

**HARTLAND TOWNSHIP PLANNING COMMISSION  
SPECIAL MEETING  
AT THE TOWNSHIP HALL**

**OCTOBER 30, 2002  
7:30 PM**

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF OCTOBER 30, 2002 SPECIAL PLANNING COMMISSION AGENDA
5. APPROVAL OF OCTOBER 24, 2002 PLANNING COMMISSION MEETING MINUTES
6. CALL TO PUBLIC      **PLEASE APPROACH FRONT CENTER MICROPHONE**

**PUBLIC HEARING**

7. PUBLIC HEARING FOR:      **ADOPTION OF HARTLAND TOWNSHIP COMPREHENSIVE / MASTER PLAN**

**OLD AND NEW BUSINESS**

8. CALL TO PUBLIC
9. COMMITTEE REPORT
10. ADJOURNMENT

NEXT REGULAR MEETING      NOVEMBER 7, 2002  
NOVEMBER 21, 2002

1. **CALL TO ORDER** – The meeting was called to order by Chairman Fountain at 7:30 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL** – Secretary Kalenauskas called the roll. Members present: Chairman Fountain, Vice Chairman Douglass, Secretary Kalenauskas, Commissioner Germane, Commissioner Colaianne, Commissioner Phillips and Commissioner Petrucci. Also present: David Nicholson of McKenna Associates, Zoning Administrator Kuhn and Deputy Zoning Administrator Lutz.

4. **APPROVAL OF OCTOBER 30, 2002 PLANNING COMMISSION SPECIAL MEETING AGENDA** – Move to approve the October 30, 2002 Planning Commission special meeting agenda. Motion Phillips. Second Colaianne. Voice Vote. Motion Carried. 7-0-0.

5. **APPROVAL OF OCTOBER 24, 2002 PLANNING COMMISSION REGULAR MEETING MINUTES** - Move to approve the October 24, 2002 Planning Commission regular meeting minutes as presented. Motion Kalenauskas. Second Petrucci. Voice Vote. Motion Carried. 7-0-0.

6. **CALL TO THE PUBLIC** – *Joe Rotondo* passed out a letter concerning his new project on M59 as related to the Comprehensive / Master Plan review.

### **PUBLIC HEARING**

7. **PUBLIC HEARING: HARTLAND TOWNSHIP COMPREHENSIVE / MASTER PLAN** – David Nicholson of McKenna Associates (Township Planning Consultants) briefly reviewed the plan. Due to modification of state regulations, there is a January deadline for comprehensive / master plan reviews to be completed, approved and submitted or the local units of government have to begin the process again under the new requirements. He reviewed the process for arriving at the proposed plan including many meetings and several visioning sessions with the community. Some of the topics discussed were village areas, areas of intense development, special planning area, transition areas and other issues related to the plan review. He reviewed the frequency designation table on page 2 of the plan summary. The meetings produced a community desire to “preserve the rural character of Hartland” by controlling development to low intensity. The proposed plan was created by the Township, not by McKenna. McKenna took the information developed by the Township and organized it into the document that is being presented. This hearing is not to discuss specific parcels but the overall plan.

Mr. Nicholson advised a testimony format for the hearing.

*William England* 12508 Erica - Mr. England stated firmly that his M59 property was NSC and he would not accept a change in zoning to office as noted on the map.

*John Abbo* 10050 Clyde Road – What is the time frame for implementation? Chairman Fountain responded that work would be completed by the end of the year. Mr. Nicholson added that it

would be a phased in over years as requests for zoning changes were made. Per recent state regulation changes, the plan is to be reviewed every five years.

Commissioner Kalenaskas noted that Mr. England is working on a new site plan for his property and does not want a change from NSC to office.

Commissioner Colaianne pointed out that this is a future land use master plan NOT a zoning map. This map does not change the zoning of any property in the Township. Commissioner Phillips pointed out that Mr. England's property is shown as office in the current land use map so this is not a change to designate it as office in this map but the zoning is still NSC.

Mr. Nicholson explained that this is a future land use map NOT a zoning map. If Mr. England were to sell his property and the new owner were to come in for a zoning change to say, GC (general commercial) the Township would refer to the map to see if this was appropriate for that location. They would note that this area is planned to be office not commercial. It will not change Mr. England's current zoning.

Mr. Nicholson explained that this is a future land use map NOT a zoning map. If Mr. England were to sell his property and the new owner were to come in for a zoning change to say, GC (general commercial) the Township would refer to the map to see if this was appropriate for that location. They would note that this area is planned to be office not commercial. It will not change Mr. England's current zoning.

*Douglas Kuhn* 12858 Read Road – Since there is no rural residential in the Township wouldn't this be a zoning change? Commissioner Colaianne responded that the large open tracts of land are shown as rural residential on the future land use map. As rezoning requests come in, the map will be consulted for direction. Mr. Kuhn responded that the current large tracts will be restricted in the future to 3 acres or more.

