

HARTLAND TOWNSHIP PLANNING COMMISSION MEETING  
AT THE TOWNSHIP HALL

APRIL 13, 2006

7:00 PM

AGENDA

The next Public Hearing  
could be held next

Thursday April 27, 2006 permg

Notice: April 16 (11 days)

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF APRIL 13, 2006 PLANNING COMMISSION AGENDA
5. APPROVAL OF MARCH 23, 2006 PLANNING COMMISSION MINUTES
6. CALL TO PUBLIC PLEASE APPROACH FRONT CENTER MICROPHONE
7. 5-MINUTE TIME LIMIT

PUBLIC HEARING

8. APPLICANT: BOB AND KAREN MCMASTERS SPECIAL USE APPLICATION #230 IN CONJUNCTION WITH  
SITE PLAN APPLICATION #412 SECTION 10 ZONED CA (CONSERVATION AGRICULTURE)  
M' TABLED up to 60 days or until they can bring in revisions

OLD AND NEW BUSINESS

9. SET A DATE FOR A PUBLIC HEARING FOR: MAY 11, 2006  
APPLICANT: HARTLAND TOWNSHIP REZONING APPLICATION #324 SECTION 21 ZONED CA  
(CONSERVATION AGRICULTURE) REZONING CA TO OS (CONSERVATION AGRICULTURE TO OFFICE SERVICE)
10. DUANE & JODI PIETILA METES & BOUNDS APPLICATION #750 SECTION 12 ZONED CA  
(CONSERVATION AGRICULTURE) METES & BOUNDS APPLICATION #746  
DENIED ON 12/15/05 PC AGENDA  
DENIED ON 1/17/06 HTB AGENDA  
APPROVED ON 2/15/06 ZBA AGENDA
11. APPLICANT: ADVANCED PHYSICAL THERAPY CENTER (KIM TURNER) / CORNELL SIGN CO SIGN PERMIT  
APPLICATION #561 SECTION 22 ZONED OS (OFFICE SERVICE) WALL SIGN "ADVANCED PHYSICAL  
THERAPY"
12. APPLICANT: ACADEMY OF LEADERS (SUSAN LINTZENICH) / MID-MICHIGAN NEON SIGN CO. SIGN PERMIT  
APPLICATION #562 ZONED GC (GENERAL COMMERCIAL) WALL SIGN "ACADEMY FOR LEADERS"
13. APPLICANT: ERIC PREISS SIGN PERMIT APPLICATION # 559 SECTION 06  
CA (CONSERVATION AGRICULTURE) FREE STANDING SIGN "PREISS LANDSCAPING"  
APPROVED ON 3/15/06 ZBA AGENDA
14. CALL TO PUBLIC
- 5-MINUTE TIME LIMIT
15. COMMITTEE REPORT
16. ADJOURNMENT

NEXT MEETINGS

APRIL 27, 2006

@ 7:00 PM

MAY 11, 2006

@ 7:00 PM

MAY 25, 2006

@ 7:00 PM

## HARTLAND TOWNSHIP PLANNING COMMISSION MEETING APRIL 13, 2006

### 1. CALL TO ORDER

### 2. PLEDGE OF ALLEGIANCE

3. **ROLL CALL:** Present: Chairman Fox, Commissioner Voight, Commissioner Rataj, Commissioner Hill, Commissioner Hopkins, Commissioner Newsom and Commissioner Crouse.

### 4. APPROVAL OF APRIL 13, 2006 PLANNING COMMISSION AGENDA

Move to approve the Planning Commission Meeting Agenda for April 13, 2006 as amended. Motion Hill. Second Rataj. Voice Vote. Motion Carried. 7-0-0. Corrections: Remove item #7 (it was a duplicate of item #6).

### 5. APPROVAL OF MARCH 23, 2006 PLANNING COMMISSION MINUTES

Move to approve the March 23, 2006 Planning Commission Meeting Minutes as amended. Motion Hill. Second Rataj. Voice Vote. Motion Carried. 7-0-0. Corrections: #9 (First paragraph with Alexis Marcarello). Change "Site Plan" Application #323 to "Rezoning Application" #323.

