

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL – Members present: Chairman Fountain, Secretary Kalenauskas, Commissioner Phillips, Commissioner Colaianne, Commissioner Petrucci and Commissioner Germane. Absent: Vice Chairman Douglass. Also present: Sally Hodges and Alexis Marcarello of McKenna Associates, Attorney Mike Homier and Deputy ZA Lutz.

4. APPROVAL OF JULY 22, 2004 PLANNING COMMISSION AGENDA – Move to approve the July 22 Planning Commission meeting agenda as amended. Motion Kalenauskas. Second Phillips. Voice Vote. Motion Carried. 6-0-1.  
Add as item #5a. July 1, 2004 Work Session minutes.

5. APPROVAL OF JULY 8, 2004 PLANNING COMMISSION MINUTES – Move to approve the July 8, 2004 Planning Commission minutes as presented. Motion Kalenauskas. Second Petrucci. Voice Vote. Motion Carried. 6-0-1.

5a. APPROVAL OF JULY 1, 2004 WORK SESSION MINUTES – Move to approve the July 1, 2004 Planning Commission work session minutes as amended. Motion Kalenauskas. Second Petrucci. Voice Vote. Motion Carried. 6-0-1.

In item b change the deadline for agenda items from “two” to “four” weeks.

6. CALL TO THE PUBLIC

*Stu Oldford Jr.* – Hartland Lumber – An issue has arisen in the special use application process concerning outside storage. Oldford’s attorney and the Township Attorney have spoken and a letter is being drafted.

Mr. Homier stated that there have been discussions but no agreement on the definition of “outside storage”.

*Steve Tervo* – Schaefer Club – Mr. Tervo distributed a letter discussing the Schaefer Club and the problems he is having getting a land use permit under the current SR zoning.

Chairman Fountain – The Planning Commission does not issue land use permits and would have no involvement in this.

Commissioner Colaianne – There were discussions about the Schaefer Club hiring an attorney and investigating becoming a site condo development to seek a resolution to this kind of issue.

Mr. Tervo agreed but stated that he did not want to wait for such a resolution.

Mr. Homier – The zoning applies even though a nonconforming use may be involved. Mr. Tervo wants to reconstruct a nonconforming structure. There is no application pending and this should go through staff. Mr. Homier has offered to work with the Schaefer Club and Mr. Tervo on this situation. There is one lot with multiple dwellings which is a major nonconformity.

PUBLIC HEARING

7. APPLICANT: IVANHOE HUNTLEY REZONING APPLICATION #312 SECTION 19 REZONING APPLICATION #312 SECTION 19 REZONING FROM CA TO PDSR (CONSERVATION AGRICULTURE TO PLANNED DEVELOPMENT SUBURBAN RESIDENTIAL) IN CONJUNCTION WITH SITE PLAN APPLICATION #368

“CRESTWOOD” 92 SITE CONDOMINIUM UNITS – Paul Knuth of Ivanhoe Huntley, Brad Strader of LSL and Jim Allen of Allen Design were present.

Chairman Fountain stated that there would be no action taken on the night of the public hearing. The site is at M-59 west of Cullen Road and Hartland Estates. A pre-development meeting was held and some changes came out of that meeting. The site is wooded on the north and the plan is to preserve this. The setback from M-59 is still to be determined and may cause changes to the plan. 3 car side entrance garages are planned.

Mr. Strader – Clustering is planned to preserve open space.

*John Schaefer* – Where is this located? West of Hartland Estates on M59.

Commissioner Petrucci read some density numbers for some of the surrounding developments. The planning for the Township included larger lots as development moved out from the center of Hartland. This shows 95 lots on 82 acres which does not follow that plan.

Commissioner Colaianne – Does this development plan include sewers? Yes. The sewer line stops at Cullen Road – who will pay to bring it in? Mr. Homier – REU’s are currently \$5500.00 each. Commissioner Colaianne noted that sewer users who have been paying for REU’s for years will get priority and Mr. Homier agreed with him. Mr. Homier also agreed that this would be a new extension of the sewer project.

Commissioner Petrucci – The sewer cannot dictate density. The comprehensive plan must be followed.

Mr. Stader protested that the site does not deserve to be ½ the density of the surrounding developments.

Chairman Fountain calculated that this development averages a unit on .84 acre and the surroundings average a unit on 1.12 acres. This is approximately a 30% increase in density.

Mr. Knuth – A traffic impact study is in process.

Commissioner Kalenaskas – Could 2 accesses be considered? MDOT does not usually approve 2 on M59.

