

HARTLAND TOWNSHIP PLANNING COMMISSION APPROVED MEETING MINUTES

January 13, 2022– 7:00 PM

1. **Call to Order:** Vice-Chair Mitchell called the meeting to order at 7:00 p.m.
2. **Pledge of Allegiance:**
3. **Roll Call and Recognition of Visitors:**
Present – Commissioners Grissim, LaRose, McMullen, Mitchell, Murphy
Absent – Commissioners Fox, Voight (resigned)
4. **2022 Annual Planning Commission Organizational Meeting**
 - a. Reaffirm By-Laws
Commissioner LaRose offered a Motion to affirm the By-Laws as presented. Seconded by Commissioner McMullen. Motion carried unanimously.
 - b. Election of Officers
Commissioner LaRose offered a Motion to retain as Planning Commission Chair, Commissioner Fox, and Vice-Chair, Commissioner Mitchell, for 2022. Seconded by Commissioner Murphy. Motion carried unanimously.

Commissioner Murphy offered a Motion to elect as Planning Commission Secretary, Commissioner LaRose, for 2022. Seconded by Commissioner Grissim. Motion carried unanimously.
 - c. Committee Appointments – postponed
5. **Approval of the Meeting Agenda:**
A Motion to approve the January 13, 2022 Planning Commission Meeting Agenda was made by Commissioner Grissim and seconded by Commissioner Murphy. Motion carried unanimously.
6. **Approval of Meeting Minutes:**
 - a. Planning Commission Meeting Minutes of October 14, 2021
A Motion to approve the Meeting Minutes of October 14, 2021 was made by Commissioner Grissim and seconded by Commissioner LaRose. Motion carried unanimously.
 - b. Planning Commission Meeting Minutes of November 18, 2021
A Motion to approve the Meeting Minutes of November 18, 2021 was made by Commissioner Murphy and seconded by Commissioner McMullen. Motion carried unanimously.
7. **Call to the Public:**
None

8. Public Hearing:

- a. Site Plan with Special Land Use Application #22-001 Automobile fueling and convenience station - Clyde Road

Vice-Chair Mitchell opened the Public Hearing at 7:07 p.m. stating all noticing requirements have been met.

Director Langer gave an overview of the location and scope of the request stating the following:

- Located at the Northeast corner of Clyde Road and Runyan Lake Roads.
- Fueling stations are permitting in the GC (General Commercial) zoning category but require a Special Land Use Permit.
- Planning Commission will make the final decision regarding the Site Plan and a recommendation for the Special Land Use. The Township Board will make the final decision for the Special Land Use.

Representing the Applicant Michael Yatooma/Yatooma Oil were Mike Noles, Vice-President of the Umlor Group; Jason Fleis, PE, Umlor Group; Kevin Brandon, Architect/Landscape Architect BMK Design and Planning; Vito Pampelona, Pampelona Companies, Developer.

The Applicant stated the following:

- Worked very hard to submit a site plan that would be compliant with the Zoning Ordinance.
- Requesting the Planning Commission recommend approval.
- All review letters have conditions, and they are willing to meet all conditions.
- Other agencies must also approve such as Livingston County Health Department and Livingston County Road Commission.

Call to the Public

John Abbo, owner and operator of the Hartland Mobile General Store and Pizza Grill stated the following:

- Doing business in Hartland Township for 20 years.
- Supports the community in various ways.
- Concerns about traffic with the addition of diesel pumps.
- Requests the Commission table the project until more information is available, such as traffic studies.

Michele Dale-Cannaert, Hartland Township; stated the following:

- Concerned about wetland preservation and run-off contamination.
- Concerned about lighting.
- Concerned about signage.
- Concerned about clear vision, traffic, safety, and needed road improvements.
- Second fuel station is not warranted.

Dale Brewer, Broker DAB Property Consulting, LLC; stated the following:

- Stated he has been threatened.
- Submitted a communication.
- Developers are not residents.

