

HARTLAND TOWNSHIP PLANNING COMMISSION MEETING  
AT THE TOWNSHIP HALL

JULY 28, 2005  
7:30 PM

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF JULY 28, 2005 PLANNING COMMISSION AGENDA
5. CALL TO PUBLIC PLEASE APPROACH FRONT CENTER MICROPHONE

**PUBLIC HEARING**

**OLD AND NEW BUSINESS**

**WITHDRAWING APPLICATION**

6. APPLICANT: JOSEPH S. NOVITSKY & JANIECE R. MAXWELL / BULK PETROLEUM  
CONJUNCTION WITH SITE PLAN #381 ZONED GC (GENERAL COMMERCIAL) SECTION 21 SPECIAL USE APPLICATION #225 IN  
& LUBE GAS STATION, CONVENIENCE STORE, CAR WASH & OIL CHANGE FACILITY "HARTLAND C-STORE & MAD MAX EXPRESS OIL"  
POSTPONED AT 5/12/05 PC MEETING  
POSTPONED AT 5/26/05 PC MEETING  
POSTPONED AT 6/23/05 PC MEETING
7. APPLICANT: MICHAEL YURICK / ACTION PROMOTIONS & SIGNS LLC SIGN APPLICATION #530 SECTION 28 ZONED PDLI  
(PLANNED DEVELOPMENT LIGHT INDUSTRIAL) WALL SIGN "LITTLE ZOO PET SUPPLY"
8. APPLICANT: JUDY ELVY & NANCY MARTIN / GRAPHIC VISIONS INC. SIGN APPLICATION #517 SECTION 16 ZONED LC  
(LIMITED COMMERCIAL) GROUND SIGN "TYME WELL SPENT"
9. APPLICANT: BRIGHT STAR SIGNS SIGN APPLICATION #533 SECTION 28 ZONED GC (GENERAL COMMERCIAL)  
"FOUNTAIN OF YOUTH SKIN CENTER" IN FOUNTAIN SQUARE PLAZA
10. APPLICANT: HOVNANIAN HOMES SIGN APPLICATION #506 SECTION 22 ZONED OS (OFFICE SERVICE)
11. APPLICANT: CROSSWINDS COMMUNITIES SIGN APPLICATION #532 SECTION 21 ZONED PDMR "TEMPORARY DEVELOPMENT  
SIGN" 18 MONTHS (EXPIRES DECEMBER 2006)
12. APPLICANT: RUTH WYCKOFF METES & BOUNDS APPLICATION #732 SECTION 3 ZONED CA (CONSERVATION  
AGRICULTURE)
13. APPLICANT: ALAN & WANDA SPICER METES & BOUNDS APPLICATION #734 SECTION 4 ZONED CA (CONSERVATION  
AGRICULTURE)
14. APPLICANT: JACKIE TAYLOR METES & BOUNDS APPLICATION # 727 SECTION 3 ZONED CA (CONSERVATION  
AGRICULTURE)
15. APPLICANT: FOX RIDGE / CROSSWINDS SITE PLAN APPLICATION #394 MAJOR / MINOR CHANGE TO SITE PLAN #352  
SECTION 21 ZONED PDMR (PLANNED DEVELOPMENT MULTIPLE DENSITY RESIDENTIAL) LANDSCAPING
16. SET A DATE FOR A PUBLIC HEARING TO REMOVE ARTICLE 31 DIVISION OF LAND FROM ZONING ORDINANCE #37
17. DISCUSSION / SET DIRECTION ON THE RIPARIAN ORDINANCE
18. DISCUSSION OF NATURAL FEATURES ORDINANCE RECOMMENDATION AFFECTING SECTION 2.02 DEFINITIONS, SECTION 3.27 IMPACT  
ASSESSMENT SECTION 3.28 NATURAL FEATURES PROTECTION WOODLANDS, PARTS OF ARTICLE 33, SECTION 33 F, 13, 35 & SECTION 7.06
19. DISCUSSION OF MCKENNA BUILD-OUT ANALYSIS LETTER
20. CALL TO PUBLIC
21. COMMITTEE REPORT
22. ADJOURNMENT

NEXT MEETINGS AUGUST 11, 2005  
AUGUST 25, 2005

@ 7:30 PM  
@ 7:30 PM

HARTLAND TOWNSHIP PLANNING COMMISSION MEETING  
JULY 28, 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 Germane, Commissioner Newsom and Commissioner Hill.

