

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, Sue Grissim, Michael Mitchell, Keith Voight
ABSENT: Jeff Newsom (Excused)

4. Approval of Meeting Agenda

- a. Motion to approve as amended (Switch items 8a and 8b)

The Planning Director relayed a request by the applicant to flip Items 8a and 8b; Fiddler Grove applicant's engineer had another meeting to attend the same night and requested they go last. Motion to approve the Planning Commission Meeting Agenda with the proposed change made by Voight and seconded by Mitchell; motion carried 6-0

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Keith Voight, Secretary |
| SECONDER: | Michael Mitchell, Commissioner |
| AYES: | Colaianne, Murphy, Fox, Grissim, Mitchell, Voight |

5. Approval of Meeting Minutes

- a. Planning Commission - Regular Meeting - Jun 25, 2015 7:00 PM

Motion to approve the Planning Commission Meeting Minutes of June 25, 2015 made by Grissim, seconded by Murphy; motion carried 6-0.

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| RESULT: | ACCEPTED [UNANIMOUS] |
| MOVER: | Sue Grissim, Commissioner |
| SECONDER: | Thomas Murphy, Commissioner |
| AYES: | Colaianne, Murphy, Fox, Grissim, Mitchell, Voight |

6. Call to Public

Ms. Kreiger on Fenton Rd. came forward and commented on the proposed driveway location for the proposed Speedway application first heard at the June 25, 2015 meeting, expressing concern that the proposed location will not function.

Mr. Mahoney from the Autumn Woods subdivision came forward to express concern about the proposed location of the detention pond on the Fiddler's Grove development; concern was also expressed on possible contamination, as well as the lot sizes.

7. Public Hearing

- a. 2015 Update to the Comprehensive Plan (Updated Future Land Use Plan and Future Land Use Map)

Chair Fox first explained the public hearing process, then opened the hearing at 7:08 by asking for an overview of the project from the Director. The Director described the comprehensive plan update process and the steps that have occurred to date, stating that work has been going on for nearly the past year. This is one of several opportunities provided for the public to provide input on the proposed amendment. He noted that comments were received from the Livingston County Planning staff and Planning Commission, and the Tyrone Township Planning Commission. These entities recommended approval. The Director went on to briefly describe key areas of proposed change.

Mr. Crouse of Waldenwood came forward and questioned the classification of Bishop Airport, noted a spelling error, and requested review of the Residential Recreation use description.

The public hearing was closed at 7:20; formal adoption will be considered on July 30th. Voight asked if the issues identified by Livingston County had been changed; they were changed.

b. SP# 533 - M-59 and Clark Gas Station w/ Drive Through (Site Plan with Two Special Land Uses)

Chair Fox first explained the public hearing process, then opened the hearing at 7:22. He turned it over to the Planning Director for an overview. The Director described the project as being a site plan with 2 special land uses proposed for a 5 acre property north of M-59 and east of Clark Road. The first special land use is the gas station and convenience center, and the second is the fast-food drive through requested for the associated Dunkin/Donuts and Baskin Robbins. He stated that because this has special land use components, it is subject to approval by the Board of Trustees. The property has been zoned "commercial" since at least 1985. He highlighted the shared driveway, the fast food restaurant use, the convenience center, the limited beer/wine sales, and the overall site layout. He concluded by describing the review process and the issues emphasized including lighting, traffic, detention, building design and landscaping.

The applicant provided a brief overview. He stated that it has taken 3 years to get to this project to this point in terms of the best overall design, and that the site will employ 30 people. Traffic was the first issue presented and the rationale for the access points and drive-through locations, as well as proposed road improvements, were described. The building design was reviewed. He said that it was his intent to have a concrete driveway. The last item pointed out was the site design relative to the wetlands on the east. Before the public hearing was opened, the Director stated that correspondence from MDOT states that no traffic signal will be required.

Ms. Meisterfeld came forward and expressed concern about traffic, and lack of need for ice cream, donuts, and gas stations. She does not believe that the proposed wall will sufficiently block noise, lights and gas fumes; she also expressed concern about the sale of beer/wine.

Chair Fox referenced a letter received from the Pollacks regarding the proposal.

Ms. Langenbruch and daughters from Heritage Meadows came forward; her property is directly north of the proposed site. She expressed concern about negatively impacting the character of the area, the need for a light at Clark, the increase in traffic, the 24 hr. nature, and possible lowering of property values; she stated that there are better locations for such a facility and another use would be more appropriate at this location. She asked that mitigation measures such as evergreens on both sides of the wall, speakers facing away from the north, and limitations on future 24 hr. businesses be considered.