### 6. CALL TO PUBLIC

<sup>CROUSE</sup>  
Frank Crous, Shops at Waldenwoods: Stated that MDOT is in the process of acquiring future right-of-way from property owned by his family. This will affect the PD plan for the Shops at Waldenwoods and future development to the west along M-59. A letter from MDOT requests PC comments regarding the situation.

### 8. PUBLIC HEARING FOR APPLICANT: BOB AND KAREN MCMASTERS, SPECIAL USE APPLICATION #230 IN CONJUNCTION WITH SITE PLAN APPLICATION #412. SECTION 10. ZONED CA (CONSERVATION AGRICULTURE).

*Present: Applicants, Bob and Karen McMasters*

*Attorney for Applicants, Abby Cooper of Cooper and Riesterer, PLC.*

*Representing Hartland Township, Alexis Marcarello of McKenna Associates*

Open the Public Hearing at 7:07 p.m. for Applicant: Robert McMasters, parcel ID #08-10-200-026. The Applicant is requesting Special Use approval to operate a campground and private recreation area on a 51 acre site in the CA District (Conservation Agriculture).

For the record, at the Planning Commission Meeting on March 23, 2006, a Public Hearing was scheduled for today, April 13, 2006. All public notice requirements for this Public Hearing have been met.

Ms. Cooper: Informed the PC that the applicant will be removing the campground use from the application.

Ms. Marcarello: Summarized the McKenna Review Letter for dated April 3, 2006 for Special Use Application #230.

Ms. Cooper: Responded to the McKenna Review Letter. Stated that Applicants decided the campground is not cost effective and are removing that issue from consideration. The only issue to be decided is mudbogging. Mudbogging is a permitted use of this zone. This is a one day event that would be held on the first Saturday of each month, April through November. The event would bring a unique outdoor activity to the community. The applicants will take extreme and unconditional precautions to prevent underage drinking, such as security personnel, ID checks and wristbands. There will be approximately 10-15 hired security officials to regulate traffic and other activities. The fireworks will only occur once a

year. They have a licensed firework technician to operate the display. The applicants have installed strict rules that must be complied with when mudbogging even though it is a relatively safe event. There are no minimum acreage problems because the McMasters have leased an additional 30 acres from a neighbor. Noise has not been a problem in the past nor should it be now. None of the neighbors have complained before. Mudbogging will only operate during reasonable daytime hours and only 8 times a year. The Applicants are willing to establish a cap on the amount of spectators allowed into the event. The cap will be set at 1500 people. Traffic should not be a concern of the PC. There are a lot of employees to help facilitate the check in process. There will be people to give waivers for liability, check IDs and check vehicles. Check in process should only be 2-3 minutes per car. An emergency exit is planned on the site that is not used for an entrance. The applicants are in contact with MDEQ to resolve whether this is a man made wetland or natural wetland. They will abide by food and drink requirements and agree not to use artificial lighting. They also argue that this is permitted use of the land.

**Ms. Marcarello:** Clarified that mudbogging is not a permitted use, it is a use permitted by special approval.

**Chairman Fox:** Letters received by the PC will be made part of the record. The following letters will be entered in as part of the application at this time:

*Susan Lundin, 4343 Media Ln.*

*Martha Leedle, 11792 Clyde Rd.*

*Mark & Lynda Kastle, 4343 Bullard Rd.*

*Brian & Cheryl Centner, 11616 Clyde Rd.*

*Gwen Bliss, 4845 Bullard Rd.*

*Charles Swiggert, 12500 Clyde Rd.*

*Jacqueline Taylor, 5123 Heritage Ln.*

*Chuck Hemeyer, 5169 Heritage Ln.*

*Nelson Wilson, 5207 Heritage Ln.*

*Kevin Campbell, 4404 Media Ln.*

*Leonard Bard, 11421 Clyde Rd.*

*Tim & Lisa Snyder, 4118 Arlen Dr.*

*Patricia Zammit, 4449 Bullard Rd.*

*Gerrit & Joan Otten, 11929 Hibner Rd.*

**Tony Bol, 11444 Clyde Rd., Hartland Twp.:** Thought the mudbogging event would only occur once. However, the event has grown too big. It is extremely loud. He requests the PC take this into consideration. He cannot be outside his home when this is going on. There have not been any complaints from neighbors until now because they are trying to be neighborly. He has to tranquilize animals because of the volume.

