

1. **CALL TO ORDER** – The meeting was called to order by Vice Chairman Douglass.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL** – Members present: Chairman Fountain, Vice Chairman Douglass, Secretary Kalenauskas, Commissioner Phillips and Commissioner Petrucci. Absent: Commissioner Colaianne and Commissioner Germane. Also present: Sally Hodges and Carolyn Poissant of McKenna Associates and Planner Scott Barb.

4. **APPROVAL OF SEPTEMBER 23, 2004 PLANNING COMMISSION AGENDA** – Move to approve the September 23, 2004 Planning Commission agenda as presented. Motion Fountain. Second Phillips. Voice Vote. Motion Carried. 5-0-2.

5. **APPROVAL OF SEPTEMBER 9, 2004 PLANNING COMMISSION MINUTES** – Move to approve the September 9, 2004 Planning Commission minutes as presented. Motion Fountain. Second Phillips. Voice Vote. Motion Carried. 5-0-2.

6. **APPROVAL OF SEPTEMBER 16, 2004 PLANNING COMMISSION WORKSHOP MINUTES** - Move to table the September 16, 2004 Planning Commission workshop minutes. Motion Kalenauskas. Second Fountain. Voice Vote. Motion Carried. 5-0-2.

7. **CALL TO THE PUBLIC**

Katy Schlueter – The commercial area of M59 / US 23 will have the highest concentration of impervious material. A comprehensive drainage plan is needed. She would like an ad hoc committee formed. Chairman Fountain responded that Commissioner Germane is in the process of gathering information and speakers for a seminar, hopefully in mid October.

PUBLIC HEARING

8. **APPLICANT: MARK SOKANA, MIKE SOKANA AND GHAYDA BAHOOORA REZONING APPLICATION #314 REZONING CA (CONSERVATION AGRICULTURE) TO GC (GENERAL COMMERCIAL) SECTION 24** – David Bittner was present for the applicant. The site is the north east corner of M59 and Fenton Road. The site is CA and currently rented for agriculture.

Rodney Taskey – Wilson Lane – This backs up to his property. He is concerned with the potential for noise and other issues that could impact the value of his residential property. Keep the commercial where it was planned – at M59 and US 23. Home sites would work as well here as they do in Hartland Estates.

Barbara Krueger – The Comprehensive Plan does not show this planned as commercial and the Plan should be followed. Upgrades to Fenton Road would be needed.

Dana Wilson-Gardner – The neighbors in this area oppose such a zoning change.

Mr. Bittner – Commercial is proposed for the special planning area at M59 and Fenton / Pleasant Valley.

Ms. Hodges – The special planning area is primarily residential with some office and some retail. It is a mixed use, not commercial.

Commissioner Douglass - The special planning area is 90% residential with some retail along the road not a commercial use such is being proposed here. There have been discussions but no plans have been submitted and there is always the possibility that plans will never be submitted. The area is currently CA and may well stay that way.

Ross Olding – Just leave it all agricultural.

Dick Krueger – This zoning would be out of context with the surrounding area. Residents move here for rural and it should be left that way.

Sally Norris – Fenton Road – Lives west of the site and feels that traffic is awful on Fenton Road now and opposes the change.

Carl Redner – Lives adjacent to the site. He bought residential, the surrounding is residential so leave it residential.

In the September 13, 2004 McKenna review, denial of the rezoning was recommended.

Commissioner Kalenaskas – Letters have been received from other residents – Sturgeon, Hill and others opposing the rezoning.

Jacqueline Cwik – 1560 Shoreline Drive – Great changes to the topography of the area are being made. These issues have to be considered in decisions.

Commissioner Douglass – The Commission does not normally act on the night of a public hearing. The residents will not receive another notice when this item comes up on the agenda again. They should contact the Township to see when it will be on the agenda. Planner Barb advised residents that they can contact the Township for this information.

Move to place Rezoning Application #314 on the October 28, 2004 agenda. Motion Fountain. Second Petrucci. Voice Vote. Motion Carried. 5-0-2.

