

**HARTLAND TOWNSHIP  
PLANNING COMMISSION MEETING  
AT THE TOWNSHIP HALL  
JULY 10, 2003  
7:00 PM**

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF JULY 10, 2003 PLANNING COMMISSION AGENDA
5. APPROVAL OF JUNE 19, 2003 SPECIAL JOINT PLANNING COMMISSION AND HARTLAND TOWNSHIP BOARD MEETING MINUTES
6. APPROVAL OF JUNE 26, 2003 PLANNING COMMISSION MINUTES
7. CALL TO PUBLIC            **PLEASE APPROACH FRONT CENTER MICROPHONE**

**PUBLIC HEARING**

**OLD AND NEW BUSINESS**

8. APPLICANT: SIGN WORKS / PRESTIGE PORTRAITS            SIGN PERMIT #438            PERMENANT SIGN  
SECTION 28            HARTLAND TOWN CENTER
9. APPLICANT: WILLIAM HAMLEY / DESINE-CHRISTOPHER GRZENKOWICZ            **METES & BOUNDS APPLICATION #674**  
SECTION 06
10. APPLICANT: ARTHUR PULICE / DESINE-CHRISTOPHER GRZENKOWICZ            **METES & BOUNDS APPLICATION #675**  
SECTION 09

**TABLED: SEE MEMO FROM ASSESSOR**

11. APPLICANT: LOUIS WALDOCK            **METES & BOUNDS APPLICATION #673**            SECTION 33            PLEASANT  
VALLEY GOLF & COUNTRY CLUB ESTATES

**TABLED:**

12. APPLICANT: BOB CHAPA            **SIGN PERMIT APPLICATION #437**            SECTION 28            "ROADSIDE DINER"  
FOUNTAIN SQUARE PERMANENT SIGN

**TABLED:**

13. APPLICANT: FOLDENAUER FARMS / HARTLAND ASSOCIATES LLC            **SIGN PERMIT APPLICATION #436**  
"FOLDENAUER FARMS"            TEMPORARY REAL ESTATE SIGN

**TABLED:**

14. APPLICANT: FOLDENAUER FARMS / HARTLAND ASSOCIATES            **SITE PLAN #243**            IN CONJUNCTION WITH  
**SPECIAL USE APPLICATION #185**
  - REVIEW OF SITE PLAN IN CONFORMANCE WITH ARTICLE 33 SECTION 33.02 J EXPIRATION OF SITE PLAN
  - PERFORMANCE BOND AMOUNT FOR THE UNFINISHED IMPROVEMENTS IN THE DEVELOPMENT
  - LOT 15            SET-BACK (*See ZBA information included in packet*)

15. CALL TO PUBLIC
16. COMMITTEE REPORT
17. ADJOURNMENT

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

**2. PLEDGE OF ALLGEIANCE**

**3. ROLL CALL** - Secretary Kalenauskas called the roll. Members present: Chairman Fountain, Vice Chairman Douglass, Secretary Kalenauskas, Commissioner Germane and Commissioner Petrucci. Absent: Commissioner Phillips and Commissioner Colaianne. Also present: David Nicholson of McKenna Associates, ZA Kuhn, Deputy ZA Lutz and Trustee Wyland was in the audience.

**4. APPROVAL OF JULY 10, 2003 PLANNING COMMISSION AGENDA** – Add as item # 7a. Schedule Public Hearing for Hartland United Methodist Church on August 7, 2003. Correct the date of the next meeting noted on the bottom of the agenda to be July 17, 2003. Move to approve the July 10, 2003 Planning Commission agenda as amended. Motion Kalenauskas. Second Germane. Voice Vote. Motion Carried. 5-0-2.

**5. APPROVAL OF JUNE 19, 2003 JOINT PLANNING COMMISSION AND HARTLAND TOWNSHIP BOARD MEETING MINUTES** - Move to approve the June 19, 2003 joint Planning Commission and Township Board meeting minutes as presented. Motion Germane. Second Kalenauskas. Voice Vote. Motion Carried. 5-0-2.

**6. APPROVAL OF JUNE 26, 2003 PLANNING COMMISSION MINUTES** – On page 2 item #9, line 12, change “rural residential” to “ recreational residential”. Move to approve the June 26, 2003 Planning Commission minutes as amended. Motion Germane. Second Kalenauskas. Voice Vote. Motion Carried. 5-0-2.

**7. CALL TO THE PUBLIC** – Frank Crouse of Waldenwoods was present. He had sent a letter dated July 7, 2003 to the Planning Commission concerning the changes he had been discussing in the Residential Recreational section of the Zoning Ordinance. He feels “good faith” has been breached by the Township. He met with Chairman Fountain and received his support for the changes he feels will restore the 20 year old agreement concerning Waldenwoods. Mr. Crouse wants the Planning Commission and the Township to ignore the advice of the planner and concerns of some Commissioners and make the changes the Crouse family has requested.