- Stated over time this site may not be profitable and if closed could become an eyesore.
- Concerned about traffic impacts on Runyan Lake Road and Clyde Road especially during the fall when the Cider Mill traffic is at a peak, would like to have a traffic study.
- Concerned about drainage and the underground storm water storage area.
- Stated the pumps on the east side are not labeled consistently in the plans.
- Concerned about parking.
- Urged the Planning Commission to take their responsibility seriously.

Steve B. Hasbrouck, Tyrone Township; stated the following:

- Concerned about high fuel prices in Livingston County and feels competition is a good thing.
- Concerned the parcel is too small for this project and may not allow adequate access for fuel delivery trucks and traffic flow.
- Concerned on the planned location of the sewer lead.
- Recommends the fuel station install a generator as the power goes out often in this area.

Vice- Chair Mitchell closed the Public Hearing at 7:50 PM

Vito Pampelona commented on Mr. Brewer’s earlier statements.

The Planning Commission reviewed the staff memorandum regarding the following:

- Special Land Use Review – General Standards
- Special Land Use Review – Applicable Site Standards

Director Langer stated the Applicant submitted a Traffic Impact Analysis prior to the meeting. Livingston County Road Commission said this project does not warrant a Traffic Impact Analysis, but one has been provided. In summary, this project does not warrant any improvements to the intersection of Runyan Lake Road and Clyde Road.

Commissioner LaRose asked the Applicant to walk the Planning Commission through the Impact Assessment and Traffic Assessment; when documents are provided at the meeting, it is difficult for the members to review the information.

Mr. Noles stated the following:

- Apologized for the late submission of the Impact Assessment and Traffic Assessment.
- Many items in the Impact Assessment were addressed in other areas such as the Wetland delineation. They consolidated everything into one Impact Assessment.
- The Assessment compiled by Julie Kroll of Fleis and Vandenbrink, states in the summary “The report indicates that no additional mitigation is recommended due to anticipated traffic volumes generated by the proposed development. Additional generated volumes can be accommodated by the existing roadway network.”
- According to the study, this site is not a traffic generator but a traffic divertor.
- Suggested a condition can be added pending a review of the traffic information.
- Not a Rezoning but a Special Use within a current existing zoning.

The Planning Commission continued the review with the following:

- Site Plan Review – Applicable Site Standards
 - Off-Street Parking (Sec. 5.8.4.H) – Automobile Fueling and Convenience Station)

The Applicant said they are requesting one (1) parking space per Diesel Fuel Pump rather than three (3) stating that the layout is the most efficient, safe, has a wider area which allows for safety inspections and trucks to fuel both tanks at the same time as it is currently designed.

Commissioner Murphy asked about the number of employees. The Applicant stated they anticipate two employees at the most; typically, it will be one as it is not a full-service fuel station. It is a convenience store and a gas station. Commissioner Murphy asked if there were other similar operations with this number of staff. The Applicant stated yes, there are; Red Barn Markets. There are fifteen operating across the Midwest.

Commissioner LaRose stated she can appreciate the efficiency and space provided for large vehicles but has a couple of questions: are those straight diesel pumps? The Applicant stated yes, they are. Regarding the lot size and the curb to the north, is the turning radius based on a certain size vehicle? The Applicant replied, yes; this plan has been through several iterations, and they used truck templates to ensure an adequate turning radius for the anticipated type of trucks refueling.

Commissioner Murphy asked about the loading zone. The Applicant stated the loading zone is for the commodities sold in the store. The Applicant also indicated the location of the underground tanks and stated the fuel delivery will happen on the east side of the property. The Applicant added the ninety-percent of the commodities are delivered by a van sized vehicle, not a large truck but it can accommodate a larger truck.

