

HARTLAND TOWNSHIP PLANNING COMMISSION

JANUARY 27, 2005
7:30 PM

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF JANUARY 27, 2005 PLANNING COMMISSION AGENDA
5. APPROVAL OF JANUARY 13, 2005 PLANNING COMMISSION MINUTES
6. CALL TO PUBLIC **PLEASE APPROACH FRONT CENTER MICROPHONE**

PUBLIC HEARINGOLD AND NEW BUSINESS

7. **SET A DATE FOR A PUBLIC HEARING ON FEBRUARY 24, 2005** FOR APPLICANT: MIKE HORAN / WAYNE PERRY-DESINE **REZONING APPLICATION #315** REZONING I (INDUSTRIAL) TO LI (LIGHT INDUSTRIAL) SECTION 28
8. APPLICANT: MERTON F. HENRY **METES & BOUNDS APPLICATION #711** SECTION 6 ZONING STR (SETTLEMENT RESIDENTIAL)
PRELIMINARY APPROVED 9/23/04 PC AGENDA
9. APPLICANT: HARTLAND CONSOLIDATED SCHOOLS / WAYNE PERRY-DESINE **METES BOUNDS APPLICATION #720** SECTION 16 STR (SETTLEMENT RESIDENTIAL)
10. APPLICANT: JOSEPH A. CIPOLLA **METES & BOUNDS APPLICATION #721** SECTION 11 ZONED CA (CONSERVATION AGRICULTURE)
11. APPLICANT: HOVNANIAN HOMES SITE PLAN #374 SECTION 22 ZONED OS (OFFICE SERVICE)
TABLED 10/14/04 PC AGENDA
TABLED 12/ 9/04 PC AGENDA
APPROVED 1/19/05 ZBA AGENDA
12. APPLICANT: OUR SAVIOR EVANGELICAL LUTHERAN CHURCH "MAJOR / MINOR CHANGE" **SITE PLAN APPLICATION #382** SECTION 24 ZONED CA (CONSERVATION AGRICULTURE) IMPROVEMENT OF BALL FIELDS
13. APPLICANT: ROB MECHIGAN **SITE PLAN APPLICATION #363** IN CONJUNCTION WITH **SPECIAL USE APPLICATION #223** SECTION 21 ZONED GC (GENERAL COMMERCIAL) CAR WASH & OIL CHANGE CENTER
3/25/04 PC AGENDA SET A PUBLIC HEARING
5/13/04 PC AGENDA PUBLIC HEARING
TABLED 6/24/04 PC AGENDA
14. GEORGE DUKE / GLEN PROPERTIES "CONCEPTUAL" **PLANNED DEVELOPMENTS** **SITE PLAN #380** SECTION 27 ZONED SR (SUBURBAN RESIDENTIAL) 21 ACRES PROPOSING 34 SINGLE FAMILY RESIDENTIAL UNITS
15. CALL TO PUBLIC
16. COMMITTEE REPORT
17. ADJOURNMENT

NEXT SCHEDULED FEBRUARY 10, 2005 @ 7:30 PM
FEBRUARY 25, 2005 @ 7:30 PM

1. CALL TO ORDER – The meeting was called to order by Chairman Germane.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL – Members present: Chairman Germane, Vice Chairman Fox, Commissioner Rataj, Commissioner Bickel, Commissioner Hopkins and Commissioner Newsom. Absent: Commissioner Kalenauskas. Also present: Sally Hodges and Alexis Marcarello of McKenna Associates and Planner Barb.

4. APPROVAL OF JANUARY 27, 2005 PLANNING COMMISSION AGENDA – Move to approve the January 27, 2005 Planning Commission agenda as presented. Motion Hopkins. Second Fox. Voice Vote. Motion Carried. 6-0-1.

5. APPROVAL OF JANUARY 13, 2005 PLANNING COMMISSION MINUTES – Move to approve the January 13, 2005 Planning Commission minutes as presented. Motion Hopkins. Second Fox. Voice Vote. Motion Carried. 6-0-1.

6. CALL TO THE PUBLIC – *Katie Schlueter* – Distributed a letter outlining concerns about Site Plan Application # 363 in agenda item #13. She felt that a special use was inappropriate at this site due to the proximity to the sensitive Round Lake area. The existing car wash within 500 ft. of this site was found to be pumping waste water into the Round Lake wetland rather than having the wastewater hauled away. The holding tank was supposed to be cleared and the sediment hauled away before it overflows. Lake Fenton had a spill from an oil change facility. Areas of concern include stormwater management, sedimentation control, chemical waste control and wastewater control. The Township must decide who will bear the responsibility in the event of a spill or contamination.