Mr. Wisarowski of Heritage Meadows stated, in relation to the CMP change that will allow higher density development at Clark and Dunham, that backups on Clark Road past Rovey are already common. He referenced a similar circumstance from the 1980's and lack of follow-through on site plan requirements. He said that nowhere else in Hartland is there a 24 hr. gas station this close to residents.

Mr. Minarski on Mathew Lane stated concerns about traffic at Clark Road particularly in the morning. He is especially concerned about the safety of teenage drivers considering the proximity of the high school. Although he knows this is commercial property, the 24 hr. nature is an issue, as is the sale of alcohol.

Mr. Sherbarber of Heritage Meadows asked about the timing of the traffic survey relative to the school year; he also questioned the business model relative to gas pricing.

Mr. Richter of Heritage Meadows said he had concerns about the traffic study and the ages of drivers on Clark Road. He believes there will be more accidents because of young drivers. He expressed concern for odors and the nature of the wetlands. He believes the developer should be responsible for a light at the corner.

Mr. Parks of Heritage Meadows wished to add his voice to the concerns already expressed. He is especially concerned about the traffic and frequency of trips.

Ms. McKinnon of Heritage Meadows wanted to add to the traffic discussion.

Ms. Brady of Heritage Meadows said she did not want to reiterate what has already been said but she and her husband agree with the traffic problems stated. Clark Road is a problem because of busses, high schoolers, parents, and its all up and down Clark. She also said that the Township has chosen not to pay a premium to Livingston County Sheriff but the gas station will attract people from outside of Hartland; the Township should pay for cops.

Mr. Gronow of Hartland stated that there are legitimate concerns, but he knows the applicant and said his staff is professional and that he follows through on his word.

A resident came forward and expressed concerns about the traffic, particularly eastbound traffic.

Ms. Mackel from Autumn Woods subdivision said she will not be directly impacted but sees conflicts in the circulation due to the location of the drive-through.

Mr. Woldley of Heritage Meadows won't reiterate what has already been said but wants to better understand the purpose of 2 driveways on Clark Road. Gas stations require a high degree of traffic in and out in order to stay in business.

Mr. Blair of Heritage Meadows commented from an historical perspective on the traffic pattern on M-59. He said that the new business will compound the problems that already exist. He described previous projects and opposition to them, and rhetorically asked if the government listens to the governed; he concluded that they did not.

Ms. Messina of Heritage Meadows commented asked about the process in terms of the next steps.

Chair Fox closed the public hearing at 8:20. He invited the applicant back to the table and began discussion of the site plan review. The first item was traffic; the applicant stated the study was done when school was in session. The approaches were reviewed and approved. The outbound lefts will be restricted. Chair Fox asked about deliveries; Murphy asked about circulation agreeing that there is a definite concern with traffic. Chair Fox summarized the letter from MDOT which states that warrants are not there to require a light at Clark. Even if the Township were to require one, MDOT would not permit it because the level of traffic did not warrant such. Grissim asked if two left lanes could be requested. The Director explained the cross-hatched lanes as they currently exist. Voight said the Township realizes there is a problem at this location and has tried to deal with it in the past. Discussion occurred on the location of the drive-through and the potential for blocking traffic. Chair Fox asked about the justification for 2 drives on Clark Road. The applicant described the circulation plan, emphasizing truck traffic. Mitchell suggested an island restricting outbound left turns on the southern Clark Road driveway.

The Chair continued guiding the Planning Commission through the staff review. The Director explained concerns with the parking summary; this will be reviewed. Chair Fox asked about the turning radius for large trucks; this will be reviewed by the applicant. The Director described concerns with the landscape plan, focusing on the screening of the residential area. Chair Fox asked about the materials proposed for the wall, then asked if the Commission was in favor of a wall. Colaianne asked for an explanation on the drainage flow relative to the wall. Murphy, Mitchell, and Voight believed that a berm with landscaping would be preferable. Grissim provided comments on the overall landscape plan; she asked if a berm could be sited closer to the developed area on the higher ground. She also discussed screening of the vehicle use area, recommending an evergreen hedge. The applicant shared a different perspective on the screening needs. The applicant will work with staff on resolving the issues discussed. The applicant will reexamine the landscape plan to achieve greater compliance with the Ordinance.

