

HARTLAND TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING FINAL MINUTES
August 03, 2022 – 7:00 PM

1. Call to Order

The meeting was called to order by Supervisor Fountain at 7:00 p.m.

2. Pledge of Allegiance

3. Roll Call

PRESENT: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell

ABSENT: Trustee Petrucci

Also present were Township Manager Robert West, Public Works Director Michael Luce, and Planning Director Troy Langer.

4. Approval of the Agenda

Move to approve the agenda for the August 3, 2022, Hartland Township Board meeting as presented.

Motion made by Treasurer Horning, Seconded by Trustee O'Connell.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell

Voting Nay: None

Absent: Trustee Petrucci

5. Call to the Public

No one came forward.

6. Approval of the Consent Agenda

Move to approve the consent agenda for the August 3, 2022 Hartland Township Board Meeting as presented.

Motion made by Clerk Ciofu, Seconded by Trustee Germane.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell

Voting Nay: None

Absent: Trustee Petrucci

- a. Approve Payment of Bills
- b. Approve Post Audit of Disbursements Between Board Meetings
- c. 07-19-22 Hartland Township Board Regular Meeting Minutes
- d. 07-19-22 Hartland Township Board Closed Session Meeting Minutes

7. Pending & New Business

- a. Resolution to Amend Resolution No. 11-R010 Interfund Loan Interest

Treasurer Horning stated that this is just a change in the verbiage of the Resolution to take out Multi-Bank Securities and to insert that we will look at any of the banks that we are currently

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using and take the highest interest rate plus the additional 1% for our administration fee. Multi-Bank Securities became an institution that no longer collateralized our funds, so we stopped using them around 2017.

Motion to approve Resolution No. 22-R017, regarding Interfund Loan Interest.

Motion made by Treasurer Horning, Seconded by Clerk Ciofu. Roll call vote taken.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane,
Trustee McMullen, Trustee O'Connell

Voting Nay: None

Absent: Trustee Petrucci

Motion passed: 6-0-1

- b. Site Plan/PD Application #22-006, Preliminary Planned Development Site Plan – Hartland Senior Community, a Single-Family Residential Planned Development (PD)

The applicants were invited forward by Supervisor Fountain. Planning Director Troy Langer stated this is a Planned Development (PD) residential project and gave a brief overview of the PD process. He stated that the PD process allows some flexibility with the zoning ordinances, essentially allowing an applicant to present their plan which is then reviewed by the Township within certain parameters. The process initially involves a concept plan where the applicant will submit a concept idea of something they would like to do. The concept plan goes in front of the Planning Commission (PC) and the Hartland Township Board (HTB). No formal decisions are made at the concept review but comments are provided. The applicant will then weigh those comments and decide whether or not to proceed with the project. This project has gone through conceptual review. The next phase is the preliminary phase which is bit more detailed as we would need to see a more precise site plan, with landscape plans and building elevations to see exactly what is planned for the property. This is the phase we are in right now. This phase also involves a public hearing at the PC where we would send notices to all properties within 300 feet of the project property. He stated we did a legal notice in the newspaper and held that public hearing at the PC at their second meeting in July. At that meeting the PC recommended approval of the project. The next part of the preliminary phase is for the HTB to review the preliminary plan, which is where we are at tonight. The last phase of the PD process is called final phase, and at that point we are pretty much done with reviewing the site plans and we will primarily be looking at any recorded instruments, any easements, the master deed for the condominium, as well as a PD Agreement. He stated that this is commonly referred to as the legal part of the process where we are reviewing the legal instruments. He stated that the core of the site plan is all packed into the preliminary phase we are at right now.

Director Langer gave a brief overview of the project history regarding the submission of the concept plan to both the PC and the HTB. He referenced some of the comments that came out of the conceptual review from the Hartland Deerfield Fire Authority (HDFA), including a secondary means of access for an emergency situation. The HDFA also had concerns with how close the potential structures would be to each other as the conceptual plan was proposing that they were about five feet off of the property line so if one structure is five feet from the property line and the neighboring structure is also five feet off of the property line, there was about 10 feet between the structures. The PC essentially asked that the applicant meet with the HDFA to see if these concerns could be worked out. The applicant met with HDFA and ultimately, the applicant decided to work with a neighboring property, which happens to be the Hartland Ice Arena, to negotiate an emergency access that would connect with their parking lot. The applicant also decided to move the potential residential structures further away from each other, to fifteen feet apart, by moving the structures so they would be seven and a half feet from the property lines. Director Langer stated that the applicant also received their wetland delineation,

