

HARTLAND TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING FINAL MINUTES  
October 06, 2020 – 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 Colaianne, Trustee Germane, Trustee Harper, Trustee Petrucci

ABSENT: None

Also present was Interim Manager Bob West.

**4. Approval of the Agenda**

**Move to approve the agenda for the October 6, 2020 Hartland Township Board as presented.**

Motion made by Treasurer Horning, Seconded by Trustee Petrucci.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Colaianne, Trustee Germane, Trustee Harper, Trustee Petrucci.

Voting Nay: None

**5. Call to the Public**

No one came forward.

**6. Approval of the Consent Agenda**

Trustee Harper requested that Item 6.h be removed from the consent agenda and moved to Pending and New Business as Item 8.d.

**Move to approve the consent agenda for the October 6, 2020 Hartland Township Board meeting as amended.**

Motion made by Trustee Petrucci, Seconded by Trustee Colaianne.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Colaianne, Trustee Germane, Trustee Harper, Trustee Petrucci.

Voting Nay: None

- a. Approve Post Audit of Disbursements Between Board Meetings
- b. Approve Payment of Bills
- c. Approve 09/15/20 Regular Meeting Minutes
- d. Approve 09/15/20 Special Meeting Minutes
- e. HAYAA 2021-2022 Memorandum of Agreement
- f. HERO Center Amended Agreement 2021-2023
- g. CRLGG Grant Acceptance from State (\$13,438)

**7. Applicant**

- a. Site Plan with Special Land Use Application #20-009 (Undercoating business)  
Trustee Colaianne gave a brief overview of the Site Plan with a Special Land Use Application

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at the Hartland Commerce Center off Bergin Road. This is an eco-friendly non-oil based automotive undercoating business using new technology. The Planning Commission (PC) determined that this site plan complied with the intent of our site plan ordinances and complied with the Department of Public Works, the Township's Engineering Consultants, and the Hartland-Deerfield Fire authority requirements. The PC recommended approval of the special land use permit, contingent on the Board's approval. Clerk Ciofu inquired as to the status of Pollution Incident Protection Plan (PIPP) discussed at the PC. The Applicant stated that he is working on this now and that it will be done. Supervisor Fountain allowed the adjacent property owner to comment. Wally Haley of Haley Law firm stated that due to a medical condition of his partner they are more conscious of adverse effects. He stated that he would like to see two things the Applicant represented at the PC meeting be made part of the motion of the Board. He stated that the Applicant has represented that this NH oil is non-toxic and environmentally friendly and that the special use permit be based on using that type of oil and that he could not later change to a more toxic rustproofing environment. He also stated that the Applicant represented that the application will be applied with hand pump sprayers rather than compressed air which would vaporize more spray. He respectfully asked the Board to add these to conditions to their motion. Trustee Colaianne stated the PC did discuss the groundwater protection and the Applicant would have to file a PIPP but the PC did not feel they could specify how he does his business. Supervisor Fountain inquired of the Applicant if he would be willing to put this language in his PPIP with regards to the hand sprayer and limiting the use to a non-toxic environmentally friendly coating. The applicant has no issues with this request.

**Move to approve Site Plan with Special Land Use Application #20-009 as outlined in the Planning Staff Memorandum dated September 29, 2020, a request to establish an undercoating business as a special land use, at 10055 Bergin Road, in Hartland Commerce Center.**

The recommendation for approval is based on the following findings:

1. The proposed special land use, undercoating, meets the intent and purposes of the Ordinance as well as the specific Special Use standards outlined in Section 6.6 (Special Uses) and Section 4.59 (Automobile Repair-Major), as undercoating is permitted as a special land use in the LI-Light Industrial zoning district.
2. The proposed use is compatible with the existing and future land uses in the vicinity and is consistent with the plans previously approved by the Township for Hartland Commerce Center.
3. The proposed use is compatible with the Hartland Township Comprehensive Plan, which designates this area as Planned Industrial Research and Development (PIRD). The intent of this designation is to accommodate light industrial land uses which are similar in nature to those currently permitted in LI-Light Industrial zoning.
4. The proposed undercoating business will be located in an established development, the Hartland Commerce Center, which is currently served by public sewer and private well. The proposed use will be adequately served by existing essential facilities and public services, and the Fire Department has no objection.
5. The proposed use will not be detrimental, hazardous, or disturbing to the existing or future neighboring uses, persons, or the public welfare. The undercoating process takes place in a fully enclosed building, and the applicant will provide a Pollution Incident Prevention Plan (PIPP) to the Fire Department.
6. The proposed use will not create additional requirements at public cost for public facilities as the commerce center, where the proposed business is located, is currently served by public sewer and private well.