**Laurie Bol, 11444 Clyde Rd., Hartland Twp.:** She cannot ride horses because they get spooked. They do not know who is coming in and out of the area. This activity infringes on them.

**Nelson Wilson, 5207 Heritage Ln., Hartland Twp.:** Asked who stands to gain from this endeavor and who stands to lose? Would like to extend an invitation to the PC to experience the sounds of mudbogging. He will provide food and drink. Bob McMasters will gain from this. Property owners will lose, property value and quality of life will diminish. Who pays for the costs of liability, litigation or accidents? The homeowners and taxpayers will end up paying. Urged the PC to reject this plan. The rest of us will pay the cost long after the thrill is gone.

**Jim Villerot, 4911 Bullard Rd., Hartland Twp.:** Stated that mudbogging is no louder than a lawnmower. This is a safe family event that only lasts 8 hours a day, one day a month. Boils down to a land use issue.

should not be up to a group of people to decide how you can use your land. This activity is good for the community, good for business. It will bring money into community.

**Cheryl York, 6223 Island Lake Dr., Brighton:** She sees people filling in wetlands all the time with new developments. Bob McMasters has created this wetland. She enjoys riding. It is good clean fun.

**Chuck Hemeyer, 5169 Heritage Ln., Hartland Twp.:** The intent of the district was to prevent commercial activities from interfering with residential use. This request is not consistent with Hartland Township Zoning Ordinance. These activities would interfere with quality of residential life. Requests that the PC look at the long term consequences. Look at the Freedom Hill Festival in Sterling Heights. The residents greatly opposed it and it resulted in litigation. The city lost thousands of dollars. This activity has grown from a few neighbors to national attention. Mudbogging needs to be done some where else.

**Ralph McCoy, 12327 Clyde Rd., Hartland Twp.:** Does not see a problem with the noise. Stated it is an enjoyable activity that is great entertainment for children. He also works as security for the event. Bob is using his farm the way he should be able to use it.

**Richard Jamison, 239 Sutherland, Highland Twp.:** Enjoys this activity. It is a controlled activity yet admits that it can be noisy.

**Randy Smith, 1371 Sylvan Dr., Hartland Twp.:** He has been mudbogging his whole life. Asks if the mudboggers are infringing on the rights of the residents or are the residents infringing on the rights of the mudboggers. He likes to go have fun.

**Perry Fletcher, 2324 State Route 68, Findlay, Ohio:** Traveled 120 miles to be here today to support the mudbogging application. This will bring lots of money to the community. The noise is for 8 hours, just a one day event. The animals can deal with the sound. This won't put them in shock.

**Leonard Bard, 11421 Clyde Rd., Hartland Twp.:** Takes exception to Mr. McMasters legal counsel's statement that no one has been hurt by mudbogging. Per Bob McMasters own admission, in front of the Township Board, someone died due to injuries sustained during mudbogging. Stated that if camping was permitted the event would continue for 3 days. This area is designated as residential, not commercial. The ordinance prohibits excessive noise. He takes exception to the statement that it is no louder than a lawnmower.

**Barney Rau, 12900 Clyde Rd., Hartland Twp.:** He moved out here to get away from the city. However, the area is being built up like a city. The noise comes and goes and is the same as thunder. Bob owns plenty of animals and they do not act up during the event. This is bringing business to the community.

**Ruth Wyckoff, 11221 Clyde Rd., Hartland Twp.:** Supports mudbogging even though her son was killed in a mudbog. Her son was not killed at Bob's mudbog. She asked where else in Hartland can a family go to have fun together as children and adults. She stated that she cannot hear the trucks from her house if the doors are shut. Need to support families in the county instead of having them travel outside the township for entertainment.