No connections are being planned with adjoining developments. Commissioner Petrucci – Hartland Estates is a gated community and does not want to connect.

Mr. Knuth stated that the roads would be public in this development. He was advised to check on this because the Livingston County Road Commission has a history of not accepting residential roads as public. Mr. Knuth stated this would not be a gated community.

Trustee Phillips – This plan is an improvement over the original one. Consideration may be given to larger setbacks from M59 to make it less visible from the street.

A play area for children will be addressed on the next plan. Commissioner Petrucci suggested it contain basketball courts, a skating area and other things such as those in Hartland Estates.

Information from the M59 Corridor Committee has been received and is being reviewed.

Commissioner Kalenaskas – Buffers and transitions were discussed in the Comprehensive Plan. Community input and the Planning Commission have supported the concept of lower density as development moves out toward the boundaries of Hartland. This site should only have half of the homes proposed.

Chairman Fountain – The trend should be to larger parcels as development moves out. Bonus density is allowed with a PD plan and creative use of the site.

Ms. Hodges – A planned development would allow flexibility and was suggested. Such a plan would be PD not PDSR.

Commissioner Germane noted that the soil conditions were poor on the site and it appeared that the sewers would be used to get higher density on the site.

Steve Marvin spoke from the audience that this density would not blend well with the 10 plus acre parcels already existing in the area.

The public hearing closed at 8:38 p.m.

Move to place Rezoning Application #312 in conjunction with Site Plan Application #368 on the August 26, 2004 agenda. Motion Colaianne. Second Petrucci. Voice Vote. Motion Carried. 6-0-1.

### OLD AND NEW BUSINESS

#### **8. POSTPONE UNTIL ALL REVISIONS AND REVIEWS ARE RECEIVED**

**APPLICANT JERRAD BEAUCHAMP SITE PLAN APPLICATION #364 IN CONJUNCTION WITH SPECIAL USE APPLICATION #224 SECTION 28 ZONED LI (LIMITED COMMERCIAL) MINI WAREHOUSE AND OUTDOOR STORAGE FACILITY “OLD 23 SELF STORAGE” – Move to postpone Site Plan Application #364 in conjunction with Special Use Application #224 to the August 12, 2004 Planning Commission agenda. Motion Colaianne. Second Germane. Voice Vote. Motion Carried. 6-0-1.**

#### **9. APPLICANT: MARLA AND ANDY LEKARCZYK MINOR CHANGE SITE PLAN APPLICATION #370 SECTION 03 ZONED CA (CONSERVATION AGRICULTURE) –**

Ms. Lekarczyk was present.

Mr. Homier referenced his letter of June 22, 2004 concerning the minor change. The site is currently in litigation. Sec. 3.11 Grading Standards is currently the basis for litigation on a fill issue. On a question from Commissioner Germane, Mr. Homier responded that fill is an issue because fill that changes the topography by more than 3 feet requires site plan review.

Ms. Lekarczyk quoted the section of the ordinance dealing with an accessory structure and felt that the work done on her site does not come under Sec. 3.11. She is counter suing the Township and Trustee Kuhn who was acting as Zoning Administrator at the time.

Move to determine Site Plan Application #370 a minor change and reference the June 22, 2004 letter from the Township Attorney and Section 33.02.K.5 of the Zoning Ordinance. Motion Kalenauskas. Second Petrucci. Voice Vote. Motion 6-0-1.

Commissioner Germane – It appears the fill was placed on one side to level the building site. There was no change in runoff in the area and the fill was under the building. Has anyone measured and verified that the fill was 3 feet or more? No one responded.

Mr. Homier – The Planning Commission will approve, deny or approve with conditions and this will not go to the Board.

#### **10. APPLICANT: CW DEVELOPMENT LLC / WAYNE PERRY – DESINE SITE PLAN APPLICATION #352 FOX RIDGE CONDOMINIUMS FINAL PLAN APPROVAL**

**SECTION 21 ZONED PDMR (PLANNED DEVELOPMENT)** – Nicole Jaeger of CW Development and Wayne Perry of Desine Inc. were present.

Ms. Hodges – Items from previous reviews have been resolved. Approval is recommended subject to any items from Attorney Homier.

Mr. Homier – A letter has come in with a name change for the development. Four items remain and are in the process of resolution. Sanitary sewer REU's for Phase One of the site are not available and there will be no building until such time as they are available.

