

HARTLAND TOWNSHIP PLANNING COMMISSION REGULAR MEETING APPROVED MINUTES

June 11, 2020 – 7:00 PM

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1. **Call to Order:** Chair Fox called the meeting to order at 7:00 p.m.
2. **Pledge of Allegiance:**
3. **Roll Call and Recognition of Visitors:**  
Present – Commissioners Fox, Colaianne, Grissim, LaRose, Mitchell, Murphy, Voight  
Absent – None
4. **Approval of the Meeting Agenda:**  
**A Motion to approve the June 11, 2020 Planning Commission Meeting Agenda was made by Commissioner Mitchell and seconded by Commissioner Grissim. Motion carried unanimously.**
5. **Approval of Meeting Minutes:**
  - a. Planning Commission Work Session Minutes of March 26, 2020  
**A Motion to approve the Meeting Minutes of March 26, 2020 was made by Commissioner Colaianne and seconded by Commissioner Voight. Motion carried unanimously.**
6. **Call to the Public:**  
None
7. **Old and New Business:**
  - a. Site Plan #20-004 Private Road (Bella Vita) a request to construct a private road which is intended to provide access to four (4) parcels, which will be created under a separate land division application.  
Director Langer summarized the request and location stating the following:
    - Located on the north side of Highland Road, east of Arena Drive in Section 22 of the Township.
    - Site has split zoning with approximately five (5) acres zoned GC-General Commercial at the south end of the site along Highland Road. The remaining property to the north, approximately 15.7 acres, is zoned CA-Conservation Agricultural.
    - Received Special Use Permit in 2017 and is currently under construction.
    - Needs a 66-foot-wide easement for a private road to divide the property.
    - Final approval will come from the Township Board.

Chair Fox referred to the staff letter dated June 4, 2020.

### **Private Road Standards**

#### **Section 5.2**

Director Langer stated Parcel 1 does not meet the required lot width of 120 feet along Highland Road. The lot width is shown as 99.41 feet; however, it does meet the lot width requirement along the private road and will not be a problem going forward.

#### **Section 5.23.4.B.xi.**

Director Langer stated the construction plans for the road were submitted during the Special Use Permit Review. The only difference will be the cul-de-sac which will be addressed during the construction plan review phase. The Township Engineer did not see any drainage problems with this road.

#### **Section 5.23.4.B.xii.**

Director Langer stated any additional utilities will be shown on the construction plans.

#### **Section 5.23.4.C.**

Director Langer a cost estimate has not been provided as the road is already constructed for the most part.

Director Langer commented this is an unusual review as typically the discussion is for a proposed private road. This one already exists and meets those standards. The cost estimate is to aid in determining the amount of the Performance Bond or Developer Activity funds. Those accounts already exist.

#### **Section 5.23.5. B**

Chair Fox stated this project is a private road as a shared driveway is only allowed to serve two (2) parcels where a private road allows for more than two.

Director Langer stated the difference is mostly the cul-de-sac which was reviewed not only by the Township Engineer but also by the Fire Department.

#### **Section 5.23.5. E**

Chair Fox stated the Planning Commission and the Township Board have the discretion to waive requirements for secondary public access and/or future secondary access and/or maximum cul-de-sac length. This one is about 1000 feet. He also stated they like to have cross access to neighboring parcels for emergency needs.

Director Langer stated he spoke to the applicant about cross access and they stated they are willing. There is space available, but they stated it should be a negotiation with the neighboring property owner as there is considerable cost associated with the design and installation of the road.

Chair Fox replied the neighboring parcel would have their own access, this would just connect parking lots and be a means of access for emergency vehicles if one of the access points was blocked. Also, the connection would allow people to access other neighboring offices without having to go out to M59, loop around and come back. It is more of a convenience for the

businesses next to one another and for emergencies.

Director Langer asked if it would be appropriate when Parcel 1 develops to address parking lot connections. Chair Fox stated it could. The development to the east, Pirhl, is trying to connect to the office park next to them. Had that access easement been there, it would have been easier for them to do that. Also, between Leo's and the car wash. It is not a requirement, but it is encouraged.

Commissioner LaRose asked about the MDOT review and will this require additional review as it is changing from a driveway to a private road.

Director Langer stated he did not get an answer from MDOT. Commissioner Voight stated until the traffic load changes as the other properties develop, it is not an issue. When they develop then we may want a new look from MDOT. Commissioner LaRose stated she thinks it would be good to have the information now in case they require something different so the applicant could be aware.

The Planning Commission briefly discussed MDOT approval and access.

Commissioner Colaianne stated at the end of the day, it is still a driveway. It is being brought up to the standards of a private road because of the length.

Chair Fox stated our approval language has compliance with all other agencies which would apply to MDOT.

