

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, Secretary Kalenauskas, Commissioner Petrucci, Commissioner Phillips and Commissioner Colaianne. Absent: Commissioner Germane. Also present: David Nicholson of McKenna Associates and Deputy Planner Scott Barb.

4. **APPROVAL OF MARCH 25, 2004 PLANNING COMMISSION AGENDA** – Move to approve the March 25, 2004 Planning Commission meeting agenda as presented. Motion Kalenauskas. Second Petrucci. Voice Vote. Motion Carried. 6-0-1.

5. **APPROVAL OF MARCH 11, 2004 PLANNING COMMISSION MINUTES** – Move to approve the March 11, 2004 Planning Commission minutes as amended. Motion Kalenauskas. Second Colaianne. Voice Vote. Motion Carried. 6-0-1.

In item #11, Change the wording to “No applicant representative was present.”

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

PUBLIC HEARING

7. **APPLICANT: ROBERT WYROBECK REZONING APPLICATION #310 SECTION 23 REZONING FROM NSC TO GC (NEIGHBORHOOD SERVICE COMMERCIAL TO GENERAL COMMERCIAL)** – Mr. Wyrobeck was present.

Chairman Fountain advised that action is not usually taken on an item the evening of the public hearing. Chairman Fountain called for questions from the audience and received no response. No response was received to a call for questions from the Planning Commission.

The public hearing was closed at 7:36 p.m.

Move to reopen the public hearing. Motion Colaianne. Second Kalenauskas. Voice Vote. Motion Carried. 6-0-1.

Commissioner Colaianne wished the minutes to reference the McKenna Associates review letter of February 23, 2004 that noted some inconsistencies and recommended denial of the application.

The current master / comprehensive plan adopted in 1994 shows the area to have a future land use of office. The proposed master / comprehensive plan also shows a future land use of office.

Bill England – Has fought to keep NSC zoning on his adjacent parcel and objects to the future land use designation of office. In response, Commissioner Colaianne again explained the difference between zoning and future land use designations.

Mr. Wyrobeck stated that he was advised to seek a rezoning to GC, paid the \$450.00 fee for the rezoning application and is now being told that it may not happen. He felt his property was not conducive to use under an office zoning.

Mr. Nicholson – The ZBA does not have any authority over the future land use map designations.

Move to close the public hearing. Motion Colaianne. Second Phillips. Voice Vote. Motion Carried. 6-0-1.

The public hearing closed at 7:50 p.m. Place this on the next agenda.

8. APPLICANT: JANE L. NEWMAN REZONING APPLICATION #311 SECTION 29 REZONING FROM CA TO SR (CONSERVATION AGRICULTURAL TO SUBURBAN RESIDENTIAL) – Ms. Newman was present seeking rezoning for 2.59 acres on Bergin Road. *Bob Hutchins* – How many houses can be built on this parcel? The lot sizes were described without sewer connection and with sewer connection.

Move to close the public hearing. Motion Colaianne. Second Douglass. Voice Vote. Motion Carried. 6-0-1.

The public hearing was closed at 7:55 p.m.

Place this on the next agenda.

OLD AND NEW BUSINESS

9. APPLICANT: SIGN-A-RAMA / HARTLAND EYE CARE SIGN PERMIT APPLICATION #466 SECTION 23 ZONED OS (OFFICE SERVICE) WALL SIGN HARTLAND EYE CARE – Kaylee Marcum was present.

Chairman Fountain read the comments of sign specialist Germane in his absence.

Ms. Marcum stated that the current sign would be removed.

Move to approve Sign Permit Application #466 for Sign-a-Rama / Hartland Eye Care for a wall sign subject to the removal of the current wall sign. Motion Colaianne. Second Phillips. Voice Vote. Motion Carried. 6-0-1.

10. APPLICANT: BEVERLY A. WHITE – JUXTAPOSE SIGN STUDIO, INC. / CLYDE LAND INVESTMENTS SIGN PERMIT APPLICATION #467 SECTION 04 ZONED GC (GENERAL COMMERCIAL) REAL ESTATE SIGN - Ms. White was present. The Commission determined that the sign was a temporary real estate sign and should go back to planning and zoning.

Mr. Nicholson noted that the height of a temporary sign is the same as for a permanent sign – 7 feet.

Move to send Sign Permit Application #466 back to Zoning for review and consideration of a refund. Motion Phillips. Second Colaianne. Voice Vote. Motion Carried. 6-0-1.

Deputy Planner Barb explained that the first application was for a permanent sign which was later determined to be a temporary real estate sign. A refund is being processed. The applicant can go to the ZBA on the height requirement.

12. APPLICANT: THE SIGN WORKS / DAN HABERL SIGN PERMIT APPLICATION #469 SECTION 28 GC (GENERAL COMMERCIAL) “REAL ESTATE ONE” WALL SIGN – Dan Haberl was present.