Sidewalk widths were clarified; a five foot sidewalk will be on Clark Road and the M-59 path will be consistent with what is existing. Grissim suggested striping to assist with pedestrian circulation on-site.

The Director described Ordinance requirements relative to lighting, particularly under canopies. He shared staff recommendations regarding canopy lights. Chair Fox said that the light levels proposed are half of what is on some of the existing sites on M-59.

A discrepancy regarding the screen walls for outdoor storage was discussed; Chair Fox emphasized that Hartland does not support outdoor sales of items as a gas station. Discussion ensued on what is and what is not typical of an outdoor sales area; it was stated that this is a special land use criteria.

Chair Fox moved on to the proposed architecture and asked for a description of colors; the applicant apologized that he did not bring the required sample board and verbally described the colors anticipated. The material calculations were the subject of discussion since they do not entirely meet requirements. Rooftop equipment is completely screened. The applicant said that the brick will be standard.

Chair Fox asked the applicant if there were concerns regarding information contained in the DPW, Fire Department, or Township Engineer review letters; the applicant said he was certain all requirements could be met. The 24 hour nature of the business was confirmed. The Director was asked, at this point, to explain the process for the applicant. Chair Fox asked the Director (for the benefit of the public) to describe how the Township ensures that all requirements are built in the manner presented; the Director described the inspection, performance guarantee, and construction permit process. He also confirmed that if the landscaping dies in the future, the owner has the obligation to maintain the site as originally approved. Chair Fox asked if there were additional questions and Voight asked about the speakers (which will face west) and whether they would be at a lower volume at night. The applicant said the speakers would be the newest type used by Dunkin Donuts. He also asked about maintenance on the underground detention.

Chair Fox thanked the applicant and proceeded to the next agenda item.

8. Old and New Business

a. SP# 532 - Waldenwoods Resort Outdoor Venue Resubmittal

Chair Fox asked the Planning Director to provide background on this agenda item. Grissim at this point requested to be recused to prevent a any perception of conflict of interest. The Diector explained that this plan was previously considered on May 28th and it resulted in a 2-2 tie vote. The Director gave the project history and said the proposal now before the Planning Commission was approval of a site plan for construction of a concrete pad to host outdoor events. Several items have been eliminated from the initial site plan such as a gravel parking lot and wider access roads; drainage improvements stemming from the past filling of an existing pond remain. The filled area is now proposed as the location for the concrete pad. The main question before the Planning Commission this evening is a determination as to whether the addition of the proposed concrete pad intensifies the existing use, thereby generating bring the site into greater compliance with existing standards.

The applicant's representative also described the project, presenting the case that the pad in and of itself does not increase intensity. The applicant was asked to describe how such tents are accommodated now and what facilities are available for events. Voight said that this could be argued either way, but since they are already hosting such events, they are only placing the existing tents on a new pad, so this does not increase intensity. Chair Fox agreed, but does stand behind what he said at the last meeting. Murphy raised the question of public safety, but if there will be a tent anyway, the pad should not be an issue. Mitchell said that the plan before them does not include many of the changes previously proposed, the pad itself does not increase the use. The Director said that the recommended motion language is probably inconsistent with the direction of the Planning Commission; Colaianne recommended approval of the plan (pad elements and drainage improvements as described) subject to the applicant addressing outstanding issues. The motion was seconded by Voight and approved 5-0. Grissim rejoined the Planning Commission; a brief break was held.

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| RESULT: | APPROVED [5 TO 0] |
| MOVER: | Joe Colaianne, Trustee |
| SECONDER: | Keith Voight, Secretary |
| AYES: | Colaianne, Murphy, Fox, Mitchell, Voight |
| RECUSED: | Grissim |

b. SP# 524-P - Fiddler Grove (Chestnut Development) Planned Development

Chair Fox asked the Director to provide background on the proposal and he briefly described the project, and the fact that it is now in Step 3 of a six step process. It is in the preliminary plan stage and has been in front of the Planning Commission previously; a number of changes were previously requested. In terms of background, the plan is for 25 detached condominium units on a 9 acre parcel on the south side of M-59. It is to be served by a single cul-de-sac. Many of the issues raised at the June 11th meeting have been addressed and the Director suggested that the Planning Commission focus on the 12 issues that were noted at that meeting. The Planning Department is recommending approval with the conditions noted.