Move to close the public hearing. Motion Fountain. Second Phillips. Voice Vote. Motion Carried. 5-0-2.

9. APPLICANT: MILLPOND / WILLIAMS JOHNS TENTATIVE PRELIMINARY SUBDIVISION PLAT APPLICATION #10 SECTION 6 ZONING CA (CONSERVATION AGRICULTURE) – Kevin Cook of CHMP Inc. was present.

Commissioner Fountain expressed concern about the building area on lots 11-16. He felt that they were awkwardly conformed with a significant drop in topography. Mr. Cook stated that they were mostly 2 acre lots and generally square in shape.

Commissioner Kalenaskas – The length of the road is still an issue.

Ms. Hodges – The new plans can be reviewed and placed on the agenda of the special meeting.

Move to table Subdivision Plat #10 to the October 7, 2004 meeting. Motion Fountain. Second Kalenauskas. Voice Vote. Motion Carried. 5-0-2.

10. APPLICANT: WAYNE HOMES / SIGN STUDIO SIGN APPLICATION #490 SECTION 22 MONUMENT SIGN – Sandra Ortega was present. Street numbers have been added and the size reduced. An e-mail was received from sign specialist Germane recommending approval.

Move to approve Sign Application #490 for Wayne Homes / The Sign Studio in Section 22. Motion Fountain. Second Phillips. Voice Vote. Motion Carried. 5-0-2.

11. APPLICANT: MERTON F. HENRY PRELIMINARY METES AND BOUNDS APPLICATION # 711 SECTION 6 ZONING STR (SETTLEMENT RESIDENTIAL) – Phil Waldron was representing Mr. Henry. The stake survey will be done after buyers have been secured. There have been issues with the legal description and the exceptions on the north boundary. Planner Barb – The assessor is working on the proper legal description.

Move to recommend preliminary approval for Metes and Bounds Application #711 for Merton F. Henry. Tax Id. # 08-06-200-003 per the State Land Division Act and the Hartland Township Zoning Ordinance. Motion Kalenauskas. Second Petrucci. Voice Vote. Motion Carried. 5-0-2.

Ms. Hodges pointed out that in STR the depth is limited to three times the width – in this case 390 ft. The plan shows a depth of 400 ft.

Commissioner Fountain – The shared driveway standards would not impact the land divisions but could come up during land use permits. It would be helpful to show the surrounding drive locations on the plan.

Mr. Waldron – The lots are typical of the settlement area as stated in the Schedule of Regulations.

12. APPLICANT: JOE ROTONDO / WAYNE PERRY – DESINE INC. MAJOR / MINOR CHANGE SECTION 28 LI (LIGHT INDUSTRIAL) – Mr. Perry was present. There are 8-10 items in the Williams and Works review letter that Mr. Perry has responded to in writing. The topsoil has been stripped and the area filled to make it buildable. Mr. Rotondo stated that the land was back to the original level.

Planner Barb – An on site storm sewer was also added to the site making it appear to be a major change. The area drains to the east. This was not approved in the land use permit for clearing and topsoil removal. This is not really a major / minor change but in actuality a site plan review. The Township is seeking to bring the site into compliance. It was determined that the agenda is incorrect and this is a site plan review not a major / minor change determination.

Mr. Perry agreed that the permit was to remove topsoil and grade the site. The grade change was significantly more than 3 feet.

Ms. Hodges – A site plan is required for a grading change per item #7.

The Planning Commission needs to review the Williams and Works response to Mr. Perry's written submission.

Mr. Rotondo – The drainage project was shown on the original plan. Planner Barb pointed out that in spite of what was on the plan, the permit was only for grading and topsoil removal, not drainage.

Move to table Site Plan Application # 373 until the October 7, 2004 meeting. Motion Fountain. Second Kalenauskas. Voice Vote. Motion Carried. 5-0-2.

Commissioner Kalenauskas – Be sure the agenda is changed from major/minor change to site plan application.

