

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
January 8, 2024**

MINUTES

CALL TO ORDER: Vice Chairman Rauch called the meeting of the Genoa Charter Township Planning Commission to order at 6:30 p.m. Present were Eric Rauch, Tim Chouinard, Glynis McBain, Marianne McCreary, Greg Rassel and Jeff Dhaenens. Absent was Chris Grajek. Also present were Planning Director Amy Ruthig, Brian Borden of Safebuilt, and Shelby Byrne of Tetra Tech.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

ELECTION OF OFFICERS:

Vice Chairman Rauch recommended tabling this item until the February 12 meeting when Chairman Grajek will be present. All Commissioners agreed. **Moved** by Commissioner McCreary, supported by Commissioner Rassel to table the Election of Officers until the February 12, 2024 Planning Commission meeting. **The motion carried unanimously.**

APPROVAL OF AGENDA:

Moved by Commissioner McCreary, seconded by Commissioner Chouinard, to approve the agenda as presented. **The motion carried unanimously.**

DECLARATION OF CONFLICT OF INTEREST:

None

CALL TO THE PUBLIC:

The call to the public was made at 6:32 pm with no response.

OLD BUSINESS:

OPEN PUBLIC HEARING #1... Consideration of a special use application, environmental impact assessment and site plan to allow for a contractor's yard with outdoor storage, wetland buffer encroachment and accessory fuel storage located at 855 Victory Drive, east side of Victory Drive, south of Grand River Avenue. The request is petitioned by Michigan Recreation Construction, Inc.

- A. Recommendation of Special Use Application
- B. Recommendation of Environmental Impact Assessment (12-19-23)
- C. Recommendation of Site Plan (12-19-23)

Mr. Scott Tousignant with Boss Engineering and Craig Sheffer, the owner of Michigan Recreational Construction, were present. Mr. Tousignant provided a review of the project. There will be two parcels combined to create one approximate 17-acre parcel. There is an existing building and material storage bins on the site. This project will add additional parking spaces and additional gravel storage. He showed the site plan, noting what will be used to screen the material storage. There are two encroachments into the natural features setback, one of which is a crossing of the wetland, and they will work with EGLE on obtaining approval. They will be seeking a variance for the additional fuel storage being requested.

Mr. Tousignant provided the reasons why they are proposing not to have an enclosure around their Dumpster. After a discussion, the Commissioners agreed that another enclosure was not required.

Mr. Borden reviewed his letter dated January 2, 2024.

1. Special Land Uses (Section 19.03):
 - a. The special land use standards of Section 19.03 are generally met.
 - b. In order to make favorable findings related to compatibility and impacts, the conditions of Section 8.02.02(b), 13.02 and 13.07 need to be met to the Commission's satisfaction.
 - c. The applicant must address any comments provided by the Township Engineer or Brighton Area Fire Authority regarding public facilities and services.
2. Outdoor Storage (Section 8.02.02(b)):
 - a. The use of gravel surfacing is allowed to be approved but requires a recommendation by the Township Engineer. Ms. Byrne stated that she has no concerns with the gravel driveway.
3. Wetland Protection (Section 13.02)
 - a. There are three proposed encroachments into the 25-foot natural feature setback.
 - b. The drive across the wetland that connects the two proposed outdoor storage areas requires approval from the State.
4. Fuel Storage (Section 13.07)
 - a. The project does not meet the capacity limitation, which is a three-hundred-gallon tank. He noted that the applicant will be seeking a variance; however, he suggested they install three each three-hundred-gallon tanks
 - b. The applicant must obtain all necessary permits.
5. Site Plan Review:
 - a. The applicant may wish to incorporate some type of internal pedestrian walkway as opposed to having people walk 300 feet in the drive aisle. Mr. Tousignant stated because the pedestrians will be employees, they are familiar with the site, and they will all be entering and exiting at the same time.
 - b. The applicant will coordinate refuse removal since the waste receptacle is behind a security gate.
 - c. Waste receptacle/enclosure details are provided; however, the applicant would like to discuss the need for an enclosure given the nature of the project.

Ms. Byrne reviewed her letter dated January 4, 2024. This letter was not included in the packet and was presented to the commissioner's this evening.

1. Approval from the Brighton Area Fire Authority will be required prior to final site plan approval.
2. There is a proposed 20-foot gravel drive across the wetland. An EGLE wetland permit will be required and should be provided to the Township for their records.
3. The Livingston County Drain Commission (LCDC) has an unresolved permit with the subject property concerning the existing northern basin. Ms. Tousignant has discussed this with the LCDC and they are requiring documentation that the outstanding items will be addressed with this project.
4. She reiterated that she has no concerns with the proposed gravel parking lot.