**4. APPROVAL OF JULY 28, 2005 PLANNING COMMISSION AGENDA**

Move to approve the July 14, 2005 Planning Commission agenda as amended. Motion Hill. Second Hopkins. Voice Vote. Motion Carried. 7-0-0. Corrections: Delete agenda item number 16 (Set a date for a public hearing to remove Article 31 Division of Land from Zoning Ordinance #37.)

**5. CALL TO THE PUBLIC**

Brooks Mullenhauer, 6110 Bullard- Representing the Lake Tyrone Improvement Association- Offered his assistance to the planning commission in reviewing the Riparian Ordinance and stated that a couple of items are missing including the definition of lot and a wetland provision.

**WITHDRAWING APPLICATION**

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

**Postponed at 5/12/05 PC Meeting**

**Postponed at 5/26/05 PC Meeting**

**Postponed at 6/23/05 PC Meeting**

*Planner Barb* stated that the request to be withdrawn from the process was verbal and came from Janiece Maxwell. The property is in the process of being sold to another developer. He also stated that the Township is waiting for a letter from Ms. Maxwell and Mr. Navitsky stating their wish to withdraw the applications.

Move to postpone the withdrawal of Site Plan Application #381 and Special Use Application #225 until the next meeting. Motion Bickel. Second Rataj. Voice Vote. Motion Carried. 7-0-0.

**7. APPLICANT: MICHAEL YURICK/ACTION PROMOTIONS & SIGNS LLC SIGN APPLICATION #530 SECTION 28 ZONED PDLI (PLANNED DEVELOPMENT LIGHT INDUSTRIAL) WALL SIGN "LITTLE ZOO PET SUPPLY"**

Move to approve Sign Application #530 Wall Sign for Michael Yurick/Action Promotions & Signs LLC "Little Zoo Pet Supply". Motion Rataj. Second Bickel. Voice Vote. Motion Carried. 7-0-0.

**8. APPLICANT: JUDY ELVY & NANCY MARTIN/GRAPHIC VISIONS INC.  
SIGN APPLICATION #517 SECTION 16 ZONED LC (LIMITED  
COMMERCIAL) GROUND SIGN "TYME WELL SPENT".**

Move to approve Sign Application #517 for Judy Elvy & Nancy Martin/Graphic Visions Inc. "Tyme Well Spent". Motion Hopkins. Second Germane. Voice Vote. Motion Carried. 7-0-0.

**9. APPLICANT: BRIGHT STAR SIGNS SIGN APPLICATION #533 SECTION 28  
ZONED GC(GENERAL COMMERCIAL) "FOUNTAIN OF YOUTH SKIN  
CENTER" FOUNTAIN SQUARE PLAZA**

Move to approve Sign Application # 533 Bright Star Signs "Fountain of Youth Skin Center". Motion Rataj. Second Bickel. Voice Vote. Motion Carried. 6-1-0. Nay: Germane. Commissioner Germane maintained that anyone driving down US23 going south bound will be able to see the front sign and the second sign on the side of the building is not needed because there is no access to a second road (building is not at an intersection).

**10. APPLICANT: HOVNANIAN HOMES SIGN APPLICATION #506 SECTION  
22 ZONED OS (OFFICE SERVICE)**

Move to table Sign Application #506 Hovnanian Homes. Motion Hopkins. Second Hill. Voice Vote. Motion Carried. 7-0-0. The applicant was not present. There are clear vision questions and the set backs from the right of way are not defined clearly.

**11. APPLICANT: CROSSWINDS COMMUNITIES SIGN APPLICATION # 532  
SECTION 21 ZONED PDMR "TEMPORARY DEVELOPMENT SIGN" 18  
MONTHS (EXPIRES DECEMBER 2006)**

Nicole Andrianni from CW Development LLC was present.

Move to approve Sign Application #532 Temporary Development Sign for Crosswinds Communities. Motion Bickel. Second Rataj. Voice Vote. Motion Carried. 7-0-0.

**12. APPLICANT: RUTH WYCKOFF METES & BOUNDS APPLICATION #732  
SECTION 3 ZONED CA (CONSERVATION AGRICULTURE)**

Wayne Perry from Desine Engineering was present, representing Ms. Wyckoff.