Commissioner Grissim asked if an island could be added in the cul-de-sac to limit the expanse of pavement. The Applicant stated it is possible but not something they have done before.

#### Section 5.23.5. F.vi

Director Langer stated the building was approved and met the setbacks originally. With the addition of the private road, it will have less than the required setback of 50 feet from the edge of the easement making the building non-conforming. If that portion of the structure were destroyed it could not be rebuilt in the same location. It would have to meet the setback.

The Planning Commission briefly discussed approving a private road that makes an existing building non-conforming.

Chair Fox reminded the Planning Commission this is recommendation that will go to the Township Board for approval.

Commissioner Colaianne commented requiring an island in this cul-de-sac could become a huge maintenance issue and is not consistent with what has been done before in these types of situations. It could also create a vision issue. He is not comfortable requiring an island.

The Applicant stated it could be a problem with semi-trucks maneuvering.

The Planning Commission briefly discussed the island in the cul-de-sac.

The Applicant stated he would have their engineer look at it and see what could be done.

**Commissioner Mitchell offered the following Motion:**

**Move to recommend approval of Site Plan Application #20-004, a request to construct a private road which is intended to provide access to four (4) parcels, which will be created under a separate land division application. The recommendation for approval is based on the following findings:**

- 1. The length of the proposed private road is acceptable as proposed, despite being in excess of 600 feet in length, despite having only one point of public access, and despite the lack of access easements for a future private road connection to any adjacent developable parcels.**
- 2. The proposed private road meets the minimum standards as outlined in the Zoning Ordinance.**
- 3. Due to the unique shape of the subject property the proposed private road is consistent with the Township Standards for developing the property.**

**Approval is subject to the following conditions**

- 1. The proposed private road is subject to approval by the Township Board.**
- 2. The applicant shall adequately address the outstanding items noted in the Planning Department's memorandum, dated June 4, 2020. Revised plans if necessary, shall be subject to an administrative review by the Planning staff prior to the issuance of a land use permit.**
- 3. The proposed private road easement maintenance agreement shall comply with the requirements of the Township Attorney.**
- 4. Approval of the private road does not include approval of any future land divisions.**
- 5. A land use permit for the proposed private road is required.**
- 6. The private road shall be constructed in accordance with Hartland Township standards and specifications prior to the issuance of any land use permit by Hartland Township for Parcel 1, Parcel 2, Parcel 3, or Parcel 4.**
- 7. Applicant complies with any requirements of the Department of Public Works Director, Township Engineering Consultant (HRC), Hartland Deerfield Fire Authority, and all other government agencies, as applicable.**

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

**8. Call to the Public:**

None

**9. Planner Report:**

Director Langer reported the following:

- The Township Board took the initiative to adopt an ordinance that will allow restaurants to temporarily utilize outdoor space for seating due to the limitations on occupancy from the pandemic. The goal is to relax current regulations to assist them in re-opening their businesses so you may see seating in parking areas or in areas that might not otherwise be permitted. These changes are temporary. If a restaurant wants to make those changes permanent, they will have to go through the normal process.

Chair Fox commented it is for retail stores too. Director Langer said no retail stores have come to us so far but yes, it is for retail stores too. They must apply for a Special Event Permit and provide a site plan showing what they want to do. It is approved administratively and there is no fee for this process.

Commissioner Grissim asked about the State Liquor Control Commission (LCC) requirement for outdoor alcohol consumption and fencing. Director Langer stated the Township has relaxed its standards. The restaurants must still comply with all of the other agencies' requirements including the LCC. They may not be requiring as formal of a barrier but there is still something required.

Commissioner Colaianne stated this is one of the few if not the only ordinances that he is aware of in the State that helps businesses in the community comply with social distancing requirements. It is difficult for our businesses and Board felt it was important to try and find ways to help them.

The Planning Commission discussed other communities and what they are doing and have done in the past.

Director Langer mentioned the reason he brought this issue up is that normally something like that would have come in front of the Planning Commission but due to the urgency of the issue, there was not time.

- Koppert Biological was approved for their addition. When the construction plans came in, it was noted they wanted to have a semi-truck bay added to the side of their building in an already paved area. The Site Plan Review Committee was consulted as well as the Admin Committee the goal being to not delay this project. We generally stay pretty consistent with what the Planning Commission approves; this was a slight change, but he wanted to bring it to the attention of the Planning Commission.

**10. Committee Reports:**

Commissioner Voight inquired about the Meals on Wheels project. Director Langer stated they are still waiting for a concept plan to come it.

**11. Adjournment:**

A Motion to adjourn was made by Commissioner Colaianne and seconded by Commissioner Grissim. Motion carried unanimously. The meeting was adjourned at approximately 7:41 PM.

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 name.

**Keith Voight,  
Planning Commission Secretary**