The Commission discussed allowing the applicant to install three each three-hundred-gallon fuel tanks instead of the need to obtain a variance from the ZBA. Commissioner McBain suggested the ordinance limits the capacity to 300 for safety reasons. Commissioner McCreary noted that this variance could be considered to be self-created. The Commission agrees the Fire Marshal will need to review increasing the capacity limit.

The Brighton Area Fire Authority's letter dated December 26, 2024 states that the applicant has addressed all of his previous outstanding items.

The Livingston County Road Commissioner's letter dated January 4, 2024 states:

Before a commercial approach permit can be issued the following items need to be addressed:

1. A contractor needs to be selected and the selected contractor must submit a certificate of insurance to the LCRC with the following language: "The Board of Livingston County Road Commissioners, the Livingston County Road Commission, and their officers, agents, and employees are listed additional insured parties with respect to General Liability."
2. Victory Drive is classified as an All-Weather road, therefore the proposed pavement cross-section within the road right-of-way will need to match the cross section of Victory Drive. Please include a pavement cross section for the approach within the road right-of-way that consists of 2" 5E3 top HMA, 2" 5E3 leveling HMA, 4" 4E3 base HMA, 8" 21AA Aggregate, and 12" CL II Sand in the plan set. The revised plan set will need to be submitted electronically.

Mr. Tousignant stated they will address the LCDC's concerns.

The call to the public was made at 6:59 pm with no response.

Vice-Chairman Rauch noted a letter was received from Joseph Riccardi, the owner of San Marino Capital Partners, LLC at 970 Grand Oaks Drive. They are concerned with the increase of storage and the traffic that may transpire due to this special land use permit approval. They would like the Planning Commission to require buffers on the property line.

Mr. Tousignant stated there will not be an increase in traffic as they will have the same number of employees.

Commissioner McCreary questioned what vehicles and equipment would drive on the wetland crossing. Mr. Sheffer stated that semi-trucks would drive over that to deliver their playground equipment. Their trucks and equipment are not stored there.

She stressed to the applicant that what is being approved should be complied with. Mr. Sheffer stated they will comply with all requirements and will improve the site.

The Commissioners discussed the outstanding issues of the delineated walkway on the driveway, the wetland encroachments, the screening for the Dumpster, and the fuel storage.

Moved by Commissioner Dhaenens, supported by Commissioner Chouinard, to recommend to the Township Board approval of the Special Use Application to allow for a contractor's yard with outdoor storage, wetland buffer encroachment and accessory fuel storage located at 855 Victory Drive, east side of Victory Drive as this plan meets the standards of Sections 19.03, 13.02 and 13.07 of the Zoning Ordinance. **The motion carried (McCreary - no; Rassel - yes; Chouard - yes; McBain - yes; Dhaenens - yes; Rauch - yes).**

Moved by Commissioner Dhaenens, supported by Commissioner Rassel, to recommend to the Township Board approval of the Environmental Impact Assessment dated December 19, 2023 to allow for a contractor's yard with outdoor storage, wetland buffer encroachment and accessory fuel storage located at 855 Victory Drive, conditioned upon the requirements stated in the letters from the Township Engineer, Brighton Area Fire Authority, Livingston County Road Commission, and Livingston County Drain Commissioner. **The motion carried (McCreary - no; Rassel - yes; Chouard - yes; McBain - yes; Dhaenens - yes; Rauch - yes).**

Moved by Commissioner Dhaenens, supported by Commissioner Rassel, to recommend to the Township Board approval of the Site Plan dated December 19, 2023 to allow for a contractor's yard with outdoor storage, wetland buffer encroachment and accessory fuel storage located at 855 Victory Drive as the proposal is consistent with the Master Plan and the Future Land Use Map. with the following conditions:

- The removal of the dumpster enclosure is acceptable.
- The two properties must be combined.
- The wetland crossing shall be approved by EGLE.
- The encroachment into the wetland setback is acceptable to the Planning Commission
- The gravel parking lot is acceptable to the Planning Commission.
- The Planning Commission recommends approval of the fuel storage as submitted, subject to changes to the zoning ordinance or approval from the ZBA.

The motion carried unanimously.

OPEN PUBLIC HEARING # 2...Consideration of a special use application, environmental impact assessment and preliminary site plan for a 2-unit non-residential site condominium with contractor's offices and yards with outdoor storage and accessory fuel storage. The property is located at 2025 Euler Road, east side of Euler Road, north of Grand River Avenue. The request is petitioned by Desine, Inc.

