



Planning Commission

Larry Fox, Chairperson	Joseph W. Colaianne, Trustee
Michael Mitchell, Vice-Chairperson	Keith Voight, Secretary
Michelle LaRose, Commissioner	Sue Grissim, Commissioner
	Tom Murphy, Commissioner

Planning Commission Special Meeting Agenda

Online Via WebEx at <https://hartlandtownship-214.my.webex.com/hartlandtownship-214.my/j.php?MTID=mb71ccbcb81eb8793d1335744ebcf14f4>

Thursday, January 07, 2021

7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. 2021 Annual Planning Commission Organizational Meeting
 - a. Hartland Township Planning Commission Rules and Procedures (By-Laws)
 - b. Election of Officers
 - c. Committee Appointments
5. Approval of the Agenda
6. Approval of Meeting Minutes
 - a. Planning Commission Minutes of September 24, 2020
 - b. Planning Commission Minutes of October 8, 2020
7. Call to Public
8. Old and New Business
 - a. 2021 Planning Commission Calendar
9. Call to Public
10. Planner's Report
11. Committee Reports
12. Adjournment

In accordance with Public Act 228 of 2020, Hartland Township public meetings may be held virtually until further notice.

Agendas and Minutes are published on the Hartland Township website at:

<https://www.hartlandtwp.com/meetings>

All virtual meetings are posted to Hartland Township's YouTube page within 48 hours of the conclusion of said meetings at: <https://www.youtube.com/channel/UCMQRFj949pT7c7PRasKMcFQ/videos>

The public may attend or participate in public comment at public meetings virtually, by following any of the steps below:

Via WebEx (on-line meetings): <https://hartlandtownship-214.my.webex.com/hartlandtownship-214.my/j.php?MTID=mb71ccbc81eb8793d1335744ebcf14f4>

Via the WebEx app

- Join a meeting, with meeting number: 126 946 0508
- Enter the meeting password: HTWP18 (ensure there are no spaces before or after the password)

Via a cellular phone:

- Dial number 1-(415)-655-0001
- When prompted enter meeting ID: 1269460508, then press #
- When prompted enter password: 489718, then press #

Via a landline phone (US Tolls may apply):

- Dial 1-415-655-0001
- When prompted enter meeting ID: 1269460508, then press #
- When prompted enter password: 489718, then press #

Using WebEx Helpful Videos:

How to Join a WebEx Video Conference Meeting: <https://www.youtube.com/watch?v=fE5FnEUKtaE>

Manage Audio and Visual Preferences for a WebEx Meeting:
<https://www.youtube.com/watch?v=VEIbXzZCWjw>

Hartland Township Planning Commission Meeting Agenda Memorandum

Submitted By: Troy Langer, Planning Director

Subject: Hartland Township Planning Commission Rules and Procedures (By-Laws)

Date: December 31, 2020

Recommended Action

Move to approve the Rules and Procedures (By-Laws) as presented and dated January 7, 2021.

Discussion

The Hartland Township Planning Commission Rules and Procedures (By-Laws) outline the duties of the Planning Commission, the administrative procedures, the various officers and committees, as well as the meetings, and so forth.

These By-Laws are reviewed annually, and often there is very little changes. However, earlier in 2020, the Planning Commission discussed adding a third member to the Site Plan Review Committee. The Site Plan Review Committee is outlined in Section 3.0 A) of the By-Laws. As a result of the decision by the Planning Commission to add a third person, this section was updated and changed to include three (3) Planning Commission members, whereas it previously included two (2) Planning Commission members.

This is the only changes that are made to the By-Laws. All other sections and language remain the same, as approved in 2020.



HARTLAND TOWNSHIP PLANNING COMMISSION

RULES AND PROCEDURES (BY-LAWS)

*Originally adopted December 16, 2010
Last Reviewed and Reaffirmed January 7, 2021*

I. INTRODUCTION

The basic responsibilities of the Hartland Township Planning Commission are contained in the Michigan Planning Enabling Act, Public Act 33 of 2008 and the Michigan Zoning Enabling Act, Public Act 110 of 2006, each as amended. Each of these Acts grants specific jurisdiction to a Township Planning Commission in matters of land use planning and associated public concerns. These rules of procedure will be followed by the Hartland Township Planning Commission. Also presented are the general operating regulations for the Hartland Township Planning Commission. Regular meetings, special meetings, public records, agendas, quorum, disqualification, order of business and parliamentary procedures will be outlined.