**Ronald Long, 11535 Clyde Rd., Hartland Twp.:** He is a life long resident of Hartland. He cannot hear the mudbogging from across the street.

**Charles Tulip, Hartland Towing:** He owns Hartland Towing and has discussed safety issues with Bob. He cannot hear trucks from 3/10<sup>th</sup> of a mile away. Traffic is not an issue because there is already traffic. The cows and horses are not bothered by it.

**Jackie Taylor, 5123 Heritage Ln., Hartland Twp.:** Hears everyone talking about how they want mudbogging for their own personal needs. If there is such a great need it should be done in a commercial area. She moved out here because she wanted quiet country living. What about the resident's needs. The residents want the quiet too. Please don't take that away.

**Jeremy Kreps, 3041 Camelot, Flint:** He built a truck in order to participate in the activity. The truck is not Cadillac quiet but it is also not that loud. They are running out of places to have fun. They are asking for one day a month.

**Sean Smith, 5820 Iroquois Dr., Genoa Twp.:** This is not a commercial activity. Mudboggers have rights too. He doesn't appreciate stereotyping. Doesn't appreciate the reports that it is going to be Friday through Sunday. Everyone wants their rights protected and so do they.

**Larry Galloway, 4300 Pingree Rd., Howell:** He has been farming and mudbogging for years. Farming equipment is just as loud as the trucks. 8 days of mudbogging out of 365 days of quiet is not unreasonable. There are no problems with the animals.

**Joe Ramm, 3234 Moraine Dr., Brighton:** There is not much to do in Hartland. Cannot do stuff like this in the city.

**Greg Buell, 4714 Bullard Rd., Fenton:** There is considerable noise. When people pay to do this, it is affecting the enjoyment of his property. He's not getting paid to hear this noise all day long. It is very loud like a tractor pull. There is also a lot of litter generated by this event.

**Ryan Martin, 2803 Fenton Rd., Hartland Twp.:** He is a golfer, not a mudbogger. Suggests letting him run the event for a while to see how it goes. This is growing into a big event. Hartland should look at this as an opportunity to generate business in this town. If it's not working at Bob's, maybe the PC can recommend a place that this could occur.

**Mark Bliss, 4845 Bullard Rd., Hartland Twp.:** Would like to comment on the turn out and state how nice it is that both sides can come together and state their opinion. His concern comes from the fact that it is a paid event. How is this road going to support 1500 people? Can this traffic and noise be handled if it got up to 1500 people? If this is going to be that popular, there should be a push to have a large scale place for mudbogging that won't affect residential areas. This should be at a fairground so as to not affect individual families. A fairground is already set up for parking and to handle a large group of people. Why put it in a place that is zoned for single families? That is not appropriate. There will be too many people in a small area.

**Wade Bolen, 7300 Brophy Rd., Oceola Twp.:** Moved out here from the Wayne/Westland area. Instead of doing drugs, he is going mudbogging with his friends. It is his property. He pays the taxes etc. let him do what he wants. 3000 people pull into the high school every day. The traffic cannot be any worse than that.

**Bruce Lesperance, 6918 Oak Grove Rd., Cohoctah Twp.:** There is no noise ordinance in an agricultural area. Farm equipment runs 24/7. Residents state they want quality of life in the country which means they don't want noise but don't want large developments. They have to pick noise or large developments. An agricultural area can be as loud and stinky as they want. There could be worse things he could be doing with his property.

**Christine Langley, 7079 Old US 23 Fenton:** Thanked the PC for approving Spicer's Orchard. Asks the PC for the choice to go mudbogging. There are more than 1500 people visiting Spicer's in season. The only difference is one of preference.

**Tom Parshall, 4142 Hartland Rd., Hartland Twp.:** Stated that any type of diversity of business or start up of business in Hartland Twp. is a good thing. Having things to do in a community is a good thing. Traffic would not have anymore impact than one of the many festivals in Michigan such as those held at Pine Knob, etc. Events like this are important to Hartland to show diversity of character. Would like to see PC approval. It could be conditional upon yearly approval.