Move to recommend Final Site Plan Approval for Site Plan Application #352 for Fox Ridge Condominiums in Section 21 for PDMR Planned Development subject to the conditions set forth:

1. Cross access easements will be confirmed by the Township Engineer.
2. Completion of minor change in construction schedule.
3. Name change is completed.
4. Availability of sanitary sewer capacity to each building. Motion Colaianne. Second Petrucci. Voice Vote. Motion Carried. 6-0-1.

**11. APPLICANT: LAKEVIEW 59 LLC / CHRISTOPHER FERGUS – BOSS ENGINEERING METES AND BOUNDS APPLICATION #707 SECTION 21 ZONED GC (GENERAL COMMERCIAL)** – Christopher Fergus was present.

Move to recommend approval of Metes and Bounds Application #707 for Christopher Fergus / Boss Engineering. Motion Colaianne. Second Kalenauskas. Voice Vote. Motion Carried. 6-0-1.

Commissioner Colaianne – Was the drainage easement revised? Mr. Fergus – Did not address that.

**12. APPLICANT: IVANHOE HUNTLEY HOMES LLC CONCEPTUAL SITE PLAN APPLICATION #369 SECTION 28 ROUND LAKE WOODS 318 MULTI – FAMILY CONDOMINIUMS IN CONJUNCTION WITH REZONING APPLICATION #313 REZONING GC AND PDMR TO PDMR** – Paul Knuth and Josh Zeman of Ivanhoe Huntley were present.

The site is on the south side of M59 east of 23 and Blaine Road. It will be a for sale condo project. There is a lake and significant wetlands on site. There are no boat slips or beaches planned. There might be a boardwalk and observation deck /gazebo included. 12 units per building are planned with up to 1500 sq ft in the \$150,000.00 to \$170,000.00 price range for a total of 222 units. A pool and bath house are planned.

Mr. Knuth stated that they had been approached to combine with the adjacent parcel on Blaine Road but are not considering it.

Chairman Fountain allowed some questions from the audience.

*Tory Thompson* – Residents want the treelines preserved and have concerns with lights, wetland preservation, pollution and lake use.

Mr. Knuth invited interested parties to visit other Ivanhoe Huntley developments in the area.

Consideration is being given to purchasing 4.5 adjoining acres to the east from Jackie Scheller.

There was discussion of a possible contribution of a portion of this property to a land conservancy if it is purchased. DEQ permits would be needed to build a boardwalk and observation deck. Mr. Knuth expressed a willingness to meet and work with the resident associations on Round Lake.

Ms. Hodges – Stormwater will be a major concern on this site. Mr. Knuth replied that he was not qualified to discuss this issue but would have their engineer address it.  
Residents were concerned with losing trees and having Hartland Lumber and the new condo units be more visible to their homes.  
Commissioner Petrucci – Density is also an issue with this plan.

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

#### 14. COMMITTEE REPORTS

*Colaianne* – The Private Road Ordinance has been reviewed by planner Sally Hodges. Private Roads and Driveways will be discussed on July 29, 2004 agenda. Ms. Marcarello made a correction that should read 5000 “households” in Hartland not “population”. Attorney input will be sought.

*Germane* – Comprehensive Plan timeline status? Chairman Fountain – Board comments will be discussed at the July 29, 2004 meeting. The public hearing is planned for August 5 and a special meeting may be held August 6 for a recommendation.

Why did the Fox Ridge motion have so many conditions? Chairman Fountain – The attorney and engineer felt they were minor and could be resolved prior to going before the Board.

The 82 acre site west of Hartland Estates, was there a conceptual review? Yes but it was under a different owner.

Conceptual Site Plan #369 – This was a public meeting not a public hearing. Ms. Hodges is creating a flow chart for this to follow.

Several sign applications are coming in that will need to be reviewed for setback, locations and other issues.

*Phillips* – The draft Land Division Ordinance is at the Board from the Attorney. Plans are to remove it from the Zoning Ordinance. Ms. Hodges will discuss this with the Attorney.

15. ADJOURNMENT – Move to adjourn. Motion Colaianne. Second Kalenauskas. Voice Vote. Motion Carried. 6-0-1.

The meeting adjourned at 10:15 p.m.

These minutes are a preliminary draft until final approval.

Submitted by,



Christine A. Polk  
Recording Secretary



D. Kalenauskas  
Planning Commission Secretary

Special Planning Commission Meeting – July 29, 2004 @ 7:30 p.m.  
Special Planning Commission Meeting - August 5, 2004 @ 7:30 p.m.  
Planning Commission Meeting August 12, 2004 @ 7:30 p.m.