- A. Recommendation of Special Use Application
- B. Recommendation of Environmental Impact Assessment (12-18-23)
- C. Recommendation of Preliminary Site Plan (12-19-23)

Mr. Steve Baibak of Desine, Inc. provided a review of the proposal. He showed the proposed site plan. Ms. Kathy Riesterer, representing the applicant stated this site is being developed as a condominium. The Master Deed and Bylaws have been reviewed to the Township Attorney and his comments have been incorporated into those documents.

Mr. Borden reviewed his letter dated January 2, 2024, noting this is preliminary approval.

- 1. Special Land Uses (Section 19.03):
 - a. In order to make a favorable finding related to the Master Plan, the Commission needs to deem the building architecture "high quality" and the site landscaping "enhanced."
 - b. In order to make favorable findings related to compatibility and impacts, the conditions of Section 8.02.02(b) and 13.07 need to be met to the Commission's satisfaction, with particular attention paid to protecting the adjacent residence.
 - c. The applicant must address any comments provided by the Township Engineer or Brighton Area Fire Authority regarding public facilities and services.
- 2. Outdoor Storage (Section 8.02.02(b)):
 - a. The use of gravel surfacing is allowed to be approved but requires a recommendation by the Township Engineer.
- 3. Site Plan Review:
 - a. The applicant must address any comments provided by the Township Attorney regarding the condominium documents. He noted that Ms. Riesterer has addressed this item.
 - b. Building materials and design, including color palette, are subject to review and approval by the Planning Commission.
 - c. The amount of metal as a building material exceeds that allowed.
 - d. The applicant should be prepared to present building material and color samples at the Planning Commission meeting. Mr. Baibak provided photographs of the proposed materials. There was a discussion regarding not allowing the red material being proposed. The Commissioners agree that the proposed materials are acceptable, but colored renderings must be provided for color palette review and approval.
 - e. Parking space depths may be reduced by 2 feet, if desired by the applicant.
 - f. The applicant must make arrangements for refuse removal since the receptacles are behind security gates.

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Ms. Byrne reviewed her letter dated January 3, 2024.

1. The Genoa Township Zoning Ordinance requires that the parking lot be hard surface with concrete curb and gutter. However, she does not have any objection to the use of gravel for the storage areas.
2. After final site plan approval, water main and sanitary sewer construction plans should be provided to MHOG Sewer and Water Authority for their review and approval and permitting with EGLE.
3. The domestic water lead should come off the fire suppression line closer to the proposed buildings per MHOG standard details. This can be revised as part of MHOG's construction plan review after final site plan approval.

The Brighton Area Fire Department Fire Marshal's letter dated December 26, 2023 states that two items are outstanding:

1. A minimum vertical clearance of 13½ feet shall be maintained along the length of all apparatus access drives. This includes but is not limited to porte-cocheres, lighting, and large canopy trees.
2. The shared drive to the storage yard shall be signed on both sides as a fire lane. Include the location of the proposed fire lane signage and a detail of the fire lane sign in the submittal. Access roads to the site shall be provided and maintained during construction. Access roads shall be constructed to be capable of supporting the imposed load of fire apparatus weighing at least 84,000 pounds.

Mr. Baibak stated he will address their Fire Marshal's concerns.

Commissioner McCreary questioned that the Master Deed and Bylaws state the use as "a medical and business office condominium". Ms. Riesterer stated this will be removed as there will be no medical uses here.

The call to the public was made at 7:42 pm.

Mr. Joe Lubig of 7576 Spring Trace, which is directly east of the property, would like to know what type of businesses will be here. He used to see the pond and the trees and now he sees the orange fencing. Will this affect his property values and what will he see from his windows? Will there be landscaping planted? He would like to keep the rural nature of the area.

Ms. Marie Parish of 1885 Euler has the same concerns as Mr. Lubig. She would like the applicant to consider a neutral palette. She is concerned about any fuel storage.

Mr. John Moretti, who owns the property at 2224 Euler Road, is happy with this proposed development. This property has been abandoned for many years. There has been debris, unsafe buildings, tires, etc. and has not been well maintained.

The call to the public was closed at 7:48 pm.

Vice Chairman Rauch asked the applicant to explain their proposed screening. Mr. Baibak showed the proposed landscaping plan. They will be keeping all of the existing major vegetation and they will be adding additional plantings around the detention basin. There will be more plantings on this site after it is developed than what is currently there.

Commissioner McBain would like to see additional plantings installed along the back of the property between this site and the residential neighbors abutting it. Mr. Baibak stated additional plantings can be added where there is a gap in the buffer on that side. He requested specific direction on what should be planted.