**7a. SET PUBLIC HEARING FOR HARTLAND UNITED METHODIST CHURCH** – Move to set a public hearing for Hartland United Methodist Church on Text Amendment #303 for August 7, 2003 at 6:30 p.m. Motion Kalenauskas. Second Petrucci. Voice Vote. Motion Carried. 5-0-2.

## **PUBLIC HEARING**

## **OLD AND NEW BUSINESS**

**8. APPLICANT: SIGN WORKS / PRESTIGE PORTRAITS SIGN PERMIT #438 PERMANENT SIGN SECTION 28 HARTLAND TOWN CENTER** – Dan Haberl of Sign Works was present. Sign Specialist Germane reviewed the application.

Move to approve Sign Permit Application #438 for Prestige Portraits / Sign Works. Motion Germane. Second Kalenauskas. Voice Vote. Motion Carried. 5-0-2.

**9. APPLICANT: WILLIAM HAMWAY / DESINE INC. – CHRISTOPHER GRZENKOWICZ METES AND BOUNDS APPLICATION #674 SECTION 06 -** Wayne Perry was present. The parcel is on Clyde Road west of Cullen. There will be 6 divisions with a 30 acre parent parcel. C and D front Cullen and have wetlands. Parcel E and D will have the old septic replaced and the existing house removed.

Move to recommend approval of Metes and Bounds Application #674 for William Hamway. Tax Id. # 08-06-400-020, 024 and 022 per the State Land Division Act and the Hartland Township Zoning Ordinance #37. Motion Kalenauskas. Second Germane. Voice Vote. Motion Carried. 5-0-2.

It was noted that tax id. # 08-06-400-020 was missing from the application. Mr. Perry stated that it should have been included. ZA Kuhn will research this prior to the Board voting on it.

Commissioner Germane questioned if the splits will impact drainage. Mr. Perry responded that they would not impact the drainage. What is the estimated building envelope on parcel F? Perhaps half an acre after wetlands, setbacks and right of way are considered.

**10. APPLICANT: ARTHUR PULICE / DESINE INC. – CHRISTOPHER GRZENKOWICZ METES AND BOUNDS APPLICATION #675 SECTION 09 –**

Wayne Perry was present. The ten acre parcel is located off Hartland Road. It will be split in to 4 lots with a shared driveway. Parcels 2 and 3 have existing residences.

Move to recommend approval of Metes and Bounds Application #675 for Arthur Pulice. Tax Id. # 08-09-300-009 per the State Land Division Act and the Hartland Township Zoning Ordinance #39. Motion Kalenauskas. Second Petrucci. Voice Vote. Motion Carried. 5-0-2.

**Tabled: See Memo From Assessor**

**11. APPLICANT: LOUIS WALDOCK METES AND BOUNDS APPLICATION #673 SECTION 33 PLEASANT VALLEY GOLF AND COUNTRY CLUB ESTATES –**

Deputy ZA Lutz stated that Outlot A has legal language that gives exclusive use to the landowners. There is a July 3, 2003 memo from the Assessor. New tax ID numbers have been assigned. The Planning Commission determined that this should not have come to the PC and the applicant should be given the opportunity to withdraw and request reimbursement of the fee. Move to recommend Mr. Waldock meet with the Zoning Administrator and be offered the option of withdrawing Metes and Bounds Application #673 and requesting reimbursement of the application fee. Motion Kalenauskas. Second Petrucci. Voice Vote. Motion Carried. 5-0-2.

**Tabled:**

**12. APPLICANT: BOB CHAPA SIGN PERMIT APPLICATION #437 SECTION 28**

**“ROADSIDE DINER” FOUNTAIN SQUARE PERMANENT SIGN –** Sign Specialist Germane reviewed the application. The sign faces can change but the structure of the sign cannot. A variance was granted in May of 1996 by the ZBA. This makes it a legal sign not a non conforming sign.

ZA Kuhn stated that the blue neon would come down from the building when the addition goes on. The holes left by the removal will be filled in at that time.

The ZBA granted 240 sq. ft. of sign face and it appears that there are 239 sq. ft. on the sign.

Chairman Fountain noted that the original application was for a pylon sign only but a wall sign has now been added.

Move to approve Sign Application #437 for Bob Chapa / Roadside Diner in Fountain Square with the provision that the wall sign does not exceed 36 sq. ft and the Zoning Administrator will verify the height of the pylon sign per section 9.07.E.6.a of the Zoning Ordinance. Motion Germane, Second Kalenauskas. Voice Vote. Motion Carried. 3-2-2. Nay Fountain and Petrucci.