II. DUTIES OF THE PLANNING COMMISSION

The Planning Commission shall perform the following duties:

- Prepare, review and update the master plan (Township Comprehensive Plan) as a guide for development.
- Take such action on petitions, staff proposals and Township Board requests for amendments to the Zoning Ordinance as required.
- Take such action on petitions, staff proposals and Township Board requests for amendments to the master land use plan as required.
- Prepare an annual written report to the Township Board of the Planning Commission's operations and status of planning activities, including recommendations regarding actions by the Township Board related to planning and development.
- Prepare an annual work program and budget.
- Review subdivision and condominium proposals and recommend appropriate actions to the Township Board.
- Prepare special studies and plans, as deemed necessary by the Planning Commission or Township Board and for which appropriations of funds have been approved by the Township Board, as needed.
- Attend training sessions, conferences or meetings as needed to properly fulfill the duties of Planning Commissioner and for which appropriations of funds have been approved by the Township Board, as needed.
- Prepare a Capital Improvements Plan.
- Perform other duties and responsibilities or respond as requested by any Township Board or Commission.

III. RULES OF ADMINISTRATIVE PROCEDURE

The following rules of procedure were adopted and are periodically reaffirmed by the Township Planning Commission to facilitate the performance of its duties and the exercising of its responsibilities, functions and powers.

1.0 OFFICERS

A) ELECTION

The Commission shall, at its first regular meeting of the calendar year, elect from among the voting members, a Chair, Vice–Chair, and Secretary. All elected officers are eligible for re-election.

B) TENURE

The Chair, Vice-Chair and Secretary shall take office immediately following their election and shall hold office for a term of one year or until their successors are elected and assume office.

C) DUTIES OF THE CHAIR/VICE–CHAIR

- The Chair shall preside at all meetings and perform such other duties as may be ordered by the Commission.
- The Chair shall appoint all committee members, for a term of one year. The Chair may reassign members or re-designate Committee members at his/her discretion. The Chair shall be an ex-officio member of all committees.
- All communications, petitions and reports shall be globally addressed to the Commission and delivered or mailed to the Township Hall attention the Chair or Township Planner.
- The Vice-Chair shall act in the capacity of the Chair in his/her absence. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term.

D) DUTIES OF THE SECRETARY

The Secretary shall execute all documents in the name of the Commission, perform the duties listed below, and shall perform such other duties as the Commission may determine.

1. MINUTES

- The Secretary shall be responsible for the minutes and they will be maintained in suitable volumes at the Township Hall. Copies of the draft minutes will be provided to all voting Commission members in the packet of information with the agenda for the meeting in which they are to be approved. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance.
- After minutes from a previous meeting are approved by a majority of the Commission at subsequent meeting, they will be signed by the Secretary and forwarded to the Township Clerk.
- The minutes of the Commission meetings shall be filed in the office of the Township Clerk as a public record and no official action taken by the Commission at any meeting shall be validated or effective until a copy of the minutes of the meeting at which such action was taken shall be filed with the Township Clerk.
- The Township Clerk shall keep a record of the Commission transactions, findings, and determinations, which shall be a public record. These records shall be suitably filed in the offices of Hartland Township by the Clerk's office with a duplicate copy kept in the Planning Department's files. All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

2. CORRESPONDENCE

When assigned, the Secretary shall be responsible for issuing formal written correspondence with other groups or persons, as directed by the Planning Commission. All communications, petitions, reports or other written materials received by the Secretary shall be brought to the attention of the Planning Commission.

3. RECORDING SECRETARY

The Commission may appoint a Recording Secretary, who shall be an employee of the Commission and be reimbursed for his/her services by the Township. The Recording Secretary shall make a record of Commission proceedings and carry out other assignments as delegated from time to time by the Commission or Secretary. The Recording Secretary under the direction of the Secretary may execute any of the Secretary responsibilities defined above.

