

HARTLAND TOWNSHIP PLANNING COMMISSION  
TOWNSHIP HALL  
OCTOBER 12, 2000 AT 7:30 PM

**AGENDA**

1. ROLL CALL
2. APPROVAL OF OCTOBER 12, 2000 AGENDA
3. APPROVAL OF OCTOBER 05, 2000 MINUTES
4. CALL TO THE PUBLIC

**PUBLIC HEARING**

5. APPLICANT: JACKIE SCHELLER REZONING APPLICATION #287 CA TO SR SECTION 23
6. APPLICANT: VECTOR PIPELINE LP SPECIAL USE APPLICATION #195 IN CONJUNCTION WITH  
SITE PLAN APPLICATION #296 TO CONSTRUCT AN OUT BUILDING ON PIPELINE SITE

**OLD & NEW BUSINESS**

7. APPLICANT: ROBERT BULLOCH SITE PLAN APPLICATION #298 MINOR CHANGE TO  
SITE PLAN APPLICATION # 196 ADDITION TO EXISTING BARN SECTION 15
8. APPLICANT: ROBERT BULLOCH SITE PLAN APPLICATION #299 CONSTRUCT A  
RESIDENTIAL POND SECTION 15
9. APPLICANT: NADER / GAWRONSKI SITE PLAN APPLICATION #294 TO  
CONSTRUCT ADDITIONS TO EXISTING BUILDING SECTION 22 SOUTH OF M59
10. APPLICANT: JOSEPH CIPOLLA METES & BOUNDS APPLICATION #583 SECTION 11
11. APPLICANT: PARSHALLVILLE POND / STEWART OLDFORD SITE PLAN APPLICATION #272  
FINAL APPROVAL TO CONSTRUCT RESIDENTIAL UNITS SECTION 5
12. APPLICANT: MC DONALD'S / ALLIED SIGNS INC. SIGN PERMIT APPLICATION #367 WALL  
SIGN AND TWO DIRECTIONAL SIGNS SECTION 28 SOUTH OF M59
13. APPLICANT: DR. ROBERT BEGIN SPECIAL USE APPLICATION #194 IN CONJUNCTION  
WITH SITE PLAN APPLICATION #295 TO ADD ON TO EXISTING BUILDING SECTION 28
14. APPLICANT: HARTLAND TOWNSHIP REZONING APPLICATION #285 REZONING FROM  
HSC TO GC SECTION 21 NORTH OF M59
15. CALL TO THE PUBLIC
16. COMMITTEE REPORTS
17. ADJOURNMENT

MEETING OCTOBER 26, 2000

**HARTLAND TOWNSHIP PLANNING COMMISSION REGULAR MEETING  
OCTOBER 12, 2000 - TOWNSHIP HALL - 7:30 P.M.**

**1. ROLL CALL** - The meeting was called to order by Chairman Fountain at 7:30 p.m. Members present: Chairman Fountain, Secretary Kalenauskas, Commissioner Kuhn, Commissioner Phillips and Commissioner Petrucci. Absent: Commissioner Douglass. Commissioner Germane arrived at 7:35 p.m. Also present: David Nicholson of McKenna Associates and ZA Christensen.

**2. APPROVAL OF OCTOBER 12, 2000 AGENDA** - Delete the October 5, 2000 minutes approval.

Motion to approve the October 12, 2000 agenda as amended. Motion Kalenauskas. Second Phillips. Voice Vote. Motion Carried. 5-0-2.

**4. CALL TO THE PUBLIC** - Al Coleman was present to distribute a memo from the Fire Department concerning the naming of streets and avoiding similar and repetitive street names. Such a situation makes it difficult for emergency services to find caller destinations within the Township.

**5. PUBLIC HEARING - JACKIE SCHELLER REZONING APPLICATION #287 CA TO SR SECTION 23** - Jackie Scheller was present. The application concerns 12.7 acres. The average parcel size is planned for 1.4 acres.

*Jack Burdack*, an adjoining landowner, wished to remind the applicant that the isolation distance from his well continued 30 ft. into her property and must be considered when development occurs. He also stated that there were many attempts to perc this property in the past and they did not meet with a high degree of success. He felt that CA was the appropriate zoning for this property.

*Rick Stigleman*, stated that his well is also adjacent to the proposed site. He also questioned if a private road would be necessary for this parcel to be developed.

*Paula Hepp*, adjoining property owner, pointed out the buildout figures for the area. Bullard Road is the buffer area between CA and SR zoning. The SR is creeping towards the farm areas at Dunham Road and the buffer will be lost. She supports keeping the CA zoning and preventing the SR from continuing to move northward.

