*
 23. *Locations of parking and portajohns for special events added to site plan.*
 24. *Additional information should be provided to ensure there would not be adverse impacts from stormwater runoff or dust.*
-



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

RECEIVED

**TYRONE TOWNSHIP
PLANNING COMMISSION REVIEW APPLICATION**

FEB 06 2023

TYRONE TOWNSHIP
PLANNING COMMISSION

Property Address / Location 9149 Center Rd Fenton		Parcel ID/Zoning/District 4704-
Property Owner(s) Mike + Becky Milarch		Telephone 248-660-7154
Street Address 9149 Center Rd		Cell Phone 248-660-7154
City Fenton	State and Zip code MI 48430	FAX or E-Mail sales@bearnakedwood.com
Authorized Agent		Telephone
Street Address		Cell Phone
City		State and Zip Code


Type of Review:

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

Project Description:

We are looking to grow our business by making an official store in our barn. We are also looking to have 3-5 employees on staff throughout the week. See all notes on "Use letter".

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


Signature of Owner or Authorized Agent

Date 2/6/23	Tax Status	Fees: 101-000000-607-006	Escrow: 701-000000-283-__
Received By: KC	pd. per T.D. 2/6/23	\$1400 CK# 185	\$2000 CK# 121

February 2, 2023

Tyrone Township Hall
8420 Runyan Lake Rd
Fenton, Mi. 48430
810-629-8631

To Whom It May Concern:

My name is Mike Milarch, owner of Bear Naked Wood LLC., and I am writing you today to apply for a special land use permit. Last year, you had approved me for a home occupation permit and as my business is growing, so to are my needs for more options for my business. I had also applied, and was permitted by the county, to have our new pole barn (40'x140') built (see attached final inspection approval). This however, is still our primary residence and always will be. I want to grow my business with a small staff and the ability for customers to shop in our small showroom while ordering custom projects from me.

Bear Naked Wood LLC. is a custom woodworking business, where I supply and sell not only raw live edge wood material, but also custom finished products such as countertops, fireplace mantles, shelves, chainsaw carvings, benches, lamps, charcuterie boards and home décor. Currently, my customers come over by appointment to select materials, place orders and pick up finished products.

I produce my own wood products by purchasing logs from local tree service & mulching companies as well as harvesting our own trees directly from not only our farm here in Fenton, but also multiple other locations. As I remove trees from our property in Fenton, I intend to plant new trees to be able to replenish and sustain future business. I also have my own sawmills and wood drying kiln to not only have raw material products for sale, but to also provide myself with material for my custom builds. I also have my own "finish room" where I keep minwax stains and and polyurethane sealers (stored within a fire safe metal cabinet). I do not keep any toxic chemicals and I do not have a spray booth, nor do I intend to. The finish room is well ventilated and both heated and cooled. I have three fire extinguishers and two smoke detectors within the work shop, along with a water hydrant and hose directly inside of the barn for any possible fire issues. We dispose of any possible flammable rags or brushes by rinsing, drying and dispose in metal cans.

I offer a millworks division as well, including sawmilling, slab leveling, planing, jointing, glue ups and sanding services for wood projects so that other people that like me, can build their own projects. Customers can drop off material to me and I will have it all ready for them in a timely manner. Customers will not use any of my equipment whatsoever. Customers will not be allowed near any machinery at any point while in use.

The majority of my equipment and tools are in our smaller pole barn where I have made my workshop. The other portion of this barn is for our horse and other animals we are adding as

we move forward with our farm life. I will have two pieces of equipment in our newer barn for the business which will be used for sanding and planing of products. My sawmill is located approximately 200' to the north of our barns and out in a part of the farm so that is away from normal traffic flow. Our intentions are to build a small covered area (lean to) for the sawmill, as to keep the majority of the bad weather off of our sawmill and be able to keep a few wood slabs stored in this area to air dry.

My goal with the special land use permit is to turn approximately 40% of our new barn into a showroom so that I can display products in a climate controlled and safe environment for our products. I would be able to have customers not only place and pick up orders, but to also offer a warm and cozy shopping experience while they are here. The showroom portion of the newer barn would be 40x50 while my office, storage and facilities would be approximately 35x40 and the balance of the barn will be used for storage of wood slabs, tractor, lawnmower, personal tools and supplies and also our planer, sander & vacuum for our business.

I am NOT trying to make a large scale business with hundreds of shoppers but rather, would like to make it a small, fun place to shop while designing and ordering custom furniture products.

Our showroom hours will be Tues.-Sat. 10am-6pm and Sunday 10am-4pm and our actual operating hours for building and assembling will be Mon.-Fri. 8am-5pm. We have parking available for a minimum of 25 vehicles at any given time. I am planning to have a maximum of 5 total full time employees (4 in workshop & 1 in showroom) eventually working at our location. Employees would only be working on weekdays and I will be handling all weekend sales. I also travel to art shows on a regular basis, so we typically will be closed on the weekends where we are out of town.

We will have five fire extinguishers throughout our new barn along with 8 smoke detectors and also water available anytime within the barn. Emergency exit signs with lights will be added above each door as well.

We would like to have a small permanent sign near our driveway. Our sign would be no larger than 4' tall and 6' long for the sign itself and would be supported by 2 cedar posts installed 42" into the ground. The cedar post structure holding the sign would be 7-8' tall overall due to the slope of the ground. We would also like to have 4 solar powered spotlights in total to help with lighting in the winter months when daylight hours are at a minimum.

In the future, we would possibly like to entertain several possible options for growth as well...

1. I would like to be able to have small special event classes (max 15 people) available on a monthly basis for things like: building a bird house, build a charcuterie board, pictures with Santa and so on. This would happen right inside our showroom as we would move products aside and set up several tables for our event. We will have a unisex restroom available for any of these class sessions.

2. In addition to the special event class, we want to offer a photography room/space for local photographers, giving them a place to rent so as to allow for special event or family photos

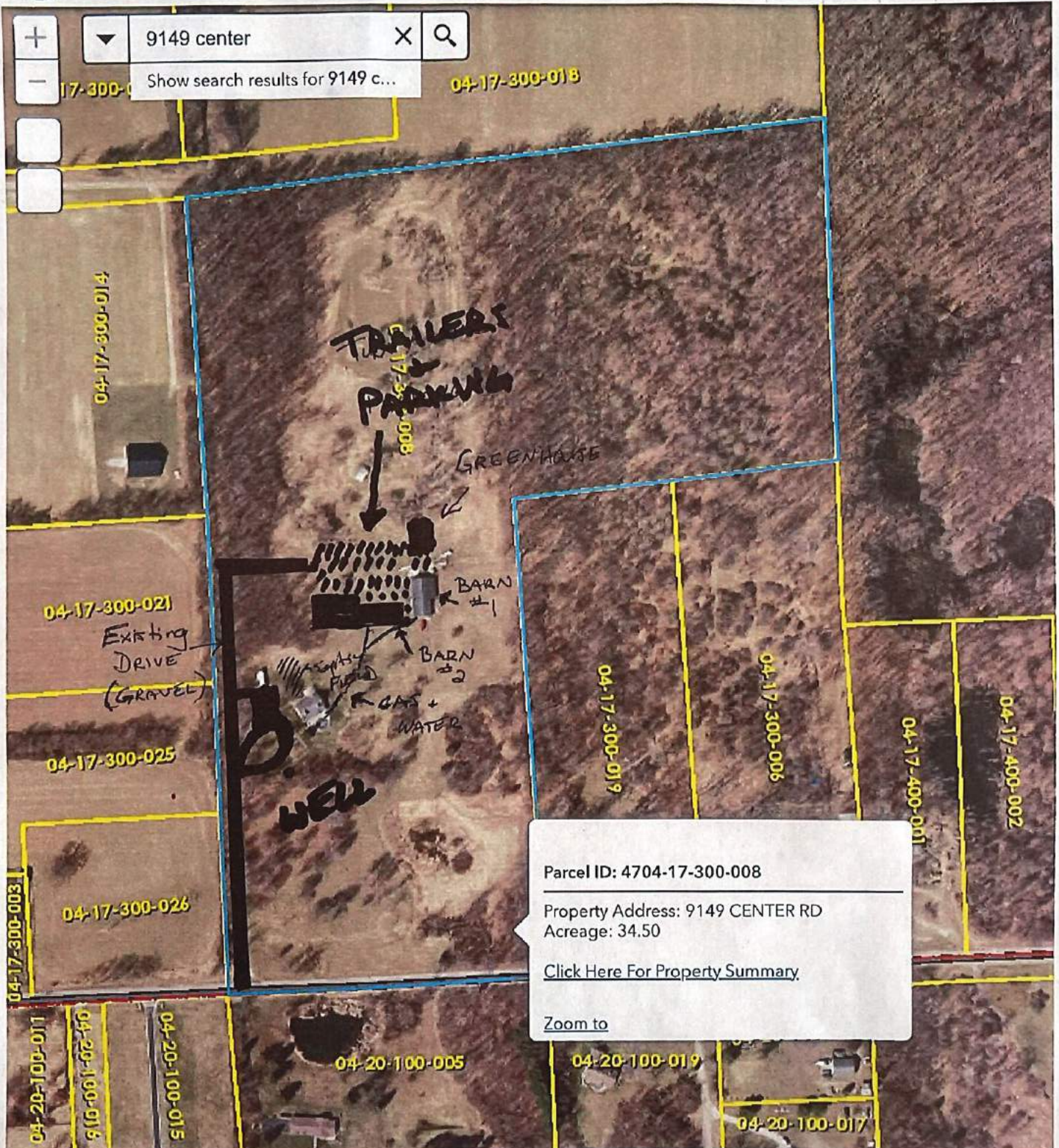
either in designated spaces on our property outdoors or even indoors when inclement weather. This could be available daily from 10-4pm. This would be a dual photography room/space where we can stage our own products for photos as well as people taking family photos, graduation photos, etc.