PUBLIC HEARING

OLD AND NEW BUSINESS

7. SET A DATE FOR A PUBLIC HEARING ON FEBRUARY 24, 2005 FOR APPLICANT: MIKE HORAN / WAYNE PERRY – DESINE REZONING APPLICATION #315 REZONING I (INDUSTRIAL) TO LI (LIGHT INDUSTRIAL) SECTION 28 – Move to set a public hearing for Rezoning Application # 315 for Mike Horan / Wayne Perry / Desine Industrial to Light Industrial on February 24, 2005. Motion Hopkins. Second Fox. Voice Vote. Motion Carried. 6-0-1.

8. APPLICANT: MERTON F. HENRY METES AND BOUNDS APPLICATION #711 SECTION 6 ZONING STR (SETTLEMENT RESIDENTIAL) – Phil Waldron of Real Estate One was present for this application. He reviewed the application. The site is under 6 acres on Parshallville Road with 230 ft. on the Mill Pond. The two splits are on the east end of the parent parcel and are just over one acre each. The issues with the legal description have been resolved. This was originally presented at the September 25, 2004 Planning Commission meeting.

Parcel C does not appear to conform to the 3 to 1 length to width ratio. There is a shed / garage that appears to be in the setback.

Commissioner Fox questioned if the 3 to 1 ratio is flexible since some of the lot being created is under water. Sec. 31.11.B does not make an exception for this situation. A non-conforming lot can be split but the lots created must be conforming.

Commissioner Hopkins – The Commission must look at whether or not the splits are available, if there is access to the splits and if they meet the 3 to 1 ratio as required.

Ms. Hodges offered to review the split if so directed by the Commission.

Commissioner Fox – While the Planning Commission may be sympathetic to Mr. Henry's need to maximize the financial return on his property, decisions made on metes and bounds have to follow the regulations of the Land Division Act and the Township Ordinance and be applied equally to all applicants.

Commissioner Germane – The Commission is not able to act on this since it is incomplete by way of not conforming to the ordinance.

Mr. Waldren requested the Commission to table this application so he consult further with his client on a course of action.

Move to table Metes and Bounds Application #711 for Merton F. Henry per the request of his representative, Phil Waldren. Motion Bickel. Second Rataj. Voice Vote. Motion Carried. 6-0-1.

Commissioner Fox advised Mr. Waldren that even though the land divisions may be granted, this does not guarantee that land use permits will be issued for the parcels created.

9. APPLICANT: HARTLAND CONSOLIDATED SCHOOLS / WAYNE PERRY – DESINE METES AND BOUNDS APPLICATION #720 SECTION 16 STR (SETTLEMENT RESIDENTIAL) – Mr. Perry was present. There are 3 parcels, each with a structure. The total is 4.20 acres.

Commissioner Fox noted that the number of parcels has gone from 4 to 3.

Mr. Perry discussed the metes and bounds and the deeded parcels involved.

Commissioner Hopkins – Have the legal descriptions been checked? Planner Barb – Yes.

Move to approve Metes and Bounds Application #720 for Hartland Consolidated Schools per the State Land Division Act. Tax Id. # 08-16-101-116. Motion Hopkins. Second Fox. Voice Vote. Motion Carried. 6-0-1.

10. APPLICANT: JOSEPH CIPOLLA METES AND BOUNDS APPLICATION #721 SECTION 11 ZONED CA (CONSERVATION AGRICULTURE) – Mr. Cipolla was present with Karol Grove of Alpine Engineering. Mr. Cipolla stated that he had received permission from the Drain Commission to place a culvert in the drainage stream.

Ms. Grove – There is a 40 ft. easement on either side of the centerline of Hartland Drain #1. She would be willing to add this to the drawing.

Commissioner Bickel noted the lowlands on the site. It is not a wetland but does have standing water.

Planner Barb noted that lot width is measured at the front setback line.

Commissioner Fox advised the applicant that even if the land divisions are granted as shown, there may be issues with building envelopes or rear setbacks as shown when seeking land use permits.

Mr. Cipolla chose to go ahead with the splits as shown.

Commissioner Germane – The 3 to 1 ratio has to be documented.

The applicant agreed to have this item tabled.

