

1. **Call to Order** - THE MEETING WAS CALLED TO ORDER BY CHAIRMAN LARRY FOX AT 7:00 PM

2. **Pledge of Allegiance**

3. **Roll Call**

PRESENT: Joe Colaianne, Thomas Murphy, Larry Fox, Jeff Newsom, Michael Mitchell, Keith Voight
ABSENT: Sue Grissim

4. **Approval of Meeting Agenda**

Motion to approve the Meeting Agenda

Planning Director Troy Langer stated Public Works Director Robert West would not be in attendance to address the Planning Commission this evening.

The Maker and Seconder agreed to amend the Agenda and remove Item 8.b. The amendment carried unanimously.

| | |
|------------------|--|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Jeff Newsom, Vice Chairman |
| SECONDER: | Joe Colaianne, Trustee |
| AYES: | Colaianne, Murphy, Fox, Newsom, Mitchell, Voight |
| ABSENT: | Grissim |

5. **Approval of Meeting Minutes**

a. Planning Commission - Regular Meeting - May 12, 2016 7:00 PM

| | |
|------------------|--|
| RESULT: | ACCEPTED [UNANIMOUS] |
| MOVER: | Joe Colaianne, Trustee |
| SECONDER: | Michael Mitchell, Commissioner |
| AYES: | Colaianne, Murphy, Fox, Newsom, Mitchell, Voight |
| ABSENT: | Grissim |

b. Planning Commission - Regular Meeting - May 26, 2016 7:00 PM

Commissioner Voight offered a correction to add the word "see" on page 4. The Maker and Seconder agreed.

| | |
|------------------|--|
| RESULT: | ACCEPTED AS AMENDED [UNANIMOUS] |
| MOVER: | Jeff Newsom, Vice Chairman |
| SECONDER: | Joe Colaianne, Trustee |
| AYES: | Colaianne, Murphy, Fox, Newsom, Mitchell, Voight |
| ABSENT: | Grissim |

6. **Call to Public**

None

7. **Public Hearing**

None

8. **Old and New Business**

a. Land Division Application #868 (construct a shared driveway)

Director Langer summarized the applicant's request to divide the subject property into two parcels each containing a minimum of two acres in area. In order to divide the subject property into two parcels and comply with the minimum zoning district standards for lot width and lot area, the applicant is proposing to establish a shared driveway easement that will provide the required access for each of the proposed parcels. The shared driveway requires the approval of the Planning Commission; however, the shared driveway as originally proposed does not comply with the requirements of the Zoning Ordinance. The applicant chose to modify the plan to bring it into compliance with the shared driveway standards by making the driveway 22 feet in width. The Planning Commission is required to act on this request.

The applicant's Engineer, Chris Grzenkowicz, Desine Incorporated, stated there is a cross-section shown in the plan that exceeds the requirements and the Fire Marshal's Office has issued a new letter.

Commissioner Voight stated he has concerns the new shared driveway connects to a driveway that may not be compliant. He also stated there were items discussed previously, such as the location of the flare, which were not modified or are not shown on the plan.

The applicant stated the following:

- The entire driveway is a shared driveway; the earlier portion was approved in 2003 as part of the land division and constructed.
- The new portion is the only part being discussed.
- The width of the driveway eliminates the need for the bulb/flare.
- The other items in the review letter are construction items and will be addressed after the Planning Commission approves the layout and location of the driveway.

Chair Fox asked if the applicant views this as one shared driveway from Hartland Road to the back. The applicant stated they do and the original easements state the driveway is for the use of Parcel 4. Chair Fox inquired about the existing house access. The applicant stated that property has its own approach off Hartland Road. Chair Fox clarified the driveway will serve only two houses. Voight stated the clarification has changed his view. Mitchell stated with the 22-foot width of the extension, his impression of the initial location of the blub or flare in the driveway is fine.

Chair Fox asked how the Township can ensure a new property owner at this location will have this information. Director Langer stated it is a concern and he has spoken about it with the property owner. The property owner has stated he intends to sell both parcels. The concern is a new owner may come to the Township after the purchase to apply for a Land Use Permit for a new house and be held up because the shared driveway has not been constructed. Director Langer said he would recommend adding a statement to the Driveway Maintenance Agreement that will be recorded or the Land Division document that will be recorded stating no Land Use Permit will be approved until the shared driveway is constructed and approved by the Township.

Trustee Colaianne stated he is struggling with the entire private drive process such as the estimated cost. If the applicant has to build it, why is a cost estimate required? Voight responded because it is required in the Ordinance. Colaianne replied he is aware but he is not happy with that portion of the Ordinance. He stated he thinks the Township goes way beyond what is necessary in a rural community to allow property owners to have an easement for access. He continued he has no problem approving this request or having the statement discussed earlier shown on the Driveway Maintenance Agreement or the Land Division document, but he does have a problem with the way this portion of the Ordinance is written. The Planning Commission briefly discussed Ordinance requirements.

