

**HARTLAND TOWNSHIP PLANNING COMMISSION MEETING**  
**AT THE TOWNSHIP HALL**  
**SEPTEMBER 26, 2002**  
**7:30 PM**

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF SEPTEMBER 26, 2002 PLANNING COMMISSION AGENDA
5. APPROVAL OF SEPTEMBER 12, 2002 SPECIAL PLANNING COMMISSION MEETING MINUTES
6. CALL TO PUBLIC         **PLEASE APPROACH FRONT CENTER MICROPHONE**

**PUBLIC HEARING**

7. 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**

**OLD AND NEW BUSINESS**

8. COMPREHENSIVE / MASTER PLAN                         **SET A DATE FOR A PUBLIC HEARING**
9. APPLICANT: WILLIAM FEHLIG / JOHN ROOSE                         **METES & BOUNDS APPLICATION #645**         SECTION 27
10. APPLICANT: CHARYL STOCKWELL ACADEMY         **SIGN APPLICATION #418**         FREE STANDING/ MONUMENT  
SIGN SECTION 29         (AKA Livingston Development Academy)
11. APPLICANT: BRAD BELL / PETE EICHART                         **SIGN APPLICATION #419**         WALL SIGN         SECTION 29
12. APPLICANT: DAVID SCOTT / JAMIE ELFSTROM                         **SIGN APPLICATION #420**         REPAIRING ORIGINAL SIGN  
SECTION 22
13. APPLICANT: JACKIE SCHELLER / JAYLYNN                         **SUBDIVISION PLAT APPLICATION #11**         SECTION 23
14. APPLICANT: VOICE STREAM                         **SITE PLAN APPLICATION #333**         IN CONJUNCTION WITH **SPECIAL USE APPLICATION #213**
15. APPLICANT: MEADOW VIEW ESTATES II                         **SITE PLAN APPLICATION #338**         SECTION 32  
A REVISION TO MEADOW VIEW ESTATES II
16. APPLICANT: LAKEVIEW 59 LLC / JOE PRZYGODA                         **SITE PLAN APPLICATION # 337**         SECTION 21         TO CONSTRUCT A SERVICE DRIVE AND A DETENTION POND
17. CALL TO PUBLIC
18. COMMITTEE REPORT
19. ADJOURNMENT

NEXT REGULAR MEETING   OCTOBER 10, 2002

HARTLAND TOWNSHIP PLANNING COMMISSION REGULAR MEETING  
SEPTEMBER 26, 2002 – TOWNSHIP HALL – 7:30 P.M.

1

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 Petrucci, Commissioner Phillips and Commissioner M. Germane. Commissioner Colaianne arrived at 7:45 p.m. Also present: Attorney Mike Homier, David Nicholson of McKenna Associates, Interim Zoning Administrator Kuhn and Deputy ZA Lutz.

4. APPROVAL OF SEPTEMBER 26, 2002 PLANNING COMMISSION AGENDA – Remove item #17. Add as 5a. September 5, 2002 Special Planning Commission Meeting minutes. Change September 12, 2002 Special Planning Commission Meeting minutes to Regular Meeting minutes..

Move to approve the September 26, 2002 Planning Commission agenda as amended. Motion Phillips. Second Kalenauskas. Voice Vote. Motion Carried. 6-0-1.

5. APPROVAL OF SEPTEMBER 12, 2002 REGULAR MEETING MINUTES – Move to approve the September 12, 2002 Planning Commission Regular Meeting minutes. Motion Phillips. Second Douglass. Voice Vote. Motion Carried. 6-0-1.

5a. APPROVAL OF SEPTEMBER 5, 2002 PLANNING COMMISSION SPECIAL MEETING MINUTES – Move to approve the September 5, 2002 Planning Commission Special Meeting minutes. Motion Phillips. Second M. Germane. Voice Vote. Motion Carried. 6-0-1.

Move to amend the agenda to move item #15 to be considered after the call to the public and before the public hearing in order to go into closed session. Motion Phillips. Second Kalenauskas. Voice Vote. Motion Carried. 6-0-1.

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

15. APPLICANT: VOICE STREAM SITE PLAN APPLICATION #333 IN CONJUNCTION WITH SPECIAL USE APPLICATION #213 – Move to go into closed session at 7:36 p.m. with legal counsel to discuss item #15 and a written legal opinion. Motion Phillips. Second Petrucci. Roll Call Vote.

M. Germane – yes

Phillips – yes

Fountain – yes

Douglass – yes

Petrucci – yes

Kalenauskas – yes

Colaianne – absent.

Motion Carried. 6-0-1.

Move to come out of closed session at 7:50 p.m. Motion Phillips. Second Kalenauskas. Voice Vote. Motion Carried. 7-0-0.

