

5/6/2005

HARTLAND TOWNSHIP PLANNING COMMISSION MEETING

MAY 12, 2005
7:30 PM

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MAY 12, 2005 PLANNING COMMISSION AGENDA
5. APPROVAL OF APRIL 21, 2005 PLANNING COMMISSION MINUTES
6. APPROVAL OF APRIL 28, 2005 PLANNING COMMISSION MINUTES
7. CALL TO PUBLIC PLEASE APPROACH FRONT CENTER MICROPHONE

PUBLIC HEARING

OLD AND NEW BUSINESS

POSTPONE UNTIL MAY 26, 2005

8. APPLICANT: JOSEPH S. NOVITSKY & JANIECE R. 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

TABLED 12/9/04 PC AGENDA

9. APPLICANT: ALL SAINTS LUTHERAN CHURCH SIGN APPLICATION #504 PERMANENT GROUND
SIGN SECTION 23 ZONED CA (CONSERVATION AGRICULTURE)
10. PLANNING COMMISSION BY-LAWS
11. DISCUSSION ON PRIVATE ROAD & SHARED DRIVEWAY ORDINANCE
12. DISCUSSION ON SIGN ORDINANCE
13. CALL TO PUBLIC
14. COMMITTEE REPORT
15. ADJOURNMENT

NEXT SCHEDULED	MAY 26, 2005	@7:30 PM
	JUNE 9, 2005	@7:30 PM
	JUNE 23, 2005	@ 7:30 PM

**HARTLAND TOWNSHIP PLANNING COMMISSION REGULAR MEETING
May 12, 2005**

DRAFT VERSION

1. CALL TO ORDER – Chairman Fox called the meeting to order at 7:30 PM.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL – Members present:

Chairman Fox
Vice-Chairman Bickel
Secretary Germane
Commissioner Hopkins
Commissioner Kalenauskas
Commissioner Newsom
Commissioner Rataj

Members absent:

None

Scott Barb from the Department of Township Services was present. No one from McKenna attended.

4. APPROVAL OF MAY 12, 2005 REGULAR MEETING AGENDA

Move to approve the May 12, 2005 agenda as presented with the deletion of Item 6 (minutes from April 21, 2005) and the addition two McKenna estimates as Items 12(a) and 12(b). Motion by Hopkins, supported by Newsom. Motion carried by voice vote 7-0-0.

5. APPROVAL OF APRIL 21, 2005 WORK SESSION MEETING MINUTES

Move to approve the April 21, 2005 work session minutes with the following addition: Denise Lutz was present representing Township staff. Motion by Kalenauskas, supported by Germane. Motion carried by voice vote 7-0-0.

7. CALL TO THE PUBLIC

None.

**8. APPLICANT: BULK PETROLEUM, SPECIAL USE APPLICATION #225 IN CONJUNCTION WITH SITE PLAN #381
"HARTLAND C-STORE & MAD MAX EXPRESS OIL & LUBE"**

Applicant has requested that further action on this agenda item be postponed until the Planning Commission's May 26, 2005, meeting.

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May 12, 2005**

**9. APPLICANT: ALL SAINTS LUTHERAN CHURCH
SIGN APPLICATION #504**

This sign application was previously considered by the Planning Commission in December 2004 and was tabled then to clarify two issues: 1) had the Township Board approved the special use of the property for use as a church, and 2) the original sign application did not meet the requirements for signs in a CA zoning district. The application is not for the main church entrance, but for the old Armstrong house that is now used for offices and special meetings. No one lives in the building.

Scott Barb has confirmed that the special use of the property has been granted. As for the sign itself, the application was modified to include changeable copy, the building address, limited to a maximum of three colors, and is only 32 ft² per face. Per Sign Specialist Rataj, the sign now meets all applicable sign design requirements, but the location is too close to the road. The Township Ordinance states the sign must be setback at least 10 feet from the road right-of-way. The applicant reluctantly agreed to move it, but felt the location, as proposed, would not interfere with the safety of M-59 by being distracting.

Commissioner Germane had concern about the number of signs permitted per church special use. It was determined that each parcel is permitted to have its own sign, even though multiple parcels are covered by a single special use approval.

