

# HARTLAND TOWNSHIP PLANNING COMMISSION APPROVED REGULAR MEETING MINUTES

December 2, 2021 – 7:00 p.m.

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1. **Call to Order:** Chair Fox called the meeting to order at approximately 7:00 p.m.
2. **Pledge of Allegiance:**
3. **Roll Call and Recognition of Visitors:**  
Present – Commissioners Fox, Grissim, LaRose, McMullen, Mitchell, Murphy  
Absent – Commissioners Voight.
4. **Approval of the Agenda:**  
A Motion to approve the December 2, 2021 Planning Commission Regular Meeting Agenda was made by Commissioner Mitchell and seconded by Commissioner LaRose. Motion carried unanimously.
5. **Approval of Meeting Minutes:**
  - a. **Planning Commission Meeting Minutes of August 12, 2021**  
A Motion to approve the August 12, 2021 Planning Commission Meeting Minutes was made by Commissioner Grissim and seconded by Commissioner Murphy. Motion carried unanimously.
6. **Call to Public:**  
None
7. **Public Hearing:**
  - a. **Ordinance Amendment to Section 4.6 (Ponds)**

Chair Fox opened the Public Hearing at 7:02 p.m. stating for the record all public notice requirements have been met.

Director Langer described what prompted this amendment; currently, the Planning Commission is required to review and approve a pond. He went on to explain the changes as follows:

- Kinds of ponds: Commercial will still be reviewed by the Planning Commission.
- Setbacks: language broadened to accommodate a common two-acre CA zoned parcel that might be 200 feet wide.
- Removing Planning Commission and replacing with Zoning Administrator.
- Added exception for fire suppression.
- Attempted to clarify the existing language in determining location.

Director Langer shared a sample of a site plan for a pond with the Planning Commission; plans submitted will not be engineered, topographic-type plans as the applicants are typically homeowners.

Chair Fox closed the Public Hearing at 7:11 p.m.

The Planning Commission briefly discussed formatting issues.

Commissioner Grissim asked about a pond in a residential development. Would that still come to the Planning Commission in the Site Plan Review process? Director Langer stated he built in provisions for storm water detention/retention for a single homeowner; the intention is that ponds within a development would still need Planning Commission approval.

Commissioner LaRose commented on the wording of Section 2.B.

**Bold** is added text. ~~Strikeout~~ is text to be removed.

#### **Section 4.6 PONDS**

1. *Standards. Ponds excavated, created or altered, except as otherwise provided in this Ordinance, shall be permitted in any **residential or agricultural** zoning district. Subject to ~~site plan~~ **land use permit** approval of the ~~Township~~ **Zoning Administrator** and the following minimum standards, ponds shall be permitted.*
  - A. *~~The pond shall be located on a parcel which is at least two (2) acres in area. The applicant shall secure all necessary permits and approvals from the State of Michigan, Livingston County Drain Commissioner's office.~~*
  - B. *~~The pond shall be set back a minimum of one hundred (100) feet from any property line or dwelling. At the discretion of the Planning Commission, such minimum setbacks may be modified based upon evidence that a lesser setback a distance so that the pond will not pose a hazard or detract from the public health, safety and general welfare. In no case shall such setbacks be decreased to less than those specified in Section 3.1, Schedule of Regulations.~~*
  - C. *All earth excavated during construction of the pond shall be disposed of on the parcel unless it is determined by the ~~Planning Commission~~ **Zoning Administrator** that the parcel could not adequately accommodate the spoils. The placement, grade and final disposition of any spoils removed from the parcel must be approved by the Zoning Administrator. The spoils from pond construction shall be restored with seed within one year.*
  - D. *For calculation of the slope of a pond, the vertical distance for each foot of horizontal distance measured from any edge of the pond. Pond slope shall be measured to the lowest point of the pond. Any application for an alteration or creation of a pond which proposes stabilized side slopes steeper than four (4) horizontal to one (1) vertical shall include a written statement by the applicant detailing proposed safety measures to be taken by the applicant in the construction and operation of the pond.*
  - E. *Written evidence shall be provided from the Livingston County Health Department or a licensed professional engineer that the distance and soil conditions separating the pond from any septic system is sufficient to prevent contamination. ~~In no case shall a pond be located closer than one hundred (100) feet to any septic system. In no case shall a pond negatively impact any septic system.~~*
  - F. *For the protection of the general public, appropriate safety measures such as warning signs, rescue equipment, fencing and/or safety ramps may be required to be installed as deemed necessary by the ~~Planning Commission~~ **Zoning***