*Greg McKeon* 10388 Tophill Drive – How can the impact of these large manufactured home developments be limited as a burden on the community? Mr. Nicholson responded that these developments are often the result of circuit court decisions allowing developers to do this. There currently appears to be a surplus of such lots. The courts will continue to be involved in these decisions.

*Don Hill* 1375 Rolling Hills – Is the summary reflective of the full document? Mr. Nicholson answered that they used verbatim language as much as possible.

Mr. Hill question the clustering of estate residential. Mr. Nicholson explained the new open space cluster requirements from the state. This new option allows greater density in a clustered area of the property over 2 acres if half of it is set aside for open space.

Mr. Hill stated that until there are rezonings, the plan will not impact the projected build out of the Township. Mr. Nicholson agreed, saying if there are no rezonings, the land use plan will not be implemented.

*Larry Falardeau* 3019 Tipsico Lake Road – What is the build out ? Mr. Nicholson stated that these figures can be derived from the GIS information being provided to the Township. The number of people per household is guesswork but some estimates of population can be made. Lot size will impact the number of parcels to be built on.

*Frank Crouse* of Waldenwoods – Mr. Crouse distributed documents with his comments relating to his parcel. His group is seeking to develop their substantial property properly. They have been damaged by paying on sewer taps over the years that are not currently available to them. They have participated in infrastructure development. They are seeking to have residential development included in the uses allowed for their property. Residential around the golf course is a main ingredient in future development planning. The lake front on their property has been kept clear but they want to put residential in other areas. With sewer capacity in question, long range planning is difficult.

On Page 3 of his handout are specific recommendations he wants such as changing the name of his zoning from "rural recreation" to "residential recreation", adding senior housing , clarify

table data, reduced interconnection of developments, add gated communities, correct several points in the history of Waldenwoods.

Mr. Crouse felt that the location of the large school campus was damaging to the village center at Hartland. The loss of the use of the Townley Road bridge has added to the isolation of the east and west sections of the Township divided by US 23.

*Dan Callan* of Remax Real Estate – Questioned the size of the Estate Residential lots. It was again noted that the future land use map is not a zoning map. It will not change any of the current zoning. What is CA will remain CA unless there is a request to rezone. Mr. Callan wanted the existing land use map to be changed to show the 10 acres north of the Oasis as GC. Mr. Kuhn wanted the current zoning to be reflected on the land use map. Commissioner Colaianne stated that this would only cause confusion since the future land use map does not impact the current zoning. Current zoning and future land use are completely different and should not appear on the same map to confuse everyone. Mr. Nicholson added that the state sets the regulation but individual communities must apply it to their situations. They seek to respect property rights in the plan – the plan is a plan, it is not zoning.

Commissioner Kalenauskas noted that if the Township was built out to the current zoning, the resulting density would be the highest in the county. The Commission is seeking to reduce that density per the desires of the community.

Mr. Kuhn stated that the Township may not be able to maintain 11% open space. When Highland went to 10 acre minimums, this encouraged trailer parks and pushed development to Hartland with their 2 acre minimums.

Mr. Hill questioned if there was a time limit for the comprehensive / master plan to be implemented and have the zoning designations in the ordinance in order to do rezonings?

Nicholson – The plan has to be in place by the deadline but implementation will come over time. The state does not standardize the zoning designations, this is left to local control to name them as they see fit.

*Stewart Oldford* – 15586 Cullen Road – Noting the additional property for the sewage treatment plant is not designated purple (quasi – public) but is instead Medium Density Residential - is the Township selling that property? Mr. Nicholson responded that the future land use has nothing to do with selling or holding that property. It did not reflect any decisions by the Township for keeping or selling the property. It simply reflected that in the future, considering the location near the school campus, the land might be a good location for MDR.

It was explained to Mr. Oldford that the Special Planning Area at M59 and Fenton Road was an overlay of the existing zoning designation. Mr. Oldford declared this contract zoning and left without allowing any explanation of the situation with this area.

*Dan Giegler* 13320 Hibner – Mr. Giegler and his family are long time residents and large landowners. He does not feel that this future land use treats him fairly. The lower density shown on this land use plan damages his family by lessening their return on the development of their property. He is the second largest land owner in the Township and feels they are being treated unfairly and were left out of the process. Chairman Fountain pointed out that this process has been ongoing for most of the year with many meetings that were properly posted and advertised and open to anyone who was interested. No one was deliberately left out of the process. Deputy ZA Lutz stated that she did the advertising in the local paper per regulations even though Mr. Giegler stated that they were not in the paper.

Commissioner Colaianne questioned if Mr. Giegler was seeking to have Rural Residential eliminated? In the visioning sessions, the summary of input showed a desire to maintain the

rural atmosphere of Hartland and preserve larger tracts of land rather than have intensive development. This was a guide used in developing the future land use plan.

