

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

2. **PLEDGE OF ALLEGIANCE**

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

4. **APPROVAL OF AUGUST 12, 2004 PLANNING COMMISSION AGENDA** – Move to approve the August 12, 2004 Planning Commission agenda as presented. Motion Phillips. Second Petrucci. Voice Vote. Motion Carried 5-0-2.

5. **APPROVAL OF AUGUST 6, 2004 PLANNING COMMISSION SPECIAL MEETING MINUTES** – Move to approve the August 6, 2004 Planning Commission Special Meeting minutes as presented. Motion Douglass. Second Phillips. Voice Vote. Motion Carried. 5-0-2.

6. **CALL TO THE PUBLIC** – There being no response, the call to the public was closed.

### **PUBLIC HEARING**

7. **APPLICANT: MILLPOND / WILLIAM JOHNS SUBDIVISION PLAT APPLICATION #10 SECTION 6 ZONING CA (CONSERVATION AGRICULTURE)** – Kevin Cook of CHMP in Grand Rapids was present for owner Brad Bauer.

Chairman Fountain explained that this application had been previously reviewed and approved. It has since expired and the process has to begin again.

Ms. Hodges – Pointed out the timelines for subdivision plat approval. The tentative plat is good for one year and after a year that approval lapses if no further action is taken in the process.

Mr. Cook – The site is in Sec. 5 and 6, Parshallville Rd. north of Clyde. It will include single family lots, minimum 2 acres, 20,000 sq. ft. building envelope, public roadway, public storm water system to release into North Ore Creek, well and septic on site, lighted and landscaped entrance and 9.5 acres (14% ) open space. He has drainage and road approvals and has submitted a discharge permit to the DEQ.

*Jack Kelly* – Mr. Kelly's father owner the property at one time. He stated that the notice in the paper advertised the piece in the wrong section ( 12 rather than 5 and 6). The required notices to adjoining property owners may not have gone to the proper owners because of this error.

He noted that there is a lot of wetland on this site draining toward the creek. A heavy rain could cause drainage issues.

He questioned the price of the homes going on the sites. Mr. Bauer was in the audience and estimated \$200,000.00 to \$250,000.00. He also stated that there would be restrictions.

Mr. Kelly – Is there an environmental impact study? Ms. Hodges responded that there was an Environmental Assessment on file but a current one has been requested.

*Stewart Oldford Jr.* – Lives across the pond from the site. The notice said the site was on the north side of the Mill Pond and he thought this was questionable. The notice also said it was west of Parshallville Road when it is east.

Mr. Oldford noted that there is a lot of erosion on the side of the hill next to the pond. Trees are falling into the pond and moving dirt in this section could make the erosion and drainage even worse.

Trustee Phillips – The wrong group of people may have been notified for the public hearing.

Ms. Hodges – If notification errors were made they should be corrected and another Public Hearing held. If the applicant would agree to extend the 60 day time requirement, it would give him time to finalize the items needed to complete his application and allow the Township to have another public hearing if it is needed.

Commissioner Germane – Have there been any changes since the last submittal? What was the delay in seeking final approval? Mr. Cook – No changes. As far as the delay, there were subdivision regulations to deal with, recorded deed restrictions had to be assembled and this took time.

Trustee Phillips – The ECIS should be updated.

Sally Hodges – Road length is an issue since the LCRC variance has expired, clustering the trees for a more natural look, road grade to the dry hydrant, Fire Authority comment on soil stability, covenant and deed restriction issues need to be addressed.

Commissioner Petrucci – The road looks very long.

Ms. Hodges – Outlot A is not platted to the subdivision as a street although the stub road does help to mitigate the road length.

At a suggestion from Ms. Hodges, Mr. Cook agreed to submit a written request for an extension. He requested that the PC consider acting the night of the public hearing even though he was advised that the Commission does not usually do so. The extension request should be at the Township by Monday, August 16, 2004 by 4 p.m.

Move to close the public hearing on Millpond. Motion Douglass. Second Petrucci. Voice Vote. Motion Carried. 4-1-2. Nay Germane.

Move to ask staff to confirm the Public Hearing notice as advertised to be correct. If improper, another Public Hearing will be set for the first available regular meeting date and be properly noticed to rehear the tentative preliminary plat for Millpond. This request is based on the applicant's request for an extension of 45 days to the statutory time table for the tentative preliminary plat. Motion Petrucci. Second Douglass. Voice Vote. Motion Carried. 5-0-2.

### OLD AND NEW BUSINESS

#### **8. APPLICANT: FITNESS CENTER / DENISE DUNCAN SIGN APPLICATION #487 SECTION 28 ZONED GC ( GENERAL COMMERCIAL) –**

Ms. Duncan was present. She presented a revised drawing because her landlord required a raceway sign with individual letters rather than the box she had originally submitted. Sign Specialist Germane had not seen this prior to the meeting but agreed to evaluate it at the meeting. The applicant is seeking two signs, one on the east side and one on the west side of the building.