Motion to approve Sign Application #504 with the condition that the sign be installed 10 feet north of the north M-59 right-of-way. Motion by Bickel, support by Kalenauskas. Motion carried, voice vote, 7-0-0.

Mr. Barb requested that the applicant revise their drawing and send a copy to him for the file.

10. PLANNING COMMISSION BY-LAWS

Significant revisions to the Planning Commission By-Laws were discussed at a recent meeting. Commissioner Germane made most of the corrections in the revised draft, but a few corrections he missed were pointed out this evening.

Motion to approve revisions to the Planning Commission By-Laws, as amended this evening. Motion by Kalenauskas, support by Rataj. Motion carried, voice vote, 7-0-0.

Subcommittee Chairman Germane expressed thanks to the other Planning Commission members who formed the By-Laws Subcommittee, Jeff and Alex, for their dedicated work and assistance.

11. DISCUSSION ON PRIVATE ROAD & SHARED DRIVEWAY ORDINANCE

The Township's lawyer, Mike Homier, has made conflicting recommendations on whether the private road & shared driveway ordinance should be a stand-alone ordinance or remain part of the Zoning Ordinance (ZO) as it currently is. Substantial revisions to the private road & shared driveway portion of the ordinance have been suggested and previously discussed. Tonight's question is to make a decision on whether we believe it should remain in the ZO or be written as a stand-alone ordinance.

Chairman Fox, who also served as the Subcommittee Chairman mentioned the advantages and disadvantages of writing it as a separate ordinance. By consensus, the Planning Commission believed it was best to keep the private road and shared driveway regulations in the ZO for the primary reason that it makes for easier "government" for the applicants and Township to only apply once and need only one approval.

12. DISCUSSION ON SIGN ORDINANCE

According to Subcommittee Chairman Germane, revisions to the Township's portion of the ZO that regulates signs began approximately one year ago when Commissioner Kalenauskas and former Commissioner Petrucci held a series of meetings to consider revisions and improvements to this portion of the Ordinance. The three primary revisions sought by the subcommittee were to change how signs are approved in the Township (remove from Planning Commission and make it the responsibility of in-house township staff), simplify definitions and types of signs permitted, and to provide the Township with greater enforcement authority to regulate illegal and non-conforming signs.

Last fall, it was decided that the Township's in-house planner, Scott Barb, would use the Subcommittee's recommendations to prepare a revised stand-alone Sign Ordinance for considering of the entire Planning Commission. Mr. Barb finished his draft on March 6, 2005 and tonight is the first opportunity for the entire Planning Commission to consider it. Discussion continued for approximately eighty minutes with various grammar and spelling corrections noted. The primary topics debated by the Planning Commission this evening included the following:

- What is the difference between a ground sign and monument sign?,
- Should sign reviews be considered part of the site plan review instead of a separate application?,
- Whether outline tubing signs, commonly called "neon" signs, should be permitted (consensus was "no"),

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- Whether electronic time and temperature signs, or other quick reading electronic message signs, should be permitted (consensus was “no”),
- How will signs that fall into disrepair be handled under the new ordinance?,
- What would be the sunset date for non-conforming signs? – Subcommittee Chairman Germane said a seven year “grace” period had been considered. Mr. Barb said this date, whatever is eventually decided, would not be in the ordinance itself, but would be published at the time the ordinance is approved by the Township Board,
- How is the Township enforcing the current sign ordinance? Mr. Barb noted that they have recently stepped up enforcement but the effectiveness is limited because of time availability,
- How would the new ordinance be enforced under Ordinance No. 45 – Civil Infractions? Mr. Barb said the township would issue warning letters and fines, via tickets,
- Must applicants receive advance approval to install permanent window signs? Not if they are less than 25% of the total window area, and
- Should moving signs be permitted?

Review continued through page 10. The Planning Commission will continue discussing the draft Sign Ordinance as time permits at future meetings.

Commissioner Hopkins suggested that all illegal sign owners bring their signs into conformance with the current ordinance now instead of waiting until after the ordinance is revised.