3. We would like to be able to hold a special sales event twice per year. We are thinking of a spring and late fall event to boost sales. We would have a maximum of 20 other vendors bring their hand made products and set up their 10x10 tents in our parking area to hold a small market (similar to a farmers market event). We would have 4-6 temporary bathrooms brought in and special designated parking right on our farm. Events would take place on a weekend with hours of 10-6 on Saturday and 10-4 on Sunday. We would have special field/grass parking available for approximately 75 cars in the case of a special event. We would file for any special permits for the event and also have any necessary insurance binders for the individual events.

My business is continuing to grow and being able to have this opportunity would be not only a great opportunity for us but also the community, as it will give a very unique space for people to visit and shop at a local rustic woodworking business.

Thank you for your consideration in the next steps to my business and hopefully allowing me to grow my business into something that we can all be proud of.

Mike Milarch
Bear Naked Wood LLC.



RECEIVED

FEB 06 2023

TYRONE TOWNSHIP
PLANNING & ZONING

Karie Carter

From: Mike Milarch <mmilarch77@gmail.com>
Sent: Thursday, February 2, 2023 5:20 PM
To: Karie Carter
Subject: Fwd: Final Building - Inspection Results

Our final approval info for our new barn build...

Begin forwarded message:

From: Livingston County <livingston_permitting@livgov.com>
Subject: Final Building - Inspection Results
Date: October 12, 2022 at 2:59:11 PM EDT
To: <mmilarch77@gmail.com>

Do Not Respond, This is an automated email from Livingston County Building Department.
An inspection was completed on a permit where you are the contractor of record. If the inspection was not approved, there may be a reinspection fee due before a reinspection can be scheduled. If you have any questions about this inspection, please contact the inspector listed below.

Site Address: 9149 CENTER RD
Permit Number: PBLD2022-02645
Permit Type: Building
Inspection Type: Final Building
Inspection Result: Approved
Inspector of Record: Justin Lay
Inspector [Email: JLay@livgov.com](mailto:JLay@livgov.com)

Passed Inspection Item(s):

Violation(s):

Karie Carter

From: Mike Milarch <mmilarch77@gmail.com>
Sent: Friday, February 3, 2023 2:46 PM
To: Karie Carter
Subject: Re: Meeting Notes

Hello

I emailed application, use letter and final approval for our barn build from the original shell going up. Once we get our land use permit, we will get our permits for the inside building to happen.

I spoke with fire chief in Fenton Twp. and he will do an inspection and walk through once everything is built and finalized. He verbally approved everything we are currently doing and said we are doing all the right things and taking all steps to prevent any possible issues.

I spoke to the road commission as well... we are preparing civil drawings to change our driveway approach to a commercial entrance and in saying this, there is nothing I need to do expect fill out paperwork and turn in drawings. I'm working with a civil engineer company already on this matter.

County environmental said once we have land use permit we can move forward with small septic field for bathroom. Building department said the same thing...once they get approved land use they will take all info to get us permits right away so we can keep this process moving.

I also made a drawing for the inside of the barn... when I bring over application payment, you guys will get a copy of that also.

I think I have it all covered... Been working hard to get it all done in a timely manner for you and us. Really hoping you guys will approve everything so we can keep our dreams alive.

Thank you for all of your help along this process...you have been a pleasure to work with!!

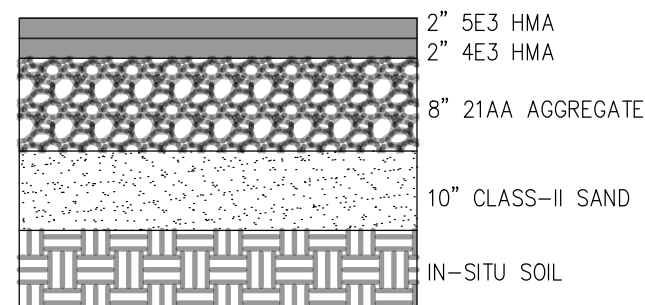
Mike Milarch
Bear Naked Wood LLC
248-660-7154

LEGEND			
SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
	PR. SPOT ELEVATION		EX. PUBLIC LIGHTING MH
	EX. SPOT ELEVATION		EX. PUBLIC LIGHTING ELEC
	EX. CONTOUR		EX. STEAM MANHOLE
	EX. DITCH		EX. STEAM PIPE
	EX. WATER MAIN		EX. UNKNOWN UNDERGROUND
	EX. WATER METER		EX. UNDERGROUND FIBER
	EX. WATER VALVE		EX. OVERHEAD ELECTRIC
	EX. HYDRANT		EX. UNDERGROUND CABLE
	EX. WATER MANHOLE		EX. COMMUNICATION RISER
	EX. FRESHWATER WELL		EX. COMMUNICATION HANDHOLE
	EX. GATE VALVE IN WELL		EX. UTILITY POLE
	EX. STORM SEWER		EX. GUY ANCHOR
	EX. STORM INLET/CATCH BASIN		EX. LIGHT POLE
	EX. ROUND STORM CATCH BASIN		EX. SIGN
	EX. STORM MANHOLE		EX. MAILBOX
	EX. STORM END SECTION		EX. FLAGPOLE
	EX. STORM CULVERT		EX. UNKNOWN MANHOLE
	EX. SANITARY SEWER		EX. MONITORING WELL
	EX. CLEAN OUT		EX. SECTION LINE
	EX. SANITARY VENT		EX. PARCELS
	EX. UNDERGROUND GAS		EX. EASEMENT
	EX. GAS VALVE		EX. CENTERLINE
	EX. GAS METER		EX. WETLAND LIMITS
	EX. GAS MANHOLE		EX. CURB/PAVEMENT
	EX. UNDERGROUND TELEPHONE		EX. FENCE
	EX. TELEPHONE MANHOLE		EX. GUARDRAIL
	EX. TELEPHONE RISER		FOUND IRON
	EX. UNDERGROUND ELECTRIC		FOUND PK. NAIL
	EX. ELECTRIC MANHOLE		FOUND CONC. MONUMENT
	EX. ELECTRIC RISER		SET IRON ROD
	EX. ELECTRIC TRANSFORMER		SECTION CORNER
	EX. ELECTRIC METER		POST
	EX. AIR CONDITIONER		BOLLARD
	EX. WATER MARKER		RECORDED BEARING
	EX. GAS MARKER		MEASURED BEARING
	EX. ELEC. MARKER		EX. TREE (DECIDUOUS/CONIFER)
	EX. TELE. MARKER		EX. TREELINE
	EX. SAN. MARKER		EX. ASPHALT
			EX. CONCRETE
			EX. GRAVEL

BENCHMARKS

(NAVD 88 DATUM):

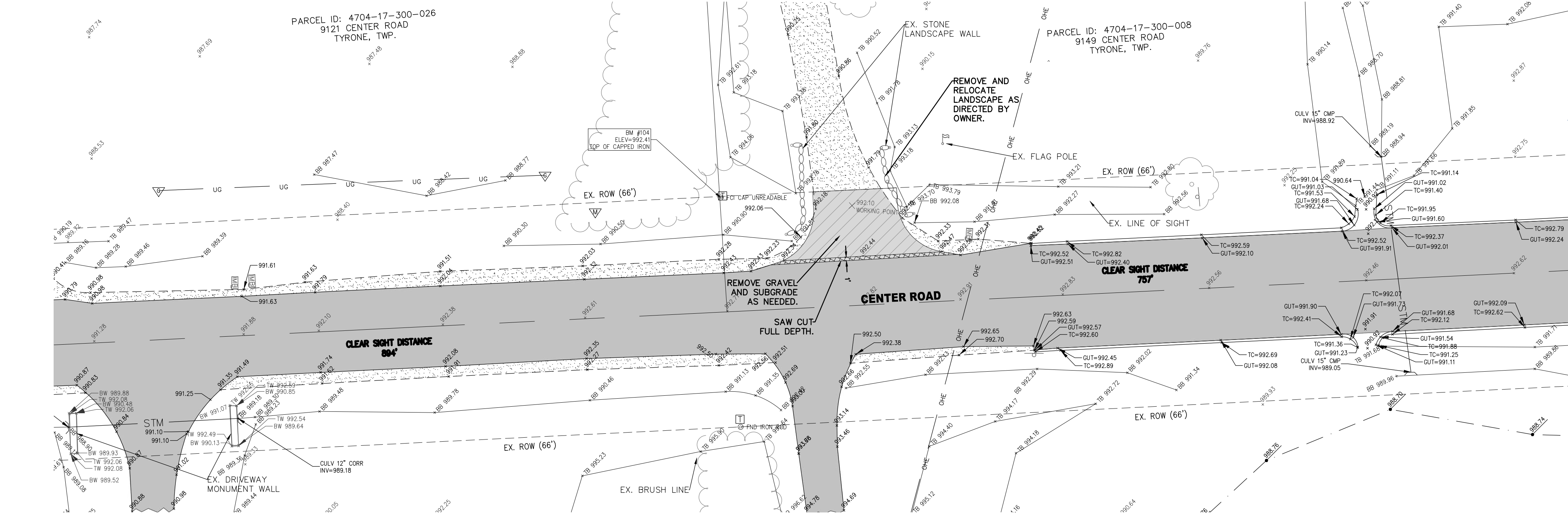
BENCHMARK #104
SET BENCHMARK ON FOUND
CAPPED IRON ROD.
ELEV = 992.41



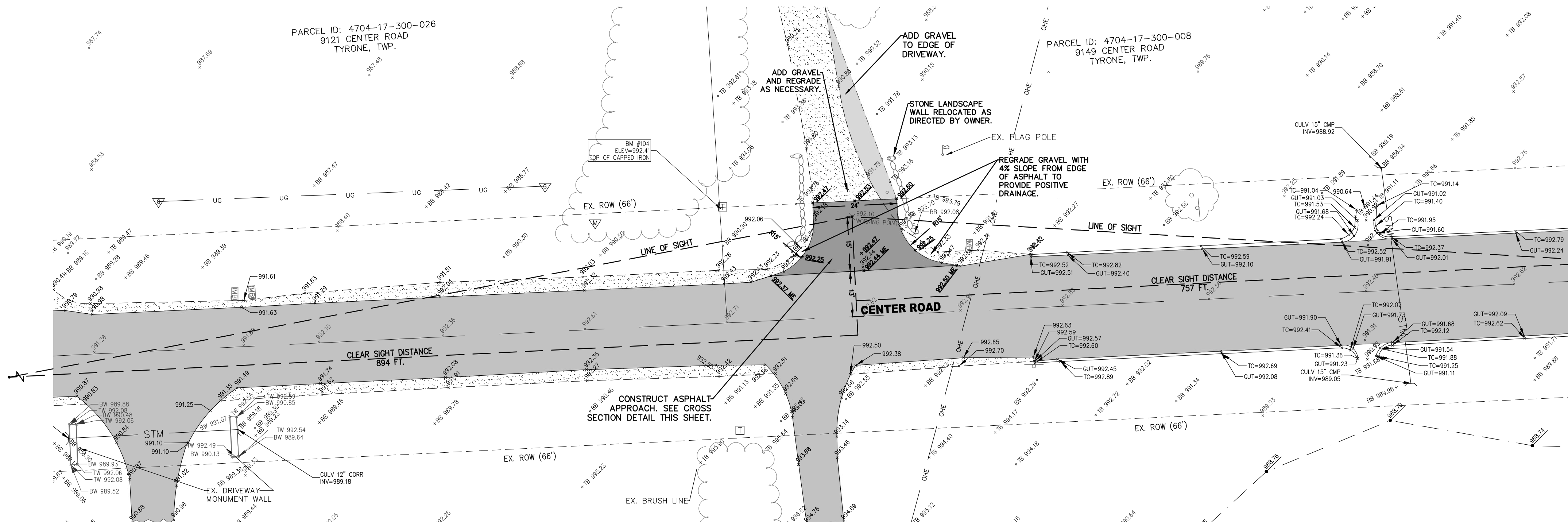
CENTER RD.

*MINIMUM R.O.W. PAVEMENT CROSS-SECTION

*OR MATCH EXISTING CROSS-SECTION, WHICHEVER IS GREATER



EXISTING AND DEMOLITION PLAN 1"=20'



PROPOSED PLAN 1"=20'

- NOTES:
- IDENTIFY ALL UTILITIES PRIOR TO CONSTRUCTION.
 - PROVIDE TEMPORARY TRAFFIC CONTROL AS REQUIRED.
 - SITE DISTANCES PER FIELD MEASUREMENT
FEBRUARY 22, 2023



THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.



Know what's below.
Call before you dig.

CONSTRUCTION SITE SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK OF PERSONS ENGAGED IN THE WORK OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

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The UMLOR Group
LAND DEVELOPMENT SERVICES
10927 WEST ROAD WIXOM, MI 48393
TEL 248.773.7738 • FAX 866.630.4307

SECTION 17
TOWN 4 NORTH, RANGE 6 EAST
FENTON
LIVINGSTON COUNTY, MI

DATE: 02/27/2023

REVISIONS

9149 CENTER ROAD
MIKE MILARCH
9149 CENTER ROAD
FENTON, MI 48430
R.O.W. APPROACH

CLIENT:
DR BY: SF
CK BY: JF
P.M. JF
SCALE 0 10 20
1" = 20'
JOB NO. 230208
SHEET NO. 1
SHEET 1 OF 1

Insulation -
Ceiling - "Blown in" (R-49)
Walls - 3" spray foam (R-19.5)

* MAIN FLOOR *

□ = 2'

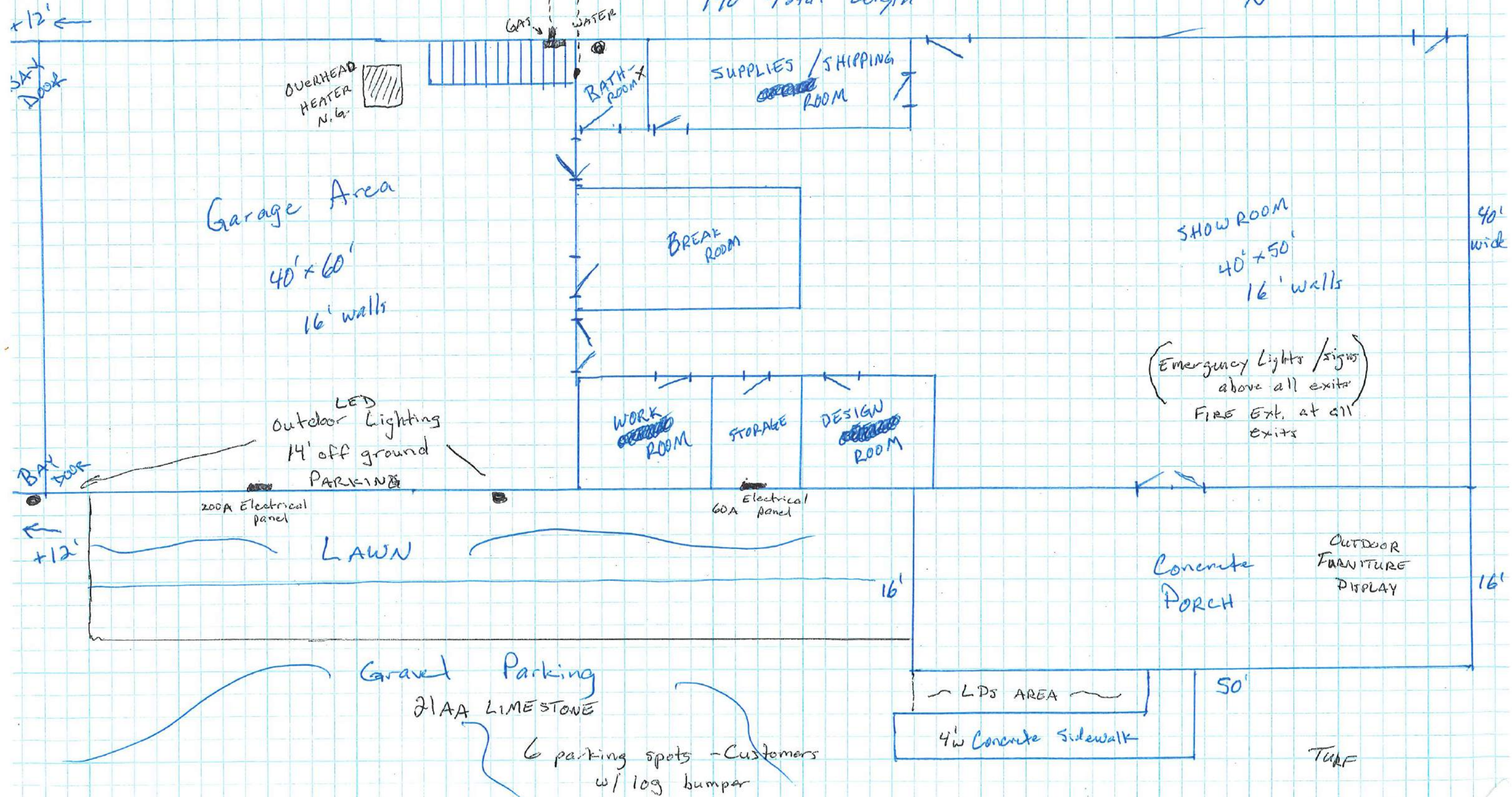
Mike + Becky Milarch

S

3-4-23

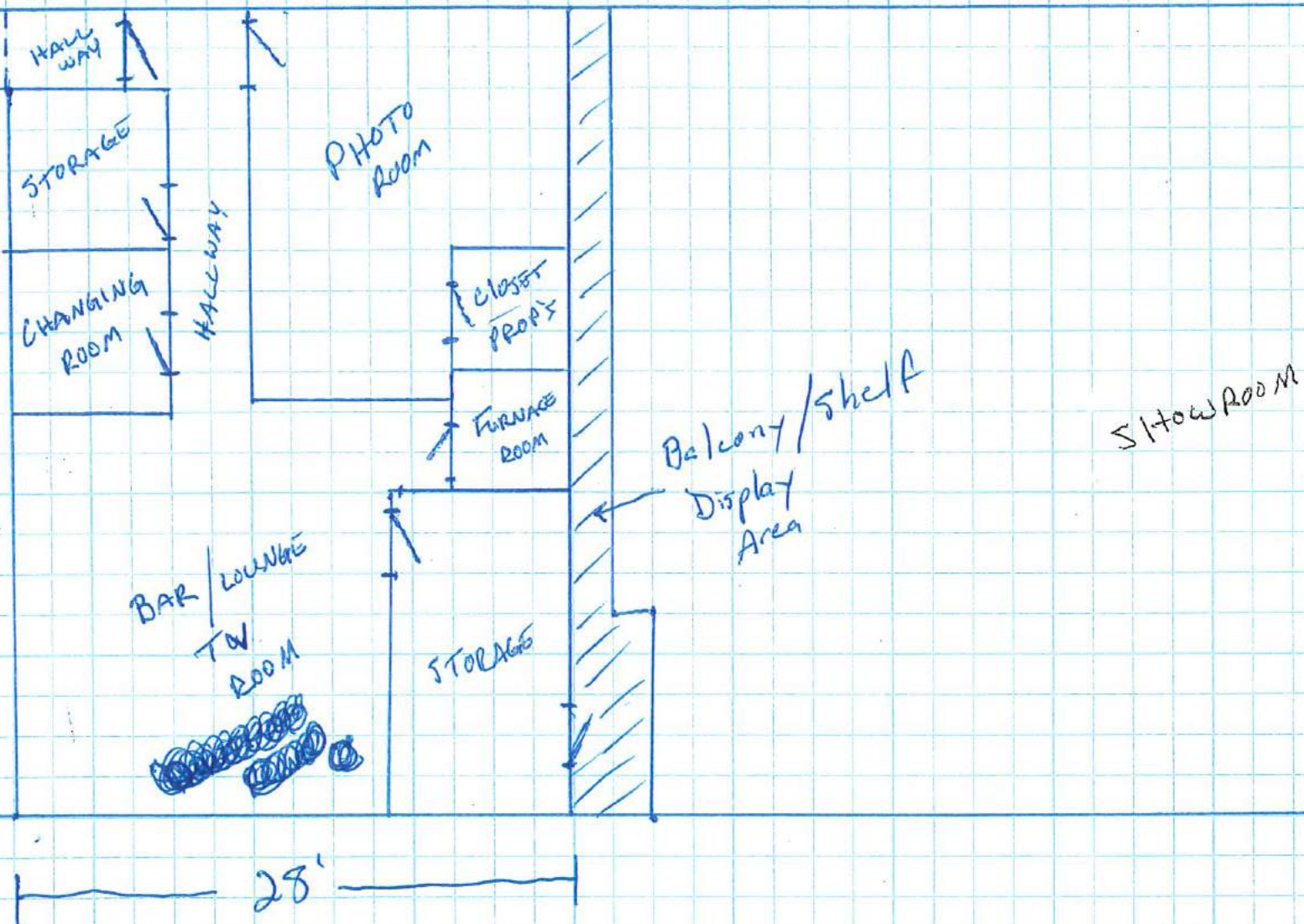
E + W
N

140' Total Length



* SECOND FLOOR
- LOFT / STORAGE
AREA

GARAGE



Livingston County Road Commission

3535 Grand Oaks Drive • Howell, Michigan 48843-8575
Telephone: (517) 546-4250 • Facsimile: (517) 546-9628
Internet Address: www.livingstonroads.org

March 17, 2023

Jason Fleis, P.E.
The Umlor Group
49287 West Road
Wixom, MI 48393

Re: Bear Naked Wood (9149 Center Road), Tyrone Township, Section 17

Dear Jason:

I have completed the review of the revised plans, dated March 3, 2023, for the above-referenced project and have determined the plans to be in substantial compliance with our commercial driveway approach specifications.

Before a permit can be issued, a contractor will need to be selected and the selected contractor will need to submit a certificate of insurance containing the following language: "The Board of Livingston County Road Commissioners, the Livingston County Road Commission, and their officers, agents, and employees are listed additional insured parties with respects to General Liability."

It will be noted on the permit that the existing identification sign will need to be relocated outside of the Center Road right-of-way.

If you have any questions, please do not hesitate to contact me.

Sincerely,

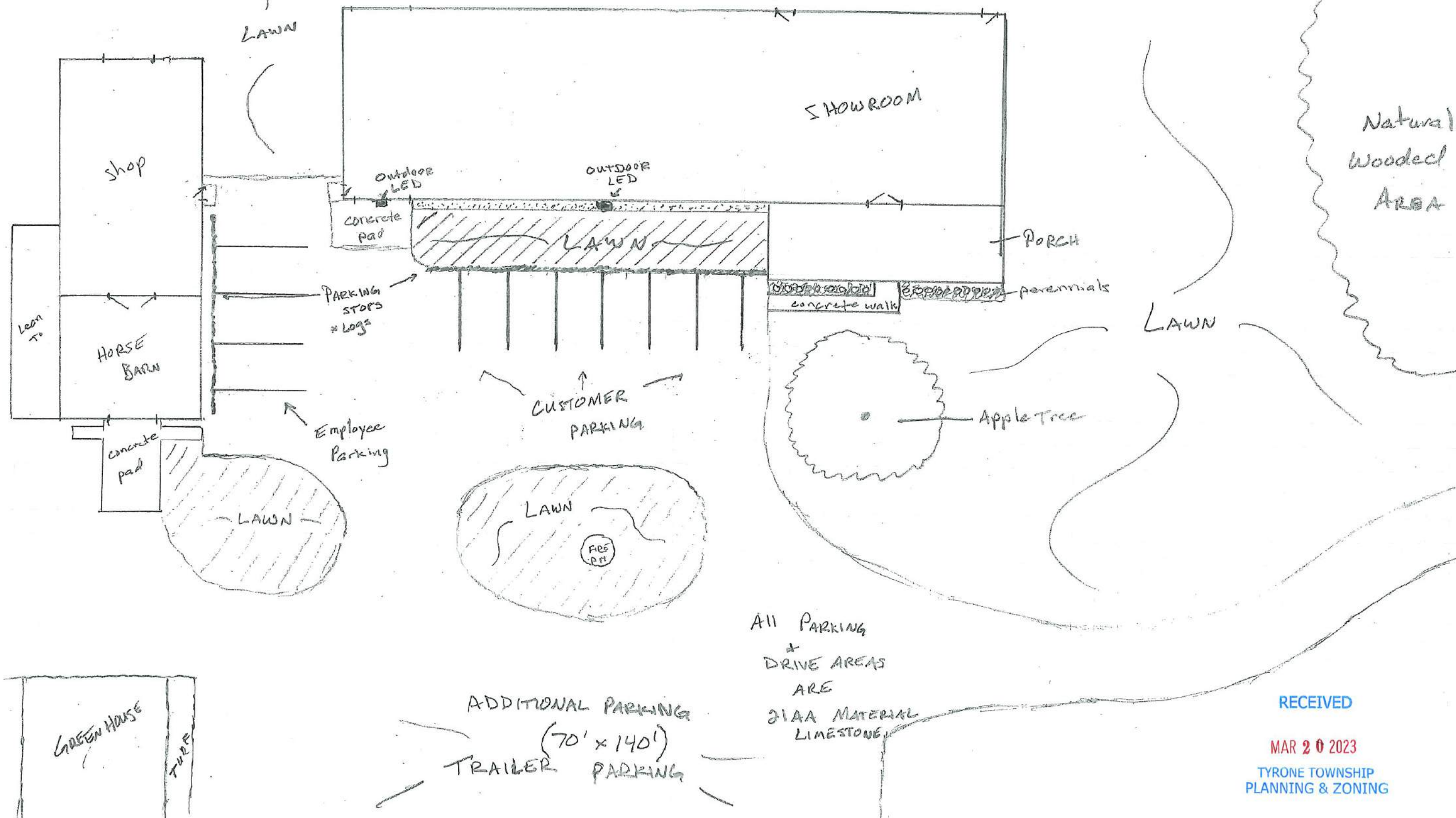
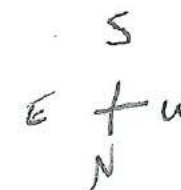


Kim Hiller, P.E.
Utilities and Permits Engineer

Cc: File
Ross Nicholson, Tyrone Township (via email)

BEAR NAKED WOOD LLC.
PARKING DETAIL

1" = 20'



March 19, 2023

Tyrone Township Hall
8420 Runyan Lake Rd
Fenton, Mi. 48430
810-629-8631

To Whom It May Concern:

My name is Mike Milarch, owner of Bear Naked Wood LLC., and I am writing you today to apply for a special land use permit. Last year, you had approved me for a Home Occupation Permit and as my business is growing, so to are my needs for more options for my business. I had also applied, and was permitted by the county, to have our new pole barn (40'x140') built (see attached final inspection approval). We currently use the existing pole barn for our horse and also my workshop. This farm however, is still our primary residence and always will be, yet I want to grow my business with a small staff and the have the ability for my customers to shop in my small showroom. Having this facility will not only grow my business but also give me the means to live and support my family as this business is my only means to income.

Bear Naked Wood LLC. is a custom woodworking business, where I supply and sell not only raw live edge wood material, but also custom finished products such as countertops, fireplace mantles, shelves, chainsaw carvings, benches, lamps, charcuterie boards and home décor. Currently, my customers come over by appointment to select materials, place orders and pick up finished products. I also offer a millworks division... including sawmilling, slab leveling, planing, jointing, glue-ups and sanding services. Customers can drop off material to me and I will have it all ready for them in a timely manner. Customers will not use any of my equipment whatsoever. Customers will not be allowed near any machinery at any point while in use. Safety is of the utmost importance.

I produce my own wood products by purchasing logs from local tree service & mulching companies as well as harvesting our own trees directly from our farm here in Fenton, but also multiple other family owned properties within the state. I typically provide myself with more than half of my products from our farms. As I remove trees from our property in Fenton, I intend to plant new trees to be able to replenish and sustain future business. My family has grown and sold wholesale trees for almost 85 years and having a horticultural degree from Michigan State University gives me plenty of knowledge and experience in supplementing my own business.

Working in forestry (slab & lumber sales), I own two sawmills and one wood drying kiln (one on Fenton farm and other on Rose City farm) to produce our raw lumber and slab material products for usage. Within my workshop I have my own "finish room" where I keep minwax stains and and polyurethane sealers (stored within a fire safe metal cabinet). I do not keep any toxic chemicals and I do not have a spray booth, nor do I intend to. The finish room is well ventilated and both heated and cooled. I have three fire extinguishers and two smoke detectors within the work shop, along with a water hydrant and hose directly inside of the barn

for any possible fire issues. I dispose of any possible flammable rags or brushes by rinsing, drying and disposal in metal trash cans. I do not use a dumpster as we use residential trash service which has easily handled the amount of waste that I may have. Any other wood scraps get burned in our wood stove within our residence and workshop. I have spoken to the local fire chief and we are “doing everything right” per our conversation and he will sign off on fire inspection once our completed final inspection is done on our internal build out.

The majority of my equipment and tools are in our smaller pole barn where I have made my workshop. The workshop section of the barn is fully insulated, thus keeping noise levels to a minimum for not only my residence but also the neighbors that live nearby. Our closest neighbor (9215 Center Rd) is 640’ to the south east of our barn and he has told me already that he can’t ever hear my equipment running. Our other neighbors are further away... 787’ to 9121 Center Rd., and 860’ to 9045 Center Rd. The other portion of this barn is for our horse and other animals we are adding as we move forward with our farm life. I will have two pieces of equipment in our newer barn for the business which will be used for sanding and planing of products.

My sawmill is located approximately 200’ to the north of our barns and out in a part of the farm so that is away from normal traffic flow. Our intentions are to build a small covered area for sawmill and wood inventory (lean to, approximately 20x30 with roof and half covered walls to allow for proper air flow for wood slabs, yet keep rain and other inclement weather off of the wood and sawmill). This covered shelter will allow me to cut wood material throughout the season and during inclement weather.

My goal with the special land use permit is to turn approximately 40% of our new barn into a showroom so that I can display and sell products in a climate controlled environment. I would be able to have customers not only place and pick up orders, but to also offer a warm and cozy shopping experience while they are here. The showroom portion of the newer barn would be 40x50, while my design office, storage and facilities would be approximately 32x40 and the balance of the barn will be used for storage of wood slabs, tractor, lawnmower, personal tools and supplies and also our planer, sander & vacuum for our business.

I am NOT trying to make a large scale business with hundreds of shoppers but rather, would like to make it a small, fun place to shop for customers while also designing and ordering custom furniture products.

Our showroom hours will be Tues.-Sat. 10am-6pm and Sunday 11am-4pm and our operating hours for building and assembling will be Mon.-Fri. 8am-7pm and Sat. 8am-5pm. My showroom will typically never have more than 3-5 customers at a time inside. I will have a 4’ wide concrete sidewalk leading to showroom entrance as well as lights under porch canopy for any night time situations. I have parking available for a minimum of 6 vehicles in our customer parking area and 4 available for staff parking. We also have a large area (70x140) in which I have sufficient turn around area, parking for my trailers and additional parking for customers and or staff. This area can also be used for our special events parking at any given time. All parking and drive areas are built with 21AA limestone. I have also installed LED lighting on outside of barn for

proper visibility in customer parking area during night time hours of operation (primarily winter months).

I am planning to have a maximum of five full time employees (4 in workshop & 1 in showroom) eventually working at our location. Employees would only be working on weekdays and I will be handling all weekend sales. I also travel to art shows on a regular basis, so we typically will be closed on the weekends when we are out of town.

We will have five fire extinguishers throughout our new barn along with 8 smoke detectors and also water available anytime within the barn. Emergency exit signs with lights will be added above each door as well.

Per Livingston County Road Commission, I have had engineered drawings completed for our driveway approach that is to be converted to a commercial approach in lieu of residential. We will make any needed changes to our entrance per the Road Commission regulations.

We would like to have a small permanent sign near our driveway. Our sign would be no larger than 5' tall and 7' long for the sign itself and would be supported by 2 cedar posts installed 42" into the ground. The cedar post structure holding the sign would be 6' tall overall due to the slope of the ground. We would also like to have 4 solar powered spotlights in total to help with lighting in the winter months when daylight hours are at a minimum. These lights will be installed at the top of the sign frame as to direct light downwards on to sign.

In the future, we would possibly like to entertain several possible options for growth as well...

1. I would like to be able to have small special event classes (max 15 people) available on a monthly basis for things like: building a bird house, build a charcuterie board, pictures with Santa and so on. This would happen right inside our showroom as we would move products aside and set up several tables for our event. We will have a unisex restroom available for any of these class sessions.

2. In addition to the special event class, we want to offer a photography room/space for local photographers, giving them a place to rent so as to allow for special event or family photos either in designated spaces on our property outdoors or even indoors when inclement weather. This could be available daily from 10-6pm. This would be a dual photography room/space where we can stage our own products for photos as well as people taking family photos, graduation photos, etc.

3. We would like to be able to hold a special public sales event twice per year. We are thinking of a spring and late fall event to boost sales. We would have a maximum of 20 other vendors bring their hand made products and set up their 10x10 tents in our parking area to hold a small market (similar to a farmers market event). We would have 4-6 temporary bathrooms brought in and special designated parking right on our farm. Events would take place on a weekend with hours of 10-6 on Saturday and 10-4 on Sunday. We would have special field/grass parking available for approximately 75 cars in the case of a special event. We would file for any special permits for the event and also have any necessary insurance binders for the individual events.

My business is continuing to grow and being able to have this opportunity would be not only a great opportunity for us but also the community, as it will give a very unique space for people to visit and shop at a local rustic woodworking business.

Thank you for your consideration in the next steps to my business and hopefully allowing me to grow my business into something that we can all be proud of. I look forward to your response in this matter.

Sincerely,

Mike Milarch
Bear Naked Wood LLC.

Ross Nicholson

From: Eric Wheeler <eric.wheeler@sbcglobal.net>
Sent: Friday, March 31, 2023 3:05 PM
To: Zoning
Cc: mmilarch77@gmail.com; Eric Wheeler
Subject: Special Land Use Permit 9149 Center Rd

Follow Up Flag: Follow up
Flag Status: Flagged

RECEIVED
APR 08 2023
TYRONE TOWNSHIP
PLANNING & ZONING

To whom it may concern:

I, Eric & Kristie Wheeler, immediate neighboring property owners to the East of the property address of 9149 Center Rd requesting the Agribusiness special land use permit, am writing this email to indicate we have no objections to Mike Milarch special land use permit request. To date, he and his business endeavors on his property have not negatively impacted our quality of life that we have sought here on our own residential property the last 12 years. He has also assured us that will continue to be the case, as he appreciates (quiet) country living as much as his neighbors.

As a fellow Fenton High School graduate, we wish Mike and his wife Becky the best as they pursue their business dreams.

I (Eric) will be out of state at the time of the Public Hearing on April 11, 2023, so please allow this email to be entered into public record in support of their proposed special land use permit.

Sincerely,

Eric & Kristie Wheeler
9215 Center Rd, Fenton MI
810-445-9394



Virus-free www.avast.com

RECEIVED

Ross Nicholson

APR 06 2023

TYRONE TOWNSHIP
PLANNING & ZONING

From: Karie Carter
Sent: Thursday, April 6, 2023 10:20 AM
To: Richard Erickson; 'Kurt Schulze'; joncward@gmail.com; Steve Krause ; Garrett Ladd
(ladderconstructionllc@gmail.com); Kevin Ross; Bill Wood
Cc: Zoning
Subject: Support of SLU request

Hello, Planning Commission,

I received a phone call in support of Mike Milarch's Agribusiness Special Land Use (public hearing Tuesday, 4/11).

The caller was Mr. Larry Tailford who lives immediately behind Mr. Milarch's property at 9154 Linden Road. He says he never hears any noise coming from Mr. Milarch's property. He said he fully supports Mr. Milarch's request.

Thank you,

Karie Carter

Planning & Zoning Administrator



Tyrone Township
8420 Runyan Lake Rd.
Fenton, MI 48430
(810) 629-8631

www.tyronetownship.us

Office hours: M-Th 9-4

(Closed Friday)

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NEW BUSINESS #1

Fenton Concrete Minor Site Plan Amendment



Tyrone Township
8420 Runyan Lake Road, Fenton, MI 48430
Phone: (810)629-8631 / Fax: (810)629-0047

Permit No: _____
Date: _____

APPLICATION FOR ZONING AND LAND USE PERMIT

Parcel ID Number:	4704 - 0 9 - 1 0 0 - 0 0 8				Address:	10513 Old US 23			
Subdivision:					Lot Number:				
OWNER INFORMATION									
Owner Name	Curtis Schupbach								
Street Address	PO Box 497								
City	Fenton	State	Michigan	Zip	48430				
Phone			E-Mail						
AGENT INFORMATION									
Agent Name	Bierlein Companies, Inc.								
Street Address	2000 Bay City Road								
City	Midland	State	Michigan	Zip	48642				
Phone	989.698.2268		E-Mail	pcrannell@bierlein.com					
IMPROVEMENT DETAILS									
Type of Building or Improvement: <u>Commercial Demolition</u>									
<input type="checkbox"/> House <input type="checkbox"/> Garage <input type="checkbox"/> Accessory <input type="checkbox"/> Store <input type="checkbox"/> Factory <input type="checkbox"/> Sign <input checked="" type="checkbox"/> Other									
Building Size/Dimensions:									
Dwelling: One-Story Two-Story Tri-Level Bi-Level Quad-Level	Garage: Attached Unattached One-Car Two-Car Three-Car	Addition: One-Story Two-Story	Accessory: Deck Pool Hot Tub Shed Other:	Sanitary Facilities: Septic Grinder Pump Gravity					
Foundation: Basement Poured Block Wood Walkout Conventional Slab Frame Brick Crawlspace Other:				(New Construction) No. of Bathrooms: _____ No. of Bedrooms: _____					
Additional Notes: Demolition / Removal of the associated equipment and structure. See attached sketch.									

The Tyrone Township Zoning Ordinance, sanitary and plat restrictions governing the parcel or individual plat will be strictly complied with. Owners and/or agents are responsible for other federal, state, and county code compliance.

This signature constitutes the applicant's acknowledgement of the application requirements and permission for site inspection by Tyrone Township representatives.

PERMITS ARE VALID FOR ONE (1) YEAR

Signature Owner: _____

Agent: 
Phil Crannell - Contract Administrator

FOR OFFICIAL USE ONLY

Date: _____

Approved _____ Denied _____

Referred to: ZBA: _____ PC: _____

Fee: \$ _____

Zoning Administrator: _____



Tyrone Township
8420 Runyan Lake Road, Fenton, MI 48430
Phone: (810)629-8631 / Fax: (810)629-0047

CHECKLIST FOR ZONING AND LAND USE PERMIT

- ☐ 1. Proof of ownership and the signature of the fee holder who owns the premises concerned.
- ☐ 2. Electronic copies of plans, surveys, or drawings if available.
- ☐ 3. The parcel's tax/parcel identification number and legal description of the property.
- ☐ 4. The legal survey as required by the Zoning Administrator.
- ☐ 5. A driveway sight distance approval from the Livingston County Road Commission (LCRC).
- ☐ 6. A favorable percolation (perc) test report from the Livingston County Health Department (LCHD).
- ☐ 7. Three (3) review copies of the blue prints and/or construction drawings.
- ☐ 8. Application fee per the fee schedule of Tyrone Township.
- ☐ 9. Two (2) site plans containing the information listed below, depicting the entirety of the property.
- ☐ 10. A completed sanitary sewer connection application and associated application fee (where applicable).

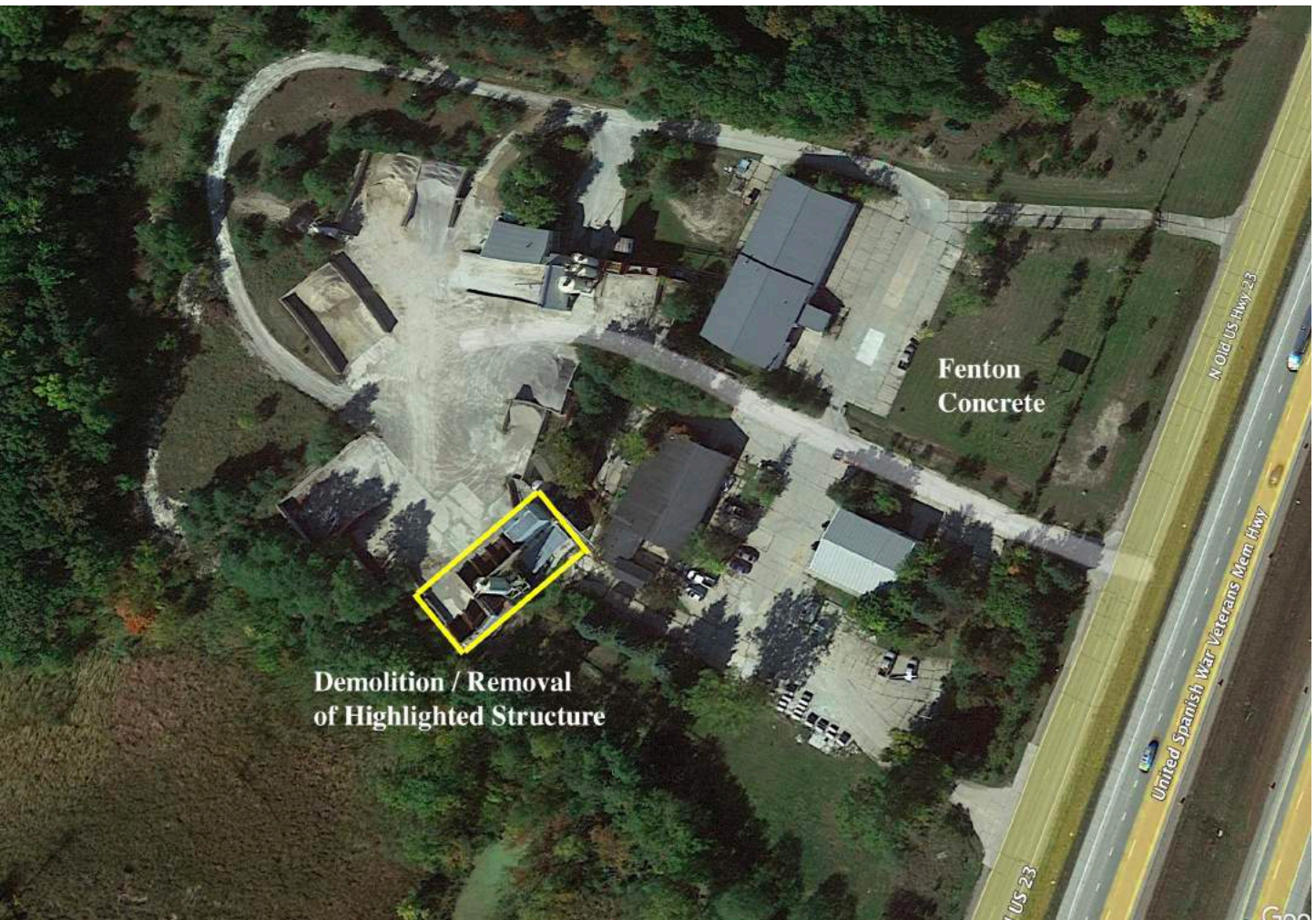
CHECKLIST FOR SITE PLAN

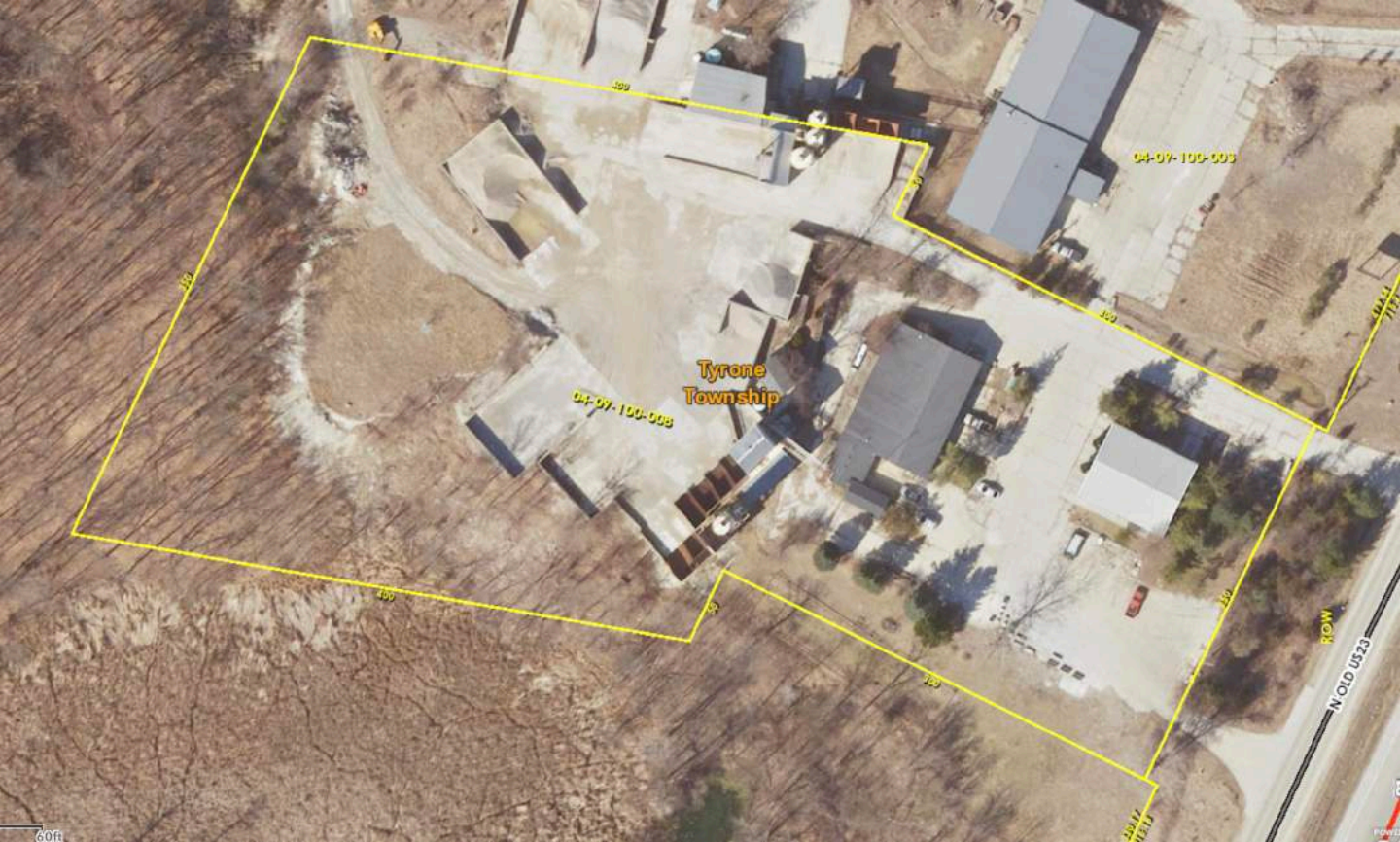
- ☐ 1. A scaled drawing or the required scale to fit a sheet of paper no larger than eleven by seventeen inches (11" x 17"). This drawing does not have to be prepared by a licensed or registered professional.
- ☐ 2. The actual dimensions and area of the parcel.
- ☐ 3. Location, shape, and dimensions of existing and proposed structures.
- ☐ 4. Septic tank and drain field locations, if any, including reserved area and showing distance from the septic system and property lines.
- ☐ 5. Well location and distance from the septic system and property lines.
- ☐ 6. Driveway location and utility easements.
- ☐ 7. Area to be excavated and graded, with existing and final grades.
- ☐ 8. Significant natural features such as woodlands, wetlands, trees, or steep grades, and utility features.
- ☐ 9. Location of right-of-way widths of all intersecting and abutting roads and public easements including drainage easements.
- ☐ 10. Date prepared, scale, and north arrow.
- ☐ 11. Name, address, and professional title, if any, of person responsible for the preparation of the plot plan.

The applicant must submit the following information before a land use permit will be issued by Tyrone Township. Some of the items listed may be shown to the Zoning Administrator or merely noted. Once the land use permit has been issued the applicant must obtain all necessary building permits required by the Livingston County Building Department. It is encouraged that all applicants review the Zoning Ordinance specific to their district which will explain permitted, accessory and Special Land Uses.

The Zoning Administrator is available **Monday-Thursday from 9am-4pm** and can be reached by phone at 810-629-8631 or by email at zoning@tyronetownship.us.

It is recommended that you make an appointment to review or drop off your application.







Rig Out
and
Salvage

DEMO

DEMO



DEMO

NOTIFICATION OF INTENT TO RENOVATE/DEMOLISH



MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
(MDEQ) AIR QUALITY DIVISION
NESHAP, 40 CFR Part 61, Subpart M



MICHIGAN DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS (LARA), ASBESTOS PROGRAM,
P.A. 135 OF 1986, AS AMENDED, Section 220 (1-4) or (8)

1. NOTIFICATION:

Date of Notification: 03/14/2023 Document #: 0000556118
Date of Original: Original Document #:
Notification Type: ☒ Original ☐ Revised ☐ Canceled

Mark appropriate boxes: (both DEQ and LARA may apply):

DEQ (NESHAP) [260 ln. ft./160 sq. ft. or more is threshold]

- ☐ Planned Renovation - 10 working days notice
☐ Emergency Renovation
☒ Scheduled Demolition - 10 working days notice
☐ Intentional Burn - 10 working days notice
☐ Ordered Demolition

LARA (MIOASHA) [Will not accept annual notifications]

- ☐ Demo, Reno, Encap. (>10 ln. ft./15 sq. ft.) 10 calendar days notice
☐ Emergency Renovation/Encapsulation

Calculate LARA Asbestos Project Fee: (1% Project Fee) ☐ Time & material
Total Project Cost: \$0.00 x 0.01 = \$0.00
Type of Contractor: License No:
Licensing Authority:

2. PROJECT SCHEDULE:

- ☐ Check here if this is a multi-phased project, attach a schedule showing the start/end date of each phase.

	START DATE	END DATE
* Renovation:		
+ Asb. Removal:		
+ Demolition:	03/28/2023	04/07/2023

Encapsulation:

* Includes setup, build enclosure, asbestos removal, demobilizing, etc.
+Include only those dates you are conducting asbestos removal/demo.

Work Schedule: Please indicate the anticipated days of the week and work hours for the purpose of scheduling a compliance inspection.

Days of the Week Work Hours

Asb. Removal:		
Demolition:	M, Tu, W, Th, F	M-F 7a-5:30p
Encapsulation:		

- ☐ Check here if the work hours are not the same across the days of the week or vary from day to day and attach a document with Detailed Work Hours.

3. ABATEMENT CONTRACTOR:

Internal Project #:

Name:
Mailing Address:
City/State/Zip:
E-mail:
Contact:

Phone:

4. DEMOLITION CONTRACTOR:

Internal Project #:

Name: Bierlein Companies, Inc.
Mailing Address: 2000 Bay City Road
City/State/Zip: Midland, MI 48642
E-mail: mbublitz@bierlein.com
Contact: Mike Bublitz Phone: 989-698-2230

5. FACILITY OWNER:

Internal Project #:

Name: Fenton Concrete
Mailing Address: 10513 Old US 23
City/State/Zip: Fenton, MI 48430
E-mail:
Contact: Russ Willett Phone: 989-529-7479

6. FACILITY DESCRIPTION:

Facility Name: Fenton Concrete Batch Plant
Location Address: 10513 Old US 34
City/State/Zip: Fenton, MI 48430
County: Genesee Age: 60
No. of Floors: 1 If Apt. # of units:
Nearest Crossroad:
Size: (sq. ft.) 3996 Floor No.:
Present Use: None
Prior Use: Manufacturing
Specific Location(s) in Facility:

7. DISPOSAL SITE:

Name:
Location Address:
City/State/Zip: ,

8. WASTE TRANSPORTER(S):

Name:
Location Address:
City/State/Zip: MI
Name:
Location Address:
City/State/Zip:

9. ORDERED DEMOLITIONS: (See NESHAP regulations for definition of "Ordered Demolition.") A copy of the official Order must accompany this notification.

Gov't Agency Ordering Demo:
Name/Title of Person Signing Order:
Date of Order: Date Ordered to Begin:

10. ASBESTOS INFORMATION

Is asbestos present? (i.e. Assumed or identified in asbestos inspection report) ☐ Yes ☒ No Will asbestos be removed prior to demolition? ☐ Yes ☐ No

Estimate the amount of asbestos: Include RACM (Regulated Asbestos Containing Material) to be removed, encapsulated, etc. Also include the amount and type (floor tile, roofing, etc.) of non-friable Category I and/or Category II ACM that will not be removed prior to demolition. (NOTE: In a demolition, cementitious ACM cannot remain in a structure, as it is likely to become regulated in the demolition/handling process. It must be removed prior to demolition. Also, all asbestos must be removed prior to an intentional burn.)

RACM/ACM to be removed	RACM to be Encapsulated	Non-friable ACM <u>not</u> removed prior to demo. Category I	Category II	Units of Measure
---------------------------	----------------------------	-----------------------------------------------------------------	-------------	------------------

				<input type="checkbox"/> Ln. Ft. <input type="checkbox"/> Ln. M.
				<input type="checkbox"/> Sq. Ft. <input type="checkbox"/> Sq. M.
				<input type="checkbox"/> Cu. Ft.* <input type="checkbox"/> Cu. M.*

*Volume (cubic ft./meters) should be used only if unable to measure by linear/square measure (example: asbestos has fallen off of surface).

NOTIFICATION OF INTENT TO RENOVATE/DEMOLISH (continued)

11. PROJECT DESCRIPTION: Complete **A) for Renovation** (asbestos removal/encapsulation) or **B) for Demolition**:

A) RENOVATION: Mark all surfaces/types of RACM to be removed:

Encapsulation (for LARA): Mark surfaces/types to be encapsulated:

- ☐ Piping ☐ Fittings ☐ Boiler(s) ☐ Tanks(s)
☐ Beam(s) ☐ Duct(s) ☐ Tunnel(s) ☐ Ceiling Tile(s)
☐ Mag Block ☐ Other (describe):

- ☐ Piping ☐ Fittings ☐ Boiler(s) ☐ Tanks(s)
☐ Beam(s) ☐ Duct(s) ☐ Tunnel(s) ☐ Ceiling Tile(s)
☐ Other (describe):

Method of removal: Describe how the asbestos will be removed:

- ☐ Glove Bag ☐ Neg. Pressure Cont. ☐ Cut into sections and remove ☐ Hand Scraping
- ☐ Dry Removal (please provide attachment with a description and explanation) ☐ Other (describe):

B) DEMOLITION: Indicate if complete or partial demolition:

☒ **Complete** or ☐ **Partial** (describe part of facility to be demolished):

Method of Demolition: Describe the method of demolition of facility, bridge, etc.:

- ☒
- Excavator or other heavy equipment
- ☒
- Disassembly by hand
- ☐
- Explosives
- ☐
- Other (describe):

12. ENGINEERING CONTROLS: Describe work practices and engineering controls used to prevent visible emissions before, during, and after removal, and until proper disposal:

- ☒ Water spray to control dust ☐ Place in leak tight containers ☐ Adequately wet material ☐ Other (describe):

13. UNEXPECTED ASBESTOS: Describe the steps you intend to follow in the event that unexpected RACM is found or previously non-friable asbestos becomes friable (crumbled, pulverized, reduced to powder, etc.) and therefore regulated:

- ☒ Stop Work ☒ Wet material ☒ Contact DEQ and abatement contractor ☒ Revise notification ☐ Other (describe):

14. PROCEDURE(S) USED TO DETECT THE PRESENCE OF ASBESTOS:

A) Indicate how you determined whether or not asbestos is in the facility. If analytical sampling was used, describe method of analysis. (The determination of the presence or absence of asbestos must be made prior to submitting a renovation/demolition notification):

- ☒
- All suspect materials sampled and analyzed using Polarized Light Microscopy (PLM)
- ☐
- Other (describe):

B) Name, address, and phone number of company performing asbestos survey: Bierlein Companies, Inc., 989-698-2230, 2000 Bay City Road, Midland, MI, 48642

C) Name, accreditation number of inspector, and date of inspection: Jason Larkin, A55114, 03/13/2023

15. EMERGENCY RENOVATIONS: _____ Date/time of emergency: _____

Describe the sudden, unexpected event:

Explain how the event caused unsafe conditions, and/or would cause equipment damage and/or an unreasonable financial burden:

16. I certify that an individual trained in the provisions of 40 CFR Part 61, Subpart M, will be on-site during the renovation and during demolition involving RACM above the threshold and/or during an ordered demolition. Evidence that this person has completed the required training will be available for inspection at the renovation or demolition site.