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which is where someone actually goes out and determines where the wetland boundaries are, and they discovered that the wetland was not as big as they originally thought. This freed up more space for how they could design their residential development on the project. The project somewhat changed from conceptual review to the preliminary review to accommodate those items. The plan in front of the Township Board is the preliminary plan. There are 32-single family residential structures, located immediately north of the Bella Vita facility which is just north of M-59. The project would be accessed by Bella Vita Road which goes out to M-59 and there would be a temporary emergency access that would go to the west to the parking lot for the Ice Arena. He stated there would be a gate at this access, so it would not be accessible at all times. In the event there was an emergency on either this property or the Ice Arena property that is served by Arena Drive that would be blocked off this may allow patrons at the Ice Arena to get out of that facility as well, so it has a dual purpose. Director Langer stated that at the public hearing there was a resident that stated they were not necessarily opposed to the project, but they lived across from Ore Creek and stated that when the Ice Arena project was built, they had some concerns as to how that development impacted Ore Creek. They just wanted to ensure that whatever occurs on this property does not negatively impact Ore Creek.

Director Langer then gave a brief overview of some of the specifics of the project consisting of 32 units, all of which are designed with a courtyard on the side, so they do not rely on a backyard. They are focusing more on their entertainment with a side patio courtyard. The courtyards are never facing another unit's courtyard. The applicants then gave a brief overview of the project stating that these are for sale units, not rentals units. This is an upscale detached patio home with price points probably in the \$400Ks to \$500K range and referenced some of the exhibits that provided an overview of the side courtyards. They gave a brief overview of the stormwater design which would be designed to State and Livingston County Drain Commission (LCDC) standards and there should be no adverse impact on any neighboring properties.

Treasurer Horning stated that she really liked the five-foot sidewalks that will make this a walkable community and she really likes the courtyard concept where the courtyard is still private and not facing a neighbor. Treasurer Horning inquired as to the recognizable benefits to the Township. The applicant stated that it is providing housing that is not typically done in Townships. This is geared more for older adults as they age and no longer want to take care of large lots. Typically, there are few to no children in these communities which would pose no additional burden on the school system. They also stated that this is a less dense project which would limit traffic issues in the area and have a limited effect on the water and sewer systems. They also cited the additional open space that is a product of having a much less dense project. Director Langer stated that the project will not only have sidewalks on both sides of the street, but there will be a trail system around the storm water detention system. Treasurer Horning commented that the recognized benefit cited of not burdening the schools is not really a recognizable benefit as the schools are always anxious to get additional pupils. Supervisor Fountain inquired as to the document regarding the declaration of bylaws creating condominium ownership and would like to know if that is just a template that would be used for this. The applicant stated that it is a sample that they included to explain how they work, and a local attorney will create one for this location for Michigan standard laws. Supervisor Fountain also inquired as to where the applicants were headquartered. The applicant stated that the main headquarters is in Columbus, Ohio and they build corporately in Columbus, Charlotte, Raleigh, Indianapolis, and Atlanta. The company is in 29 total states most of which are franchisees. The headquarters in Michigan is in Redford and there would be a satellite office in Hartland. Trustee Germane inquired as to the time frame for the buildout of the project. The applicant stated that the interest rates typically do not affect their buyers as much because of

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the age target of the buyer. The applicant stated that 40% of the buyers purchase with cash and some have lifestyle mortgages that is unique with people that are 62 and older. A typical neighborhood would pace at two to three units per month, so maybe one year to 18 months is what would be anticipated for completion. Trustee Germane stated that they have a storm management detention basin in the northwest, not too far from the one that serves the Ice Arena, and he inquired as whether the soils in that area allow for a lot of percolation back into the groundwater or whether there is actually an overflow discharge to it. The applicant stated that the new LCDC standards require for them to do a percolation test within the footprint of the basin and that factors into the sizing of the basin and the outlet and things like that, so they are assuming that they have fairly good soils. It is sandier soils and assuming 1" per hour infiltration rate which basically means it does infiltrate naturally and there will be an outlet control structure and it will outlet into the creek at a restricted rate to eliminate soil erosion into the creek. The applicant further explained county regulations regarding sanitation forebay and the regular maintenance of the forebay.