Moved by Commissioner Dhaenens, supported by Commissioner McCreary, to recommend to the Township Board approval of the Special Use Application for a two-unit non-residential site condominium with contractor's offices and yards with outdoor storage at 2025 Euler Road as this Planning Commission finds that the conditions of Sections 8.02.02(b), 13.07 and 19.03 of the zoning ordinance have been met. This approval is conditioned upon the applicant addressing any comments provided by the Township Engineer and Brighton Area Fire Authority regarding public facilities and services. **The motion carried unanimously.**

Moved by Commissioner Dhaenens, supported by Commissioner McCreary, to recommend to the Township Board approval of the Environmental Impact Assessment dated December 18, 2023 for a two-unit non-residential site condominium with contractor's offices and yards with outdoor storage at 2025 Euler Road. **The motion carried unanimously.**

Moved by Commissioner Dhaenens, supported by Commissioner Chouinard, to recommend to the Township Board approval of the Preliminary Site Plan dated December 19, 2023 for a two-unit non-residential site condominium with contractor's offices at 2025 Euler Road, with the following conditions:

- The applicant is to review the tones and textures of the building and their ability to improve upon the landscaping as discussed this evening.
- The gravel parking lot is acceptable.
- The Dumpster screening is not required.
- The Master Deed and Bylaws shall be amended per the comments provided by the Township Attorney.

The motion carried unanimously.

OPEN PUBLIC HEARING #3...Consideration of a sketch plan application and sketch plan for a proposed 1,704 sq. ft. addition for Michigan Rod Products located at 1326 Grand Oaks Drive.
A. Disposition of Sketch Plan (11-28-23)

Mr. Raymond Embach of Asselin, McLane Architectural Group, LLC stated they are proposing to install a recycling bin enclosure. They have received the comments from the planner, engineer and fire marshal and will address their concerns, noting that he has spoken to the Fire Marshal and he has agreed to waive the requirement for the water main.

Vice Chairman Rauch confirmed that the Fire Marshal provided a new review letter stating that he is waiving the water main requirement until any additional development is done on this site.

He showed building material samples.

Mr. Borden reviewed his letter dated January 2, 2024.

1. The applicant should be prepared to present building material and color samples to the Commission, which have been presented this evening.
2. If there is a significant increase and/or any parking issues have been documented for this site, the Township may require construction of some or all of the land-banked parking. Based on the petitioner's comments this evening, no additional parking is required.
3. If there are landscaping deficiencies from the previously approved plan, or if required plantings are dead/diseased, the Township may require improvements/replacement plantings as part of this project.
4. If new lighting is proposed as part of this project, the applicant must provide details in accordance with Section 12.03.
5. The applicant must address any concerns raised by the Township Engineer or Brighton Area Fire Authority, which the applicant stated he has done.

Ms. Byrne reviewed her letter dated January 2, 2024.

1. The proposed building addition appears to overlap with the existing fire lane. Rerouting of the fire lane around the addition should be shown more clearly on the site plan.
2. Approval from the Brighton Area Fire Authority should be obtained and provided to the Township prior to sketch plan approval. The existing building does not appear to be completely within a 500-foot hydrant coverage radius.
3. The existing water main and hydrant to the north of the building should be clearly labeled.
4. The site plan shows 2,888 square feet of added impervious surface but does not include any detail on what type of surface is proposed. The site plan should call out if any new gravel or pavement is proposed and should provide a cross section of the proposed surface.

Mr. Embach stated they will comply with all of Ms. Byrne's requirements.

The call to the public was made at 8:10 pm with no response.

Moved by Commissioner McCreary, supported by Commissioner Rassel, to approve the Sketch Plan dated November 28, 2023 for a proposed 1,704 sq. ft. addition for Michigan Rod Products located at 1326 Grand Oaks Drive, with the following conditions:

- The applicant shall comply with Items #1, 3 and 4 of the Engineer's review letter dated January 2, 2024.
- The applicant shall comply with the conditions of the Township Engineer and the Brighton Area Fire Authority Fire Marshal.
- Final building material samples shall be provided to the Township.

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The motion carried unanimously.

ADMINISTRATIVE BUSINESS:

Staff Report

Ms. Ruthig stated she has provided the annual report to the Planning Commission.

Approval of the December 11, 2023 Planning Commission meeting minutes

One needed change was noted.

Moved by Commissioner McCreary, seconded by Commissioner Rassel, to approve the minutes of the December 11, 2023 Planning Commission Meeting as amended. **The motion carried unanimously.**

Member Discussion

There were no items to discuss this evening.

Adjournment

Moved by Commissioner Rauch, seconded by Commissioner Rassel, to adjourn the meeting at 7:31 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary