

# **HARTLAND TOWNSHIP PLANNING COMMISSION MEETING**

AT THE TOWNSHIP HALL

**OCTOBER 10, 2002**  
**7:30 PM**

## **AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF OCTOBER 10, 2002 PLANNING COMMISSION AGENDA
5. APPROVAL OF SEPTEMBER 26, 2002 PLANNING COMMISSION MEETING MINUTES
6. CALL TO PUBLIC      **PLEASE APPROACH FRONT CENTER MICROPHONE**

### **PUBLIC HEARING**

#### **OLD AND NEW BUSINESS**

7. APPLICANT: FIRE ROCK- TTS 2 / BROWNIES SIGNS      **SIGN PERMIT APPLICATION #421**  
WALL SIGN      SECTION 28
8. APPLICANT: GEORGE GAGNIUK/ DESINE-WAYNE PERRY      METES & BOUNDS APPLICATION #652  
SECTION 05
9. APPLICANT: BEAUCHAMP LAWN & SNOW SERVICE      **ZONING AMENDMENT APPLICATION #296**  
FOR A TEXT AMENDMENT TO ORDINANCE #37 ARTICLE 29.13 G2 OF THE PLANNED DEVELOPMENT  
DISTRICT      SECTION 13
10. APPLICANT: WILLIAM JOHNS / MILLPOND      **SUBDIVISION PLAT APPLICATION #12**      SECTION 06  
FINAL PRELIMINARY APPROVAL
11. APPLICANT: VOICE STREAM      **SITE PLAN APPLICATION #333**      IN CONJUNCTION WITH  
**SPECIAL USE APPLICATION #213**
12. APPLICANT: HARTLAND / M59 LLC AND PREMIER PROPERTY-HARTLAND LLC      DISCUSSION OF  
PRELIMINARY PLAN FOR SPECIAL AREA M59 AND PLEASANT VALLEY ROADS
13. CALL TO PUBLIC
14. COMMITTEE REPORT
15. ADJOURNMENT

NEXT REGULAR MEETING      OCTOBER 24, 2002  
SPECIAL PLANNING COMMISSION OCTOBER 30, 2002

1. **CALL TO ORDER** – The meeting was called to order at 7:40 p.m. by Chairman Fountain after a quorum was achieved.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL** – Commissioner Petrucci called the roll. Members present: Chairman Fountain, Commissioner Phillips, Commissioner Petrucci and Commissioner Colaianne. Commissioner Germane arrived at 7:44 p.m. Also present David Nicholson and Michelle Aniol of McKenna Associates and Deputy Zoning Administrator Lutz.

4. **APPROVAL OF OCTOBER 14, 2002 PLANNING COMMISSION AGENDA** – Move to approve the October 14, 2002 Planning Commission agenda as presented. Motion Phillips. Second Petrucci. Voice Vote. Motion Carried. 4-0-3.

5. **APPROVAL OF SEPTEMBER 26, 2002 PLANNING COMMISSION MEETING MINUTES** – Move to approve the September 26, 2002 Planning Commission regular meeting minutes as written. Motion Petrucci. Second Colaianne. Voice Vote. Motion Carried. 4-0-3.

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

**PUBLIC HEARING**

**OLD AND NEW BUSINESS**

7. **APPLICANT: FIRE ROCK – TTS 2 / BROWNIES SIGNS SIGN PERMIT APPLICATION #421 WALL SIGN SECTION 28** – Richard Luce and Lon Brown were present. Commissioner Germane reviewed the sign.  
Move to approve the sign application for Fire Rock TTS 2 / Brownies Sign for Sign Application #421 for a wall sign. Motion Colaianne. Second Germane. Voice Vote. Motion Carried. 5-0-2.

8. **APPLICANT: GEORGE GAGNIUK / DESINE – WAYNE PERRY METES AND BOUNDS APPLICATION #652 SECTION 05** – Mr. Perry was present. He will provide a letter stating that the barn is not currently used for livestock and should not be in the future.  
Move to recommend approval for Metes and Bounds Application #652 for Gagniuk / Desine / Wayne Perry per the Hartland Township Zoning Ordinance #37 and the State Land Division Act. Tax Id. # 8-05-400-011. Motion Phillips. Second Petrucci. Motion Carried. 5-0-2.

