

1. Call to Order - THE MEETING WAS CALLED TO ORDER BY CHAIRMAN LARRY FOX AT 7:00 PM

2. Pledge of Allegiance

3. Roll Call

4. Approval of Meeting Agenda

Motion to approve Meeting Agenda

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Mitchell, Commissioner
SECONDER:	Keith Voight, Secretary
AYES:	Colaianne, Murphy, Fox, Newsom, Grissim, Mitchell, Voight

5. Approval of Meeting Minutes

a. Planning Commission - Regular Meeting - Apr 14, 2016 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Keith Voight, Secretary
SECONDER:	Joe Colaianne, Trustee
AYES:	Colaianne, Murphy, Fox, Newsom, Grissim, Mitchell, Voight

6. Call to Public

None

7. Public Hearing

None

8. Old and New Business

a. Land Division Application #868 (construct a shared driveway)

Director Langer summarized the applicant's request to divide the subject property into two parcels each containing a minimum of two acres in area. In order to divide the subject property into two parcels and comply with the minimum zoning district standards for lot width and lot area, the applicant is proposing to establish a shared driveway easement that will provide the required access for each of the proposed parcels. The shared driveway requires the approval of the Planning Commission; however, the shared driveway as proposed does not comply with the requirements of the Zoning Ordinance. The staff report outlines all of the areas of non-compliance such as the width. The staff recommendation is for the Planning Commission to discuss the request, provide valuable feedback to the applicant. It is the intent the applicant would seek variances from the Zoning Board of Appeals for the areas of non-compliance. If the Planning Commission chooses to approve the request, a motion has been provided stating approval is subject to the applicant getting the necessary variances from the Zoning Board of Appeals.

The applicants, Chris Grzenkowicz of Desine Incorporated, and Arthur Pulice the property owner, outlined the history of the property and the previous land divisions stating it was always Mr. Pulice's intent to make an additional land division to Parcel 4 on this shared driveway as a source of retirement income when the 10-year waiting period had passed. The applicant stated the following:

- Livingston County Road Commission approved the shared driveway approach in 2014 with the 40-foot wide easement

- The 40-foot wide approach was constructed in 2014
- In 2015, the property owner requested Desine Inc to prepare the necessary documents for the land division; however, since the original land division, Hartland Township had adopted a new Zoning Ordinance making this land division non-compliant

The property owner met with the previous Planning Director in August of 2015 who interpreted the shared driveway and land division as reviewed and approved in 2003 based on the standards in place at the time with the following requirements and not subject to Planning Commission approval:

- The shared driveway must be constructed across Parcel 4708-09-300-007 as shown on the Desine Inc plans of 2015 before the application for a split
- The existing easement would have to be amended to describe it as a shared easement for the benefit of two parcels (4A and 4B)
- The existing easement would have to be extended across some portion of 4A; it would be a shared easement at least as far as the split point of the driveway for 4A, with the remainder being an exclusive private easement for 4B
- The maintenance agreement for the shared easement would have to be recorded
- The application for the land division of Parcel 4708-09-300-009 into 4A and 4B would have to meet all the requirements for any land division; certified surveys, complete application, taxes on all properties paid, etc

At that time there was no buyer for the property. The applicant chose to put the property on the market and postpone the construction of the driveway until the following spring. In early 2016, the shared driveway was constructed. The applicant once again contacted Desine Inc. requesting the completion of the land division application. The property owner was informed the previous Planning Director was no longer with Hartland Township and was encouraged to meet with Director Langer, which they did. The applicant stated Director Langer did not feel he could uphold the previous interpretation and wanted the Planning Commission to provide their opinion and guidance. Director Langer did suggest the T turnaround for emergency vehicle access and a wider easement across the new parcels for ingress and egress and public utilities to serve Parcels 4A and 4B. Those changes are shown on the current plan.

The applicant concluded stating they are proposing the division of Parcel 4 into two parcels, 4A and 4B which would conform to the Hartland Township Zoning Ordinance requirements. They are also proposing to extend the existing shared driveway at the 12-foot width and construct a 20-foot wide T turnaround on Parcel 4B to make sure there is maneuvering area for emergency vehicles such as a large fire truck. They are proposing the new portion of the easement to be 30 feet width. The Fire Marshal recommended the shared driveway be constructed in such a way it would be able to support axle weights of no less than 55,000 pounds at all times during the year. The applicant stated the existing portion of the driveway was constructed far beyond the standard requirements for a driveway in Hartland Township and would meet that safety standard as would the construction of the new portion of the shared driveway. The applicant also mentioned the shared driveway would serve two parcels only, 4A and 4B, and they could add language into the easement document and maintenance document restricting the shared driveway to those two parcels. The applicant closed by requesting the Planning Commission uphold the approval of the previous Planning Director so the project could move forward with the current design of the shared driveway and land division as proposed.

Chair Fox asked Director Langer to identify the section of the Zoning Ordinance that would allow a decision on a shared driveway to be made by the Director of Planning and not by the Planning Commission. Director Langer stated it is his understanding in August of 2015, the Planning Commission was the decision making body for a shared driveway; it is possible the previous director was interpreting this situation as the original portion of the driveway having been approved in 2003 and was not subject to Planning Commission approval in

2015, even though it was not constructed at that time. Chair Fox asked the applicant to provide the documentation for the approval. The applicant stated he was sure he had the documents on file. Chair Fox asked for the documents and the Meeting Minutes. Director Langer stated there would not be Planning Commission Meeting Minutes as Planning Commission approval was not required in 2003; it was a Land Division request that would have been approved by the Director of Planning and the Director of Assessing, and a Shared Driveway request that would also have been approved administratively. The Planning Commission briefly discussed earlier procedures during their tenure.

Chair Fox stated the Planning Commission does not have the authority to approve this request because they do not have the authority to grant all the deviations from the current Ordinance; such action would be under the authority of the Zoning Board of Appeals. Trustee Colaianne stated it would be helpful to have the documentation as it sounds like it was grandfathered in. Commissioner Newsom stated in the email dispersed at the meeting it states it was approved in 2003 so there must be a record. Chair Fox stated they would not approve the request at this time but would send the applicant back to provide the record of the previous approval. He continued if it were already approved, they would not need to appear before the Planning Commission. Director Langer stated included in the staff report is the recorded Grant of Common Driveway Easement from 2003 indicating the portion of the shared driveway crossing Parcel -007; it is the piece to the east of this he believes does not meet the current Zoning Ordinance requirements. Chair Fox clarified the applicant's current request is for the new portion of the driveway not included in the earlier approval, east of Parcel -007. Chair Fox stated the Planning Commission still does not have the authority to deviate from the current standards and cannot approve the new portion of the shared driveway.

Commissioner Voight inquired as to the location of the driveway for Parcel -006 and stated it would have been nice to see it on the plan. The applicant replied it is off of Hartland Road farther to the south. Voight asked why it is not coming off of Timber Creek. The applicant stated the property owner did seek approval from the Timber Creek Homeowner's Association but could not obtain unanimous support for two additional houses accessing this road.

Chair Fox asked the Director to see if he is looking for the Planning Commission to conceptually agree with the Zoning Board of Appeals' determination. Director Langer stated he feels it would be worthwhile to give the applicant some feedback regarding this plan if the Planning Commission has any concerns; it would do the applicant no good to obtain variances from the Zoning Board of Appeals and not be able to have his plan approved by the Planning Commission. The goal is to give the applicant as much insight as you can as to what the Planning Commission would like to see. A motion has been provided allowing the Planning Commission to grant conditional approval if all of the necessary variances were granted by the Zoning Board of Appeals. The applicant has indicated he has a willing buyer for one of the properties. Going before the ZBA will take some time to meet the noticing requirements and have the meeting. Afterwards the applicant would be required to return to the Planning Commission for approval causing a great deal of delay. Director Langer stated he is trying to give the Planning Commission some options for flexibility while moving the request along a more streamlined path. Chair Fox asked Commissioner Mitchell how such action would be received by the ZBA. Mitchell stated he would recommend the applicant go before the ZBA, obtain the variances, and then return to the Planning Commission for their approval. If the Planning Commission approves the request conditionally, it is suggesting to the ZBA they must approve all of the requested variances. The Planning Commission discussed their options.

Mitchell expressed concern about the T turnaround and how far it extends into the parcel. The applicant stated the Ordinance reads "the required width of the parcel" which is 200 feet as one would measure a cul-de-sac. Director Langer stated he had worked with the applicant on this design. For Parcel 4A, it would comply and for Parcel 4B it is different than the previous plan but would still comply.

Newsom asked which portion of the driveway has been constructed. The applicant stated the portion up to the property line of Parcel 4.

