

HARTLAND TOWNSHIP PLANNING COMMISSION REGULAR MEETING

September 22, 2005

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HARTLAND TOWNSHIP PLANNING COMMISSION MEETING

SEPTEMBER 22, 2005-TOWNSHIP HALL -7: 30 P.M.

1. CALL TO ORDER- The meeting was called to order by Chairman Fox.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL - Members present: Chairman Fox, Commissioner Rataj, Commissioner Bickel, Commissioner Hopkins, Commissioner Newsom and Commissioner Hill. Absent: Commissioner Germane.

4. APPROVAL OF SEPTEMBER 22, 2005 PLANNING COMMISSION AGENDA

Move to approve the September 22, 2005 Planning Commission agenda as amended.

Motion Hopkins. Second Hill. Voice Vote. Motion Carried. 6-0-1. Corrections: Item #7 Two notes listed, length to width issues and creating fourth parcel will be removed.

5. CALL TO THE PUBLIC - None

PUBLIC HEARING

6. APPLICANT: GLEN PROPERTIES/GEORGE DUKE REZONING

APPLICATION #321 SECTION 27 REQUEST FOR REZONING FROM SR (SUBURBAN RESIDENTIAL) TO MDR (MEDIUM DENSITY RESIDENTIAL)

Open Public Hearing at 7:33 P.M. for Glen Properties Inc.08- 27-401-018,036,076. The applicant is requesting a Rezoning of approximately 21 acres from SR Suburban Residential) to MDR (Medium Density Residential). For the record, at the Planning Commission meeting on August 25, 2005 a Public Hearing was scheduled for today. All public notice requirements have been met.

Alexis Marcarello, McKenna Associates - The plan recommends very low density residential developments on large lots for the subject size. The proposed district allows four times the density than the future land use recommendation for the subject site. The request is not consistent with the adopted comprehensive plan. The current Suburban Residential district is more compatible with the subject site and surrounding area than the requested Medium Density Residential District. No information has been submitted to provide evidence of reasonable return on investment with current zoning. The proposed density is twice the maximum density permitted in the current Suburban Residential district and four times the recommended future land use density. Higher levels of traffic, greater burden on existing public utilities and more detrimental impact to natural features will result from the density requested by the proposed rezoning. The capacity of public utilities and services may be negatively impacted if the site is fully developed under the proposed zoning district. Almost three times as many vehicles trips could be generated as a result of the rezoning request. No information has been provided by the applicant regarding the apparent demand for residential development in the MDR district. The subject site could be developed in conformance with the proposed MDR district standards. The proposed rezoning is not for a specific land use. A text amendment is not appropriate in this circumstance. The subject site is large enough to avoid potential spot

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zoning issues. We recommend that the Planning Commission recommend denial. A resolution to recommend denial for the proposed rezoning has been provided.

Planner Barb - While the proposed rezoning to MDR could be attainable under the dimensional regulations and standards set forth in Article 32, Schedule of Regulations, the proposed use is not consistent with the Hartland Township Comprehensive Plan which designates the subject as Estate Residential with an average density of 2 or more acres per dwelling unit. Additionally, the future land use map designates a significant amount of MDR land that could be utilized for higher density purposes. We also recommend denial of Rezoning Application #321, plans dated August 17, 2005.

George Duke - We are not asking for the amount of density included in MDR essentially we are asking for the density that is allowable in SR. We cannot do it because of some glitches. Dan Schrauben will explain the issues.

Dan Schrauben - There is an existing plat. It contains wooded land and significant natural features including wetlands; it should be preserved and maintained not destroyed. With the current plat, it is not in keeping with what we are doing and with no open space what so ever. We are going for something more creative. The PDSR seems more suitable. This is a more useful pattern of open space, a development pattern that preserves natural features, a more efficient use of land than conventional development, a development pattern in harmony with density and utilities. Typically the PD is based on underlying zoning. Yours is based on the Comprehensive Plan. There is a section that allows the Planning Commission to deviate if it is consistent with the development pattern and utilities. We went to an informal meeting and it was warmly received by the Township and McKenna, with 36 unit density. Then we took the necessary steps and received a phone call from the Township saying that we are only allowed 10 units because of underlying zoning. The Master Plan shows this as vacant property not as a subdivision. It also does not take into account that it is in the sanitary sewer district. We are consistent with the adjacent neighborhoods. There is no negative impact on the existing system utility system, we have word from the Township Services Director and the Township Engineers. This paved road can take 20,000 trips a day and Maxfield doesn't even take five thousand.