Chair Fox began the discussion stating that the plan now shows sidewalks, the woodchip trail has been removed, mountable curbs are shown, bench materials shown, landscape changes are shown, natural feature mitigation measures were explained by the applicant, open space calculations were provided, the landscaping was “naturalized”, the retaining wall details are shown, and landscaping for each unit is shown. The applicant’s representative described efforts to involve the neighbors in screening and landscape issues. Letters were sent and meetings were held; the Director asked that a brief narrative be prepared addressing this topic. Chair Fox indicated that they would accept the landscape plan agreed to by the neighbors. Encroachments were shown on the grading plan as requested. Per the request of a member of the public at the beginning of the meeting, Voight asked for confirmation that the ponds were detention as opposed to retention ponds; discussion occurred on the fact that a similar pond appeared to be located on the Autumn Woods property.

Discussion occurred on the uniformity of height in new proposed vegetation in order to provide variation. Grissim recommended varied tree heights; Chair Fox asked for such variation on the south side. The applicant asked if variation of grade would be acceptable; a mix of grade change with the addition of some 10’ trees was agreed upon.

Motion by Voight for approval as stated by staff in the review, seconded by Mitchell; motion carried unanimously.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Keith Voight, Secretary |
| SECONDER: | Michael Mitchell, Commissioner |
| AYES: | Colaianne, Murphy, Fox, Grissim, Mitchell, Voight |

9. Call to Public

Mr. McCann of Heritage Meadows came forward and asked for clarification on the Mugg & Bopps request before the Planning Commission; is it for a rezoning? He also asked about the approval criteria.

Chair Fox suggested that Mr. McCann read the review packet (which can be accessed through the Township’s website) since this describes all the criteria and how the applicant has addressed the criteria.

Mr. McCann responded that he didn’t care as much about the details, but was more concerned about the use. The Director explained the use provisions as related to the criteria. Colaianne further explained that the property has been zoned commercial for some time and that from a legal perspective, property owners have a right to a return on their investment. The job of the Planning Commission is to make sure that such uses are at least reasonably compatible.

Ms. Meisterfeld came forward and asked about elements of the staff review; the Director clarified the staff recommendation. She asked about the ownership of the BP and non-compete clauses. She reiterated her concerns regarding potential noise and blight as described in the Township's Ordinance; she is also concerned about alcohol and cigarette sales.

Mr. Wisarowski came forward and asked for procedural clarification; he asked if the applicant owned the property. He also asked if the Township has authority to say what type of business goes on that property. Chair Fox explained the zoning and the permitted uses, focusing on the special uses. Colaianne provided further information regarding zoning laws. Chair Fox and Colaianne both stated that all uses must be allowed in the Township. Chair Fox said a gas station should be located in a general commercial district. Mr. Wisarowski then commented on the alcohol sales and concerns relative to the school.

Mr. Richter came forward asking about nuisances, particularly smells. He commented on the speaker location. He asked that the public safety be taken into consideration. He thanked the Planning Commission for listening to concerns.

A question was raised regarding possible conflicts between the pumping station and the gas station.

Ms. Mackel came forward and said that she appreciates the concern by the Planning Commission. She asked about the directional boring relative to the tree line in Fiddlers Grove and who would be responsible for damage to the trees. The Director explained the directional bore procedure and the looped system; he said there is a remote possibility of impact to the trees, but this is a trade-off to the public benefit of the looped system. Colaianne said the alternative (cut and cover) would be worse.

10. Planner's Report

The Director reported on the following:

The Planning Commission tablets should be returned so that Microsoft Office can be installed.

A meeting is scheduled for July 30th and the Comprehensive Plan Amendment will be formally considered.

The Walnut Ridge proposal will likely be discussed at the next meeting; progress has been made with all involved.

A public hearing is scheduled for July 30th on a private recreation facility proposed for US-23 and Clyde Road.

Staff had a good conference call with Speedway and that proposal should be back soon.

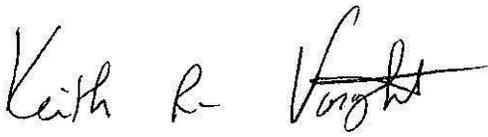
11. Committee Reports

(None)

12. Adjournment

Chair Fox requested a motion to adjourn the meeting. Motion to adjourn was made and seconded, motion carried at 11:05pm.

Submitted by,

A handwritten signature in black ink that reads "Keith R. Voight". The signature is written in a cursive style with a horizontal line extending from the end of the word "Voight".

Keith Voight
Planning Commission Secretary