**Tabled:**

**13. APPLICANT: FOLDENAUER FARMS / HARTLAND ASSOCIATES SIGN PERMIT APPLICATION #436 "FOLDENAUER FARMS" TEMPORARY REAL ESTATE SIGN** – Sandy Layne was present. Sign Specialist Germane agreed that the new design addresses the issues from the last meeting.

Move to approve Temporary Real Estate Sign Permit Application #436 for Foldenauer Farms / Hartland Associates per the drawing dated received by Hartland Township July 9, 2003. Motion Germane, Second Kalenauskas. Voice Vote. Motion Carried. 5-0-2.

**Tabled:**

**14. APPLICANT: FOLDENAUER FARMS / HARTLAND ASSOCIATES SITE PLAN #243 IN CONJUNCTION WITH SPECIAL USE APPLICATION #185 – REVIEW OF SITE PLAN IN CONFORMANCE WITH ARTICLE 33 .02.J EXPIRATION OF SITE PLAN – PERFORMANCE BOND AMOUNT FOR THE UNFINISHED IMPROVEMENTS IN THE DEVELOPMENT – LOT 15 -** Move to table Site Plan #243 in conjunction with Special Use Application #185. Motion Kalenauskas, Second Germane, Voice Vote. Motion Carried. 5-0-2.

**15. CALL TO THE PUBLIC** - Mr. Crouse returned to continue discussion of RR. He stated that he is proceeding with his review of the Planned Development section of the Zoning Ordinance.

Mr. Nicholson suggested discussing concerns with Mr. Crouse but hold any modifications until after the public hearing and make any changes then.

Commissioner Kalenauskas reiterated that there were concerns with granting exclusive zoning for Waldenwoods. RR must cover the whole Township.

Mr. Crouse stated that the agreement was negotiated and that sewers have been paid for per that agreement.

ZA Kuhn advised that the Township should give him his contract zoning and prevent others from using it by placing size restrictions on RR.

Commissioner Douglass felt the issue was special use versus permitted use. The new Planned Development section would allow Mr. Crouse to do what he wanted as a PD.

Mr. Nicholson suggested that the settlement agreement be reviewed. Speaking from memory, he thought that the tax tribunal noted that there was an agreement to settle but the tribunal did not participate in the formulation of the agreement.

Commissioner Douglass – Mr. Nicholson did not initial the changes from the latest discussions by the Planning Commission. Neither Mr. Crouse or Mr. Nicholson were present. Mr. Nicholson incorporated the changes into the proposed RR section per the minutes of the PC meeting. Mr. Nicholson stated that he did not want Mr. Crouse to think that he had any animosity towards Waldenwoods or the Crouse family.

Mr. Crouse – The planners were involved with the changes to the RR section in 1998 that are currently under discussion.

Mr. Nicholson had concerns about section 14.02.D that mega religious institutions could move in and he would advise caution to any Township on this issue, not just Hartland.

Commissioner Douglass – There should be a full Commission present with Mr. Crouse and Mr. Nicholson for discussion of these issues.

Mr. Crouse – Feels 14.05 forces him to do RR on his entire property.

Mr. Nicholson – Agreed that the PD sentence in 14.05.A could be deleted. Will reference 10.02.x under 14.03.C.

Mr. Crouse – Text in 14.05.A has been deleted that outlines his exemptions under PDRR.

Mr. Nicholson had concerns that a separate set of Planned Unit Development regulations for RR may not be legal.

Sec. 14.05.A remains unresolved. B and D are the same issue.

Mr. Crouse reiterated that higher density is needed because of open space, wetlands and the golf course.

ZA Kuhn – There was a motion from the Board for the PC to review the schedule of regulations concerning sewer and water and so far there has been no action.

Placing the text from 14.03.B in the schedule of regulations does not change the text, it just relocates it.

The density issue of D and E is still unresolved.

Commissioner Germane – Leave 14.05.D as it is even though it is generous.

Placing a size regulation on RR could prevent the parcel covered from being split because it would then fall below the size requirement for RR.

Mr. Nicholson – Use the current version of Article 14 for the public hearing, gather all the information and then finalize the changes to be made. The July 3, 2003 letter from Mr. Crouse can be considered as part of the input for the upcoming public hearing.

Per the ordinance, the lake is not usable open space.

Consider deleting the last 2 sentences in item 14.04.E.

Should 14.05.F be eliminated? If removed here, it must be removed from all zoning designations.

ZA Kuhn – The side by side road easements on property lines is still an issue needing a resolution. Regulations should be developed to have the easements shared and all who use the road share in the maintenance.

Paving could become an issue if numerous splits are combined and exceed the number of splits that trigger paving.

**16. COMMITTEE REPORTS** – Nothing.

**17. ADJOURNMENT** – The meeting was adjourned at 10:38 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 – July 17, 2003