**Tony Robinson, 1006 Park St. N., Highland Twp.:** The traffic should not be an issue because not all the people will show up at once.

**Chad Kwolek, 4280 Media Ln., Hartland Twp.:** Moved out here after using the mudbog because he enjoyed it so much.

**Jeanne Copka, 9121 Fausett Rd., Fenton:** Lives 1000 feet from the mudbog. She can always hear cars traveling on the road. The mudbug won't create anymore noise. In regards to the wetland issue, a high school was just built on a wetland. The traffic won't have any more impact than putting up a shopping mall. This is the only activity to do in Hartland.

**Chris Palmatier, 11136 Clyde Rd., Hartland Twp.:** Lives near the mudbug. He can hear it and doesn't think it is that big of a deal.

**Robin Wilson, 5207 Heritage Ln., Hartland Twp.:** Stated that she is not against people having fun or traffic. However, the noise is a much bigger concern. The Nuisance Ordinance states that unlawful noise is prohibited. Mudboggging would create an unlawful noise under this ordinance. A commercial venture in a residential area just doesn't fit. Traffic does get backed up. Traffic that needs to get in line when coming from the wrong direction uses her street, Heritage Lane, to turn around. The event has carried over onto Sunday and doesn't always end at 9- 9:30 Saturday night. Don't take away our choice to enjoy our property. If the proposal is approved, let him do it one time so they can go visit different properties to see the affect it has on them.

**Eric Standfest, 13520 Dunham Rd., Hartland Twp.:** Lives across from a golf course. The golf course raises traffic and noise issues. Mudboggging can be noisy, but does not create substantially different issues.

**Wendy Maccabee, 2 Sycamore, Highland Twp.:** Finds the mudboggging event very enjoyable. Requests the PC not take hearsay into account.

**Michael McMahon, 11210 Clyde Rd., Hartland Twp.:** Notes that the sound of mudboggging does not bother him, but bothers his wife. The event gets loud enough to hear it over the TV indoors. Would love to have them continue with event however, he is concerned with the size of the event.

**Larry Galloway, 4300 Pingree Rd., Howell:** If you move mudboggging to a different place, it's the same meeting just a different town.

**Rolland McMasters, 11000 Clyde Rd., Hartland Twp.:** Did not know much about mudboggging but when he went to an event he liked what he saw. Families enjoy this activity together. It is a great thing for the people and the community. He will support it every way he can. If proposal is approved, no one will be sorry.

**Sean Cocoran, 422 Springwell, Howell:** Participates in mudboggging. States that it is very expensive to travel to mudboggging events located out of county. It is nice to have Bob in the community.

**Leonard Bard, 11421 Clyde Rd., Hartland Twp.:** Asked whether any of the information obtained by PC or Board members that attended the fall event, was made available to the other PC members? Also posed the question of why do you think other communities have banned mudboggging?

**PUBLIC HEARING CLOSED at 9:05 p.m.**

**Commissioner Newsom:** Would like to know how many people typically show up on a Saturday? Whether entertainment will be provided? Is there any prize money or competition among the mudboggers? How much liability insurance will be carried and are they willing to limit the hours of operation?

**Mr. McMasters:** Estimated an average 600 to 1000 people. Would like to have entertainment but the Township said he could not. He is agreeable to limiting the hours of operation. There is no contest. This event is just for fun. They have a 1 million dollar liability insurance policy.

**Ms. Cooper:** Stated that they are not sure whether the event will grow to 1500 people. They established this number to alleviate concerns that the event would run rampant. The applicants are open to what is reasonable and what will have the least amount of impact on the community. Previous events drew a maximum of 1000 people. This maximum was reached at 4 pm or after. The people did not show up all at once. Rather, there was a trickle in effect.

**Ms. Marcarello:** Clarified that if the event receives Special Use approval, and all the licenses are obtained, in her opinion no more or less liability is incurred then for a shopping mall. She stated we may get a different answer from the Township's Attorney or insurance carrier.