*Andy Giovanetti* Premier Properties – A letter has been submitted for consideration by the Commission.

*Greg McKeon* – Mr. McKeon stated that there were indeed visioning sessions for input into the plan and they were not very well attended. It is up to interested parties to be aware of what is going on and get involved if they want their opinions heard.

Chairman Fountain stated that the County Planning Department review had been received October 28, 2002 and was available

Mr. Giegler stated that they should do away with rural and estate residential and leave everything at 2 acres. He could do a better and proper job of redoing that map than the Commission did.

Mr. Kuhn gave his opinion that the large landowners can't sell their property because of the open space zoning, they can't pay their taxes and their heirs will have to let the property revert to the state by tax confiscation. Thereby making open space requirements a taking of their property.

*Robert Bulloch* 11585 Dunham Road – Bring the Zoning map in compliance with the land use map. His son in Houston says they do not use any open space requirements.

Mr. Giegler stated that San Marino is a development with the proper size lots. Larger lots encourage the accumulation of junk cars and messy property. People can't get along with each other on those lots.

Mr. Bulloch declared that past township officials got out and talked to people to find out what they want. The current group just sits around the Township Hall scratching themselves and drinking coffee.

Dan Callan agreed that the Township should manage growth other than with large lot sizes. Large lots are too hard for people to maintain and are not suited to current lifestyles.

Mr. Bulloch stated that the zoning on the Oasis should never have been changed so another truck stop could have come in to give the big rigs somewhere to fuel. Commissioner Douglass pointed out that the rezoning had nothing to do with the Oasis closing.

Mr. Kuhn stated that Suburban Residential is the correct direction for zoning in the Township with 1 to 1.5 acre lots.

Per current state law, the Planning Commission has the final approval of the future land use/comprehensive plan/master plan. Mr. Nicholson pointed out that the new regulations will allow the Township Board to option into the process in the future if it chooses to.

The Public Hearing was closed at 9:25 p.m.

Recess – 9:25 p.m.

Resume – 9:32 p.m.

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

## **9. COMMITTEE REPORTS**

*Fountain* – A meeting has been published for November 7, 2002 even though no meeting has been set by the Commission. Further discussion of the land use plan should be added to the agenda.

Move to set a regular meeting of the Hartland Township Planning Commission for November 7, 2002. Motion Kalenauskas. Second Douglass. Motion withdrawn. Second withdrawn.

Any applicants on the November 7, 2002 agenda will be notified that they will be moved to the November 14, 2002 meeting agenda.

Move to have a Planning Commission Special Meeting on November 7, 2002. Motion Germane. Second Petrucci. Voice Vote. Motion Carried. 7-0-0.

*Germane* – Reopen item #5 on the agenda.

In item #10 – In the motion, insert “be” between “not” and “applied”.

In item #13 – There is no date in the motion. Amend the minutes to have the date of November 21, 2002 inserted as the date for the public hearing.

In item #15, the comments under “Fountain” concerning the bulk petroleum plans and the tree farm signs were made by Mr. Kuhn, not Mr. Fountain.

Move to amend the previously approved minutes with the addition of the word “commercial” to the M59 cautionary statement by Mr. Douglass under committee reports. Motion Germane. Second Petrucci. Voice Vote. Motion Carried. 7-0-0.

*Fountain* – Review Crouse material carefully.

*Petrucci* – Gas station canopies are an issue with communities other than Hartland. Lighted or not, the color strips are considered part of the sign / logo.

Chairman Fountain stated that research showed that the signs at the Mobil station had not been approved by the Township.

Chairman Fountain stated that applicants are being referred to him personally by the Zoning Administrator and Supervisor. All such referrals should be made to the Commission as a whole and not to him alone.

*Germane* – Changing the face of a sign and the lighting of signs are an issue needing review.

*Kalenauskas* – Is the current owner responsible for the past owners actions? Yes. When purchasing the property, the responsibility for past actions comes with the purchase.

*Deputy ZA Lutz* – Please advise as to when informal meetings are held in order to monitor use of escrow monies to cover the costs of such meetings.

*Phillips* – There was interest in the Citizen Planner Class at the County Planning Luncheon. Commission members should consider participating.

**10. ADJOURNMENT** – The meeting was adjourned at 10:16 p.m.

These minutes are a preliminary draft until final approval.

HARTLAND TOWNSHIP PLANNING COMMISSION SPECIAL MEETING  
OCTOBER 30, 2002 – TOWNSHIP HALL – 7:30 P.M.

6

Submitted by,



Christine A. Polk  
Recording Secretary

D. Kalenauskas  
Planning Commission Secretary

Next Regular Meeting – November 14, 2002  
November 21, 2002

Next Special Meeting – November 7, 2002