Chair Fox stated he would agree with Mitchell and understands it takes time to go through the process but it is leading the hand of the ZBA to conditionally approve a request based on obtaining variances. It would be an additional two weeks after the ZBA Meeting is scheduled, advertised and held to get on the Planning Commission agenda assuming the ZBA grants all the variances. Newsom stated the ZBA could also look at whether this portion was approved in 2003 and if it has to meet the current standards. Chair Fox stated they could but he would argue since it was never drawn on a plan, it could not have been approved in 2003. Newsom stated the ZBA may determine it is grandfathered in.

Commissioner Murphy confirmed the driveway in Parcels 4A and 4B is 12 feet wide and towards Hartland Road there is a passing flare. He asked what would happen if two cars were heading toward each other on Parcel 4A. The applicant stated realistically there would not be much opportunity for that conflict on a private driveway. They did look at incorporating an additional passing flare on Parcel 4A and could certainly add one. Ideally looking at the property most of the driveway after the front of Parcel 4A is there to serve a single parcel. The Planning Commission discussed the possible conflicts. Murphy stated he would like to see the passing flare moved farther down from the edge of Hartland Road when it would be more likely a conflict would occur.

Chair Fox stated if the applicant chooses to proceed they probably need to take a trip to the ZBA and may not have to come back. Mitchell agreed and restated if the ZBA were to make the decision that the extension of the private drive was apparent as approved in 2003 they would not have to come back. The Planning Commission discussed how many parcels were in existence in 2003. Chair Fox stated the ZBA will have to make the determination if there are now changed circumstances; if it is two parcels now as opposed to one four-acre parcel in 2003, is it still approved.

The applicant stated he does not want to lose his buyer and asked how long it would take to go to the ZBA. Director Langer outlined the scheduling requirements for a Zoning Board of Appeals meeting and stated they have not met since 2014 and do not have a regular meeting schedule. Director Langer estimated it would take about 20 days. The applicant stated he would like to have it as soon as possible due to the closing schedule for the sale of the parcel.

RESULT:	INFORMATIONAL
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b. Tractor Supply Company Site Plan Application #541 - Site Plan Amendment to Wal-Mart/Hartland Marketplace Planned Development (PD)

Director Langer summarized the applicant's request to amend previously approved plans for the Wal-Mart/Hartland Marketplace Planned Development, as part of the request for Tractor Supply Company (TSC) to renovate an existing building and construct a fenced outdoor display area and sidewalk display areas with screen walls. The subject site is zoned PD (Planned Development) which permits Tractor Supply Company as a retail use.

The applicants, Chris Kettler of Kettler Real Estate Services representing Tractor Supply Company and the property owner, Frank Jarbou, introduced themselves. The applicants thanked the Planning Commission and Director Langer for their time. The applicant stated Tractor Supply is hoping for approval at tonight's meeting and would like to take possession in mid-July, complete the interior build-out with an opening to the public in mid-October. The applicant stated the staff report did a good job laying out why they are here and what the improvements will be to the center. The applicant stated he could answer questions related to Tractor Supply and the site plan, and the property owner could answer questions relative to the building upgrades as the

property owner. The owner/manager of the property, Frank Jarbou, stated this project will be a great mix for the community. He stated there will be many upgrades such as a new roof, new front façade. It will be a win - win for the community.

Chair Fox requested the Planning Commission discussion begin with the Staff Analysis portion of the report.

- An impact assessment was not required for this project nor was it submitted.
- An update on traffic generation was not provided but it is a commercial center and is already retail oriented.

Staff Planner, Martha Wyatt, described the existing building materials agreement portion of the original Planned Development approval for Wal-Mart/Hartland Marketplace and what the applicants have planned for their project. Ms. Wyatt stated the applicants intend to reface the existing building, add architectural details and utilize building products used in the original center. A breakdown of building materials compared to the Ordinance standards has been provided by the applicants in the staff report. They have columns, face brick, split face block, and a band of EFIS which is not quite the same as what was used in the original PD but does not reflect an extensive use of EFIS. The applicants intend to paint the rear façade to match the existing adjacent Dollar Store which brought up a waiver request as it could be considered inconsistent with the other stores in the PD. The applicant provided a letter quantifying some of the defined waivers. Chair Fox asked if the calculation for the EFIS on the west side is correct as the elevation drawing seems to indicate less. Ms Wyatt stated the figure came from the applicant and could be a misprint, she did not do the calculation herself but there are several components to the EFIS in that location possibly equaling 20%. The Planning Commission discussed the colors and materials used for the proposed exterior and existing buildings.