*Administrator upon their review. Where conditions, during construction, or at the completion of the pond, may be deemed to pose a hazard to people and animals, the Zoning Administrator may require the installation of such barriers, fencing, even if on a temporary basis until such safe levels can be achieved.*

- G. *No pond shall be maintained or operated in any manner which causes it to become a public nuisance.*
  - H. *The creation or alteration of a pond which encompasses parts of more than one parcel shall be approved only if the owners of all properties involved are joint applicants for the land use permit and a written maintenance agreement signed by all property owners establishing financial responsibility is provided for Township approval. ~~Applicable dwelling setback requirements established above must also be met.~~*
  - I. *Construction of a pond shall not cause an increase in runoff or drainage to an any property beyond that which may have occurred prior to the pond's construction. The Zoning Administrator shall require that any plan submitted for a pond depict an adequate method of preventing overflow or water onto adjacent properties. To accomplish this purpose, the Zoning Administrator may require a spillway leading to any approved drainage way or grassed berm along one or more sides of the pond or both.*
2. *Exceptions.*
- A. *Ponds of less than seventy-two (72) square feet in area and no greater than two (2) feet in depth shall not be subject to the requirements of this Section.*
  - B. *Ponds that are for the purpose of storm water detention/retention or for the purposes of a fire suppression system approved by the Planning Commission as part of Site Plan Review.*

#### **Section 6.1 Site Plan Review**

2. *Site Plan Not Required. Site plan approval is not required for the following activities:*
- A. *Construction, moving, relocating or structurally altering a single family dwelling, including any customary accessory structures.*
  - B. *Development of a principal agricultural use, or the construction, moving, relocation or structural alteration of permitted agricultural structures, including any customary accessory structures.*
  - C. *Any excavation, filling, soil removal, mining, or creation of ponds ~~that are less than 1,000 square feet in area provided that such activity is~~ that is normally and customarily incidental to single family and agricultural uses as described in this sub-section. Other ponds shall require Site Plan approval.*

**Commissioner Mitchell offered the following Motion:**

**Move to Recommend Approval of the Ordinance Amendment to Section 4.6 and Section 6.1 of the Zoning Ordinance, as presented.**

**Seconded by Commissioner LaRose.**

Chair Fox indicated the wording of the motion should be “recommend” approval. All agreed.

Director Langer asked about Commissioner LaRose’s earlier comment about the wording of Section 2.B. No change was made.

**Motion carried unanimously.**

**8. Old and New Business:**

**a. 2022 Planning Commission Meeting Calendar**

**Commissioner LaRose offered the following Motion:**

**Move to approve the 2022 Hartland Township Planning Commission Meeting Calendar as presented.**

**Seconded by Commissioner Grissim. Motion carried unanimously.**

**9. Call to Public:**

None

**10. Planner's Report:**

- Director Langer shared the December 14, 2021 Planning Commission meeting will be canceled as the pending cases are not ready. Both cases will be on the first meeting in January 2022.

**11. Committee Reports:**

None

**12. Adjournment:**

**A Motion to adjourn was made by Commissioner Mitchell and seconded by Commissioner LaRose. Motion carried unanimously. The meeting was adjourned at approximately 7:20 p.m.**

**Submitted by,**



**Michelle LaRose  
Planning Commission Secretary**