Commissioner Germane determined that the sign met the requirements of the ordinance.

Move to approve Denise Duncan for Sign Application #487 as presented with the clarification that the signs are on the east and west sides of the building and will be above the unit numbered 9998

Suite B which is the center unit. Channel neon will be used as presented at this meeting. Motion Germane. Second Petrucci. Voice Vote. Motion Carried. 5-0-2.

**9 APPLICANT: HARTLAND LUMBER / OLDFORD SITE PLAN APPLICATION #367 SECTION 28 ZONED LI (LIGHT INDUSTRIAL)** – Stewart Oldford Jr. was present with Dan Leclair of Alpine.

The site is west of Old US 23 and south of M59, 5 acres, zoned light industrial with CA and LI adjoining it. Mr. Oldford is seeking to move his business from the current location in the plaza on M59. Temporary septic is shown pending a final decision on the availability of sanitary sewer. The on site well is being tested for capacity to meet the requirements of the site.

There are temporary / permanent storage bins planned that will not have a fixed foundation.

Wholesale, retail, warehouse and storage are planned for the site.

Mr. Leclair referenced the McKenna review letter from Sally Hodges dated June 30, 2004 concerning several issues. The parking space in the n. property line have to be moved south, the sidewalks will be changed to 7 ft. wide from 6 ft., LCRC and engineering issues will be addressed. Mr. Leclair requested that the Planning Commission use its discretion and reduce the setback from Old US 23 if the parking is placed in the rear of the building.

After discussion about what use could be made of the large open area on the plan, Ms. Hodges suggested that whatever use was allowed and planned by the applicant, it should be noted on the plan whether it be open storage, covered storage, temporary storage or whatever. The site plan should show the proposed use.

Commissioner Phillips noted that other sites have been cited for having inappropriate materials improperly stored where they are visible.

Mr. Oldford stated that he knew that what he is proposing is outdoor storage by the letter of the law but feels it is a principal use to his business and not incidental or subordinate as noted in the ordinance.

Ms. Hodges also addressed fire equipment circulation on the site.

In discussions with the Township Attorney, Ms. Hodges stated that he agreed that the use of the open space should be noted on the plan and if it was storage it should be covered. The site is adjoined by CA which has the potential to develop as residential.

Chairman Fountain questioned if height restrictions could be included. Ms. Hodges will consult with the Township Attorney. Whatever the decision, it will have to be noted on the site plan.

Commissioner Douglass – The plan should show exactly what is planned as well as how it will be screened from adjacent sites.

Commissioners Germane and Petrucci supported the applicants plan.

Mr. Oldford plans to use the existing buildings, evaluating and upgrading them as needed. Ms. Hodges requested drawings of all the buildings on the site for review.

Commissioner Petrucci requested a Fire Authority review of all issues on the site including access.

Ms. Hodges – The review also addressed existing trees on property line should be retained, north parking spaces revised, increase green space between lot line and parking, determine if gravel is acceptable with the use of machinery on the site, determine the setback of the pavement and consider installing a sidewalk along Old US 23. Chairman Fountain will research the sidewalk plan for this area.

Commissioner Phillips – A plan for dust control should also be included.

Ms. Hodges also covered landscaping, lighting, architectural standards for use group 3, elevations and dimensions for all building including those existing. She requested the applicant consider a sidewalk and door on the front (east) side of the building.

Chairman Fountain noted that the LCRC comments and Fire Authority comments are not in the file.

The applicant was advised that the revised application has to be at the Township 2 weeks before going on the agenda and it has to be available for consultants review 2 weeks before that.

Move to postpone Site Plan Application #367. Motion Germane. Second Petrucci. Voice Vote. Motion Carried. 5-0-2.

**10. DISCUSSION ON PRIVATE ROAD STANDARDS AND SHARED DRIVEWAYS / EASEMENTS** – Move to postpone this since Commissioner Colaianne was working on this and he is absent from the meeting. Motion Germane. Second Petrucci. Voice Vote. Motion Carried. 5-0-2.

Recess

Resume

Mr. England wished to present the Commission with an issue on private roads. Therefore, Commissioner Petrucci withdrew his second on the previous motion and Commissioner Germane withdrew his motion.

*Bill England* – Rolling Acres Drive – This is a 3300 ft. county approved drive / road. The residents maintain the road and would like to pave it but the Township will not agree to establishing an SAD to pay for it. There are parcels with possible splits. The splits can be approved but the Ordinance will not allow more than 24 homes without paving the road that the Township will not approve an SAD to pave. This is taking away the value of the property by allowing the splits but not issuing land use permits. The residents would like an amendment to the ordinance addressing this kind of situation.

Chairman Fountain suggested a work session to discuss this.

