

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

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL** – Members present: Chairman Fountain, Secretary Kalenauskas, Commissioner Phillips, Commissioner Germane and Commissioner Colaianne. Absent: Vice Chairman Douglass and Commissioner Petrucci. Also present: David Nicholson of McKenna Associates and Deputy ZA Lutz.

4. **APPROVAL OF NOVEMBER 20, 2003 PLANNING COMMISSION AGENDA** – Move to approve the November 20, 2003 Planning Commission meeting agenda as presented. Motion Phillips. Second Colaianne. Voice Vote. Motion Carried. 5-0-2.

5. **APPROVAL OF NOVEMBER 13, 2003 PLANNING COMMISSION MINUTES** – Move to approve the November 13, 2003 Planning Commission meeting minutes as presented. Motion Phillips. Second Kalenauskas. Voice Vote. Motion Carried. 5-0-2.

6. **CALL TO THE PUBLIC**

Don Hill – 3191 Hartland Road – Distributed a memo. He had several questions for the Commission to consider including:

- Does the PC feel manipulated by the Board?
- Are joint meetings negative or positive concerning the comprehensive plan?
- How helpful are the comments from the County?
- Do Commissioners feel micromanaged?

Trustee Hill would like the PC to consider these questions and respond.

Thanked the Commissioners for their work on various issues.

PUBLIC HEARING

7. **APPLICANT: FOLDENAUER FARMS / HARTLAND ASSOCIATES SITE PLAN APPLICATION #243 IN CONJUNCTION WITH SPECIAL USE APPLICATION #185** – Mr. Kujala was present. This review is for conformance with Article 33 Se. 33.02 Expiration of site plan and the building in setback issue with Lot 15. The master deed must be amended and the site plan must be revised to show all changes since it was first approved.

Mr. Kujala – The master deed will be amended after the site plan is approved.

Chairman Fountain called for questions from the audience but none were received.

Mr. Nicholson – The public hearing was overlooked in the approval process so this meeting will satisfy that requirement. The two items under discussion are the relocation of the stables and the setback encroachment on Lot 15.

Commissioner Kalenauskas – The house on lot #15, through a series of errors, is 9 ft. into the setback.

Commissioner Colaianne – This is a violation of the ordinance and must be addressed. Every developer would prefer to ask forgiveness for a violation rather than do what has to be done to comply with the ordinance.

Mr. Nicholson – The Township, County, original developer, builder all overlooked this issue. The PC has the option to reapprove the original plan and not approve the relocation of the stable or the Lot 15 setback issue.

The neighbor of Lot 15 noticed the building was too close to the lot line. Boss Engineering checked it and the problem was reported to Mr. Kujala. This issue cannot go to the ZBA. The neighbor has had discussions with the builder about compensation for this but has not received anything yet.

Chairman Fountain – There are legal issues involved and the Planning Commission should seek direction from legal counsel before proceeding.

Commissioner Colaianne – Action by the Planning Commission could impact the ability of the neighbor to assert a claim in this situation. Attorney Homier should advise on this.

Commissioner Phillips – The application states CRPD as the zoning but no such zoning exists in Hartland.

The public hearing was closed.

Mr. Kujala requested more time to work on this issue and not be put on a December agenda.

Move to place Site Plan Application #243 in conjunction with Special Use Application #185 for Foldenauer Farms / Hartland Associates on the January 8, 2004 agenda. Motion Colaianne. Second Phillips. Voice Vote. Motion Carried. 5-0-2.

OLD AND NEW BUSINESS

8. DISCUSSION ON FUTURE LAND USE TEXT – Chairman Fountain noted several items that needed to be resolved.

--Beaty's commercial is not noted on the latest future land use map at the south side of M59 west of Pleasant Valley. It will be added.

--Transition to estate residential on the east border with Highland Township. No consensus on changing this.

--MUDR is between the commercial and office on the south side of M59. There is currently a house there and the consensus was to make it office.

--Transitions in Parshallville – It is already estate residential – no change.

--The area of commercial across from the old high school is shown as office. Make the change to commercial.

--M59 – Make the area at Cundy road office.

--There is a church site shown on east M-59 – check to see if it is located properly.

Commissioner Phillips – The Board has expressed concern with lagging behind the timetable. Hazard mitigation needs to be inserted.

The two ten acre parcels cut out of the west side of Waldenwoods should be designated as future RR.

Commissioner Phillips left at 8:33 p.m.

Are there any changes to the future land use text?

Commissioner Colaianne – It is difficult to designate a density for Waldenwoods with their RR zoning.

Commissioner Germane – on page 7 at the end of the second sentence add “ several parcels along Cullen Road”. Add “Churches” to the list of quasi-public sites.

Mr. Nicholson – Now the PC must request permission to send mailings to the adjacent municipalities as well as the County, accumulate comments, make changes as needed and have a public hearing on the final version. The public hearing may not take place until April or May 2004.

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

10. COMMITTEE REPORTS

Colaianne – Attended the County Planning meeting on the Open Space Amendment. Several issues were raised. Even though it was in the previous definition, they found including clubhouses and recreation centers unusual.

Commissioner Germane left at 9:00 p.m.

Mr. Nicholson will formulate a response to the County comments before this goes to the Board. Place it on the agenda for discussion.

Commissioner Colaianne – 6 uses from HSC were not placed in other zonings. Mr. Nicholson will include some convenience store wording in the auto service definition. Emergency shelter wording needs to address the temporary nature of the situation.

Chairman Fountain – Mrs. Wyland is attempting to get a copy of the County Comprehensive Plan for Hartland Township.

11. ADJOURNMENT – The meeting was adjourned at 9:10 p.m.

These minutes are a preliminary draft until final approval.

Submitted by,



Christine A. Polk
Recording Secretary



D. Kalenauskas
Planning Commission Secretary

Next meetings – December 11, 2003
December 18, 2003