*Planner Barb* stated that the application meets the Land Division Act requirements.

*Chairman Fox* noted that the assessor approved the application for availability. He also stated that there are Livingston County Road Commission issues concerning clear vision to deal with. *Planner Barb* stated that there could potentially be Land Use issues if the County does not approve sight distance. The County has the access road labeled as a private road but the Township does not have it on record. The drive should be brought up to standards before any Land Use Permits are issued.

Move to approve Metes & Bounds Application #732 Tax Id # 08-03-300-024 Ruth Wyckoff. Motion Hopkins. Second Rataj. Voice Vote. Motion Carried. 7-0-0.

**13. APPLICANT: ALAN & WANDA SPICER METES & BOUNDS  
APPLICATION #734 SECTION 4 ZONED CA (CONSERVATION  
AGRICULTURE)**

Wayne Perry from Desine Engineering was present.

*Planner Barb* stated that the application meets the Land Division Act requirements.

*Chairman Fox* stated that the application was approved by the assessor for availability.

Move to approve Metes & Bounds Application #734 Tax Id #08-04-400-003 for Alan & Wanda Spicer. Motion Hopkins. Second Hill. Voice Vote. Motion Carried. 7-0-0.

**14. APPLICANT: JACKIE TAYLOR METES & BOUNDS APPLICATION #727 SECTION 3 ZONED CA (CONSERVATION AGRICULTURE)**

Jackie Taylor was present as well as Doug Callan-5123 Heritage Lane, Fenton.

Move to approve Metes & Bound Application #727 Tax Id #08-03-300-004 for Jackie Taylor under the condition that the setbacks be labeled correctly before it goes to the Township Board. Motion Hopkins. Second Rataj. Voice Vote. Motion Carried. 7-0-0.

**15. APPLICANT: FOX RIDGE/CROSSWINDS COMMUNITIES SITE PLAN APPLICATION #394 MAJOR/MINOR CHANGE TO SITE PLAN #352 SECTION 21 ZONED PDMR(PLANNED DEVELOPMENT MULTIPLE DENSITY RESIDENTIAL) LANDSCAPING**

Nicole Andrianni from Crosswinds Communities was present as well as Rick Tuttle from Great Oaks Landscape.

Ms. Andrianni stated that Crosswinds was looking to add extra landscaping to the entrance. They would like to add more color and vegetation including: perennials, a stacked stone wall, pear trees, more shrubs, more evergreens and sitting benches on either side.

Move to rule Site Plan Application #394 a minor change to Site Plan Application #352 per Article 33.02K5e. Motion Hopkins. Second Bickel. Voice Vote. Motion Carried. 7-0-0.

**17. DISCUSSION/SET DIRECTION ON THE RIPARIAN ORDINANCE**

Move to set a public hearing for the Riparian Rights text amendment #320, for September 8, 2005 to amend Article #2 and Article 3.25. Amend to include application number when designated. Motion Hopkins. Second Rataj. Voice Vote. Motion Carried. 7-0-0.

**18. DISCUSSION OF PROPOSED NATURAL FEATURES ORDINANCE AMENDMENTS AFFECTING SECTION 2.02 DEFINITIONS, SECTION 3.27 IMPACT ASSESSMENT, SECTION 3.28 NATURAL FEATURES PROTECTION WOODLANDS, PARTS OF ARTICLE 33, SECTION 33F, 13, 35 & SECTION 7.06**

*Commissioner Bickel-* The changes are suggested because this is the first step in protecting the natural features in the area. The comprehensive plan states that we wish to preserve our natural resources as best as possible. These existing ordinances address natural features but with some tweaking it could give us an overlay of protection within the confines of our existing ordinance without writing a separate ordinance.

*Commissioner Hopkins-* It seems like there are a lot of infringements on personal property rights. I certainly understand that we want to protect our township and the look of our Township. I am concerned about the regulations and the requirements that we are putting on taxpayers in our community to comply with this. I know this is not the natural features ordinance that everybody has been talking about for the last six months. There are a lot of things in this that I feel are oppressive. There are some things that can be done in changing the application process. Require them to submit a GIS overlay and then make a decision. This now requires them to do this even if there is no planned impact on the natural features.