9. **APPLICANT: BEAUCHAMP LAWN & SNOW SERVICE ZONING AMENDMENT APPLICATION #296 FOR A TEXT AMENDMENT TO ORDINANCE #37 ARTICLE 29.13. G2 OF THE PLANNED DEVELOPMENT DISTRICT SECTION 13** – An October 7, 2002 review letter from McKenna stated that the change request was not to correct an error. This will not clarify the Ordinance, it will change it. If the Ordinance change is approved, the Township has the choice of not approving outside storage for Beauchamp under planned development standards.

Mr. Nicholson read the draft wording for the change.

Move to recommend approval for Zoning Amendment Application #296 by Beauchamp Lawn and Snow Service for a text amendment to Ordinance #37 Article 29.23.G2 per the language on page 3 of the October 7, 2002 letter from McKenna Associates. Motion Phillips. Second Germane. Voice Vote. Motion Carried. 5-0-2.

**10. APPLICANT: WILLIAM JOHNS / MILLPOND SUBDIVISION PLAT**

**APPLICATION #12 SECTION 06 FINAL PRELIMINARY APPROVAL** – Kevin Cook of CHMP was present. The October 1, 2002 correspondence from McKenna outlined the procedure for final review. The outstanding documents have since been received. Mr. Nicholson advised having the planner and attorney review the deed restrictions and homeowners association documents.

Commissioner Germane questioned the future use of outlot A. There is no construction planned on this parcel at this time but it was required to be there. The property to the north will handle the storm water drainage on site.

After discussion, it was decided and agreed to have the trees planted on the site in a natural fashion at various distances from the road and not marching along side it in a line. Mr. Cook agreed to this with various kinds of trees being planted.

Move to recommend final preliminary approval for Subdivision Plat Application #12 for William Johns with the understanding that the trees exhibited on the drawing dated received September 24, 2002 along Millpond Way will be planted in a more natural manner. The Planner and Township Attorney will review the deed restrictions and by-laws. Motion Germane. Second Colaianne. Voice Vote. Motion Carried. 5-0-2.

**11. APPLICANT: VOICE STREAM SITE PLAN APPLICATION #333 IN**

**CONJUNCTION WITH SPECIAL USE APPLICATION #213** – Clarence King of Auburn Land was present with Jerry Bauer and Xihao for Voice Stream and Voice Stream Attorney Keith Davidson.

Move to recommend denial of Voice Stream Site Plan Application # 333 in conjunction with Special Use Application #213. Motion Germane. Second Colaianne.

Mr. King stated that all documents have been distributed and they have clearly stated what they are willing to do with the site.

Mr. Davidson had several disagreements with the way the Ordinance was interpreted and the spacing of the towers. He did not feel the one mile limit applied to this case. He also felt that there was not a material change to the site, just changing one flag pole with another.

Mr. Bauer stated that the storm drainage and parking lot paving are not within the scope of what they are willing to do.

Commissioner Phillips was not clear on the one mile argument presented by the attorney.

Mr. Nicholson stated that Sec. 3,21.F paragraph G3 has wording about other locations.

Commissioner Germane felt approval of this application as it stands would violate his oath to uphold the Zoning Ordinance as it is written.

Commissioner Phillips again raised the issue of the land split required by the State Land Division Act for a long term lease. Mr. Davidson stated that they would just renew the lease on a yearly basis to get around that.

Commissioner Germane withdrew his motion. Commissioner Colaianne withdrew his second.

Move to recommend approval of applicant Voice Stream for Site Plan Application #333 in conjunction with Special Use Application #213. Motion Colaianne. Second Phillips. Roll Call Vote requested by Commissioner Petrucci.

There was concern that Hartland was becoming a dumping ground for cell towers. The Township is seeking to bring non-conforming sites into compliance. Others have had to do this and this applicant should also follow the Ordinance.

Colaianne – no

Germane – no

Phillips – yes

Fountain – yes

Petrucci – yes

Kalenauskas – absent

Douglass – absent Motion Carried. 3-2-2.

**12. APPLICANT: HARTLAND / M56 LLC AND PREMIER PROPERTY – HARTLAND LLC DISCUSSION OF PRELIMINARY PLAN FOR SPECIAL AREA M59 AND PLEASANT VALLEY ROAD** – Present: Terry Nosan / Hartland M59 LLC. , Andy Giovanetti / Premier Property, Michael Horowitz / Hartland M59 LLC and John Iacoangeli of Beckett – Radeer.