Commissioner Murphy asked if this layout is a standard layout. The Applicant replied Marathon has fuel station templates and Yatooma has fuel station templates that are designed to accommodate the anticipated vehicles. Commissioner Murphy added he studied some existing recently constructed fuel stations comparing the space in between pumps and feels comfortable with the space they have allotted. The Applicant elaborated on how they arrived at this design, that Mr. Yatooma went back to the property owner to modify the purchase agreement to manage a setback issue rather than reduce the requested seventeen feet space between pumps.

o Landscaping and Screening (Sec. 5.11)

Commissioner Grissim stated the following:

- Must work the frontage Greenbelt trees around the overhead utility lines; lines not shown clearly on the plan. The Applicant stated they attempted to meet the ordinance requirements but will make any adjustments required to the landscaping.
- Screen with the walls is a nice touch.
- Transformer/generator in the back screened with arborvitae but the height must be thirty (30) inches at a minimum and six (6) inches taller within two years.
- Infiltration trenching was unclear. The Applicant stated Livingston County Drain Commission has changed some of its storm water management standards for infiltration trenches, there may be places on the plan that need to be cleaned up, there will be specialty seed in those locations not perennial.
- The staff letter identifies other areas that need to be addressed.
- Commissioner Grissim mentioned the Landscape Island shown needs to be larger.

- Sidewalks and Pathways (Sec. 5.12)
Concerns where the sidewalk is 5-feet wide and the potential for a further reduction of the sidewalk where parked cars overhang the sidewalk, thus potentially limiting the width of the barrier-free access route to three (3) feet in those areas. The Applicant stated they can add bumper blocks to those areas. The Applicant also stated at the barrier-free spaces bollards are planned to prevent parking overhang.

Commissioner Murphy asked about the ordinance and sidewalk requirements. Director Langer stated that applies to areas where there is a plan; this is not an area where there is a plan for sidewalks. Along M-59, there is a Sidewalk Master Plan.

Commissioner Grissim asked about the base to the barrier-free signs. The Applicant stated they can come up with something that is more than the standard post.

Commissioner Murphy asked about the different widths for the entrances. The Applicant stated he did not have an answer other than they used the truck templates to determine width required. This width can accommodate entrance, exit and left turn if needs be. Commissioner Murphy asked if the pavement would be marked. The Applicant stated that would probably be a good idea.

Commissioner Grissim stated if forty (40) feet is needed, it is fine, but if not, less pavement and impact on the environment is desired.

- Lighting (Sec. 5.13)
Commissioner Grissim commented, since there were concerns, a photometric plan was provided and meets the ordinance limiting light intrusion. The Applicant stated it is zero footcandles at the property lines as required.
- Architecture / Building Materials (Sec. 5.24)
Vice-Chair Mitchell asked if a façade materials board has been provided. The Applicant presented the materials board. Commissioner LaRose asked that the recommendation for approval include a condition that the building materials be reviewed and approved by the Planning Department and the Site Plan Review Committee. The Applicant agreed.

Vice-Chair Mitchell stated two pole signs are located within the subject site, with one sign advertising for Spicer Orchard and another for Parshallville Cider Mill. Once the applicant proceeds with the proposed project for an automobile fueling and convenience station, the signs will not be permitted. Approval of SP/SUP #22-001 does not include approval of any signage.

Commissioner LaRose commented the grading seems to extend beyond the property limit and asked if there have been conversations with bordering properties about grading easements. The Applicant stated it was noted in one of the reviews that an off-site easement would be required. This property is a parcel split from a larger piece; thus, the neighboring property is a cooperative party. An easement has already been drafted as part of the sale agreement. It also addressed storm water management.

Vice-Chair Mitchell stated the following to address some of the concerns expressed during the public comment:

- Not a rezoning. The property is properly zoned for this project.
- Wetland area is addressed in an email from the Michigan Department of Environment, Great Lakes and Energy (EGLE) stating they do not have concerns with filling the small wetland area.

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- Monument sign(s) will be a different review by the Planning Department as the Planning Commission does not evaluate signs.
- Traffic concerns were addressed by the Livingston County Road Commission who did not determine improvements were warranted to either Clyde Road or Runyan Lake Road.
- Storage tank locations are shown on the plan.