E) DUTIES OF THE TOWNSHIP BOARD REPRESENTATIVE

The Township Board representative shall present the recommendations of the Planning Commission as required by the Zoning Ordinance, Subdivision Ordinance or other Ordinance to the Township Board prior to their consideration of such request. The representative will also update the Township Board of other efforts undertaken by the Planning Commission, such as subcommittee progress, ordinance revisions, etc.

F) DUTIES OF THE ZONING BOARD OF APPEALS REPRESENTATIVE

The Planning Commission representative to the Zoning Board of Appeals shall report the actions of the Zoning Board of Appeals to the Planning Commission and update the Zoning Board of Appeals on actions by the Planning Commission that relate to the functions and duties of the Zoning Board of Appeals.

2.0 MEETINGS

A) REGULAR MEETINGS

The regular meetings of the Hartland Township Planning Commission will be held the second and fourth Thursdays of every month at a time to be determined by the Planning Commission at the meeting in which the regular meeting schedule is adopted or as otherwise designated by the Chair of the Planning Commission. When the regular meeting day falls on a legal holiday or when an occasion of special importance takes place, the Chair shall select a suitable alternative day in the same month. Prior to the end of the year, the Chair will submit to the Planning Commission the regular meeting schedule for the upcoming year, for their approval. The adopted schedule will become the regular schedule of the subsequent year and will be posted at the Township Hall within ten (10) days after the first Planning Commission meeting of the New Year in accordance with the Open Meetings Act

Ideally, all meeting agendas will also be posted at the Township Hall at least one week prior to the meeting and will be provided to Hartland TV for advertisement on the local cable network. All meeting notices shall be in accordance with the Open Meetings Act.

B) SPECIAL MEETINGS

In addition to the bi-monthly regular meetings, the Commission may also periodically conduct special meetings. There are three kinds of Special Meetings that may be called by the Planning Commission. The various special meeting types are discussed below:

- **Special Meeting A:** A special meeting may be called to convenience applicants with matters before the Planning Commission for consideration, provided that the petitioners' application for special meeting shall be accompanied with appropriate fees, as established by resolution of the Hartland Township Board. The Planning Department shall give special meeting petitions to the applicant. Once the Planning Department verifies that the appropriate fees have been received, the Department shall forward the application to the Planning Commission Chair. The Chair shall give notice of the special meeting by means of notice delivered to each member at least seventy-two (72) hours prior to such meeting and shall state the purpose, item, and place of the meeting.
- **Special Meeting B:** A regular meeting called by the Chair or majority of the Planning Commissioners for the expressed purpose of addressing normal and typical business that comes before the Commission. For example, a special meeting may be called for urgent township business that cannot await action until the next regularly scheduled meeting. If a special meeting is required to satisfy statutory deadlines (such as required by the Subdivision Control Act), then additional applicant fees may be waived.
- **Work Session:** A work session is another form of special meeting held by the Planning Commission. Work sessions may be held for subcommittee meetings (fewer than three Planning Commission members present) or for a meeting of the full Commission for general discussion to further a specific purpose. Generally, discussion and action for items intended for Regular Meetings will not be acted on during a work session, especially since a quorum may not be present. In the interest of satisfying the Open Meetings Act, all work sessions involving the whole Planning Commission shall be duly advertised to permit the public to attend.

Notwithstanding the foregoing descriptions of the three types of special meetings held by the Planning Commission, a meeting shall be a legal meeting if enough members of the Planning Commission are present to constitute a quorum and minutes will be prepared.

C) QUORUM

Four (4) members shall constitute a quorum for the transaction of business and the taking of official action. Whenever a quorum is not present, those present may adjourn the meeting to another time and day, in accordance with the provisions of the Open Meetings Act, or hold the meeting to consider the matters on the agenda. No action shall be taken at a meeting at which a quorum is not present.

D) VOTING

An affirmative vote of the majority of the Planning Commission membership is required to adopt any part of the master plan or amendments to the plan (MCL 125.328). Unless required by statute, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the membership in attendance, as long as a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any commission member or directed by the Chair. Except in the case of conflict of interest, all Planning Commission members, including the Chair, shall vote on all matters.

Voting shall be recorded by verbal "yeas" and "nays" unless otherwise ordered by a PC member.