Public Comment

Gordy Gaheb, (address unknown) - I live quite close. We are asking the Planning Commission to be fair. It doesn't seem reasonable to change the existing density to a higher density. There is a question whether it would be safe to add higher density to a road in a neighborhood. It is already dangerous.

Brian McQuade, 1183 Maxfield - He agrees with the first gentleman. If this is approved, the dirt road needs to be addressed as well.

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Linda Corriveau, 1369 Maxfield - I do not want to see the rezoning pass for the same reasons as the first two speakers.

John Gollambardo, 1221 Maxfield - Most of the new projects are one to ten acres. The road is curvy. Children and animals have been hit. If you put more homes than designated it would not be good for the area.

Chairman Fox - We will enter the letters from Candice & Donald Campbell, Deborah Schumacher, Joe Goodison, Ronald Castle, and Margaret Kolinski into public record.

Close Public Hearing at 8:07 P.M.

Commissioner Bickel - Livingston County has designated this land a priority one high quality natural area. Priority one means it is deemed the most ecologically valuable. It plays an important role in hydrological and ecological health of the County. If this project proceeds, I would like an impact study to show that this area will be well preserved. The applicant agreed to take a look at the Livingston County report.

The Planning Commission agreed that the Applicant, McKenna, and Planner Barb presented the information well and have no further questions or comments at this time.

Move to place Rezoning Application # 321 on the October 13, 2005 Planning Commission meeting. Motion Hill. Second Rataj. Voice Vote. Motion Carried, 6-0-1.

**7. APPLICANT: PAUL MORAND METES & BOUNDS APPLICATION #726
SECTION 16 CA (CONSERVATION AGRICULTURE)**

Tabled 3/17/05 PC Agenda

Chris Fergus, Boss Engineering - We have revised the plans to consider length to width issues. The south half is wetlands and will not be developed.

Chairman Fox - The assessors review is complete. The State Land Division Act has been met with the exception of the length to width ratio. According to the Hartland Township Land Division Ordinance #57, the Planning Commission has discretion to overlook the length to width ratio if we determine that the parcel exhibits exceptional topographical conditions.

Move to approve Metes & Bounds Application #726 Tax Id# 08-16-100-007 for Paul Morand per zoning ordinance #57 varying the length to width ration because of the unique topography of the site. Motion Bickel. Second Hill. Voice Vote. Motion Carried. 6-0-1.

This is not a guarantee that Land Uses will be issued.

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8. APPLICANT: IVANHOE HUNTLEY HOMES LLC "FINAL" PLANNED DEVELOPMENT APPLICATION #368-312 "CRESTWOOD" SECTION 19 80 SITE CONDOMINIUM UNITS

"Preliminary" Approval 1/13/05 PC Agenda

"Preliminary" Approval 4/05/05 HTB Agenda

Chairman Fox- A new landscaping plan was delivered to the Township on Monday and McKenna has not reviewed the plan.

Paul Knuth - We have never changed the intent of the amenities. There is one sheet that has been added to show SP1 detail for those amenities. The questions are all answered in these new details. We are concerned that if we are not able to break ground, the project will be set back six months and we will have to lay off some people if this does not move forward. There have been some very small changes in the plans to the County Drain Commission.

Commissioner Hopkins - There is a letter from the Drain Commission that shows that there are issues that need to be dealt with.