Move to table Metes and Bounds Application #721 for J. Cipolla with the applicants' agreement. Motion Hopkins. Second Newsom. Voice Vote. Motion Carried. 6-0-1.

Place on the February 10, 2005 agenda.

11. APPLICANT: K. HOVNANIAN SITE PLAN APPLICATION # 374 SECTION 22 ZONED OS (OFFICE SERVICE) - Present for this application: Mr. Gottstein of Hovnanian and Bob Beaugrand of Atwell Hicks.

Commissioner Germane – It appears that issues on this application have been resolved. The ZBA granted the variance for the driveway location for safety reasons. Planner Barb affirmed that the applicant was in compliance.

The January 20, 2005 Williams and Works review letter has items that need to be addressed after the Commission makes a recommendation and before going to the Board.

Commissioner Hopkins wanted to see the percent calculations for the exterior materials.

Move to table Site Plan Application #374 to later in the meeting when the applicant has the calculations ready. Motion Hopkins. Second Fox. Voice Vote. Motion Carried. 6-0-1.

12. APPLICANT: OUR SAVIOR EVANGELICAL LUTHERAN CHURCH MAJOR / MINOR CHANGE SITE PLAN APPLICATION #382 SECTION 24 ZONED CA (CONSERVATION AGRICULTURE) IMPROVEMENT OF BALL FIELDS – Present:

Randy Pichan, Jerry Waligora and Dennis Goers. Changes have been made to the site.

Current issues include – existing shed in the setback, access off of M-59, parking on paved areas not grass, balls going onto adjoining property, keep area neat and clean, screen parking and no other buildings on site. The field has been used for 12 years for baseball.

Commissioner Hopkins – In order to evaluate what changes have been made, it is necessary for the Commission to see the original site plan showing what was originally approved. The benches appear to be in the setback. Were they there on the original plan?

There was review of the major / minor change requirements.

Move to consider Site Plan Application # 382 a minor change to Site Plan Application #121 dated February 11, 1991. Motion Bickel. Second Rataj. Voice Vote. Motion Carried. 6-0-1.

Move to approve Site Plan Application #382 on the condition that in house staff verify that the Site Plan originally approved had the benches and field in the same location as shown on Site Plan Application #382. Motion Hopkins. Second Fox. Voice Vote. Motion Carried. 6-0-1.

Recess: 9:23 p.m.

Resume: 9:30 p.m.

11. HOVNANIAN HOMES (CONTINUED) - Section 33 of the Ordinance has the Schedule of Regulations of materials required for facades in OS zoning.

The Vermont model front façade is 35% brick minus 7.5 % for the roof, 45% siding minus 7.5% for the roof and 20% doors and windows. The other 3 facades are siding, doors and windows. The California is 55% brick minus 10% for the roof, 35% siding minus 10% for the roof and 10% doors and windows.

Ms. Hodges noted that the 8/12 pitch means that the roofing material is part of the façade and must be considered.

Commissioner Bickel – The applicant is trying to place model homes in an area zoned office that has specific requirements.

Mr. Beaugrand requested a waiver of the standards.

Commissioner Fox – The decision to come to office zoning with a residential product was made by the applicant. The location is the issue since there would be no problem if this was located in a residential zoning.

Mr. Gottstein agreed to complete brick on the front of the models and wainscoting brick on the other 3 sides up to the bottom of the windows.

Move that the Planning Commission has determined the intent and purpose of the architectural standards to be met with the temporary nature of the model home use, a façade waiver is granted for vinyl accents with a full brick front and brick wainscoting to the bottom of the window sills on the other facades. Motion Fox. Second Newsom. Voice Vote. Motion Carried. 6-0-1.

Move to recommend approval of Site Plan Application #374 for Hovnanian Homes plans and specifications dated December 28, 2004 provided the applicant meets the requirements of the Williams and Works review dated January 20, 2005. Tax Id. # 4708-22-301-077 & 078. 4708-22-401-022 & 021. Motion Hopkins. Second Fox. Voice Vote. Motion Carried. 6-0-1.

Chairman Germane advised the applicant to revise the plans to reflect the changes in façade and materials as agreed prior to going to the Board.

13. APPLICANT: ROB MICHIGAN SITE PLAN APPLICATION #363 IN CONJUNCTION WITH SPECIAL USE APPLICATION #223 SECTION 21 ZONED GC (GENERAL COMMERCIAL) CAR WASH AND OIL CHANGE CENTER - Peter Murad and Rob Michigan were present.