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Approval is subject to the following conditions

1. The proposed Special Land Use, undercoating, 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 September 3, 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. A land use permit is required for the proposed special land use.
4. 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.

Motion made by Trustee Colaianne, Seconded by Trustee Harper.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Colaianne, Trustee Germane, Trustee Harper, Trustee Petrucci.

Voting Nay: None

- b. Site Plan with Special Land Use Application #20-010 (Drive-through service for Biggby Coffee)

Trustee Colaianne gave a brief overview of Site Plan with Special Land Use Application #20-010 for a drive through service for Biggby Coffee. The location of the drive through will be on the west end of the building which will remove the parking that is currently there, but there will still be sufficient parking on the site for this use. Discussion was held at the PC on the handicapped parking. The PC recommended approval of the Special Land Use Permit. Clerk Ciofu inquired as to the PC discussion of the handicapped parking and if the Applicant will go forward with the location of the new handicapped spaces. Applicant indicated that they are one of multiple tenants of the space and this location is the preferred location of the landlord. The applicant and the landlord are aware that if State has different requirements regarding handicapped parking that they would have to comply with the State guidelines.

**Move to approve Site Plan with Special Land Use Application #20-010, a request to establish a drive-through service (for Biggby Coffee), as a special land use, at 11325 Highland Road, in Hartland Pointe Plaza.**

The recommendation for approval is based on the following findings:

1. The proposed special land use, restaurant with drive-through service, meets the intent and purposes of the Ordinance as well as the specific Special Use standards outlined in Section 6.6 (Special Uses) and Section 4.28 (Fast Food and Drive-through Restaurants), as a restaurant with drive-in or drive through service is permitted as a special land use in the GC-General Commercial zoning district.
2. The proposed use is compatible with the existing and future land uses in the vicinity and is consistent with the plans previously approved by the Township for Hartland Pointe Plaza.
3. The proposed use is compatible with the Hartland Township Comprehensive Plan, which designates this area as Commercial. The intent of this designation is to allow for both the sale of convenience goods and personal/business services for the day-to-day needs of the immediate neighborhood and provide for auto-oriented services.
4. The restaurant is located in an established development, the Hartland Pointe Plaza, which is currently served by public sanitary sewer and municipal water. The proposed use will be

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adequately served by existing essential facilities and public services, and the Fire Department has no objection.

5. The proposed use will not be detrimental, hazardous, or disturbing to the existing or future neighboring uses, persons, or the public welfare. 6. The proposed use will not create additional requirements at public cost for public facilities as the commercial building, where the proposed business is located, is currently served by public sanitary sewer and municipal water.

Approval is subject to the following conditions:

1. The proposed Special Land Use, restaurant with drive-through service, 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 September 17, 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. 67 SP/SUP #20-010 (Biggby drive-through window) September 29, 2020 Page 2
3. A land use permit is required for the proposed special land use.
4. 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.

Motion made by Trustee Colaianne, Seconded by Trustee Petrucci.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Colaianne, Trustee Germane, Trustee Harper, Trustee Petrucci.

Voting Nay: None

## 8. Pending & New Business

- a. Transfer 590 to 595 (\$1,560,000)

Treasurer Horning stated we follow the Boyle Model for this every year and it is a transfer of \$1,560,000 to cover the bond payment and the chargeback owed to the County for the eventual purchase of a property at scavenger sale in November.

**Move to approve the transfer of funds from 590 Sewer O&M to 595 Sewer Expansion for bond payments per the adopted FY21 budget.**

Motion made by Treasurer Horning, Seconded by Trustee Harper.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Colaianne, Trustee Germane, Trustee Harper, Trustee Petrucci.

Voting Nay: None

- b. Replacement of Digital Signage System (\$11,650)

Interim Manager Bob West reported that the Township's local access cable channel has not worked for some time now, is somewhat archaic, and has been consistently repaired over the years. He stated it is now at the point where it is no longer serviceable and that there is new technology available for this now. He is proposing a more user-friendly system that will allow us to get messages out to the public through our local cable access channel without having to call in the contractor for updates. He stated that this is mid-level option and will be funded

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from PEG funds. The \$11,650 amount includes a monthly hosting fee of \$29 per month and \$1700 for three years of 24-hour maintenance service.