*Tom Mitchell* - His wooded acreage adjoins the proposed zoning change. He feels that the property should remain CA.

Mr. Kuhn read restrictions by the previous owners, the Thompsons, to limit the splits to four. There should be consideration of the deed restrictions and the State Land Division Ordinance.

Mr. Nicholson reviewed his memo of October 12, 2000 concerning the rezoning request.

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

**6. PUBLIC HEARING - VECTOR PIPELINE LP SPECIAL USE APPLICATION #195 IN CONJUNCTION WITH SITE PLAN APPLICATION #296 TO CONSTRUCT AN**

HARTLAND TOWNSHIP PLANNING COMMISSION REGULAR MEETING  
OCTOBER 12, 2000 - PAGE 2

**OUT BUILDING ON PIPELINE SITE** - Steve Jones was present. He responded to the issues in the October 5, 2000 McKenna review letter.

*John Petito* of 1350 Dunham Road, read from the FERC book concerning emergency meetings, 24 hour numbers, emergency response, Fire Department training and equipment.

Mr. Jones stated that there is a plan. The Fire Department will be notified and classes will be run. He offered to get any information that was requested.

Al Coleman of the Hartland Fire Department was present and stated that the Department is aware of the requirements that Vector must fulfill before the pipeline goes into service.

Mr. Nicholson stated, and Mr. Fountain agreed, that the Township did not have any authority to enforce any restrictions that were not specifically granted to them. State and federal agencies are in charge of the pipeline. What the Township could review was very limited.

*Walt Pittel and Larry Fletcher* of Fenton Road questioned why the valve could not be placed further back from the road. Mr. Jones answered that the site of the valve is mandated by the oversight agencies. The valve head above the ground will be fenced and include three strands of barbed wire.

*Laura Reesor* of Highland expressed her opinion that Vector was not being honest with the citizens impacted by the pipeline.

Mr. Nicholson stated that the applicant had complied with the items that could be reviewed by the Township with the exception of submission of topographical information at 2 ft. intervals, submission of an emergency plan and plans for dust control of the gravel surface.

Fire Marshal Carroll stated that the Fire Department is aware of the need for training, equipment and an emergency plan but so far there have been no firm commitments from Vector concerning these items.

MichCon owns the property where the valve head is located.

The public hearing was closed at 8:43 p.m.

Motion to recommend approval of Special Use Application #195 in conjunction with Site Plan Application #296 for Vector Pipeline LP with the following conditions:

1. Dust control for gravel access road will be provided per the Township Board requirements.
2. Evergreen / landscape screening plan will include solid evergreen screening around the enclosure that shall be planted according to the requirements of the Ordinance.
3. A date for the Fire Department training, emergency response plan and a commitment for the purchase of the required emergency equipment shall be submitted.
4. Should the pipeline be abandoned, all above ground, permitted structures shall be removed.

HARTLAND TOWNSHIP PLANNING COMMISSION REGULAR MEETING  
OCTOBER 12, 2000 - PAGE 3

5. The required topographical information shall be presented at 2 ft. intervals per the requirements of the Ordinance.

Motion Kuhn. Second Germane. Voice Vote. Motion Carried. 5-1-1. Nay Petrucci.

**OLD AND NEW BUSINESS**

**7. APPLICANT: ROBERT BULLOCH SITE PLAN APPLICATION #298 MINOR CHANGE TO SITE PLAN APPLICATION #196 ADDITION TO EXISTING BARN SECTION 15** - Rob Bulloch and Clyde Bulloch were present. Mr. Fountain reviewed the application. It was determined to be a minor change per the criteria on page 33-9 of the Zoning Ordinance.

Motion to find Site Plan Application #298 to be a minor change to Site Plan Application #196 per the Zoning Ordinance Sec. 33.02.K.5.c. Motion Phillips. Second Petrucci. Voice Vote. Motion Carried. 6-0-1.

**8. APPLICANT: ROBERT BULLOCH SITE PLAN APPLICATION #299 CONSTRUCT A RESIDENTIAL POND SECTION 15** - Rob and Clyde Bulloch were present. There was discussion of what would be done with the spoils. The Ordinance requires them to remain on the property. This issue will have to be researched.

Motion to table Site Plan Application # 299. Motion Kuhn. Second Kalenauskas. Voice Vote. Motion Carried. 6-0-1.