Ms. Wyatt outlined the Garden Center/Lawn Center features on the plan. There are three outdoor display areas shown each with a different screening effect planned. In front of the equipment display area a four-foot high masonry screen wall with gaps is planned. The Zoning Ordinance lists requirements for outdoor or open air display requiring four-foot high screening and the types of materials. The applicants have provided the section walls across the front. The concourse/sidewalk has the shorter walls and in front of the larger outdoor display there are screen walls with columns generally matching the products used on the front façade with an additional four-foot high black aluminum fence for a total height of eight feet which seems to be consistent with the PD requirements. Along the west and south side, eight-foot high black aluminum fencing is proposed with a row of arborvitae for screening.

Voight stated it is proposed to look the same as the store in Fenton. He continued the arborvitae does not meet the Ordinance but since it is a PD and there are future plans to the west, it should be considered. Chair Fox mentioned during an informal meeting it was discussed it would very costly to require the applicant to install a four-foot brick wall with fencing that would have to be removed when the next tenant comes along; what is proposed would be a waiver from the Ordinance. Chair Fox went on to point out the four-foot high brick knee wall with a limestone-looking cap the purpose of which is to confine the outdoor storage to a limited space but yet remain open as has been done in other stores in the area. The applicant stated they are hoping to make the knee wall three-foot high for cosmetic reasons. Chair Fox stated the reason for the height is to screen products from view and products may not be stacked higher than the screen wall surrounding them. He suggested the applicant think about making the wall in the rear ten feet tall rather than eight feet. The applicant stated they are aware of the limitation; the eight-foot wall will suffice, but were still hoping to make the knee wall three feet. The Planning Commission discussed the ramifications of a three-foot high knee wall as opposed to a four-foot high knee wall and the existing TSC stores. The discussion ended with the understanding all items displayed behind the knee wall must be screened and it might not be possible with a three-foot knee wall; some pieces of equipment are already taller than four feet and may not be able to be displayed in that location.

Commissioner Grissim mentioned the screen wall with the gaps on the east and west ends are not closed and there is no screening at all. Chair Fox stated sidewalk displays are not an allowed use per the Ordinance and the screening walls are a way to work with the applicant so they can comply and still display the materials the business requires. Grissim asked if the walls should return back to the building. Voight recalled there was some discussion about having a return wall back to the fence. The applicant asked if it could be something removable to allow equipment to be moved in and out. The Planning Commission discussed the available options. Newsom suggested some short return walls that would leave the area open but still define the space. The Planning Commission discussed the length of the return wall. Chair Fox stated he would agree with Newsom and require

a short return wall at the east end covering one-third of the distance and have the west end remain open to allow trailers to be maneuvered in and out. Director Langer pointed out there is an existing planter shown on the Landscape Plan that may affect the location of a return wall. He also mentioned the applicant has requested not to install the other portion of the landscape area. The Planning Commission discussed the potential location of the return wall and the conflicts. Chair Fox summarized the Planning Commission discussion by stating they would require a short return wall at the east end covering one-third of the distance. Murphy suggested a short return wall at the west end covering one-third of the 14 foot distance. Grissim agreed that would be a good compromise. The applicant stated they could add the short return walls.

Grissim asked for a picture of the proposed fence in the back. The applicant asked if they could provide the additional cut sheet information after receiving approval tonight. Chair Fox stated it would be a condition of the approval.

Ms. Wyatt gave an overview of the parking requirements included in the PD Plan. She stated the proposed parking available will meet the requirements including a potential future addition to the retail center. Chair Fox stated, for the record, the proposed addition is not approved at this time, and he encouraged the applicants to supply information for the missing landscaping elements on future submittals. Ms. Wyatt stated the proposed plans do not show landscaped areas consistent with the Final Plan. Chair Fox stated that if the Planning Commission accepts this Site Plan then this becomes the Landscape Plan for this portion of the proposal. The Planning Commission agreed.

Ms. Wyatt presented the Outdoor Lighting proposed. She stated the more efficient LED wall packs are being proposed with one 25 foot light pole which is consistent with the PD.

Ms. Wyatt outlined the Other Requirements-Zoning Ordinance Standards.

- Screening of Mechanical Units - Chair Fox requested the height of the rear parapet wall be brought up to the height of the side walls to provide extra visual and sound screening for the HVAC unit. The applicant voiced concerns about rooftop the drainage. Chair Fox stated the Planning Commission is allowing the rear wall to be painted; it can at least be the height it should be and the residents on Round Lake will certainly appreciate it.
- Dumpster Enclosure - Ms. Wyatt stated a dumpster enclosure is planned for the east side of the building but the concrete extension was not shown on the plans. Chair Fox requested the applicant add the detail to the plan as required. Grissim asked what material would be used for the gates. The applicant replied they would use wood to match the others already on site.
- Landscape Screen Around the Dumpster Enclosure - Chair Fox stated landscaping at this location would not be appropriate.

Chair Fox summarized the review information from DPW, the Township Engineer and the Fire Authority. Chair Fox stated the Fire Authority comments came earlier in the day. A copy was provided a copy to the applicant. Chair Fox asked if they could comply with the Fire Authority recommendations. The applicant stated he does not have an issue with the recommendations but he does not know; it may have to be handled by the architect during the building permit process. Voight stated the sale of propane was not addressed in the Fire Authority review and asked if the sale of propane would meet all the required standards. The applicant stated they are aware of the standards and all of the required permits would be obtained.

Chair Fox closed the discussion.

Voight offered the following motion seconded by Colaianne:

MOTION, to approve Site Plan Application #541, a request to amend the previously approved plans for the Wal-Mart/Hartland Marketplace Planned Development, as part of the request for Tractor Supply Company to renovate an existing building, with the following conditions:

1. The rear (south) building elevation is not required to match the north and west façade regarding the proposed architectural design and type of building materials as shown on the proposed building elevations dated May 17, 2016.
2. Roof-top mechanical equipment is required to be screened in similar fashion with parapet walls to be consistent with other buildings in the Wal-Mart/Hartland Marketplace shopping center.
3. The fence associated with the TSC outdoor sales area is permitted as shown on the plans dated May 17, 2016, where a brick base and brick columns that match the dominant materials of the building and topped with decorative aluminum fencing are required on the north side only. The fence along the western edge of the outdoor sales area is required to have a row of Arborvitae trees, 6 feet to 8 feet in height, as shown on the site plan dated May 17, 2016.
4. The landscaping on the north side of the subject building as shown on the previously approved plan can be eliminated where the proposed sidewalk display areas are shown on the site plan dated May 10, 2016.
5. The proposed changes to the wall pack light fixtures and the additional light pole in the outdoor display area are permitted as shown on the photometric plan dated May 6, 2016.
6. Applicant complies with any requirements of the DPW Director, Township Engineer, and Fire Marshal.
7. Any other items discussed at the meeting on May 26, 2016.
8. Acceptance of the architectural waiver presented on May 23, 2016.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Keith Voight, Secretary
SECONDER:	Joe Colaianne, Trustee
AYES:	Colaianne, Murphy, Fox, Newsom, Grissim, Mitchell, Voight

9. Call to Public

None

10. Planner's Report

Director Langer shared concerns reported to the Township about poor audio quality from those watching the meetings and requested the Planning Commission make an extra effort to speak into the microphones.

At the joint meeting of the Planning Commission and Township Board there was discussion about a Buildout Analysis. Director Langer stated he has done some research as to cost and scope and spoken with some planning consulting companies. He asked if the Planning Commission would like to discuss his findings at an upcoming meeting. The information obtained was rather general in nature and would need further discussion on the part of the Planning Commission to frame it in and create a picture of what information is desired. Colaianne asked if SEMCOG (Southeast Michigan Council of Governments) was used during the Comprehensive Plan. The Planning Commission discussed their options and information available via new technologies. Colaianne stated he would like to know what SEMCOG has available before going further and possibly have one of their consultants come in since Hartland Township is a member rather paying a consultant to gather information already available.

11. Committee Reports

None

12. Adjournment

Motion to Adjourn

A motion to adjourn was made by Colaianne and seconded by Murphy; motion carried unanimously and the meeting was adjourned at approximately 8:50 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Joe Colaianne, Trustee
SECONDER:	Thomas Murphy, Commissioner
AYES:	Colaianne, Murphy, Fox, Newsom, Grissim, Mitchell, Voight

Submitted by,

A handwritten signature in black ink that reads "Keith R. Voight". The signature is written in a cursive style with a large, stylized "V" at the end.

Keith Voight
Planning Commission Secretary