Trustee Germane inquired as to who is going to handle maintenance with the soil erosion basin. The applicant stated that there will be an easement dedicated around the basin that will allow access to the LCDC to maintain the basin and they will confirm this with the County. Trustee Germane inquired as to the ratio of open space to development space and Director Langer stated the development was 9.58 acres and they have 2.4 acres of open space, so around 25%. Trustee Germane inquired as to how close the southern homes would be to the Bella Vita parking lot and applicant stated there was the Bella Vita detention basin between the homes and the parking lot and that there will be landscape buffering between the homes and Bella Vita. Trustee Germane commented that Bella Vita does have nice sidewalks surrounding their building and if there was not a large additional expense, he would like to see the sidewalks connected. Director Langer stated this was discussed at the PC but it would only go to the end of their property and would not connect to Bella Vita sidewalks as their sidewalks do not go to this property line. Trustee McMullen stated she thought the first plan had parking spots shown between units 20 and 28. The applicant stated that there were never any parking spots shown on the plan but, there was discussion on adding some additional parking spaces. The houses have an attached garage which provides parking as well as the driveway that can accommodate two cars so there was no additional parking planned for visitors. Trustee McMullen inquired if parking would be allowed on the streets as she is concerned with additional parking for family events. The applicant stated that would be up to DPW or the HDFA if that would be allowed. Clerk Ciofu stated that on the south road that goes through the development, in the early plans it got shifted a little to line up to the parking lot in the Ice Arena and inquired if that has been approved by the Ice Arena or if they are still talking about that. The applicants stated this has been coordinated with the Ice Arena and they will allow them to have that access. Trustee O'Connell stated that she has the same concern about parking as Trustee McMullen. The applicant stated that the road is wide enough for additional parking on the road and for cars to still drive though. Director Langer stated that the right-of-way is 66 feet wide which is as wide as Clark Road. The HDFA is concerned with parking to be able to get their trucks down the road in an emergency situation, and that this issue was discussed with the HDFA. Discussion was held on additional locations for additional parking. Clerk Ciofu stated that this issue occurs in all subdivisions, that when large family gatherings are held people will park on the street. He stated that each unit having a two-car garage and a two-car driveway for normal daily use is satisfactory in his view.

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Move to approve Site Plan Application #22-006, the Preliminary Planned Development Site Plan for the Courtyards, Hartland Senior Community, as outlined in the staff report dated July 25, 2022

Motion made by Trustee Germane, Seconded by Clerk Ciofu. Roll call vote taken
Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane,
Trustee McMullen, Trustee O'Connell
Voting Nay: None
Absent: Trustee Petrucci Motion passes 6-0-1

- c. Site Plan Application #20-011 Villas of Hartland Planned Development (PD) – **REVISED**
Preliminary Site Plan dated February 24, 2022

Supervisor Fountain gave a brief overview of the revised site plan dated February 24, 2022 and invited the applicants to come forward. Director Langer stated that this project is also a Planned Development (PD). He again reviewed the PD process of concept plan, preliminary plan, and final plan. He stated the applicant has gone through the concept plan phase and that we are at the preliminary plan phase. Director then gave a brief history of the project stating that when this project originally came to the Township in conceptual review there was a planned connection to the subdivision immediately to the east which is Walnut Ridge. The applicant moved on to the preliminary phase at the PC and that connection was still shown. As the public hearing for the preliminary phase involves noticing surrounding property owners as well as a publishing legal notice in the newspapers, it drew quite a bit of comments from the Walnut Ridge residents and as a result the plan was modified to what is presented now. There is no longer a connection to Walnut Ridge. Instead, there is a secondary emergency access that will connect out to Hacker Road so this development has its primary access off Hacker Road and then there is a secondary means of access that would be a gravel type of road that would be gated so people could not ordinarily drive down that road. There are also gates at the beginning of this subdivision as it is somewhat of a gated community. Those gates would automatically open regardless of who drove up, so it is not locked off to only residents and it could be manually opened if needed. This project now contains 57 units.

