

HARTLAND TOWNSHIP PLANNING COMMISSION APPROVED REGULAR MEETING  
MINUTES

February 25, 2021 – 7:00 p.m.

**This meeting was held via video conference in compliance with the Department of Health and Human Resources Emergency Order of February 4, 2021 under MCL 333.2253**

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1. **Call to Order:** Chair Fox called the meeting to order at approximately 7:05 p.m.
2. **Pledge of Allegiance:**
3. **Roll Call and Recognition of Visitors:**  
Present – Commissioners Fox (via video from Deerfield Township, MI), Grissim (Hartland Township, MI), LaRose (Hartland Township, MI), McMullen (Hartland Township, MI), Mitchell (Hartland Township, MI), Murphy (Hartland Township, MI)  
Absent – Commissioner Voight
4. **Approval of the Agenda:**  
A Motion to approve the February 25, 2021 Planning Commission Regular Meeting Agenda was made by Commissioner LaRose and seconded by Commissioner Murphy. Motion carried unanimously.
5. **Approval of the Minutes:**  
None
6. **Call to Public:**  
None
7. **Old and New Business:**
  - a. **Site Plan Application #20-013 Spicer’s Orchards**

Director Langer summarized the request stating the following:

- In May 2020, the Township Board offered to waive requirements for outdoor seating to allow businesses to serve customers outside during the pandemic.
- Businesses were informed they would, at some point, have to gain Planning Commission approval in order to make the outdoor seating permanent.
- Spicer Orchards was able to serve customers outside using the Special Event Permit process and are now requesting to make two areas permanent for outdoor seating.

Shannon Rowe, representing the Applicant Spicer Orchards, had nothing to add.

Chair Fox referred to the staff letter dated February 18, 2021

**Site Requirements**

Outdoor Seating and Dining (Sec. 4.47) – Standards & Operating Restrictions

STANDARDS

Location – no comments

Defined Area – no comments

Capacity – Director Langer stated the following:

- Ordinance limits outdoor seating to twenty-five percent (25%) of the interior of the restaurant which relates to parking.
- Different than a standard restaurant use: Farm market and wine tasting.
- This case is unusual as it is a large property with plenty of overflow parking in the adjacent fields.

Screening – Chair Fox stating the fencing is different for each seating area but in keeping with the setting. Commissioner Murphy asked if there is landscaping screening required. Director Langer stated typically in a commercial development, outdoor seating areas are not required to be screened. Spicer’s is an agricultural operation and landscaping was not reviewed. Commissioner Murphy stated maybe for aesthetics some could be added at the corners or near the gates, but he understands and is satisfied.

Pedestrian Circulation – Chair Fox stated there are some requirements by the Michigan Building Code and the Hartland Deerfield Fire Authority. Director Langer confirmed the Fire Authority will perform a site inspection to confirm the safety requirements are met.

Parking Spaces – Commissioner Grissim commented that she recalls issues in the past where, in spite of parking being provided on the site, people continue to park along the road which causes concern for the neighbors and general safety. Director Langer stated the Township has contacted Spicer’s about people parking along the road. Spicer’s is monitoring that situation and educating their patrons about appropriate parking. He also stated if parking along the road is still occurring, he would like to know about it. Commissioner Mitchell asked if a No Parking sign might be preferred. Director Langer stated maybe; sometimes a sign might help, but sometimes it might not. Commissioner Mitchell would offer that as a suggestion. Chair Fox stated that is probably out of our jurisdiction and under the control of the Livingston County Road Commission. Director Langer stated there have been conversations with the Road Commission and there is a process one can go through to post No Parking signs and have violators towed; his understanding is that to date, the situation has not warranted that step. He thinks it is fair to give Spicer’s the opportunity to manage the issue. The Township has had those conversations with Spicer’s. Manager West stated he has been working with both entities for a seasonal traffic control plan for that area in the fall. Commissioner Murphy states he feels it is a safety issue and supports that plan. The Applicant stated they have spent a great deal of time, effort and money to control parking and traffic, added temporary signs along the road and a cone crosswalk area, and feels that the signage they used was successful. She stated the backup of traffic coming off the expressway is a problem she is unsure how to address. Commissioner McMullen commented she noticed a big difference last year and feels the signage helped.

Furniture – no comments

Waste Disposal – no comments

#### OPERATING RESTRICTIONS

Hours of Operation – no comments

Season of Operation – Commissioner LaRose suggested the window of time, April 1st through November 15th of a given year, may need to be increased given the current circumstances going forward rather than getting continuous requests to exceed that timeframe. If one establishment is allowed to extend those dates, others will follow. If the Planning Commission has no objection in this case, it should be allowed for everyone. Chair Fox stated he discussed this with the Director, and this may be something the Planning Commission needs to address; these parameters were based on surrounding communities 15 years ago and things have changed, certainly in the last year. There are some limitations here that should be evaluated and that is one of them. He concurs with those comments. The Planning Commission agreed to the proposed time frame of April 15th through November 15th; possibly using the West Outdoor Patio Area into December as weather allows.

Furniture Storage – no comments

Lighting – no new lights proposed, no comments

Noise – the Applicant has been informed

Patron Entrance and Exit – Director Langer stated the Fire Marshal wants a gate that can be opened in case of an emergency.

Rules and Regulations – TBD by the MLCC

Display and Advertising – the Applicant has been informed

Chair Fox stated the only comments were from the Fire Authority stating the west area is approved and the east area needs an inspection.