12a. McKenna Proposal to Revise Zoning Ordinance to Better Correlate with Comprehensive Plan

Commissioner Hopkins is Chairman of the Ordinance Alignment Subcommittee. They came to the conclusion that the quickest way to eliminate confusion and conflict between the current Zoning Ordinance (ZO) and current Comprehensive Plan (CP) was to have our outside planning consultant assist in this effort. Some of the most critical issues is in the Estate Residential CP designation (3 acre minimal housing area) and the range of housing lot sizes in the ZO SRE district depending on whether sewer is available or not. As such, a proposal was received from McKenna dated March 28, 2005, to complete a review of the ZO and recommend changes to the Planning Commission for consideration. An outside consultant was preferred because it is felt these changes should be expedited.

Commissioner Kalenaukas indicated he supported the effort, but felt that McKenna had mislead Hartland Township when the CP was created in an effort to generate more business. Commissioner Germane suggested that the cost could be reduced somewhat by eliminating the review step with the Ordinance

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Alignment Subcommittee and having McKenna bring their recommendations to the entire Planning Commission. It was the consensus of the Planning Commission to recommend to the Township Board to accept this proposal.

12b. McKenna Proposal to Revise Zoning Ordinance for Big Box Architecture

McKenna has noted an oversight in our current ZO that permits too much interpretation in the style of architecture permitted in "big box" retail construction. They prepared a proposal, dated May 10, 2005, to generate recommendations to the Planning Commission that would permit better control over the type of architecture and building materials permitted on such stores. Commissioner Germane noted that this is one of the topics discussed at the annual planning meeting last March. It was the consensus of the Planning Commission to recommend to the Township Board to accept this proposal.

13. CALL TO PUBLIC - None

14. COMMITTEE REPORTS

Natural Features Committee: Subcommittee Chairman Bickel noted that the group continues to meet weekly and has begun to send information to the other Planning Commission and Township Board members to keep all interested parties informed of the group's progress. The deadline for submitting comments on the voluntary survey is May 15, 2005. The next major event will be an educational program scheduled for June 16, 2005 at the Music Hall.

Trustee Hopkins:

- The Township Board, especially, Bill Fountain, sends congratulations on the recently held Joint Planning Commission/Township Board meeting. It was well organized and received.
- A compact disk (CD) with information on road design has been prepared by the Livingston County Road Commission. Trustee Hopkins will try to get duplicate copies created for distribution to all Planning Commission members. It is believed the information will be helpful when reviewing private roads in residential developments.
- There will be future training opportunities in contract zoning.

Commissioner Rataj: Significant development is planned on M-59 in Oceola Township and along US-23 in Green Oak Township. He doesn't believe "big box stores" in Hartland make economic sense.

Commissioner Germane: Requested approval to attend the Livingston County Watershed Management Short Course training in Howell presented by MSU Extension. The ten session training includes five meetings in May/June and September.

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Correspondence: None.

15. ADJOURNMENT

The meeting adjourned at 9:55 PM.

Move to adjourn. Motion by Kalenauskas, supported by Hopkins. Motion carried, 7-0-0 by voice vote.

These minutes are a preliminary draft until approved by the Planning Commission at a subsequent meeting.

Submitted by,

Matthew Germane, Secretary

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ACTIVE ISSUES LIST (as of 5/12/05)

In-progress for substantial completion in 2005:

- Creation of new Sign Ordinance – *draft text under review by entire PC*
- Revisions to Zoning Ordinance/Private Roads – *draft text approved by PC?*
- Revisions to ZO/Riparian Rights – *comments received from attorney*
- Revisions to ZO/Master Plan alignment – *PC recommended proposal from McKenna by accepted to initiate quick fix changes*
- Creation of Woodlands Ordinance/Natural Features Subcommittee – *planning for Educational Session on June 16, 2005*

As-time-permits for completion in 2005:

- Revisions to ZO/Architectural building materials & review percentages for various uses, especially “big-box” - *PC recommended proposal from McKenna by accepted to initiate quick fix changes*
- Confirm Township Engineering Specifications are conservative for stormwater runoff calculations and control – *no action yet*
- Revisions to ZO/Lighting – *suggested to get quote from McKenna as of March 3, 2005 Work Session*
- Revisions to ZO/Article 7 Sidewalks - *no action yet*

Future Important Topics to Consider/Change:

- Accessory structures on stacked lots,
- Accessory buildings on parcels without principal structure,
- Hazard Mitigation,
- Ambient noise levels, and
- Planned Development benefits for Township.