*Chairman Fox-* I agree that a lot of these proposed changes are unnecessary. We have a lot of property in this township that should not have to through these hoops. There are

also some that may have natural features on their property i.e. commercial and industrial, and in order to be developed are going to have an impact on natural features. I don't think they should be penalized. If we are going to go out and take away those rights of those property owners and say you can't develop your property because you have some trees because we say so. I don't agree with that. I do think that we need some control; we shouldn't allow everything to be flattened out. I'm concerned with the level of control. I agree that there are some weaknesses. If we start dictating the position of driveways because of some trees I get concerned. We don't need to regulate their business. We need to be careful with what we are doing. It is not as moderate as I would like to see.

*Commissioner Rataj*- suggested having a work session because there is so much to go through.

*Commissioner Newsom*- Stated that most of these requirements will effect primarily the smaller industrial and light industrial parcels. Those are the parcels that need to be developed in a responsible way because our projections for population increase in the next twenty-five years will be doubled and we will need the revenue. These requirements in the short term will scare away good development and he doesn't want to do that.

*Commissioner Rataj*- He does not want to see the same thing happen to Hartland as it did in Brighton.

Move to discuss the natural features ordinance recommendations at a special work session on September 15, 2005. Motion Germane. Second Hopkins. Voice Vote. Motion Carried. 7-0-0.

## **19. DISCUSSION OF MCKENNA BUILD- OUT ANALYSIS LETTER**

*Commissioner Hopkins* said that he brought up the build out analysis at the last board meeting and the board asked him to contact Bill Wagner at the county and has not had a chance to do so. *Planner Barb* offered to gather information from the county and also suggested that the Michigan Land Use Institute may have the information. The Planning Commission will discuss the issue again on August 11, 2005 if there is any new information.

## **20. CALL TO THE PUBLIC**

*Brooks Mullenbauer*- Thanked the Planning Commission for addressing his concerns and taking the Riparian Ordinance to the next step. He did note that the attorney had pointed out some clerical errors.

*Frank Crouse* from Waldenwoods- Is concerned that the Riparian Ordinance was written in the context of an all-sports lake. He doesn't know how it will affect his lake. There are thousands of people that utilize the lake. *Commissioner Hopkins* said that there is a grandfathering for utilization such as his.

*Katie Schleuter*- There is a paragraph in Section B that she would like to be reviewed by the Township's attorney and somehow incorporate private lakes such as Mr. Crouse's.

What we can do within reason to protect Hartland Township she is for. The upper Shiawassee Water Shed Plan is due to the DEQ and the EPA on November first and may help provide some parameters on where the Township wants to go with protecting natural features.

*Bob Cartwright*- We are the hub of the wheel and the pressure is intense but there is one shot at being Hartland. We can become Livonia or Waterford or we will become something unique. We have something extraordinary. If we work together we can control our future. I know we cannot protect all of it but we can get some control and make a difference. I know every one of you cares about this Township. There is no way out of

this responsibility. We have got to have something to work off of to gain some control. Whatever I can do I will, don't let it go.

## **21. COMMITTEE REPORT**

*Commissioner Hopkins*- Last Wednesday he went to the County Planning Commission and it was very beneficial. He believes that when something goes in front of the County Planning Commission someone from the Township should be present for the first hand knowledge.

*Commissioner Rataj*- Wanted to commend Commissioner Bickel on her hard work. She has the same passion as Mr. Cartwright and would like to thank her for that.

*Germane*- How are we going to proceed with the proposed changes on article 29?

*Chairman Fox*- It will be put on the agenda for discussion when possible.

*Ms. Marcarello*- Requested that the text amendment for the Light Industrial district be scheduled for a meeting in August. The H&L site plan is a multi tenant building in which, one of the tenants would like to have a rental business. It is not allowed in the light industrial district. It is permitted in the GC district. She recommended that the applicant go for a text amendment as opposed to PD or conditional zoning, and asked whether the Planning Commission would like to initiate it or if they would like the applicant to move forward. The Commissioners would like to initiate the text amendment and look at it with a broader scheme. Commissioner Rataj and Commissioner Fox agreed to work with Planner Barb in gathering information.

## **22. ADJOURNMENT**

Move to adjourn at 10:10 P.M. Motion Germane. Second Hopkins. Voice Vote. Motion Carried. 7-0-0.

This is a draft until final approval.

Jennifer Rardon  
Recording Secretary

Matt Germane  
Planning Commission Secretary