Michael Bierlein 03/14/2023

Signature of Owner or Abatement/Demolition Contractor _____ Date _____

17. Signature Requirements for Projects with Negative Pressure Enclosures: (required by LARA)

Per Section 221(1)(2) of P.A. 135 of 1986, as amended, clearance air monitoring is required for any asbestos abatement project involving 10 linear feet/15 square feet or more of friable material which is performed within a negative pressure enclosure. I (the building owner or lessee) have been advised by the contractor of my responsibility under Act 135 to have clearance air monitoring performed on this project.

Signature of Building Owner or Lessee

Date _____

Signature of Asbestos Abatement Contractor Representative

Date _____

NOTE: It is not mandatory that a signed copy be sent to LARA unless requested.

For affected projects, this section of the notification form must be completed, signed, and made part of **your** records before the project begins.

18. I certify that the above information is correct:

Michael Bierlein 03/14/2023

Printed Name of Owner/Operator

Date _____

Michael Bierlein

03/14/2023

Signature of Owner/Operator

Date _____



Fenton Concrete

Asbestos Inspection Report

Fenton Concrete
10513 Old US 23
Fenton, Michigan 48430

Inspection conducted by

Bierlein Companies, Inc.
2000 Bay City Road
Midland, Michigan 48642



RE: Asbestos Inspection Report
Fenton Concrete
10513 Old US 23
Fenton, Michigan

Bierlein Companies, Inc. (Bierlein) dispatched a representative to conduct an asbestos survey at the referenced facility on March 13, 2023. The primary objective of this survey was to ensure strict adherence to the Occupational Safety and Health Administration (OSHA) Construction Standard for Asbestos (29 CFR 1926.1101) as well as the Environmental Protection Agency (EPA) guidelines governing the inspection of buildings before renovation or demolition under the National Emissions Standards for Hazardous Air Pollutants (NESHAP 40 CFR Part 61).

Should you have any questions or comments regarding this report, please feel free to contact the undersigned at 989-205-6342.

Respectfully,
BIERLEIN COMPANIES, INC.

Jason Larkin
Environmental Specialist



Certification

Building Inspector:

The asbestos building demolition inspection was carried out by Jason Larkin, an Asbestos Building Inspector accredited by the State of Michigan.

Laboratory:

SanAir Technologies Laboratory
11709 Chesterdale Road
Cincinnati, Ohio 45246
Phone: 800-895-1177
NVLAP Accreditation No. 600227-0

Inspection Methods

To identify materials suspected to contain asbestos at the facility a comprehensive inspection procedure was followed including selective demolition in areas where it was believed there may be hidden materials. Visual examination, material age, and professional experience were relied upon to determine suspect materials. Suspect materials that were similar in color and texture were classified into homogenous areas (e.g., drywall, ceiling tiles, mastic).

Suspect materials were grouped into three main categories as follows:

- Surfacing Materials (SM) are sprayed-on or troweled-on such as plaster, fireproofing, or acoustical materials.
- Thermal System Insulation (TSI) materials are used for heat insulation or condensation prevention such as boiler coverings, pipe insulation, or roof drain insulation.
- Miscellaneous Materials (MM) are any application that does not fall into the SM or TSI categories such as floor tile, roofing, drywall, etc.

An appropriate number of samples were collected based on the quantity of suspect material present. Each sample collected was placed in sealed sample bags, and a chain-of-custody documentation was followed throughout the sample collection, handling, and shipping to ensure that quality control requirements were met. The collected samples were then sent to SanAir Technologies Laboratory for analysis using polarized light microscopy (PLM).





Inspection Results

As part of the inspection process, a thorough examination of a two-story hopper building was conducted. The building was constructed using various materials such as poured concrete walls, steel beams and framing, sheet metal siding, and wood. The TSI of the building was initially thought to be made of fiberglass, but further analysis was necessary to confirm its composition and properties.

Three (3) samples were examined for asbestos presence, and Attachment 1 displays the laboratory analytical results and relevant details. The laboratory outcomes show the sample's composition and percentage of materials present. None of the three (3) samples tested positive for asbestos.

Friable asbestos-containing materials are defined as materials containing greater than one (1) percent of asbestos that can be crushed, pulverized, or reduced to powder using hand pressure. Friable asbestos-containing materials were not identified during the inspection.

Non-friable asbestos-containing materials are defined as materials containing greater than one (1) percent of asbestos that cannot be crumbled, pulverized, or reduced to a powder by hand pressure. Non-friable asbestos-containing materials were not identified during the inspection.

Disclaimer

Destructive testing was completed in accessible areas of the structure designated by the occupant. Should suspect materials be encountered during renovation or demolition activities for which no analytical data exists, Bierlein recommends the materials remain undisturbed until the asbestos content of the materials is determined in accordance with OSHA and EPA regulations.

Homogeneous Areas Table

Homogeneous area Name/Id	Material Description	Friability
1	Insulation, Yellow	Friable

BIERLEIN



Attachment 1

Laboratory Results

Demolition • Dismantling • Asset Recovery • Recycling • Crane & Rigging • Environmental Services

2000 Bay City Road • Midland, MI 48642 • Phone: 989-496-0066 • Fax: 989-496-0144 • www.bierlein.com





The Identification Specialists

Analysis Report
prepared for
Bierlein Companies, Inc.

Report Date: 3/14/2023

Project Name: Fenton Concrete

SanAir ID#: 23014597



NVLAP LAB CODE 600227-0

11709 Chesterdale Road | Cincinnati, Ohio 45246
888.895.1177 | 513.438.6006 | IAQ@SanAir.com | SanAir.com



SanAir ID Number

23014597

FINAL REPORT

3/14/2023 11:19:39 AM

Name: Bierlein Companies, Inc.
Address: 2000 Bay City Road
Midland, MI 48642
Phone: 9896982230

Project Number:
P.O. Number:
Project Name: Fenton Concrete
Collected Date: 3/13/2023
Received Date: 3/14/2023 10:05:00 AM

Dear Jason Larkin,

We at SanAir would like to thank you for the work you recently submitted. The 3 sample(s) were received on Tuesday, March 14, 2023 via UPS. The final report(s) is enclosed for the following sample(s): 1, 2, 3.

These results only pertain to this job and should not be used in the interpretation of any other job. This report is only complete in its entirety. Refer to the listing below of the pages included in a complete final report.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Daigneault".

Matthew Daigneault
Asbestos Laboratory Manager
SanAir Technologies Laboratory

Final Report Includes:
- Cover Letter
- Analysis Pages
- Disclaimers and Additional Information

Sample conditions:
- 3 samples in Good condition.



SanAir ID Number

23014597

FINAL REPORT

3/14/2023 11:19:39 AM

Name: Bierlein Companies, Inc.

Address: 2000 Bay City Road

Midland, MI 48642

Phone: 9896982230

Project Number:

P.O. Number:

Project Name: Fenton Concrete

Collected Date: 3/13/2023

Received Date: 3/14/2023 10:05:00 AM

Analyst: Chandler, Caroline

Asbestos Bulk PLM EPA 600/R-93/116

SanAir ID / Description	Stereoscopic	Components		Asbestos Fibers
	Appearance	% Fibrous	% Non-fibrous	
1 / 23014597-001 Fiberglass Insulation, 2nd Floor, E Wall, N Side	Yellow Fibrous Heterogeneous	90% Glass	10% Other	None Detected
2 / 23014597-002 Fiberglass Insulation, 2nd Floor, E Wall, S Side	Yellow Fibrous Heterogeneous	90% Glass	10% Other	None Detected
3 / 23014597-003 Fiberglass Insulation, 2nd Floor, N Wall, Center	Yellow Fibrous Heterogeneous	90% Glass	10% Other	None Detected

Analyst:

Caroline Chandler

Approved Signatory:

Johnathan Wilson

Analysis Date: 3/14/2023

Date: 3/14/2023

Disclaimer

The final report cannot be reproduced, except in full, without written authorization from SanAir. This report is the sole property of the client named on the SanAir Technologies Laboratory chain-of-custody (COC). Results in the report are confidential information intended only for the use by the client named on the COC. Neither results nor reports will be discussed with or released to any third party without our client's written permission to assure that parts of the report are not taken out of context and to maintain client confidentiality. The information provided in this report applies only to the samples submitted in the condition they were received at the laboratory and is relevant only for the date, time, and location of sampling. Samples were received in good condition unless otherwise noted on the report. Fibers smaller than 5 microns cannot be seen with this method due to scope limitations. The accuracy of the results is dependent upon the client's sampling procedure and information provided to the laboratory by the client, which includes the project name, project number, po number, sample collection dates, special instructions, samples collected by, sample numbers, sample identifications/ location, sample type, selected analysis type, and total area or volume that may affect the validity of the results. SanAir assumes no responsibility for the sampling procedure and will provide evaluation reports based solely on the sample and information provided by the client. SanAir assumes no responsibility or liability for the manner in which results are used or interpreted. This report does not constitute and shall not be used to claim product certification, approval, or endorsement by NVLAP, NIST, AIHA LAP, LLC or any other agency of the U.S. government. Samples are held for a period of 60 days.

Polarized- light microscopy is not consistently reliable in detecting asbestos in floor covering and similar non-friable organically bound materials. Quantitative transmission electron microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing.

Asbestos Accreditations, Licenses, or Certificates

NVLAP Lab Code 600227-0

State of Rhode Island Department of Health, Certification Number: PLM00144, TEM00144

State of West Virginia Bureau for Public Health, Analytical Laboratory Number: LT000637



Attachment 2 Certifications



Jason Larkin – A55114