PUBLIC HEARING

**7. 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** – Wayne Perry was present. The ordinance currently prohibits outdoor storage in a planned development even though the underlying zoning of HSC, Industrial and Light Industrial do allow outside storage. *Alice Wyland* – Since the site is in light industrial and this is allowed in that zoning why apply for a change. Mr. Perry noted that the July 2000 map does not indicate a PDI.

Mr. Nicholson noted that their request for a text change is not a request for a map change and the change requested does not have to apply to their parcel. There was no McKenna recommendation drafted on this issue since none was requested but one would be developed if so requested.

Chairman Fountain stated that the Planning Commission does not customarily act on an item the night of a public hearing.

**8. COMPREHENSIVE PLAN / MASTER PLAN SET A DATE FOR A PUBLIC HEARING** – Move to set a Public Hearing on the Comprehensive / Master Plan for Hartland Township for October 30, 2002 . Motion Phillips. Second M. Germane. Voice Vote. Motion Carried. 7-0-0.

**9. APPLICANT : JOE ROTONDO / JASON WALLACE SET A PUBLIC HEARING DATE FOR REZONING APPLICATION #297 TO REZONE CA TO GC SECTION 22** - Move to set a Public Hearing on Rezoning Application #297 for Joe Rotondo / Jason Wallace on October 24, 2002. Motion Phillips. Second Petrucci. Voice Vote. Motion Carried. 7-0-0.

**10. APPLICANT: WILLIAM FEHLIG / JOHN ROOSE METES AND BOUNDS APPLICATION #645 SECTION 27** – Mr. Roose was present. Deputy ZA Lutz stated that the assessor had approved the availability of the splits and the Attorney had reviewed it. Move to recommend approval of Metes and Bounds #645 , Tax Id. # 08-4700-27-100-074 pursuant to Hartland Township Zoning Ordinance #37 and the State Land Division Act. Motion Colaianne. Second Kalenauskas. Voice Vote. Motion Carried. 6-1-0. Nay M. Germane.

**11. APPLICANT: CHARYL STOCKWELL ACADEMY SIGN APPLICATION #418 FREE STANDING MONUMENT SIGN SECTION 29 (AKA Livingston Developmental Academy)** – Pete Eichinger was present. They plan to remove the old sign, cover the brick with cultured stone, change the cabinet and go to ground lighting of a wood sign. Move to approve Sign application #418 for a free standing monument sign for Charyl Stockwell Academy. Motion Colaianne. Second M. Germane.

The second was withdrawn and the motion withdrawn to be restated.

Mr. Nicholson advised that the plan did not show the set back from the right of way of M59 which is required by the ordinance.

Move to approve Sign Application #418 for Charyl Stockwell Academy for a free standing monument sign subject to the requirement to identify the setback from the right of way of M59. Motion Colaianne. Second M. Germane. Voice Vote. Motion Carried. 7-0-0.

**12. APPLICANT: BRAD BELL / PETE EICHINGER SIGN APPLICATION #419 WALL SIGN SECTION 29** – Mr. Eichinger was present. The sign is located in the Hartland Woods Plaza and will be an internally lit cabinet with a single face located on the roof. It will be 8 ft. long and 2 ft. high.

Move to approve Sign Application #419 for Brad Bell for the sign as depicted in the application with the red background ( middle one of the three shown). Motion M. Germane. Second Colaianne. Voice Vote. Motion Carried. 7-0-0.

Commissioner Phillips requested the interim ZA to check the other signs in the plaza for approval.

**13. APPLICANT: DAVID SCOTT / JAIME ELFSTROM SIGN APPLICATION #420 REPAIRING ORIGINAL SIGN SECTION 22** – David Scott and Jaime Elfstrom were present. They are requesting to reface the existing sign, not repair it. It was noted by Commissioner M. Germane that the sign is currently non-conforming and there is a maximum of 64 sq. ft allowed and this sign exceeds that limit at 70 sq. ft. There are also 4 colors in the sign and the ordinance allows only 3.

Move to approve Sign Application #420 for First Financial with the condition that a new drawing be submitted that meets the ordinance requirements discussed – 64 sq. ft. of face area and the use of only 3 colors. Motion M. Germane. Second Colaianne. Voice Vote. Motion Carried. 7-0-0.

**14. APPLICANT: JACKIE SCHELLER / JAYLYNN SUBDIVISION PLAT APPLICATION #11 SECTION 23** – Ms. Scheller and Chris Cotter of Advantage Engineering were present. They felt that everything was in compliance.

Mr. Nicholson noted that there were still 2 recommendations that were outstanding – access from Bullard Road and the load bearing capacity of the lots.

Move to recommend tentative preliminary approval of Subdivision Plat Application #11 for Jackie Scheller per the Hartland Township Subdivision Control Ordinance. Motion Colaianne. Second M. Germane. Voice Vote. Motion Carried. 4-3-0, Nays Fountain, Phillips and Douglass.