**Move to approve the budget amendment and proposal from AVI-SPL for the replacement of the Township's digital signage system, not to exceed \$11,650 (5% contingency included in total).**

Motion made by Treasurer Horning, Seconded by Trustee Germane.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Colaianne, Trustee Germane, Trustee Harper, Trustee Petrucci.

Voting Nay: None

c. Resolution - Authorizing a Temporary Amendment to the Township's Fee Schedule for Certain Site Plan Applications

Supervisor Fountain gave a brief overview of the Township's previous Resolution allowing local businesses to apply for temporary outdoor use permits for outdoor dining. The Michigan Liquor Control Commission (MLCC) is now allowing certain businesses to apply for permanent outdoor use permits and supervisor Fountain commended the MLCC for being proactive for our restaurants. He stated that there is a \$1200 permit fee to apply for site plan changes. Due to the situation with our area restaurants, the Township is proposing to waive this permit fee for applicants that have a Class C liquor license and have gone through the approval process for the temporary outdoor use permit. Applicants would still have to go through the normal approval process with the Planning Commission and would have to apply with the MLCC by November 30th.

**Move to approve the resolution authorizing a temporary amendment to the Township's fee schedule for certain site plan applications.**

Motion made by Treasurer Horning, Seconded by Trustee Colaianne.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Colaianne, Trustee Germane, Trustee Harper, Trustee Petrucci.

Voting Nay: None Roll call vote taken. Motion passes 7-0-0.

d. Resolution – Hartland Robotics Boosters Charitable Gaming License

Supervisor Fountain stated that the Hartland Robotics Club is looking to hold some kind of raffle in the future and the State of Michigan is allowing them 18 months but it requires the approval of the Township in the form of a resolution.

**Move to approve the resolution recognizing Hartland Robotic Boosters, Inc. as a charitable nonprofit in the community for the purpose of obtaining a charitable gaming license.**

Motion made by Trustee Harper, Seconded by Trustee Germane.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Colaianne, Trustee Germane, Trustee Harper, Trustee Petrucci.

Voting Nay: None Roll call vote taken. Motion passes 7-0-0.

## 9. Board Reports

Clerk Ciofu – reported that we have currently sent out over 5,000 Absent Voter Ballots and we have over 1,000 already returned.

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Treasurer Horning – stated that this Saturday is the last official Farmer’s Market for the season. The businesses may continue selling products on an informal basis on future Saturdays if weather permits.

Trustee Colaianne – no report

Trustee Germane – no report

Trustee Harper – no report

Trustee Petrucci – no report

Supervisor Fountain – no report

[BRIEF RECESS]

**10. Information / Discussion**

a. Manager's Report

Interim Manager West stated that we have received the proposal for the new water meter reading system. The existing system was discontinued by our previous provider and with our surcharge program there were limited system providers. We have secured a proposal from one of the big three in the meter reading industry and this will come before the Board soon. We have narrowed our search for the Code Enforcement Officer to three candidates and interviews will be continuing next week. We have received five applications to date for the Department of Public Works Director through the second week of the three-week posting. The Michigan State Police (MSP) have decided to do a speed study on Blaine Road independent of the Road Commission and the residents in the area. This is now out of the control of the Township as the MSP will complete the study and set the speed limit. The MSP stated once they know about an incorrect speed sign they must correct it.

b. Water System Update

Interim Manager West met with the property owner and the real estate agent that currently own the property that PIHRL Developers assisted living facility is under contract with. Their contract is contingent on municipal water to the site and PIHRL has asked for an extension of the contract with the property owner. The property owner wanted to hear from the Township on the situation and Interim Manager West stated he was able to indicate to them that the delay is not the result of any actions taken by PIHRL. There is also a meeting scheduled tomorrow with Mayberry Homes to discuss their contribution to the water extension. The primary concern with the Mayberry property relates to the combined assessment value of the water and sewer exceeding the property value. Both parties are optimistic and will be working on solutions. Contingency plans for water are also being discussed if a solution cannot be worked out.

**11. Adjournment**

**Move to adjourn the meeting at 7:37 p.m.**

Motion made by Trustee Harper, Seconded by Trustee Colaianne.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Colaianne,  
Trustee Germane, Trustee Harper, Trustee Petrucci.

Voting Nay: None

Submitted by:



Larry N. Ciofu, Clerk