Commissioner LaRose commented she can appreciate and understand some of the concerns expressed tonight regarding infrastructure, the review process on the storm water side and the sanitary sewer side as well as traffic; but she has confidence in the agencies that will be reviewing these plans and issuing permits for the various components. As a Planning Commissioner she is aware of the items that the Planning Commission is required to review and approve and also knows there are other agencies in place that will take a very in-depth look at those other issues; any areas of concern will be noted and addressed.

Commissioner Murphy was unsure if the information received regarding traffic is enough or if a traffic impact study should be completed.

Commissioner LaRose stated the following:

- She is aware the traffic information was presented tonight but she understands what is being presented.
- Asked if Fleis and Vandenbrink is a third party traffic consultant. The Applicant confirmed it is. Commissioner LaRose continued stating if it were not, they might need something more. The Applicant stated there is no connection between Umlor and Fleis and Vandenbrink.
- Views this as a shift in traffic patterns.
- Some of the counts were counts from the freeway, not exiting traffic.
- The report does give information about the existing situation.
- Would be hesitant to require a full traffic assessment as the information is present in the materials provided.
- Does not see how anything would change by having another traffic assessment completed.
- There is only so much someone who is building can do.
- Whether or not traffic lights are installed is out of the control of Hartland Township and the Planning Commission.

The Planning Commission briefly discussed traffic in the area and the report provided. The Applicant reiterated they would be happy to have, as a condition of approval, a professional review of the traffic information submitted. He mentioned due to COVID fewer people are moving about so actual traffic counts may be affected. The Road Commission asked them to use historical data instead to provide a more accurate report of traffic counts.

Vice-Chair Mitchell commented he too was unsure of the impact this project will have on that area. He stated the Planning Commission had concerns about the fuel station at the corner of M-59 and Clark Road, with the two exits on Clark Road but they have not materialized, and that business has a drive-through. He does not feel there will be a great deal of extra traffic added with this project; traffic is not a reason this project should not move forward.

Commissioner LaRose offered the following Motion:

Move to recommend approval of Site Plan with Special Land Use Application #22-001, a request to construct an approximate 6,000 square foot convenience store and automobile fueling station, on a vacant parcel in Section 4 of the Township, north of Clyde Road and east

of Runyan lake Road (Tax Parcel ID #4708-04-300-001 & 4708-04-300-002). The recommendation for approval is based on the following findings:

1. The proposed special land use, automobile fueling and convenience station, meets the intent and purposes of the Ordinance as well as the specific Special Use standards outlined in Section 6.6 (Special Uses).
2. The proposed use is permitted in the GC (General Commercial), as outlined in Section 3.1.14.D.xviii, and the proposed use is compatible with the existing uses in the vicinity.
3. The proposed use will be served by public sanitary sewer, by existing essential facilities and public services, and the Fire Department has no objection.
4. The proposed use will be served by public roads with direct access to Clyde Road and Runyan Lake Road; and the proposed development is located adjacent to an entrance and exit ramp from US-23, which is a divided highway.
5. The proposed use will not create additional requirements at public cost for public facilities as the proposed site will be served by public sanitary sewer and private on-site well (water).

Approval is subject to the following conditions:

1. The proposed Special Land Use, automobile fueling and convenience station, 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 January 6, 2022 on the Construction Plan set, subject to an administrative review by the Planning staff prior to the issuance of a land use permit.
3. A land use permit is required after approval of the Site Plan and Special Use Permit and prior to construction.
4. Prior to the issuance of a land use permit for construction, the applicant shall provide product information on all building façade materials (specifications, manufacturer, and color) to the Planning Department. The façade materials may require approval by the Planning Commission.
5. The property shall obtain all necessary approvals through the land division process.
6. 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.
7. The Township will engage in a professional review of the traffic study; costs will be covered by the Applicant.

Seconded by Commissioner Grissim. Motion carried.

RESULT:	RECOMMENDED APPROVAL
MOVER:	Commissioner LaRose
SECONDER:	Commissioner Grissim
AYES:	Commissioners Grissim, LaRose, Mitchell, Murphy
NAYS:	Commissioner McMullen

[BREAK 9:10 p.m. – 9:20 p.m.]