**15. APPLICANT: VOICE STREAM SITE PLAN APPLICATION #333 IN CONJUNCTION WITH SPECIAL USE APPLICATION #213** – Clarence King of Auburn Land and Jerry Bauer and Xihao of Voice Stream were present. Earlier in the meeting there was a closed session with the Township Attorney to discuss his written legal opinion on this item. Mr. King stated that existing towers will not give the service needed and the topography makes this the best site. He feels that it is not a major change of use.

Commissioner Douglass stated that the entire site must be considered as required by the ordinance.

Mr. Nicholson stated that due to the special use status of the application, the ZBA was not empowered to grant a variance. A resolution had been requested and was drawn up by McKenna that incorporated what the applicant was willing to do to bring the site into closer compliance. They agreed to 5 items as stated in the August 12, 2002 correspondence.

1. Junk vehicles screened and removed after 30 days unless required to remain by law enforcement.
2. Landscape the front of the site.
3. Install pavement to north.
4. Remove non-conforming signs.
5. Revise the site plan.

These items do not bring the site up to compliance with the requirements of the ordinance and the applicants were so advised.

There also remained the issue of the distance from other towers being less than one mile. Mr. King pointed out that there were two towers at the Waste Water Treatment Plant site. It was pointed out that one of the towers is for cable and that the site predated the ordinance governing cell tower locations.

Mr. Bauer felt that the information submitted to the township was not reaching the Commission as it should.

Commissioner Douglass advised the applicants to submit the information on the upgrades to the site to the Commission for consideration per the requirements of the Ordinance.

Move to table Site Plan Application #333 for Voice Stream to the October 10, 2002 meeting..  
Motion Colaianne. Second M. Germane. Voice Vote. Motion Carried. 7-0-0.

Mr. Nicholson reiterated that complete compliance with all the ordinance requirements was necessary and should be incorporated into their revised plans.

Commissioner Phillips stated that per the Land Division Ordinance, a land split may have to be considered if there is to be a long term lease involved.

Mr. Bauer stated that they flatly refused to bring the site up to the standards required in the Ordinance.

Recess – 9:40 p.m.

Resume – 9:43 p.m.

#### **16. APPLICANT: MEADOWVIEW ESTATES II SITE PLAN APPLICATION #338**

**SECTION 32** – Wayne Perry, Gordon Follmer and Steve Follmer were present. Road paving in the development is almost complete. A land transfer has been negotiated between Follmer and Biddix. Mr. Biddix will receive 10 acres on the east side of Meadowview in exchange for the acreage south of Meadowview II. Two easements for future roads are being added in order to give Mr. Biddix access to the 10 acres he will accept.

There is also the issue that the Meadowview residents have decided that they would like streetlights as offered by the developer.

Mr. Perry addressed the issues in the September 6, 2002 Tetra Tech MPS letter and felt that they were settled.

Two minor concerns from Mr. Nicholson were lot 28 and lighting. Mr. Perry responded that Lot 28 was the northern most lot and did have a house on it. The design of the lights will address glare and keep it to a minimum.

Commissioner Phillips noted that the Master Deed and By-laws have to be revised for the additional easements.

Move to recommend approval of Site Plan Application #338 for Meadowview Estates II to give both preliminary and final approval, provided that the master deed, by-laws and other amended documents be reviewed by McKenna and the Township Attorney. It is further required that formal correspondence be received from the Fire Department regarding approval of the access road to Old US 23. These items are to be submitted prior to action by the Township Board. Motion Phillips. Second Petrucci. Voice Vote. Motion Carried. 7-0-0.

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

#### 19. COMMITTEE REPORTS

*Phillips* – The August 22, 2002 minutes should be redistributed.  
The rezoning request from Mr. Rotondo is for the wetland property east of the driving range on M 59.

*Douglass* – Sign regulation needs to be reviewed and revised.

*Kalenauskas* – Move to set a special meeting on October 30, 2002 at 7:30 p.m. Motion Kalenauskas. Second Petrucci. Voice Vote. Motion Carried. 7-0-0.

In response to a question on cell towers, Mr. Nicholson responded that if there was a error in approval of a tower location that does not mean that this justifies allowing more towers that are in conflict with the ordinance.

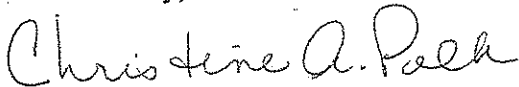
There was a discussion of requiring a perc test for metes and bounds approvals. Some members felt that it was the buyers responsibility to be sure the percs were done and are acceptable, not the Township.

*Fountain* – Homemade signs are still popping up all over the place.

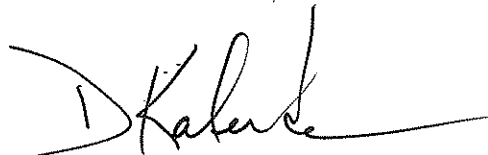
20. ADJOURNMENT – The meeting was adjourned at 10:39 p.m.

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 10, 2002  
Special Meeting – October 30, 2002