

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 (7:05 PM), Thomas Murphy, Larry Fox, Jeff Newsom, Sue Grissim, Keith Voight
ABSENT: Michael Mitchell (Excused)

Joe Colaianne arrived at 7:05pm

4. **Approval of Meeting Agenda for Oct. 8, 2015**

a. Motion

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Newsom, Vice Chairman
SECONDER:	Thomas Murphy, Commissioner
AYES:	Murphy, Fox, Newsom, Grissim, Voight
ABSENT:	Colaianne

5. **Approval of Meeting Minutes of Sept. 24, 2015**

a. Planning Commission - Regular Meeting - Sep 24, 2015 7:00 PM

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

6. **Call to Public**

Ms. Meisterfeld on Matthew Lane came forward to raise continued concerns regarding the Mugg & Bopps fuel/convenience station proposed for M-59 and Clark Road stating that traffic is one of the most important of the unresolved concerns. She said that she had a document signed by 84 residents expressing the same dissatisfaction. She described her move to Hartland and the reasons for that move, expressing disappointment in the process and what she believes to be the treatment of the commercial land owner at the expense of the residents in this vicinity. She said that the recent meeting with Mugg & Bopps did not have a favorable result and that the revised site plans do not adequately address the concerns raise, specifically the lack of a traffic light and the proposed berming/screening.

7. **Public Hearing**

None scheduled

8. **Old and New Business**

a. SP#533 REVISED Mugg & Bopps Site Plan with Two Special Land Uses

Chair Fox asked the applicant to come forward that requested that the Director introduce the proposal. The Director said the proposal was before the Planning Commission through a public hearing held on July 16, 2015. It is a site plan with 2 special land uses for a Mugg & Bopps fuel station and convenience store along with a drive-through Dunkin Donuts and Baskin Robbins. Final approval authority rests with the Board of Trustees.

Since the public hearing, the applicant has been working on revising the plans and as part of that process, met with the adjacent residents.

The subject site is located on the northeast corner of M-59 and Clark Road. It shows 3 points of access and the Director explained that MDOT and LCRC have jurisdiction over the traffic issues. Although no traffic light is being required by MDOT, it has agreed to reevaluate the need for a traffic light once the Mugg & Bopps is up and running if warranted. Traffic, screening, lighting, noise, parking, circulation, and environmental impacts were all issues that needed to be addressed by the applicant before further consideration, and the proposed resolution of these issues are described in the staff review. Staff is recommending that the proposal be forwarded to the Board provided the Planning Commission makes determinations on the various issues identified in the review. He said that the issues that still need discussion are highlighted in the staff review.

Chair Fox asked the applicant for an overview of what has changed, stating that the Commission would then walk through the staff review. The applicant said that the plan surpasses the regulations and in response to the residents, he said that they do not perceive themselves as a gas station. He said it is a fuel/convenience center is designed for 2015. He described the state of the art tank gauges that will be installed, and then discussed sound levels and recent decibel readings taken on Matthew Lane. The back of the building will be safe and will look attractive. The impact on the back vegetation will be minimized and evergreens will be planted in locations requested by the adjacent homeowners. The wall was described, with the applicant emphasizing that the preference is that the back be left as natural as possible; he was requested that the wall not be required to be brick. The applicant said that any employee found selling inappropriate products to minors will need to find a job somewhere else emphasizing that Mugg & Bopps has a good reputation.

The Chair began the review with an overview of the special use issues. Clarification on the dumpster materials and dumpster door was requested and materials should be noted on the plans. The Director explained the parking issue, stating that the proposal was a "collection" of uses; consequently the required number of spaces is likely higher than necessary. Staff is suggesting deferring spaces in order to reduce the amount of impervious surface. Voight asked for an employee count; it will likely be a maximum of 10. Voight also said that if electric car chargers are installed, that will take up additional spaces. He believes that the initially proposed spaces should all be installed; Newsom agreed. The applicant is hoping to keep all spaces shown as well. The Planning Commission agreed to the 72 spaces proposed. Voight raised a question about the circulation, suggesting that the south access be eliminated; the rationale for the access was described. Spacing between driveways was discussed next, and the Director said that the road agencies have accepted the proposed accesses and configuration. The Commission discussed the proposed directional drive median onto Clark Road and concluded that it was unnecessary. Discussion then occurred on allowing a wider drive; the Director said that at a minimum, a dedicated left turn lane should be provided and all agreed.

Discussion then moved to landscaping and Grissim expressed concern about the grades and inconsistencies relative to the knee wall; the applicant described the general rationale for the proposal. The Planning Commission requested a correction of the inconsistencies on the plan. Grissim also requested corrections to the minimum plant sizes as shown on the plan. She commented on the lack of plant coverage relative to the foundation landscaping. Chair Fox asked that more evergreen materials be added for winter interest. It was also requested that the stone mulch be exchanged for wood mulch. The missing raised, corner landscape islands were discussed, and must be added and must meet Ordinance requirements.