The Applicant stated as a business owner, she appreciated the opportunity Hartland Township afforded to their business partners to have temporary outdoor seating during the pandemic and then make some of the temporary outdoor seating areas permanent. The process has been a smooth one. She wanted to thank the Planning Commission and the Township for keeping that in mind and being proactive by allowing this to happen. Chair Fox thanked her and replied the Township is looking for ways to help, not hurt.

**Commissioner La Rose offered the following Motion:**

**Move to approve Site Plan Application #20-013, a request to amend the approved site plan and establish two (2) permanent outdoor seating/dining areas adjacent to the winery building at Spicer Orchards Farm Market, addressed as 10411 Clyde Road. Approval is subject to the following conditions:**

- 1. The applicant shall adequately address the outstanding items noted in the Planning Department’s memorandum, dated February 18, 2021, on the Construction Plan set, subject to an administrative review by the Planning staff prior to the issuance of a land use permit.**
- 2. Applicant complies with any requirements of the Department of Public Works Director and Hartland Deerfield Fire Authority and all other government agencies, as applicable.**

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

**b. Site Plan Application #21-002 Mackle’s Table and Taps**

Director Langer summarized the request stating the following:

- In May 2020, the Township Board offered to waive requirements for outdoor seating to allow businesses to serve customers outside during the pandemic.
- Businesses were informed they would, at some point, have to gain Planning Commission approval in order to make the outdoor seating permanent.
- Mackle’s Table and Taps was able to serve customers outside using the Special Event Permit process and are now requesting to make an additional area permanent for outdoor seating.
- Adding four (4) tables to an existing outdoor seating area.

Joe Mackle, the Applicant for Mackle’s Table and Taps stated they also appreciate the opportunity, and that the industry is changing, people want to be outside earlier and later in the season.

Chair Fox referred to the staff letter dated February 18, 2021

### **Site Requirements**

Outdoor Seating and Dining (Sec. 4.47) – Standards & Operating Restrictions  
STANDARDS

Location – no comments

Defined Area – no comments

Capacity – Director Langer stated the Ordinance limits outdoor seating to twenty-five percent (25%) of the interior of the restaurant which relates to parking. It generally relates to off-street parking of which there is plenty available along with additional areas that could be striped and counted as additional parking.

Screening – no comments

Pedestrian Circulation – Chair Fox stated there are some requirements by the Michigan Building Code and the Hartland Deerfield Fire Authority. Director Langer confirmed the Fire Authority will perform a site inspection to confirm the safety requirements are met.

Parking Spaces – discussed above

Furniture – no comments

Waste Disposal – no comments

### OPERATING RESTRICTIONS

Hours of Operation – no comments

Season of Operation – Proposed – March through October. The Planning Commission agreed noting that they intend to revisit this part of the Ordinance in the future. Director Langer proposed that the time be extended until December if they choose to avoid it having to come back to adjust the time period. Chair Fox suggested allowing it year-round if the Applicant chose to have a space that could be made comfortable. The Planning Commission discussed this option. Commissioner Murphy offered his support. Commissioner LaRose expressed concern that it was not offered for the previous request and feels they should be treated the same. Chair Fox suggested approving what was requested and committing to address this amendment before the fall. Commissioner LaRose stated that is reasonable and it gives the Planning Commission a time frame to address the issue. The Planning Commission agreed.

Furniture Storage – no comments

Lighting – no new lights proposed, no comments

Noise – the Applicant has been informed

Patron Entrance and Exit – Chair Fox mentioned the gate is now shown on the plan. Director Langer stated the owner wants to limit entry and exit through the gate as required but the Fire Authority wants to be sure, in case of an emergency, people can exit safely. Since the time the memo was written, this information has been provided.

Food and Beverage Service – TBD by MLCC

Display and Advertising – the Applicant has been informed

**Commissioner Grissim offered the following Motion:**

**Move to approve Site Plan Application #21-002, a request to amend the approved site plan and expand an existing outdoor seating/dining area for Mackle’s Table and Taps, by adding four (4) tables with sixteen (16) seats, at 1774 Old US-23, in Hartland Town Center. Approval is subject to the following conditions:**

- 1. The applicant shall adequately address the outstanding items noted in the Planning Department’s memorandum, dated February 18, 2021, on the Construction Plan set,**

subject to an administrative review by the Planning staff prior to the issuance of a land use permit.

2. Applicant complies with any requirements of the Department of Public Works Director and Hartland Deerfield Fire Authority and all other government agencies, as applicable.

Seconded by Commissioner Mitchell. Motion carried unanimously.

The Applicant expressed his appreciation stating he is looking forward to working with the Township more in the future.

8. **Call to Public:**

None

9. **Planner's Report:**

Director Langer reported the following:

- The Public Hearing for the Comprehensive Plan Amendment has occurred, it has been sent to Livingston County Planning Commission and they have given their approval. It is on the agenda for the Township Board March 2, 2021.
- Ordinance Amendment #20-001 Digital Menu Boards for drive-through restaurants was also recommended for approval February 11, 2021 and has been sent to Livingston County as well.

10. **Committee Reports:**

None

11. **Adjournment:**

A Motion to adjourn was made by Commissioner LaRose and seconded by Commissioner Mitchell. Motion carried unanimously. The meeting was adjourned at approximately 7:50 p.m.

Submitted by,



**Keith Voight,**  
**Planning Commission Secretary**