E) NOTICE

The Township Planner shall oversee the issuance of such notice as may be required by the Planning Commission, including Open meetings Act notices, as well as notice required for specific planning or zoning actions under the Michigan Planning Enabling Act of the Michigan

Zoning Enabling Act. Verification of such notice shall be provided to the Planning Commission prior to the date and time of the public hearing.

F) AGENDA

The Chair with information and documentation provided by staff and consultants shall determine when items are to be placed on the agenda. The staff shall then prepare the agenda in its written form for distribution.

All regular and special meetings shall conduct business in the following order:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call and Recognition of Visitors
4. Approval of Meeting Agenda
5. Approval of Minutes for past meetings or work sessions
6. Call to Public
7. Public Hearing(s)
8. Old and New Business
9. Call to Public
10. Planner's Report
11. Committee Reports
 - Correspondence Received
 - Committee Reports from Planning Commissioners
 - Report from Township Board Representative
 - Report of Zoning Board of Appeals Representative
12. Adjournment

Note: The agenda may be modified to include a work session following a brief recess of the regular meeting.

G) PARLIAMENTARY PROCEDURES

Except where otherwise specified, meetings shall be conducted according to Robert's Rules of Order (21st CENTURY ROBERT'S RULES OF ORDER COPYRIGHT 1995), except to the extent contradicted by these rules and procedures, and with the exception that the Chair shall vote.

H) MOTIONS

The Chair or Recording Secretary shall repeat complex motions before a vote is taken. The names of the persons making the motion and its second shall be recorded in the meeting minutes. The meeting minutes shall show the count of the vote with the "nays" being identified.

3.0 COMMITTEES

In order to facilitate the orderly review of matters before the Commission, the following standing committees are created:

A) SITE PLAN REVIEW COMMITTEE

The Committee shall include three (3) Planning Commission members. The Committee will review site development plans as provided by the Township Zoning Ordinance in an informal manner through meeting with the developer/applicant. Upon receiving a complete application for an informal Site Plan Review, the Planning Department will schedule a meeting with the Site Plan Review Committee and the applicant. The Committee will update its findings and brief the Planning Commission when the informal review is complete. The makeup of the Committee may vary depending on the number of site plan reviews occurring and individual Planning Commissioner time constraints.

B) OTHER COMMITTEES

The Chair may appoint other committees from time to time, which serve to assist the Planning Commission in discharging its responsibilities.

C) APPOINTMENTS AND VACANCIES

The Chair shall make appointments to these committees. The length of appointment shall be for one (1) calendar year. These committees shall meet as needed to consider the referrals given to them by the Township Planner. The Committees will review applications and make their recommendations to the Planning Commission.

If a vacancy occurs on the Planning Commission that affects the standing committee appointments, the Chair shall appoint replacement members to complete the balance of the year.

4.0 PROCEDURE FOR PUBLIC PARTICIPATION

A limit of three (3) minutes per participant during the call to the public shall be permitted for any written or oral statements. The unofficial policy of the Commission will be to accept public input during the meeting for topics under discussion. If necessary, the Chair may set time limits for public participation during any meeting to ensure an orderly meeting.

All public hearings must be held as part of a regular or special meeting of the Planning Commission. The following rules of procedure shall apply to public hearings held by the Planning Commission:

- Chair opens the public hearing and announces the subject.
- Chair summarizes the procedures/rules to be followed during the hearing.
- Township planner/engineer/other consultants present their report and recommendation.
- Applicant presents the main points of the application.
- Public at large is invited to speak in support or opposition to the application.
- Chair closes the public hearing and returns to the regular/special meeting.

To ensure everyone has the opportunity to speak, the Chair may elect to limit the time permitted to speak, except that the applicant may be permitted additional time as the Chairperson allows. The Chair may also elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the chairperson, in his/her discretion, may permit additional comments.

All comments by the public, staff and the Planning Commission shall be directed to the Chair. All comments shall be related to the application under discussion; unrelated comments shall be ruled out of order.

5.0 CONFLICT OF INTEREST

Planning Commission members shall declare a conflict of interest and abstain from participating in a hearing or deliberations on a request when:

- A)** The applicant is an immediate family member or relative;
- B)** The Planning Commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association;
- C)** The Planning Commission member owns or has a financial interest in neighboring property. For purposes of this section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the Zoning Ordinance or other applicable ordinance, or
- D)** There is a reasonable appearance of a conflict of interest, as determined by the Planning Commission member declaring such conflict.

The Planning Commission member declaring a conflict of interest shall state the nature of the conflict and whether he or she believes they could impartially consider the request before the commission. He or she should individually decide to abstain from any discussion or votes relative to the matter that is the subject of the conflict. The member declaring a conflict may absent him/herself from the room in which the discussion takes place, unless doing so would violate his or her constitutionally protected rights to participate. He or she should not make any presentations to the Planning Commission as a representative of the proposal.

6.0 ANNUAL ORGANIZATIONAL MEETING

An annual organizational meeting shall occur at the first regular meeting of the year for election of a Chair, Vice-Chair and Secretary.

7.0 PLANNING COMMISSION ASSISTANCE

A) Duties of the Township Planner

- Accept applications for matters to be reviewed by the Planning Commission and ensure that such applications are complete.
- Forward application materials to the Planning Commission at least one week prior to the meeting at which the matters will be considered.
- Inform the Planning Commission of administrative and enforcement actions taken on behalf of the Township related to the zoning or other appropriate ordinance.
- Prepare amendments to the Zoning Ordinance as directed by the Planning Commission.
- Attend regular Planning Commission Meetings and Work Sessions.
- Consult with the Planning Commission and other township officials concerning interpretation, procedural questions and other matters arising from the Zoning Ordinance.
- Prepare written reviews and recommendations, if appropriate, for all requests and development proposals to be considered by the Planning Commission.

- Meet with applicants, their representatives and/or township officials as needed to properly perform project reviews.
- Prepare an annual report regarding development activities and status of projects as they relate to the Planning Commission's duties as described.
- Perform other duties as directed by the Planning Commission.

B) Assistance From Other Professionals

- The Planning Commission may be assisted by other professional or township staff as needed, including the building inspector, township attorney, township engineer, consultants or other persons or agencies.

8.0 AMENDMENTS TO RULES AND PROCEDURES

Amendments to these rules and procedures may be initiated by any member of the Planning Commission at any regular meeting and voted upon. To make certain the By-Laws reflect current Commission practice, it is recommended that they be reviewed and reaffirmed annually.

Originally adopted by the Hartland Township Planning Commission at a regular meeting dated:

- December 16, 2010

Reviewed and reaffirmed by the Hartland Township Planning Commission at a regular meeting dated:

- January 12, 2012
- February 14, 2013
- January 23, 2014
- January 15, 2015
- January 14, 2016
- January 12, 2017
- January 11, 2018
- February 14, 2019
- January 9, 2020
- January 7, 2021

_____ - Chair

_____ - Vice-Chair

_____ - Secretary

HARTLAND TOWNSHIP PLANNING COMMISSION **DRAFT** MEETING MINUTES

September 24, 2020 – 7:00 PM

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 September 24, 2020 Planning Commission Meeting Agenda was made by Commissioner Grissim and seconded by Commissioner Colaianne. Motion carried unanimously.

5. **Call to the Public:**

None

6. **Public Hearing:**

- a. Site Plan with Special Land Use Application #20-010 (Drive-through service for Biggby Coffee) a request to establish a drive-through service for Biggby Coffee, with the drive-through window on the west side of the multi-tenant building.

Chair Fox explained the Public Hearing process.

Chair Fox opened the Public Hearing at 7:02 PM.

Chair Fox described the request and stated all public noticing requirements have been met.

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

- Existing multi-tenant building, Biggby is the end unit.
- Parking lot reconfigured for drive-through.
- Drive-through window is allowed by Special Use Permit in GC General Commercial; approvals required from Planning Commission and the Township Board.
- No additional lighting is proposed.

The Applicant, Charles Laurencelle, of CoLaur Development, property owner; and Kent Kildea, K2 Holding LLC, business owner, introduced themselves.

Public Comment:

None

Chair Fox closed the Public Hearing at 7:07 PM.

Chair Fox referred to the staff memorandum.