Regarding the perimeter landscaping, the applicant is requesting that existing vegetation help satisfy the requirements. The Planning Commission agreed provided additional trees were located northeast of the parking lot to provide better perimeter screening of the lot.

Chair Fox asked the applicant for an explanation of the proposed screening adjacent to the residential district. The applicant emphasized that they don't want to destroy what is there, and too much encroachment could be damaging. The proposed 3 foot berm will wind around the existing trees, and 2 varieties of 8-10 foot evergreens will be installed; between 50-75 trees in 3 rows are anticipated. The Director suggested as an alternative, that an agreed upon quantity be allowed to be planted based on field decisions. Such a note to the plan could be added providing for more flexibility in design. Chair Fox said that 12' trees should be incorporated. The Director referenced the Ordinance provisions that gives flexibility in how the screening occurs. Newsom

asked about the need for a berm at all, since if trees are located on a berm, it may be possible to see under the trees. Grissim said that an evergreen typically has branches to the ground. Newsom said he was uncomfortable with the concept of figuring out the screening in the field; Grissim agreed. Newsom suggested that a tree survey be done and an associated landscape plan be prepared; Grissim agreed. The Director asked the Planning Commission if it was its intent to require the same number of trees proposed and to place them where they will be most effective, but shown on the site plan as opposed to being planted based solely on field decisions. The Planning Commission agreed that this was the intent, but that it might not be necessary to plant the full number of trees anticipated if the goal is otherwise achieved. The homeowners will be asked to identify which existing trees should be preserved. The applicant expressed concern that a berm could negatively impact existing trees, and requested greater design flexibility. Chair Fox summarized the issue by stating that the Ordinance allows for several options and it is the applicant's responsibility to provide a design that results in an effective screen. Chair Fox also said that the applicant must add a note that he will comply with all applicable landscape standards.

The Director discussed the asphalt pathway, stating that it should connect with existing sidewalks, but the design should meander. Following discussion regarding site constraints due to wetlands, it was agreed that the existing configuration could remain. Grissim asked that a sidewalk be added connecting Clark Road to the Mugg & Bopps store; this could be located where ever it best works.

Regarding lighting, the question before the Planning Commission is whether the proposed lighting level under the canopy was acceptable; the Commission agreed it was. The fixture pole, fixture information, colors, and full-cutoff note all need to be added to the plans.

The proposed architectural materials were described by the applicant. Chair Fox asked if the brick is to be clay (since this is required), and said the specifications will need to be provided. He said that the building looked nice. He then asked what color the gas canopy would be; the applicant said it was dependent on the fuel brand. Chair Fox reminded the applicant of the dissonant color concerns and asked how this would be dealt with. The Director said that this will be addressed through the sign permit application, and if necessary, may come back to the Planning Commission for a determination. Chair Fox asked that an interim color be noted for the canopy; the roof color was agreed upon. The architecture as proposed was determined acceptable. It was stated that compliance with DPW, the Fire Marshal, and the Township Engineer requirements will be necessary.

Chair Fox then reiterated the Planning Commission decision points, opening discussion on the proposed outdoor sales area. The applicant stated that the location of the bottle return was still in the planning stages. Newsom asked about the sound levels and the Director said that additional information regarding the sound provisions may be required. The applicant said that the speaker locations have been changed to reduce any potential for sound carrying into the residential development. The applicant will show the location of the 2 charging stations proposed.

Following additional discussion on various topics including landscaping, traffic, and screening, the Planning Commission determined that that there were still outstanding issues that needed to be appropriately reflected on the site plan prior to consideration by the Board. Chair Fox thanked the applicant for all the work they have done and Voight expressed appreciation for the forward thinking on the charging stations. No action was taken on the application. The applicant asked about the time frame for resubmittal; the Director said that he anticipated an expedited turn-over whenever it was resubmitted.

RESULT:	INFORMATIONAL
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b. SP# 537 KFC Office Building (Glen Flewelling, Lucky Dining Inc.)

Chair Fox asked the Director to describe the proposal. The Director said the applicant is proposing a second phase to the KFC restaurant, which would constitute an office building for the KFC franchise. It would serve as the business office for the applicant. The KFC site is located north of M-59 and east of Clark Road. The proposal is for a 3,700 square foot office building with 7 parking spaces on the south side; deferred parking approval is being requested. He said that this presents an additional opportunity to screen the site from the adjacent residential neighborhood since the building wall itself provides significant screening. The building contains an overhead door on the west to be accessed by a driveway. Additional associated berming and

screening is proposed as well. Procedurally, this is considered a site plan as opposed to an amendment to the special land use, therefore it can be approved by the Planning Commission. Staff is recommending conditional site plan approval subject to several Planning Commission determinations.