**Commissioner Crouse:** Would like to get the Applicant's feeling on the recommendation in the McKenna letter that the Sheriff's Department should help with traffic and security on the site. Would also like to know why the noise does not go equally around the site.

**Ms. Cooper:** The applicant has opted for private security instead of using the Sheriff's Department. He already has contracted for 10-15 security officials.

**Ms. Marcarello:** Recommended that a revised site plan eliminating the campground site should be submitted.

**Commissioner Hopkins:** Witnessed the November event. He was particularly concerned with the emergency access to the site. He would like to see an alternate route for emergency vehicles. Also is not sure that it is accurate to say that this is a man-made wetland. From the aerials, it looks like it is a natural wetland area. Although there are not supposed to be food sales, he saw equipment for a pig roast at the November event. If there are food sales, the appropriate procedures need to be followed. He is also concerned about the impact to local residents. When a commercial entity is brought into the community a traffic study is usually done. This may be something to think about doing. Are there ways to mitigate the increase of traffic in the area? The security is also a concern. At the November event he witnessed a security official with a beer in one hand and another in his pocket. Drinking while on duty probably reduces the security officials' ability to perform.

**Mr. McMasters:** Stated that there is a plan for emergency access. The emergency route will be through the driveway of a neighbor.

**Ms. Cooper:** The applicants are committed to not selling food at this time.

**Commissioner Voight:** Questioned whether the money collected at the event goes back into the business or is there a profit being made?

**Mr. McMasters:** Stated that he makes a little money but mainly he does it for the families who need to come out and have fun. The money intake allows him to keep his farm. However, he still has a substantial debt in the venture and needs the income to maintain the expenses.

**Chairman Fox:** Observed the November event and discussed concerns related to mudboggling rules and whether they are being truly enforced. For example, he did not see the helmet rule for 16 year olds and under being followed, security personnel were drinking on duty, many of the participants failed to remain in their vehicle when they got stuck in the mud and there were more than 10 vehicles in the pit at a time. He is also concerned that the yellow tape dividing the pit from the spectators is not the safest division considering the speed the vehicles are traveling and the close proximity they are to the spectators. He also thought the event was very loud. He traveled west on Clyde Rd. to Hartland Rd. and turned south for about one quarter of a mile. When he opened the car windows he noticed the mudboggling event was much louder than the highway noise. These are just some of his concerns and it should be noted that he saw the rest of the rules being followed.

**Ms. Marcarello:** Noted that the applicant should submit a new plan reflecting the removal of the campground site and getting a definitive answer from MDEQ whether it is a wetland or not.

**Ms. Cooper:** Will submit a plan showing where the parking will be instead of a campground. They will be prepared to accommodate one space per every 3 patrons.

**Ms. Marcarello:** Landscaping recommendations may not be necessary to address because the landscaping was intended to screen the campground. Utilities and septic requirements were also intended to address the campground site and may not be necessary to address. Port-a-johns however were not addressed; 6-8 were shown on plan. Port-a-johns should be shown on the plan as well as dumpsters, lighting and so forth. Recommends this applicant be tabled so that they can make appropriate changes to the site plan and that it be tabled for up to 60 days.

**The Planning Commission requests McKenna to review the revised site plan when it is submitted.**

**Ms. Cooper:** Stated that the wetland issue is outstanding. However, all other issues may already be addressed. The site plan is being worked on right now and could possibly have it done in a week. Would like to have this on the Agenda as soon as possible.

Move to table Special Use Application #230 in conjunction with Site Plan Application #412 for Bob and Karen McMasters for up to 60 days, to be placed on agenda as soon as reviews become available.  
Motion Hopkins. Second Newsom. Voice Vote. Motion Carried. 7-0-0.

**9. SET A DATE FOR A PUBLIC HEARING FOR MAY 11, 2006, APPLICANT: HARTLAND TOWNSHIP, REZONING APPLICATION #324. SECTION 21. ZONED CA (CONSERVATION AGRICULTURE). REZONING CA TO OS (CONSERVATION AGRICULTURE TO OFFICE SERVICE).**

Move to set May 11, 2006 for a Public Hearing for Hartland Township, Rezoning Application #324.  
Motion Hill. Second Rataj. Voice Vote. Motion Carried. 7-0-0.