Special Land Use Review – General Standards

Section 6.6

- A. Be harmonious and in accordance with the objectives, intent, and purposes of this Ordinance.
- B. Be compatible with the natural environment and existing and future land uses in the vicinity.
- C. Be compatible with the Hartland Township Comprehensive Plan.
- D. Be served adequately by essential facilities and public services, such as highways, streets, police and fire protection, drainage ways and structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be able to adequately provide any such service.
- E. Not be detrimental, hazardous, or disturbing to the existing or future neighboring uses, person, property, or the public welfare.
- F. Not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

Chair Fox stated the Applicant has responded to items A through F and asked if the Planning Commission had any questions or comments. The Planning Commission had no questions or comments.

SPECIAL LAND USE REVIEW – Applicable Site Standards

Fast-food and Drive-through Restaurants (Section 4.28)

Chair Fox stated all the applicable site standards have been met.

Commissioner Grissim asked if the landscaping around the transformer, the area being expanded, will be lawn. The Applicant stated it was.

She also asked if the Ginkgo tree near the sign would remain. The Applicant stated it is narrow, but they think they can.

Chair Fox asked Commissioner Grissim how successful transplanting such a small tree might be. Commissioner Grissim stated it might have to be hand dug. The Applicant stated maybe they could shift the menu board slightly to make room for the tree.

SITE PLAN REVIEW – Applicable Site Standards

Chair Fox stated there are no changes proposed to the site other than the drive-through so the Site Plan Review is mostly parking.

Off-Street Parking (Sec. 5.8, parking standards for retail store; plus, carry-out restaurant or delicatessen with less than six tables or booths, with drive-through window) Chair Fox stated they have plenty of parking; 50 required, 53 planned.

Barrier-Free Parking (Per ADA guidelines)

Director Langer stated generally Barrier-Free Parking is typically located in a location most accessible to the building entrance. They have requested this be modified in the construction plans to meet this requirement.

The Planning Commission briefly discussed the Barrier-Free requirements. The Planning Commission stated if the Applicant chooses the leave the location of the Barrier-Free Parking spaces as they are, it is their choice.

Commissioner Colaianne offered the following Motion:

Move to recommend approval of 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 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.**
- 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.**

Commissioner Voight seconded. Motion passed unanimously.

7. Old and New Business:

None

8. Call to the Public:

None

9. Planner Report:

None

10. Committee Reports:

None

[Brief Recess] 7:22 PM

11. Work Session:

Call to Order

Chair Fox reconvened the meeting at 7:43 PM

Roll Call

Present – Commissioners Fox, Colaianne Grissim, LaRose, Mitchell, Murphy, Voight

Absent – None

Call to the Public

None

Workshop

a. Digital Menu Boards for Drive-Through Restaurants

Director Langer gave a brief overview of a potential ordinance amendment as recommended by the Ordinance Review Committee. The amendment would permit restaurants that have a drive-through lane to have a sign at the drive-through lane for ordering to be a digital LED sign.

Restaurants could continue with a more traditional sign for such purposes if they desired. Other drive-through businesses would have to continue with the traditional signs.

The Planning Commission discussed the size limitations, the height, the brightness and how the signs would turn off in the event of a power failure or when the business is closed.

The Planning Commission agreed to initiate an ordinance amendment for the menu boards and changes, as discussed.

12. Adjournment:

A Motion to adjourn was made by Commissioner Mitchell and seconded by Commissioner Murphy. Motion carried unanimously. The meeting was adjourned at approximately 8:40 PM.

HARTLAND TOWNSHIP PLANNING COMMISSION **DRAFT** MEETING MINUTES

October 8, 2020 – 7:00 PM

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, Mitchell, Voight

Absent – LaRose, Murphy

4. Approval of the Meeting Agenda:

A Motion to approve the October 8, 2020 Planning Commission Meeting Agenda was made by Commissioner Colaianne and seconded by Commissioner Mitchell. Motion carried unanimously.