The applicant’s representative proceeded to generally describe the proposal, emphasizing that the building was designed to appear similar to a residential structure. It will primarily be open 9-5. The rear door on the west is mainly for equipment, and consistent with staff’s recommendation, the 24’ drive can easily be reduced to 12’. Also, although the berm is shown across the rear of the site, the applicant would be willing to shorten the berm and spot locate the required trees as requested by staff. The 30’-40’ screen wall suggested can also be accommodated. Sample boards were provided for the Planning Commission.

Chair Fox proceeded to the staff review. The Director was asked to explain the deferred parking; the applicant relayed that there is little point to the additional parking and it is more advantageous to better screen the site. The Planning Commission agreed to the deferred parking request. The applicant again agreed to the 12’ wide driveway and all concurred that this was the preferred approach; no turnaround would be necessary.

The perimeter landscaping was reviewed, and staff suggested that the additional screening behind the detention pond was a better use of materials; the Planning Commission agreed. The applicant confirmed that the detention pond was adequately sized for the additional building. The proposed berm was discussed the applicant concurred that a more effective screen could be achieved through preservation of existing materials and spotting in more trees, as opposed to removing vegetation to construct a berm. The Director said that the same number of trees should be used; the applicant agreed to vary the size of the trees and increase the number of evergreens on the eastern half. The Director also said that preserving the existing vegetation should satisfy the 25% general landscaping requirements; the Planning Commission agreed.

Murphy asked if there would be a sidewalk between the restaurant and the office; no sidewalk is proposed or believed to be necessary.

The Director relayed that the lighting levels were slightly off those required by the Ordinance, but staff is recommending approval of this modification since the building will only be used during the day. The applicant’s representative clarified that soffit lights will be proposed on the south and west elevations. Voight asked if additional lighting is needed for security reasons. The Director said that information on the lighting fixtures proposed must be shown on the site plan.

The Director described a suggested 6 foot brick wing wall to further screen the drive; Fox asked that it have a concrete cap. The Planning Commission agreed to the wall. Chair Fox asked if there were any comments regarding the architecture and expressed appreciation for the residential nature of the building. The applicant clarified that there would be no signage.

Chair Fox asked for final comments. A motion to approve the proposed site plan with the conditions noted was made by Voight, and seconded by Newsom; motion was approved 5-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Keith Voight, Secretary
SECONDER:	Jeff Newsom, Vice Chairman
AYES:	Colaianne, Murphy, Fox, Newsom, Grissim, Voight

9. Call to Public

Ms. Meisterfeld came forward asking if the KFC restaurant could address the odors that escape into the neighborhood by possibly redirecting the exhausts. She said that the odors can be strong the neighbors asked her to raise the issue at this meeting. She also questioned the Planning Commission as to why they believed some issues such as landscaping were more important than other issues such as traffic. She said she believed the ordinances should be followed.

10. Planner's Report

The Director reported on the following:

He is attending the Michigan Planning Association conference and offered the same opportunity to the Planning Commission members.

The Board considered the Newberry Place concept plan at its recent meeting, and it approved the Walnut Ridge application. The Fiddlers Grove plan application will likely be back before the Board on Tuesday as there were still a number of issues to be addressed in the development agreement.

Newsom asked Colaianne about the Board’s feedback on the Newberry Place concept. Colaianne relayed that the Board discussed the proposal and had questions regarding the architecture, which was described to its satisfaction. He said that they recognized that the plan itself was quite similar to one previously approved for this location. Overall the comments were positive, but the Board will be interested in better understanding the recognizable benefits.

The Director said that the Assisted Living provider in Newberry Place was interested in moving forward.

Voight commented that too much time was being spent on landscaping issues and asked the Director to explain why this was. The Director said that the Ordinance is written in a manner that gives a high degree of flexibility to the Planning Commission and they must make the determinations requested by the applicants.

11. Committee Reports

None

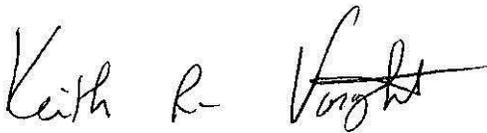
12. Adjournment

a. Motion

Chair Fox requested a motion to adjourn the meeting at 10pm. A motion to adjourn was made and seconded; the motion carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Joe Colaianne, Trustee
SECONDER:	Sue Grissim, Commissioner
AYES:	Colaianne, Murphy, Fox, Newsom, Grissim, Voight

Submitted by,



Keith Voight
Planning Commission Secretary