9. Old and New Business:

- a. **Site Plan Application #22-002 Residential development with two-family dwellings on Arena Drive** – a request to construct five (5) detached residential duplex buildings, each with two (2) apartment units, for a total of ten (10) residential units, on an undeveloped parcel on Arena Drive.

Director Langer gave an overview of the location and scope of the request stating the following:

- Located off Arena Drive to the east.
- Proposing a two-family, two-unit building duplexes, 10 units.
- Seeking site plan approval.

Lomberto Smigliani, AIA, Senior Vice President, Plante & Moran Cresa representing the Applicants, introduced Fadi Khalil, PE, Angle Design and Engineering; Paljo and Maria Vulaj, Developers; and stated the following:

- Offering something more unique.
- Good use for this location.
- Hartland is a desirable area to be.
- Units are approximately 1300 square feet two-bedroom units with multiple bathrooms and a two car garage.
- Site dictated the design: more units may have been allowed but felt this was the appropriate number.
- Developers have been active in the area for many years, take pride in their projects, want it to be successful for many years to come.

Vice-Chair Mitchell referred to the staff memorandum dated January 6, 2022.

The Planning Commission discussed the following:

Maximum Lot Coverage (Sec. 3.1.9.E)

Twenty percent (20%) allowed; Twenty-three percent (23%) requested. **The Planning Commission agreed.**

- Ranch-style with garages create a larger footprint.
- Other projects have been allowed greater than twenty-percent recently.
- Limit may need to be reviewed in the near future.

Off-Street Parking (Section 5.8.4.H - Parking Standards for Two-Family Residential)

- Required two (2) spaces for each dwelling unit; additional parking is available on the driveway.
- Driveway length is forty-four (44) feet from the edge of the sidewalk to the garage.

Landscaping and Screening (Sec. 5.11)

- The Township is trying hard to get street trees between the curb and the sidewalk, but the utilities make that a challenge.
- They are doing the best they can.
- The rest looks great.

Architecture / Building Materials (Sec. 5.24)

- Ordinance design standards do not apply to duplex units.
- Applicant has provided façade renderings and shared a materials sample board.
- Mix of standard residential materials: building materials include vinyl siding and brick as an accent on the porch pillars (front and rear covered porches) and banding along the bottom of each building.
- Will use arborvitae in the rear porch area to give a little separation but not a fence or wall.

Commissioner Murphy asked about the sidewalk. The Applicant stated it ends at the property line, but they would like it to continue and connect if something can be worked out with the adjacent property owner. Commissioner LaRose expressed concern about who would be responsible. The Applicant stated they would and did not think it would be an issue.

Commissioner Murphy asked about the interior. The Applicant stated they are planning nine-foot ceilings using some vaulted areas to add interest; a mix of carpet, ceramics and some vinyl tile; granite countertops.

Commissioner LaRose offered the following Motion:

Move to approve Site Plan Application #22-002 a request to construct five (5) detached residential duplex buildings, each with two (2) apartment units, for a total of ten (10) residential units, on an undeveloped parcel on Arena Drive. Approval is subject to the following conditions:

- 1. The applicant shall adequately address the outstanding items noted in the Planning Department’s memorandum, dated January 6, 2022, 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, the Township Engineering Consultant, Hartland Deerfield Fire Authority, and all other government agencies, as applicable.**

Seconded by Commissioner Murphy. Motion carried

RESULT:	APPROVED
MOVER:	Commissioner LaRose
SECONDER:	Commissioner Murphy
AYES:	Commissioners Grissim, LaRose, Mitchell, Murphy
NAYS:	Commissioner McMullen

10. Call to the Public:

None

11. Planner Report:

None

12. Committee Reports:

13. Adjournment:

A Motion to adjourn was made by Commissioner Grissim and seconded by Commissioner Murphy. Motion carried unanimously. The meeting was adjourned at approximately 9:46 PM.

Submitted by,



Michelle LaRose
Planning Commission Secretary