Director Langer stated that when it was at the PC for a second public hearing, due to the modification, we re-noticed it and held a new public hearing based on this new plan. There were also some comments from some neighboring residents, including some who lived across Hacker Road which is actually in an adjoining Township, who had concerns with storm water runoff and traffic lights. As part of the review at the PC, in attempting to address those comments as best as the PC could, they conditioned their approval upon some additional trees being installed either along Hacker Road or in some other location. This plan at the Board meeting tonight has been modified from what the PC saw because the applicant just went ahead and installed those trees per what the PC approved. Other than that, it is the same exact plan that the PC saw.

Wayne Perry on behalf of the applicant Joe Rotundo, stated that this plan has been, as noted, through a number of changes over the course of its approval process and those changes have improved the plan. This 24.5-acre parcel contains 57 units with private roads and sidewalks. The road layout and the unit layout have been revised to minimize the impact to the property, maximize the available open space on the land, and minimize the impacts to the community as well. Supervisor Fountain inquired as to whether there is any additional planned parking. The applicant stated that the road right-of-way is 66 feet wide, so the roads are full width, and the curbs are flat curbs. Parking will be available on the roads and the HDFA has no issues with it. There will be full 2-car garages with driveways more than adequate to park cars. The applicant

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stated that starting immediately after the development of San Marino sidewalks have been a debate in Hartland Township and that goes back to the early 1990s. The applicant adds that San Marino does not have sidewalks and that has never been an issue. This plan does have sidewalks on both sides of the street, setback from the road and all the way through the development. Supervisor Fountain inquired if there is a specific homeowner this project is geared towards. The applicant stated it will probably be geared towards older people but there will be different styles of homes so they will not limit their market. Clerk Ciofu inquired as to the price ranges. The applicant stated that it will be between \$400K and \$500K.

Trustee Germane inquired as whether the wetlands are small enough where they can be filled in and worked over them or if are required to remain as is. The applicant stated that most wetlands that are there will remain. There is one very shallow wetland on the south end of the property that will be eliminated and filled in as it is just a depression in the farm field and does not drain anywhere. The rest of them particularly in the wooded areas are to remain. Trustee O'Connell stated she had concerns with the gates and if the gate is not to actually have access what is the point of the gate. The applicant stated that they did it in Hartland Estates and it worked pretty well, and people seem to like it. They stated they also added sidewalks in Hartland Estates when they were not required, and they are trying to the same with this project. Trustee O'Connell stated she has a concern that the gate will not always work properly, and that Hartland is supposed to be friendly so why add gates. Director Langer stated that the first time this project came through for a public hearing and it had a connection to Walnut Ridge, the PC discussed the gates because they did not want that to preclude traffic from Walnut Ridge to be able to get out to Hacker Road. Now that the connection to Walnut Ridge has been eliminated and it is a single access site, the PC did not get into a discussion on gates.

Trustee McMullen stated that she is just concerned with the density. Director Langer stated that the way you calculate density in PD is that the first step is to look at the Future Land Use Map (FLUM) to see how this property is designated in the FLUM, and what the density is on the FLUM. This one is capped at 2 units an acre so that is the maximum density that is allowed. With a PD there is an allowance for a bonus density of up to 40% beyond the normal cap. Under the regular FLUM designation they would be permitted 49 units. They are at 57 units, so they are 8 units over the cap. If they applied for the full 40% bonus density they could get to a maximum 69 units. Supervisor Fountain inquired as to the amount of land from this development to M-59 and the applicant responded that it may be around 20 acres and that there is a wetland along M-59 but the north half is mostly high ground. Trustee McMullen would also like to add to Trustee O'Connell's comment about the gates and feels that the gates make the community inclusive where we want Hartland to be friendly and include the rest of the community. She stated people like to drive around and get ideas for their own homes and when some people see the gates it is not viewed as friendly to the rest of the community.

Move to approve Site Plan Application #20-011, the Preliminary Planned Development Site Plan for the Villas of Hartland, as outlined in the staff report dated June 7, 2022.

Motion made by Clerk Ciofu, Seconded by Treasurer Horning. Roll call vote taken
Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane
Voting Nay: Trustee McMullen, Trustee O'Connell
Absent: Trustee Petrucci Motion passed 4-2-1

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8. Board Reports

Trustee Germane - No report.

Trustee O'Connell - Thanked the Clerk and his team for an absolutely wonderful election yesterday. It went off without a hitch. The people were very helpful, and she learned so much. The workers were great. Kudos again to our election department.