Move to set a work session to specifically discuss Hartland Township Ordinance Article 30 Private Roads on Thursday August 19, 2004 at 7:30 p.m. Motion Germane. Second Petrucci. Voice Vote. Motion Carried. 5-0-2.

**11. CALL TO THE PUBLIC** – *Katie Schlueter and David Henry* – Residents of Round Lake. They were present to express concern over the work being done to a site on Old US 23 south of the Hartland Town Center. Trees are being removed and excavation being done with only the signature of Director Olney allowing this. Deputy Planner Scott Barb stated that a land use permit was issued to clear the land but Mr. Rotondo cleared more than the 3 feet allowed and action is being taken on this violation. Dewatering is also being addressed. Chairman Fountain advised that the Planning Commission has no responsibility in the issuance of land use permits. These are handled by Planning and Zoning. Commissioner Petrucci stated that Mr. Rotondo has worked well with the Township in the past and will make this situation right.

Mr. Henry and Ms. Schlueter had concerns with the drainage that was coming from the west side of US 23 into Round and Handy Lakes on the east side of US 23. MDOT drained a wetland during interchange construction and will have to restore it. There seems to be little oversight by the Township on what is being done on these properties. Areas on the west side of US23 that previously stored and filtered the water before it reached Round Lake are being lost. Spiral Industries and the car wash have been overflowing and this is causing polluted water to flood Round Lake and Handy Lake. Some Townships are purchasing property to be maintained as wetlands to help protect lakes and streams.

Commissioner Petrucci – MDOT is making many changes in the area of the interchange construction.

Ms. Poissant advised that the EPA can be brought in to monitor the activities of MDOT during construction.

Chairman Fountain will do a memo to the Board suggesting a seminar on drainage, retention, detention to address community concerns to include information from engineers and experts on these issues.

## 12. COMMITTEE REPORTS

*Douglass* – We need an alternative to salt being used on the roads.

*Petrucci* – Was the Comprehensive Plan approved? Yes.

Crain's magazine did an article on Hartland Township's Premier Community Plan.

*Germane* – Move to set a work session on September 2, 2004 for the purpose of discussing proposed changes to Hartland Township Ordinance #9 – Signs. Motion Germane. Second Phillips. Voice Vote. Motion Carried. 5-0-2.

Amendments to the August 5, 2004 minutes. In item #5 change July "19", 2004 to July "29", 2004. In the motion, change the meeting date from August 8 to August 12, 2004. In item #7, fifth line insert the word "are" after "there".

Move to approve the amendments to the minutes of August 5, 2004. Motion Germane. Second Phillips. Voice Vote. Motion Carried. 5-0-2.

*Phillips* – Beauchamp was postponed. The July 29, 2004 minutes should be on the next agenda for approval.

There was a preliminary meeting with an applicant seeking to build model homes on M59 between Birch and Melody.

The car wash / oil change application has been revised. There was discussion of a text amendment concerning the location of the vacuum units and major / minor auto repair. Clarify the standards and stacking requirements. Consultant Hodges will work with Commissioner Douglass on this for the August 28, 2004 meeting. Ms. Hodges advised that the Township can develop a maximum number of parking spaces to prevent excess numbers being installed by applicants.

*Petrucci* – Remind applicant Oldford that the site plan approval process does not include approval of the sign shown on the plan. Sign approval is a separate application.

**13. ADJOURNMENT** – Move to adjourn. Motion Douglass. Second Germane. Voice Vote.  
Motion Carried. 5-0-2.

The meeting was adjourned at 10:24 p.m.

These minutes are a preliminary draft until final approval.

Original Submission by,

Christine A. Polk  
Recording Secretary

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

Meetings – August 19, 2004 – Private Roads / Drives Work Session – 7:30 p.m.  
August 26, 2004 – 7:30 p.m.  
September 2, 2004 – Signs Work Session – 7:30 p.m.

## ACTIVE ISSUES LIST

1. 7-12-01 Review size allowed for wall signs based on linear feet.
2. 2-21-02 Review Temporary Accessory Endeavor Permits – operating on private property.
3. 3-14-02 Review and revise subdivision regulations
4. 10-24-02 Accessory structures on stacked lots
5. 11-4-02 Discussion on Lighting Ordinance
6. 3-13-03 Speed Limits
7. 9-11-03 Accessory Buildings on parcels created without a principal structure
8. 10-9-03 Review and revise Article. 9 of the Zoning Ordinance
9. 11-13-03 Review height of temporary signs (post height)
10. 11-13-03 Review LI including buffering requirements for adjacent residential
11. 1-8-04 Determine final inspection responsibility for site plan compliance
12. 3-11-04 Review criteria for major / minor change determination
13. 5-6-04 Transitional uses and buffering between uses
14. 6-3-04 Develop timeline for Hazard Mitigation Plan creation
15. 6-10-04 Text Amendment to Noise Ordinance – Ambient Noise Levels