5. Approval of Meeting Minutes:

a. Planning Commission Special Meeting Minutes of August 20, 2020

A Motion to approve the Special Meeting Minutes of August 20, 2020 was made by Commissioner Grissim and seconded by Commissioner Voight. Motion carried unanimously.

b. Planning Commission Meeting Minutes of September 10, 2020

A Motion to approve the Meeting Minutes of September 10, 2020 was made by Commissioner Mitchell and seconded by Commissioner Grissim. Motion carried unanimously.

6. Call to the Public:

None

7. Old and New Business:

a. Site Plan #20-003 Preliminary and Final Site Condominium Application for Rural King Condominium Request; a request to permit two (2) commercial units in the existing building currently addressed as 10400 Highland Road, as part of the Hartland Marketplace Planned Development.

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

- Rural King entered into an agreement with Noble Appliance to occupy the unused portion of the former Walmart building.
- Rural King and Noble Appliance chose to create a commercial condominium.
- No changes to the site plan.
- Condominium process requires Preliminary and Final Review; both have been combined into one meeting.

Chair Fox stated they are reviewing a document that outlines how the two entities will co-exist on the same property.

Commission Voight asked about the parking, is it considered common area for both entities. Director Langer stated it is. Noble will essentially only own what is inside the building; the exterior and parking area are common area. Commissioner Voight asked if there is a maintenance agreement included in the condominium document. Director Langer stated the condominium association replaces Rural King as the responsible party for the maintenance of the exterior and parking area.

Chair Fox asked about the time delay for this request. Director Langer stated initially Noble Appliance was going to come in as a tenant which does not require Planning Commission approval. The choice was made to have each business own the units which required condominium documents be drafted. When the demising wall was added to divide the space, the fire suppression system also had to be separated to serve each side independently as the Fire Code requires. There were extensive discussions about this process. Product was moved into the structure prematurely which caused another delay. The Township tried to work with Noble Appliance to keep the project moving forward and allowed the product to remain. Nearly all of the delay was on behalf of the tenants that occupy the building.

Commissioner Grissim offered the following Motion:

Move to recommend approval of the Preliminary and Final Site Condominium Application #20-003, a request to permit two (2) commercial units in the existing building currently addressed as 10400 Highland Road, as part of the Hartland Marketplace Planned Development. Approval is subject to the following conditions:

- 1. The proposed site condominium request is subject to the approval of the Township Board.**
- 2. The condominium documents shall comply with the requirements of the Township Attorney.**

Seconded by Commissioner Voight. Motion carried unanimously.

8. Call to the Public:

None

9. Planner Report:

Director Langer reported the following:

- Many projects preparing to come before the Planning Commission. Several cases will require a public notice and a public hearing.
- Trying to save a couple of spots open for some restaurants that want to make their outdoor seating areas permanent.
- Mayberry's Newberry project will be coming back in December which may require extra meetings.
- Hacker Road Condominium project will come back for Preliminary Review in January.
- Future Land Use changes require a public hearing as well.

10. Committee Reports:

None

11. Adjournment:

A Motion to adjourn was made by Commissioner Colaianne and seconded by Commissioner Mitchell. Motion carried unanimously. The meeting was adjourned at approximately 7:14 PM.



Board of Trustees

William J. Fountain, Supervisor
Larry N. Ciofu, Clerk
Kathleen A. Horning, Treasurer

Matthew J. Germane, Trustee
Summer L. McMullen, Trustee
Denise M. O'Connell, Trustee
Joseph M. Petrucci, Trustee

**2021
HARTLAND TOWNSHIP PLANNING COMMISSION MEETINGS
HARTLAND TOWNSHIP HALL
7:00 P.M.**

The regular meetings of the Hartland Township Planning Commission for the year 2021 will be held on the following dates. All meetings are open to the public.

January 7, 2021*	*Special Meeting
January 14, 2021	January 28, 2021
February 11, 2021	February 25, 2021
March 11, 2021	March 25, 2021
April 8, 2021	April 22, 2021
May 13, 2021	May 27, 2021
June 10, 2021	June 24, 2021
July 8, 2021	July 22, 2021
August 12, 2021	August 26, 2021
September 9, 2021	September 23, 2021
October 14, 2021	October 28, 2021
November 4, 2021	November 18, 2021
December 2, 2021	December 16, 2021

*Keith Voight
Hartland Township Planning Commission Secretary*