Trustee McMullen - No report.

Clerk Ciofu - The election did go very well. We did have some minor issues at the end of the night with the County, but it worked out well. The turnout for Hartland was about 31% and that was just a slight bit below the countywide average of 32%. We had close to 4000 voters and 51% of them were absentee voters and 49% voted at the precincts. The Cromaine Millage renewal passed at a 60% to 40% rate. He thanked his staff, Deputy Clerk Karen Vermillion and the Election Assistants Casey Louis and Heather Cosgrove for all of their hard work making this election process successful. He also thanked the election Chairpersons, the Election Inspectors, and the Hartland voters. He stated the voters were all pleasant at the precincts, and there were no voter issues, and it ran very smoothly.

Treasurer Horning - The Farmers Market is in full swing, and we are sold out of booths almost every weekend. The fresh sweet corn is in and if you want it come early. We open at 9:00 a.m. and the sweet corn is usually gone by 10-10:30 a.m.

Supervisor Fountain - No report.

[BRIEF RECESS]

9. Information / Discussion

a) Manager's Report

Manager West stated that we have a vacancy on the Planning Commission, and we have posted the position and will be taking applications through next Friday. He also stated we have been working the Communications Department and the Partners-In-Progress on the State of the Community Address. We are exploring resuming this event at the Emagine Theater. It will probably be a more condensed version by pre-filming all of the Partners-In-Progress groups those videos will be presented live along with the presentation of the Volunteer of the Year. He stated this is still in the preliminary stages so more will come on this matter. Manager West gave a brief update on the Vincent Drive residents that attended the last meeting and that he has reached out to them to set up a meeting prior to sending out a letter to the residents on Vincent Drive but have not received a response as of this time. Letters will go out tomorrow. Manager West reached out to Bob Schroeder of Mayberry Homes with a friendly reminder regarding the second payment due in forty-five days, and Mr. Schroeder stated he was aware of the payment and due date and that he would also like to discuss paying it off early. He stated that there have been changes and projections for the future in the Assessing field and Manager West will have Assessor Jim Heaslip at a future Board work session to discuss these issues. At the next meeting there will be a Special Meeting prior to the regular Board Meeting to discuss the Fiscal Year Audit. This will also be covered in the regular Board meeting. Trustee Germane inquired as to the feedback we have received on the police protection public announcements. Manager West stated feedback was initially somewhat concerned with the cost implications, but subsequent feedback from other Township residents were positive and were thanking the Township for this program. He did state that the police statistics and a copy of the budget, which included police protection, is available at the front counter in the Township Hall. The two dedicated police officers have been in the area already and Manager West will be doing a drive along with the Deputies tomorrow to highlight the Township. Trustee Germane recommended having a future work session to discuss reinstating the Police Ordinance so the Township

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could recoup some revenues and possibly share these with the schools, and he noticed an increase in the speed of vehicles at the Bullard and Dunham Rd. intersection.

b) ARPA Funding Update

Manager West presented the current and future status of the American Rescue Plan Act (ARPA), funding, including projects completed, planned, and future opportunities. Items discussed were the water main extension, the HDFA Lexipol public and internal training software, the Spranger and Winegarner Fields security cameras, Heritage Park irrigation repairs contribution, the crosswalks posts replacement at Ore Creeks, and the Ore Creek bridge painting. Other funding opportunities discussed were Livingston Land Conservancy trails, updated Board Room audience chairs, and a grant program for our non-profit civic organizations. Manager West stated we would not be allowed to provide funds to these organizations directly, but we could pay for specific projects presented by these organizations. Discussion was held on the requirements of the grant initiatives and project possibilities. Trustee Germane inquired as to whether the concrete apron replacement in front of the Fire Department is eligible for ARPA funding. Manager West stated that it would be, but that this item is already included in the Capital Improvement Plan and is on hold until we complete and get the results of the Fire Station Study. Manager West stated that the overall goal of our ARPA funding is to spread this across all areas of the community.

10. Adjournment

Move to adjourn the meeting at 8:40 p.m.


Motion made by Treasurer Horning, Seconded by Clerk Ciofu.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell

Voting Nay: None

Absent: Trustee Petrucci

Submitted by



Larry N. Ciofu, Clerk