**10. APPLICANT: DUANE & JODI PIETILA, METES & BOUNDS APPLICATION #750. SECTION 1. ZONED CA (CONSERVATION AGRICULTURE).**

***Present:*** Applicant, Duane Pietila

**Chairman Fox:** Reviewed a letter received by Rolly Olney, dated April 11, 2006 stating that application #750 is essentially the same as the previous application #746 for the same applicant. In that application the Assessor approved the number of divisions requested and Staff approved the application for meeting the requirements of the Michigan Land Division Act. Previously, application #746 was denied by the Planning Commission because it did not meet the requirements of Section 30.13.B.2 of the Zoning Ordinance. On February 15, 2006, the applicant received a variance from the ZBA for the access, road surface requirements of Section 30.13.B.2. It would appear that all requirements are now met.



Move to approve Metes and Bounds Application #750 Tax ID #08-12-400-017-401-47060 for Duane Pietila per Hartland Township Land Division Ordinance #57. Motion Newsom. Second Hill. Voice Vote. Motion Carried. 7-0-0.

**11. APPLICANT: ADVANCED PHYSICAL THERAPY CENTER, KIM TURNER/CORNELL SIGN CO. SIGN PERMIT APPLICATION #561. SECTION 22. ZONED OS (OFFICE SERVICE). WALL SIGN - "ADVANCED PHYSICAL THERAPY".**

*Present: Representing the Applicant, Mark R. Johnson of Cornell Sign Co.*

*Representing Hartland Township, Alexis Marcarello of McKenna Associates*

**Commissioner Rataj:** Briefed the PC on the sign application.

**Mr. Johnson:** Clarified his sign request. This permit is for a sign on a building that has two doors, two entryways and two addresses. There is a plan for the future for a total of 2 signs totaling 80 square feet.

**Commissioner Rataj:** Stated that the problem is that each sign is proposed to be 40 square feet. In order to add a sign beyond that, the maximum allotted size will be exceeded. The two signs need to be reduced so as to not exceed 40 square feet each. In the "Future Plan", you show future signs for more than 2 tenants. You have used the allotted total of 80 square feet on the 2 signs, leaving no square footage for the future signs.

**Mr. Johnson:** Only 2 signs are needed right now and is not sure whether future signs will be required. His clients realize that if a future sign is required, it may not be permitted and they may have to go to the ZBA for permission to have it. However, there is a strong possibility that a third sign will not be required.

**Chairman Fox:** How many suites are there going to be?

**Mr. Johnson:** Right now there are two suites. The possible 3<sup>rd</sup> suite is vacant space which will probably be absorbed by one of the other tenants. If not, there is the possibility of a third tenant. Then they will go to the ZBA.

**Ms. Marcarello:** They are allowed up to 80 square feet regardless of whether there are 1 or 10 tenants. Applicant should know that 40 square feet will be left for all future tenants. Believes that going to the ZBA is inappropriate because this will be a self imposed hardship. The sign should be proportioned equally between tenants. If the sign is not proportioned by tenant, it does not comply with the Ordinance and should be rejected.

**Commissioner Hopkins:** Questioned whether this sign type is appropriate for the building. This is not the right sign for this building per the Ordinance. This is a multi-tenant building with one access and is allowed one sign proportioned for each tenant.

**Commissioner Newsom:** The appropriate issue for the ZBA would be the requirement for one sign, not the square footage.

**Commissioner Hopkins:** The second owner will not be able to put a sign up without going to the ZBA. The Ordinance states only one sign is permitted on this building.

**Commissioner Newsom:** Asked the Applicant what they would like the PC to do this evening, vote or table?

**Chairman Fox:** Suggested the applicant go back and talk to the tenant and the developer to discuss this situation. What would you like us to do?