13. APPLICANT: JUDITH BONISH SITE PLAN APPLICATION #375 MAJOR / MINOR CHANGE SECTION 16 ZONED LC (LIMITED COMMERCIAL) – Judy Bonish was present. She is seeking to build a handicapped ramp per the ADA requirements. There will be a deck with the ramp wrapping around it. They are seeking to preserve the integrity of the Victorian style of the house. It will be on the south side of the house.

Move that Site Plan Application #375 is a minor change per Sec. 33.02.K.5.a and b. Motion Fountain. Second Phillips. Voice Vote. Motion Carried. 5-0-2.

14. APPLICANT: WAYNE HOMES / FRANK PORTELLI SITE PLAN #376 MAJOR / MINOR CHANGE TO SITE PLAN #268 SECTION 22 ZONED OS (OFFICE SERVICE) – Janet Gilbert-Smith was present. They are seeking to add brick to the face of one of the models. This will be a color and material change.

Move that Site Plan Application #376 is a minor change even though the ordinance stated that it is a major change per Sec. 33.02 K.4.K.L. The Planning Commission feels that it would be an undue hardship to the applicant to have an entire site plan review for this. Motion Fountain. Motion Withdrawn.

Move that the Planning Commission finds Site Plan Application #376 for Wayne Homes / Frank Porcelli to be a minor change per Sec. 33.03.K.5 with the understanding that the original review 4 or 5 years ago included an understanding of probable future changes in the model homes. This was understood in the original approval. This change will be an improvement to the façade of the building with no change to the building footprint. Brick will be added to the front elevation of the west model. Motion Phillips. Second Fountain. Voice Vote. Motion Carried. 5-0-2.

15. DISCUSSION ON PROPOSED CHANGES TO HARTLAND TOWNSHIP ORDINANCE ARTICLE 9 SIGNS – Move to table. Motion Fountain. Second Kalenauskas. Voice Vote. Motion Carried. 5-0-2.

16. CALL TO THE PUBLIC

David Henry – Distributed a memo concerning the Rotondo site on Old 23. The work has already been done without site plan approval. He feels that the drainage work done without a permit has impacted a much larger area. The site was dug out to 20 ft. and is being pumped to get rid of the water. This was a area where water came, was absorbed, evaporated and it has been completely changed. The land was a natural swale where water gathered.

Commissioner Fountain – The site plan was received tonight and the Commission will wait to hear from the Township engineer.

Commissioner Petrucci – Believes Mr. Rotondo got DEQ permission to work the wetland.

Mr. Henry felt Sec. 33.02.F.5 should be applied. Mr. Rotondo appears to be directing water onto the site adjoining his. It appears the drainage pipes have been installed with 90 degree angles.

Planner Barb – This was not a delineated wetland.

Commissioner Petrucci – Someone from MDOT unplugged the drain under US 23.

Ms. Hodges and Ms. Poissant – The grading can be adjusted to prevent dumping the water downstream. Efforts can be made to duplicate the conditions that have been altered.

17. COMMITTEE REPORTS


Douglass – MSI / Bulk Petroleum have come in for informal review. There are issues that need further discussion.

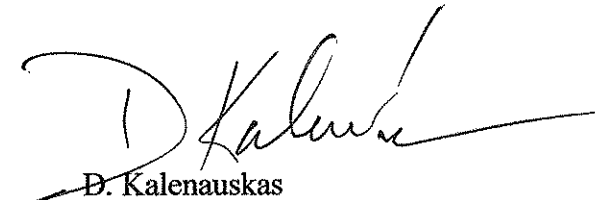
18. ADJOURNMENT – Move to adjourn. Motion Fountain. Second Phillips. Voice Vote.
Motion Carried. 5-0-2.

The meeting adjourned at 10:02 p.m.

These minutes are a preliminary draft until final approval.

Submitted by,


Ann Ulrich
Clerk


D. Kalenauskas
Planning Commission Secretary

Next Meetings – October 7, 2004 @ 7:30 p.m.
October 14, 2004 @ 7:30 p.m.
October 28, 2004 @ 7:30 p.m.