**9. APPLICANT: NADER / GAWRONSKI SITE PLAN APPLICATION #294 TO CONSTRUCT ADDITIONS TO EXISTING BUILDING SECTION 22 SOUTH OF M59** - Edward Asher, Bill Nader and Keith Gawronski were present. The October 6, 2000 McKenna review letter contained items that have not yet been updated on the drawing. These include Sec. 5.0.1.C.1.b, parking setbacks, berm, landscaping, access management, detention basin, building height and adjacent owners. The plan dated October 9, 2000 was not submitted with enough copies for the Commissioners to have one to review.

Motion to table Site Plan Application #294. Motion Kuhn. Second Germane. Voice Vote. Motion Carried. 6-0-1.

**10. APPLICANT: JOSEPH CIPOLLA METES AND BOUNDS APPLICATION 3583 SECTION 11** - Mr. Cipolla was present. This item had been tabled May 11, 2000. There are no current revision dates on the plan before the Commission. The Commission is requiring the following from the applicant before further consideration of this application.

1. A date of revision must be on the submitted plans.
2. The Hartland Drain must be labeled correctly.
3. There must be documented approval from the Drain Commission to allow driving over the drain.

HARTLAND TOWNSHIP PLANNING COMMISSION REGULAR MEETING  
OCTOBER 12, 2000 - PAGE 4

4. Parcel C must show that there will be enough building envelope after designation of setbacks, septic drain field isolation, reserve drainfield and well isolation.
5. Applicant must investigate if there is any setback requirement from the Hartland Drain by the Drain Commission.

Motion to table Metes and Bounds Application #583 per the applicant's request.  
Motion Kalenauskas. Second Kuhn. Voice Vote. Motion Carried. 6-0-1.

**11. APPLICANT: PARSHALLVILLE POND / STEWART OLDFORD SITE PLAN APPLICATION #272 FINAL APPROVAL TO CONSTRUCT RESIDENTIAL UNITS SECTION 5** - Mr. Howell and Mr. Crane were present. Mr. Fountain reviewed the September 28, 2000 minutes. Mr. Crane read a supplement to the environmental impact assessment concerning wildlife. Deer, geese, rabbits, squirrels, crows and many feral cats were assessed in response to the Ordinance requirements.

Mr. Crane absolutely declined to include any architectural standards or color restrictions in the by-laws for the condo development.

Mr. Nicholson and Mr. Crane went through the October 6, 2000 McKenna review letter item by item.

-The applicant has responded fully to the impact assessment requirement.

-Site plan review open space and maintenance of recreational areas. Applicant - there are no designated open spaces or recreation areas. The outlot will be deeded to the association at a later time.

-Mr. Crane made several additions to the master deed concerning access. On sheet two of the exhibits, lots #15 and #16 have a private drive to which they are adding lots #14 and #17. Lots #5 and #6 have a private drive to which they are adding lots #4 and #7.

-Incorporating STR and LC building standards into the master deed. Mr. Crane stated the requirements of the Ordinance would be followed without placing this in the master deed and by-laws.

-Elimination of split level and tri-level homes as building options. Mr. Crane responded that the second oldest home in Williamsburg was a tri-level and they would not comply with this.

-Ordinance compliance. Mr. Crane stated that the current Ordinance will be followed with the contemporaneous ( current ) community standards to be considered.

-STR requirements in the Ordinance for home style. Mr. Crane responded that they (the developers) will encourage a neotraditional style and they will have control over approving the style of home built. Mr. Oldford will sell the lots to builders but will have review of the proposed style of home.

-Paths, landscape and benches to Parshallville Pond. Mr. Crane responded that Outlot B cannot be part of the condo development. It will be deeded to the condo development later. He will furnish a separate plan showing a path across outlot B but they have no access rights to the pond.

HARTLAND TOWNSHIP PLANNING COMMISSION REGULAR MEETING  
OCTOBER 12, 2000 - PAGE 5

-Protection of natural features / tree survey. Mr. Crane chose to interpret the Ordinance to state that if they, the developers, disturb less than 25% of the trees with their infrastructure ( roads, utilities, detention ponds, etc.), they do not have to do a tree survey. They calculate they will disturb 13.6% of the trees. Mr. Howell and Mr. Crane agreed that building of the houses will bring this figure well over the 25% mark but that is not their responsibility and Mr. Crane felt that the building envelope was exempt from inclusion in the 25%.

Mr. Crane flatly stated that there will not be a tree survey done.

Mr. Kuhn felt that the process of the application currently and previously in front of the Commission is in violation of the Ordinance.

-Details of the fence will be included.

-A previous grading plan showed sidewalks that have been removed. Mr. Crane stated that the Board removed that sidewalks, the preliminary plan was approved without sidewalks and there were no other sidewalks in Parshallville. Mrs. Phillips disagreed with the statement that the Board had removed the sidewalks. Mr. Crane stated they would not add sidewalks back.