**Mr. Johnson:** He asked the PC to vote. The stated the owners of the building realize they would be going to the ZBA at some point. They may have to redo the signage on the entire building.

**Commissioner Hopkins:** Questioned if we are following our own Ordinance? Doesn't it say that one sign is allowed? This is a multi-tenant building with one entrance.

**Commissioner Voight:** Questioned whether we are putting the burden on the second sign applicant by approving this and forcing them to go to ZBA?

Move to approve Sign Permit Application #561 for a 40 square foot Wall Sign for "Advanced Physical Therapy". Motion Rataj. Second Newsom. Voice Vote. Motion 5-2-0. Nays: Chairman Fox and Commissioner Hopkins.

**12. APPLICANT: ACADEMY OF LEADERS, ROBERT & SUSAN LINTZENICH/MID-MICHIGAN NEON SIGN CO. SIGN PERMIT APPLICATION #562. ZONED GC (GENERAL COMMERCIAL). WALL SIGN - "ACADEMY FOR LEADERS".**

***Present: Applicant, Robert Lintzenich***

*Representing Michigan Neon Sign Co., Julie Badge BANISH*

Move to approve Sign Permit Application #562 Academy of Leaders/Mid-Michigan Neon Sign Co. Tax ID. #08-28-100-035. Motion Rataj. Second Voight. Voice Vote. Motion Carried. 7-0-0.

**13. APPLICANT: ERIC PREISS SIGN PERMIT APPLICATION #559. SECTION 06. ZONED CA (CONSERVATION AGRICULTURE). FREE STANDING SIGN - "PREISS LANDSCAPING".**

***Present: Applicant, Eric Preiss***

*Representing the Sign Co., Tom Parshall*

**Commissioner Rataj:** Discussed the history of the sign application.

**Commissioner Newsom:** The application went to the ZBA where it was approved for 96 sq ft. sign with a maximum height of 7 ft. from the grade of Clyde Rd. .

Move to approve Sign Permit Application #559 for Eric Priess. The sign shall be a "V" shaped 2 faced sign, which was granted a variance of an additional 48 sq ft. and each face will have a 96 sq foot area. The height of the sign shall not be higher than 7 ft from Clyde Rd grade. The variance is to allow the commercial standard for the sign height per Section 9.07.D.7. This sign will be the only sign permissible for the landscaping and sod endeavor. Motion Newsom. Second Rataj. Voice Vote. Motion Carried. 7-0-0.

**14. CALL TO PUBLIC**

**Tom Parshall, 4142 Hartland Rd.:** Urged the PC to get the proposed Sign Ordinance out of the legal jam it is in.

**15. COMMITTEE REPORT**

**Commissioner Hill:** Distributed a draft of the proposed PC Bylaws. She requested that this item be placed on the next open PC agenda.

**Commissioner Newsom:** Stated that the WMP Committee is close to presenting a mission statement along with a scope of the work. He will get with Chairman Fox when they are ready to present this to the PC so that it can be considered for the next open PC agenda.

**Commissioner Crouse:** Reminded everyone that the annual review of the Master Plan is supposed to occur every spring.

**Chairman Fox:** Stated that he had a conversation with the Township's Attorney regarding the proposed Sign Ordinance. The Attorney would like the PC to consider leaving the Sign Ordinance in the Zoning Ordinance verses removing it and making it a Police Powers Ordinance. This item will be on the next open PC agenda for a discussion of the difference between a Zoning verses Police Powers Ordinance.

**Alexis Marcarello, McKenna Associate:** Distributed the first draft of the proposed "Large Building Special Use" criteria. This will be placed on the next open PC agenda. She mentioned that Amy will be back to work for McKenna Associates next week.

## 16. ADJOURNMENT

Move to adjourn meeting. Motion Hopkins. Second Voight. Voice Vote. Motion Carried. 7-0-0.  
Meeting adjourned at 10:37 p.m.

**This is a Draft until Final Approval.**

Submitted by,

Leslie M. Sauerbrey  
Recording Secretary

  
Laura J. Hill  
Planning Commission Secretary