Director Langer stated if a new property owner is not permitted to obtain an approved Land Use Permit to build a house until the driveway is constructed in accordance with Township standards, then the Township can bypass the performance guarantee or the escrow requirement. The problem is the Township must ensure that whoever installs the driveway, it is constructed to meet Township standards. The applicant has indicated he expects the driveway installation to fall to the new owner, which is certainly allowed, but the new owners must somehow be made aware of this requirement.

Chair Fox asked if the Planning Commission was in agreement regarding adding the statement to the recorded Driveway Maintenance Agreement or the Land Division document(s). All agreed. Director Langer provided the following language to be added to the motion: "The applicant shall provide a statement that shall be recorded to indicate the Township is not obligated to issue any Land Use Permits until the driveway is constructed in compliance with the Township standards." The Planning Commission discussed the process. The applicant agreed to add the language to the Driveway Maintenance Agreement and stated it is also included in the purchase agreement.

Voight stated the Livingston County Road Commission issues a driveway permit to verify line of sight and that the approach is the appropriate distance so clear vision is maintained; that is all the Road Commission approves. The Township is responsible for the rest of the driveway. Voight confirmed the first part of the driveway is built. The applicant stated it is. Voight asked to what standard was the first part of the driveway constructed. The Township has required the new shared driveway be built to withstand 40,000 lbs per axle but if the existing portion can only support 20,000 lbs per axle what good is it. The applicant stated the first portion is built to approximately three times what the current ordinance requires. The applicant stated the existing driveway is constructed of crushed concrete with crushed bituminous on top; the cross-section of driveway is no less than 12 inches throughout and significantly thicker in some places up to two feet. He stated he could provide documentation to that effect if desired. Voight stated he is still concerned about the width. The reason the Ordinance changed was due to issues with fire equipment having access and he would have liked to see the existing driveway brought up to current code. The applicant stated the first part of the driveway was constructed after the Ordinance changed under the direction of Township staff.

MOTION to approve Land Division Application #868 (construct a shared driveway) subject to the following conditions:

1. The applicant shall submit the required cost estimate for the construction of the shared driveway, which shall be approved and accepted by the Township Engineering Consultant;
2. The applicant shall provide or deposit a performance guarantee in an amount sufficient to assure completion of the shared driveway. The performance guarantee shall be in a manner acceptable by the Township;
3. The applicant shall submit a cross section showing the type and depth of the base and surface materials of the proposed shared driveway and outline the proposed method of surface drainage and design calculations including storm water detention or retention systems. The shared driveway cross section plans and storm water surface drainage plans shall be approved by the Township Engineering Consultant;
4. The proposed shared driveway shall comply with the requirements of the Township Fire Marshal, per the letter dated May 17, 2016;
5. The applicant revise the proposed maintenance agreement consistent with any recommendations of the Township Attorney; and
6. The applicant shall acquire the necessary permits from Livingston County; and
7. The applicant shall provide a statement to be recorded indicating that a Land Use Permit will not be issued until the shared driveway is constructed and approved by the Township.

Seconded by Commissioner Newsom. The motion carried 5-1. (Voight)

| | |
|------------------|--|
| RESULT: | APPROVED [5 TO 1] |
| MOVER: | Michael Mitchell, Commissioner |
| SECONDER: | Jeff Newsom, Vice Chairman |
| AYES: | Colaianne, Murphy, Fox, Newsom, Mitchell |
| NAYS: | Voight |
| ABSENT: | Grissim |

9. Call to Public

None

10. Planner's Report

Director Langer reported the following:

- Speedway has had their pre-construction meeting; the store will close around July 12 for demolition/construction with an anticipated mid-December completion date.
- Evergreen Clark /Mugg & Bopps gas station/convenience store at Clark Road and M-59 will have a pre-construction meeting next week with no timetable for construction.
- Walnut Ridge Condominiums north of Venture Church will have a pre-construction meeting soon.
- Rural King is still a potential tenant for the vacant Wal-Mart store. They are exploring occupying the entire store.
- And lastly a friendly reminder to speak into the microphones.

11. Committee Reports

Commissioner Voight stated maybe the Ordinance Review Committee should meet.

12. Adjournment

Motion to adjorn

| | |
|------------------|--|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Jeff Newsom, Vice Chairman |
| SECONDER: | Joe Colaianne, Trustee |
| AYES: | Colaianne, Murphy, Fox, Newsom, Mitchell, Voight |
| ABSENT: | Grissim |

Submitted by,



Keith Voight
Planning Commission Secretary