-Indicate limits of shared driveway access. Mr. Crane will note on exhibit.

-Landscape soil erosion notes, clarify materials, disturbed cul-de-sac areas seeded and mulched. Place all landscape notes on a single sheet. Mr. Crane agreed to all these items.

-Stormwater management basin fence and steep slope at entrance. Mr. Crane stated that a review of the slope requirements shows a fence is not necessary and it will be removed. Mr. Germane noted that it may need a letter from the Drain Commission to approve the removal of the fence.

Mr. Kuhn felt that the process is controversial and the ZBA should consider any Ordinance violations. The preliminary approval was given without the required documentation and without a recommendation by the Planning Commission.

Mr. Nicholson stated there have been conversations concerning this issue and the Township should seek further legal counsel. Section 33.04.C.2 allows for ZBA review.

On the three outstanding issues there was agreement as follows:

1. Sidewalks would be placed on one side of the street.
2. There will be a note in the master deed / by-laws to follow the contemporaneous standards of the community. There will also be a description of outlot B.
3. Mr. Crane agreed to rough stake the centerline of the road so the Commission could see how the trees will be affected but he did not agree to a tree survey.

Motion to table with the items discussed to be incorporated into revised drawings and written documentation. Motion Phillips. Second Kuhn. Voice Vote. Motion Carried. 6-0-1.

There was discussion of Mr. Crane's court recorder and if the Planning Commission could request copies of his transcripts. Will discuss with legal counsel.

HARTLAND TOWNSHIP PLANNING COMMISSION REGULAR MEETING  
OCTOBER 12, 2000 - PAGE 6

**12. APPLICANT: MCDONALD'S / ALLIED SIGNS INC. SIGN PERMIT APPLICATION #367 WALL SIGN AND TWO DIRECTIONAL SIGNS SECTION 28 SOUTH OF M59** - Mr. Noble and Mr. Schmill were present. Menu boards were not included in the application due to an error in advice from the Township. There is a request for two directional ground signs and a wall sign. The current pole sign will remain.

Motion to approve Sign Application #367 for Allied Signs Inc. and McDonald's. A single menu board application consistent with the Ordinance requirements shall be submitted to the Township for approval and such approval reported to the Planning Commission. Motion Kuhn. Second Phillips. Voice Vote. Motion Carried. 5-1-1. Nay Fountain.

**13. APPLICANT: DR. ROBERT BEGIN SPECIAL USE APPLICATION #194 IN CONJUNCTION WITH SITE PLAN APPLICATION #295 TO ADD ON TO EXISTING BUILDING SECTION 28** - Robert and Nancy Begin were present. The McKenna review letter dated October 12, 2000 requested several further details.

Motion to recommend approval of Site Plan Application #194 and Special Use Application #295 with the inclusion of the items in the 2 (two) McKenna review letters dated October 12, 2000. Motion Petrucci. Second Kalenauskas. Voice Vote. Motion Carried. 6-0-1.

The applicant will submit updated, revised plans including the additional exterior door and stairway as noted in the meeting.

**14. APPLICANT: HARTLAND TOWNSHIP REZONING APPLICATION #285 REZONING FROM HSC TO GC SECTION 21 NORTH OF M59** - Motion to recommend approval of Rezoning Application #285 from HSC to GC for the Section 21 property commonly known as The Oasis. Motion Kuhn. Second Petrucci. Voice Vote. Motion Carried. 6-0-1.

**15. CALL TO THE PUBLIC** - The Planning Commission noted that the lights in the Township Hall parking lot are still not working properly.

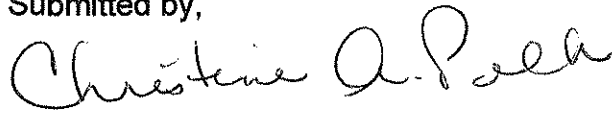
**16. COMMITTEE REPORTS** - Nothing.

**17. ADJOURNMENT** - The meeting was adjourned at 11:22 p.m.

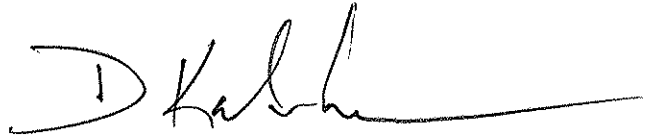
These minutes are a preliminary draft until final approval.

HARTLAND TOWNSHIP PLANNING COMMISSION REGULAR MEETING  
OCTOBER 12, 2000 - PAGE 7

Submitted by,



Christine A. Polk  
Recording Secretary



D. Kalenauskas  
Planning Commission Secretary

Next Regular Meeting - October 26, 2000