Ms. Hodges reviews are dated December 3, 2004 for the Special Use and January 12, 2005 for the Site Plan. An issue has been raised by several Commissioners concerning the north / south service drive shown on the plan. The ordinance treats this as a private road and therefore creates two fronts for the site. A change in the stacking requirements could be made by the Commission and this would allow the building to be moved 10 ft. in order to address the front setback issue. The applicant could submit evidence of reduced stacking requirements and reevaluate the location of the vacuum.

Mr. Murad felt that it is incorrect to call this a corner lot, access is off M59, not the service drive, the stacking space dimensions in the ordinance are too large and the access easement is not a road.

Ms. Hodges – There have been issues with this site beginning with the lot originally being too narrow for the use proposed. This issue with the fronts has to be addressed. The Planning Commission can reduce the number of spaces but not the size of the stacking spaces if the applicant shows evidence by counting traffic at a similar facility at peak times or submitting industry standards showing reduced numbers of stacking spaces will be safe and functional.

Mr. Murad – There are no trees on the site. Will remove plywood sheets shown on the plan. The trees around the detention basin provide the required screening. Does not feel the south screening wall serves a purpose since there will not be any building to the south and would like to remove it.

Ms. Hodges – The wall will screen the sensitive area behind the auto facility. Commissioner Germane suggested having the fence come to the one end of the wall and then continue from the other end.

Photos of another site owned by the applicant were distributed. It was agreed to remove the gables and siding on the roof and go with a hip roof.

The applicant was advised that Special Use has not yet been granted.

The site has only one rear yard even though there are 2 front yards.

Ms. Marcarello noted that the wide sweeping accesses shown going onto M59 are tighter than originally shown but still are wide enough that they will not encourage full stops before going on to M59.

The Commission agreed to reduce the height of the screening wall from 6 ft to 4.5 ft with a cap that overhangs the depth of the wall.

Commissioner Hopkins – There is a lot of asphalt on site. Who is tracking the volume each of these sites going to the detention pond? Ms. Hodges – Williams and Works will track this. Mr. Murad stated that he is using less than the volume that was assigned to this parcel.

The applicant should address the following and any other issues on a revised drawing including: corner lot setback, rear setback on the east, screening wall, hip roof, remove plywood, stacking space change and conform to Group One architectural standards.

Move to postpone Site Plan Application #363 and Special Use Application #223 for Mark Messner and Rob Mechigan. Motion Fox. Second Hopkins. Voice Vote. Motion Carried, 6-0-1.

14. GEORGE DUKE / GLEN PROPERTIES CONCEPTUAL PLANNED DEVELOPMENT SITE PLAN #380 SECTION 27 ZONED SR (SUBURBAN RESIDENTIAL) 21 ACRES PROPOSING 34 SINGLE FAMILY RESIDENTIAL UNITS – Daniel Schrauben of PAE Inc. was present.

Ms. Hodges – This is an old plat with dedicated roads that was never built. It cannot be approved as a planned development because the master plan shows this as estate residential.

Mr. Schrauben discussed sewer service, wetland area preservation, 117 platted lots, vacating the plat, combining the lots and having the streets as shown and an alternate plan of 34 lots with a great deal of open space.

Ms. Hodges suggested overlaying the plat with an SR condo development.

Commissioner Hopkins agreed since it would not be advisable to change to Comprehensive / Master Plan for just one property.

Mr. Schrauben will continue to work on the site.

Ms. Hodges requested the plans for informals be distributed prior to the meetings in order to do a brief review before going into the meeting.

15. CALL TO THE PUBLIC

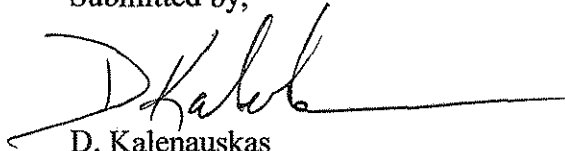
Jacqueline Cwik – The proposed Duke development has large lots. There is limited access to this site basically off of Maxfield Road.

16. COMMITTEE REPORTS - Nothing.

17. ADJOURNMENT – Chairman Germane adjourned the meeting at 11:52 p.m.

These minutes are a preliminary draft until final approval.

Submitted by,

A handwritten signature in black ink, appearing to read 'D. Kalenauskas', with a long horizontal line extending to the right.

D. Kalenauskas
Planning Commission Secretary

Next meeting: February 10, 2005 @ 7:30 p.m.
February 25, 2005 @ 7:30 p.m.