Alexis Marcarello - The limits of vegetation to be removed for the installation of the woodchip and all weather path must be illustrated on the plan. Details for all site plan improvements that identify size, materials, etc. must be provided for all amenities shown on SP1 by Allen Design (in the Crestwood Preliminary Plan documents) and incorporated into the final PD plan. They did show the path but we are looking to see the actual limits of grading to be shown on the plans. The Planning Commission would like to see the entire PD agreement including all of the exhibits.

Paul Knuth - We do not want to set the plan in stone. Ivanhoe Huntley Homes would like to walk the field to determine exactly where it should go with minimal disruption. If I give a guy a plan that shows the limits of grading he is going to grade it.

Commissioner Bickel - Requested that details be designated on the plans to show the types of materials used to protect the trees and where exactly they are located.

Commissioner Rataj - Has the bike path issue been resolved?

Paul Knuth - Yes, the Township Engineer has record of that.

Move to table Final Planned Development Application #368-312 for Ivanhoe Huntley Homes Crestwood Development. Motion Hill. Second Newsom. Voice Vote. Motion Carried. 6-0-1.

Withdrawn Application

9. APPLICANT: JOSEPH S. NOVITSKY & JANEICE MAXWELL/BULK PETROLEUM SPECIAL USE APPLICATION #225 IN CONJUNCTION WITH SITE PLAN #381 ZONED GC (GENERAL COMMERCIAL) SECTION 21 "HARTLAND C-STORE & MAD MAX OIL EXPRESS & LUBE" GAS STATION, CONVENIENCE STORE, CAR WASH & OIL CHANGE FACILITY

The Township has received an affidavit of transfer of ownership, which makes it possible for the Planning Commission to withdraw the application without written consent.

Move to withdraw Special Use Application #225 in conjunction with Site Plan #381 for Joseph Novitsky and Janice Maxwell/Bulk Petroleum. Motion Newsom. Second Rataj. Voice Vote. Motion Carried. 6-0-1.

10. DISCUSSION OF PROPOSED TEXT AMENDMENT "CHANGES TO ZONING ORDINANCE FOR COMPREHENSIVE PLAN ALIGNMENT" ZONING AMENDMENT APPLICATION #317

Chairman Fox - McKenna has put together some text amendment changes. We need to bring this to the top of the pile and move this forward. Discussion of the proposed text changes occurred.

It is the direction of the Planning Commission to move forward and set a public hearing to discuss the proposed text changes with revisions of language by the Planning Commission from the McKenna letter dated June 7, 2005. Copies of the proposed changes will be available at the Township Hall for public viewing.

Move to set a Public Hearing date for Zoning Amendment Application #317 for proposed text amendment changes to the Ordinance for Comprehensive Plan alignment for Article 12, 13, New Article 13A, Amendment to Article 14, 15, 15A, 16, 17, 18, 19, 20, 22, and 32 for November 10, 2005. Motion Hopkins. Second Newsom. Voice Vote. Motion Carried. 6-0-1.

11. CALL TO THE PUBLIC - None

12. COMMITTEE REPORT

Commissioner Bickel - For public record we had a conversation earlier whether or not the Natural Features Committee was supposed to give an impact cost. We are not sure what is being asked for.

Chairman Fox - For the record I do not recall asking for a cost figure. If the applicants do not fill the agenda, we will put Natural Features on as long as the requested "executive summary" is ready.

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Commissioner Hopkins - There was an issue with a temporary endeavor that may come our way. There is a Mud Bogging event at 11616 Clyde Road. If any of you are interested in checking it out in case it does come our way. Secondly, at the Township Board meetings I have mentioned the desire for a written report about what was learned when we authorize someone to take a class. If we do not retain that knowledge, it goes with them. I would like it to be a policy for the Planning Commission too.

13. ADJOURNMENT

Move to adjourn at 9:55 PM. Motion Hopkins. Second Newsom. Voice Vote. Motion Carried. 6-0-1.

This is a Draft until final Approval at a subsequent Planning Commission meeting.

Jennifer A. Rardon
Recording Secretary

Matt Germane
Planning Commission Secretary