It was noted that the sign appeared too large. Mr. Haberl recalculated the size of the west fascia sign. It will be 69 inches high and 165 inches long for 79 sq. ft.

The north facing sign will be 34 inches high and 249 inches long for 58.8 sq. ft.

Move to approve Sign Permit Application # 469 for Real Estate One / The Sign Works / Dan Haberl with the understanding that a revised drawing will be submitted showing the dimensions

that conform to the ordinance. Motion Phillips. Second Colaianne. Voice Vote. Motion Carried. 6-0-1.

12. APPLICANT: BROWNIES SIGNS SIGN PERMIT APPLICATION #470 GC "CARB COUNTER DEPOT" WALL SIGN – Lon Brown was present.

The sign meets the ordinance requirements.

Move to approve Sign Permit Application #470 for Carb Counter Depot wall sign. Motion Colaianne. Second Phillips. Voice Vote. Motion Carried. 6-0-1.

13. APPLICANT: MIKE PODELNYK METES AND BOUNDS APPLICATION #692 SECTION 04 ZONED CA (CONSERVATION AGRICULTURAL) – Mr. Podelnyk was present.

Move to recommend approval of Metes and Bounds Application #692 for Michael Podelnyk. Tax Id. # 08-04-400-040 and 08-04-400-041 per the State Land Division Act and Hartland Township Zoning Ordinance #37. The recommendation is for the revised plan stamped received March 16, 2004. Motion Phillips. Second Kalenauskas. Voice Vote. Motion Carried. 6-0-1.

Approval of the metes and bounds land division does not mean it meets the requirements of the zoning ordinance.

Mr. Nicholson did advise the applicant that the plan showing the placement of the road within the setback for the existing pole barn could be considered a self created hardship and may not receive a variance from the ZBA should they seek one.

14. APPLICANT: ASPEN GROUP CONCEPTUAL SITE PLAN APPLICATION #361 SECTION 19 ZONED CONSERVATION AGRICULTURE - David Goldberg and Duane Bennett were present. The site is north of M59 near Hacker, west of Hartland Estates. There is a McKenna review dated February 26, 2004. The plan shows 92 lots.

There was a discussion of possible future right of way requirements from MDOT. No one can be sure what they may try to require for future road expansion.

Commissioner Petrucci - The church at M59 and Hacker is requesting a red light at that intersection.

Water and sewer will be available at this site when the sewer project is completed. The corner lots have been designed to allow for the proper setbacks while maintaining a consistent building envelope.

Commissioner Douglass left at 9:18 p.m.

The applicant was willing to escrow money for the 8ft. asphalt bike path required on the north side of M59 until MDOT finalizes plans for M59 expansion.

Commissioner Phillips advised consulting with the M59 Corridor Committee.

Aspen will develop the site but the sites will be sold to one builder for the actual construction.

Chairman Fountain – The sites to the east would be more compatible with Hartland Estates if they were a little wider.

Mr. Nicholson – Vary the front setback of the houses to improve the streetscape.

No formal action is required for this. The Commission can send it on to the Board for them to respond to the concept.

Recessed on January 22, 2004

15. APPLICANT: JOHN DARR LLC / JOHN MATOUK SPECIAL USE APPLICATION #222 IN CONJUNCTION WITH SITE PLAN #357 HARTLAND BP GAS MART – No applicant representative was present.

Move to recommend denial for Special Use #222 in conjunction with Site Plan Application #357 for John Darr LLC / John Matouk per the letter dated December 4, 2004 from McKenna Associates recognizing a number of outstanding issues that have not been addressed regarding the site plan and the special use. Motion Phillips. Second Petrucci. Voice Vote. Motion Carried. 5-0-2.

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

17. COMMITTEE REPORTS

Fountain – There has been concern for preventing clear cutting of trees in the area. Mr. Nicholson distributed a sample conservation ordinance. He advised that they can be difficult to institute and enforce.

Commissioner Colaianne expressed concern that this could be considered intrusive government. Commissioner Kalenauskas – This issue could be addressed through the current ordinance with more specific language added to what is already there.

Phillips – An informal meeting was held on a site by San Marino for a proposed insurance office.

Kalenauskas – Review of the sign ordinance will include input from local sign companies. Chairman Fountain suggested expanding this to include local businesses.

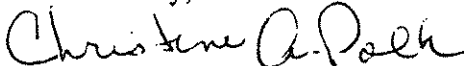
Fountain – There was a DDA meeting and more are planned. Mr. Nicholson can provide sample DDA agreements for review.

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

The meeting was adjourned at 10:07 p.m.

These minutes are a preliminary draft until final approval.

Submitted by,



Christine A. Polk
Recording Secretary



D. Kalenauskas
Planning Commission Secretary

Next Meeting – April 8, 2004 @ 7:30 p.m.
April 22, 2005 @ 7:30 p.m.