The working name of the development is Hartland Village Center. A booklet has been distributed and Mr. Iacoangeli did a slide presentation. They are presenting it as a neotraditional mixed use development. The plan is for 549 dwelling units on 147 acres. Commercial / retail, apartments, townhouses, villas ( duplexes), cottages, single family residential and single family estate are a part of the whole plan.

They are requesting a special planning area be shown on the master/comprehensive plan. Creation of a new overlay zone for the special planning area. A site plan and planned development proposal.

Commissioner Colaianne advised consideration of a name change since much of Hartland is committed to preserving the historic village district and may not appreciate moving that designation to the east border of the Township.

Mr. Nicholson noted that duplexes are a new part of the plan. Rental units were not a part of the original discussion.

Mr. Horowitz requested some positive feedback on their plan before going any further with the process.

Mr. Nicholson stated that the plan had some admirable characteristics and it was time to commit to more serious negotiations or abandon the process. An overlay district would be a good tool in this situation.

Commissioners Phillips, Colaianne and Petrucci will meet as the committee to work with the developers. They will meet several times with and without the developers before reporting back to the full Commission. They will have a organizational meeting to set goals and consider options.

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

#### 14. COMMITTEE REPORTS

*Fountain* – Have the August 22, 2002 minutes reprinted and redistributed.

The letter from Frank Crouse on zoning issues has been distributed. He has made suggestions for the Planning Commission to consider.

Mr. Nicholson advised that there are no zoning changes being considered at this time. Changes in the Master / Comprehensive Plan are not zoning changes so his concerns do not apply to this situation.

McKenna will formulate a response to his concerns and the Planning Commission will review the draft.

There was a Board meeting today that included Mr. Crouse concerning the wastewater treatment plant. The system on Waldenwoods is not working well and the pilot study at the Township Wastewater Treatment Plant has failed. Williams and Works will do a scope of work for hooking to the Genesee County system.

Commissioner Germane stated that the data from the pilot study was not consistent enough to get DEQ approval.

*Germane* – The developers have deposited funds to pay for the meetings for review of their plans. The scope of work from McKenna will cover their participation.

The pages of the Comprehensive Plan that were left off have been distributed.

Mr. Kuhn has requested quick changes to Articles 31 & 32 of the Zoning Ordinance. He submitted a list. Any changes now will not affect current lawsuits.

Mr. Nicholson reminded the Commission that open space and cluster regulations must be reviewed and changes made to conform with state law.

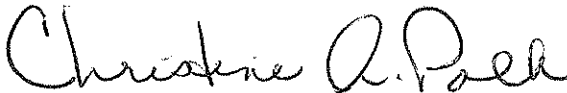
*Phillips* – Information on the Citizen Planner program has been distributed.

*Germane* – The M59 Corridor Committee had not met for quite a while. MDOT is doing some planning.

#### 15. ADJOURNMENT – The meeting was adjourned at 10:19 p.m.

These minutes are a preliminary draft until final approval.

Submitted by,



Christine A. Polk  
Recording Secretary

D. Kalenauskas  
Planning Commission Secretary

Next Regular Meeting – October 24, 2002

Special Planning Commission Meeting – October 30, 2002

## PLANNING COMMISSION ACTIVE ISSUES LIST

1. 5/3/01 Open Space / Lot Size / Sewer Density
2. 7/12/01 Review size allowed for wall signs based on linear feet  
9/23/01 Further review of signs - sizes and percentage of wall coverage.  
12/06/01 Review reader board signs
3. 5/8/01 Signs - Zoning and Redevelopment  
6/7/01 Should this be instituted or deleted?
4. 8/23/01 Review the process for sign reviews. Consider sign specialist and Zoning Administrator review and approve.
5. 2-21-02 Review "Transient Business" - operating on private property without Township review and approval.
6. 3-14-02 Review and revise subdivision regulations.
7. 4-18-02 Review paving requirements for private roads per number of dwellings on road.
8. 8-22-02 Review cell tower ordinance.
9. 8-22-02 Review and update sections of the zoning ordinance.