

(corrected)
GENOA TOWNSHIP
Regular Meeting
Sept. 8, 2003

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Township Board to order at 7:00 p.m. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Todd Smith, Anthony Combs, Jim Mortensen and Jean Ledford. Also present were Township Manager Michael Archinal and approximately 25 persons in the audience.

Moved by Ledford, supported by Combs, to approve the Agenda (excusing Smith from discussion related to the Weiss petition) as presented. The motion carried unanimously.

A call to the public was made with the following response: Pauline Wood – I am asking the Township Board to consider installing a tornado siren in the area near the new fire substation. McCririe – I will bring that matter to the attention of the fire chief and get his thoughts and will have a response for you Thursday.

Michael Duffy (representing Don Carlo Inc.) – We are asking permission to place a temporary concrete batch plant in the township near exit 141 in order to reconstruct the Lake Chemung interchange. Work is expected to be complete by the end of October. Members of the board raised no objection to this request.

1. Presentation by residents of the Chilson Hills Subdivision concerning the site review of the family fun center (petition no. 5) represented by Pat Rae.

Pat Rae read a letter of objection to this project. A petition signed by 44 nearby residents was also submitted. Rae's letter concluded that, "We will hold the business owners and this board responsible for anything and all that happens if this business at this location is approved." Ledford – The Zoning Board of Appeals did everything possible to accommodate our residents, including additional fencing and landscaping. This is a good project for our community.

Rae - A second issue concerning trespassing youths and vandalism from residents of the Lakeshore Village apartments was also raised. McCririe – We will look at the site plan for Lakeshore Village and see if there was supposed to be a barrier on that site plan between your development and theirs.

2. Request for approval of the environmental impact assessment corresponding to a request to rezoning from PRF (Public Recreational Facility) to RR (Rural Residential) approximately 80 acres in the northwestern half of Section 12, Euler & McClements Rd., petitioned by Joyce Oliveto and discussed by the Planning

Commission on July 14, 2003.

Ms. Oliveto was advised that the Livingston County Planning Department had denied approval of this request. The petitioner was asked if they would like to meet with township staff to discuss an alternate plan. Ms. Oliveto agreed. Moved by Skolarus, supported by Smith, to table the request in an effort to consider other options with regard to the 80-acre site and to note that no additional fees would be charged of the petitioner for any change in her request. The motion carried unanimously.

3. Request for approval of the environmental impact assessment, conceptual PUD plan, and PUD agreement corresponding to a request to rezone (8.248) acres property from IND (industrial) to PUD (planned unit development) for property located on Grand River at Lawson Drive, Sec. 9, petitioned by Weiss Properties, LLC and discussed by the Planning Commission July 28, 2003.

Moved by Ledford, supported by Mortensen, to remand to the Planning Commission for review a request for a change to the original petition for the J.C. Penney's store asking for 93,600 sq. ft for one building and 398 parking spaces. Board members raised concerns for the size of the big box building, the loss of the landscape buffer and the proximity to Grand River. The motion carried unanimously.

4. Request for approval of the environmental impact assessment corresponding to site plan for a proposed 6,622 sq. ft. restaurant (Bennigans) located on the corner of Grand River Ave. and Latson Rd. within the Livingston Commons PUD, Sec. 5, petitioned by LaBelle Management and discussed by the Planning Commission August 11, 2003.

Moved by Skolarus, supported by Combs, to approve the impact assessment dated 06/27/03 with the following additions: The awnings will be backlit and soft music will be allowed at the entrance. The motion carried unanimously.

Moved by Ledford, supported by Hunt, to approve the site plan with the following conditions:

1. 111 on site parking area and 13 overflow off-site parking area approved subject to obtaining shared access and overflow agreements from the developer.
2. The dumpster enclosure will be brick and match the main building.
3. The REU calculation will be 17.
4. Roof top equipment will be screened from view in all directions.
5. Landscaping will be irrigated.
6. Dust control measures will be added to the site plan.

The motion carried unanimously.

5. Request for approval of the environmental impact assessment, corresponding to a special use application and site plan for indoor commercial recreation in a General Commercial Zoning district, located at 2630 Grand River, Sec. 6, in the existing Quality Farm & Fleet building, petitioned by Mark Ouilette and Blythe

Patterson and discussed by the Planning Commission July 14, 2003 and the Zoning Board of Appeals August 19, 2003.

A. Disposition of impact assessment.

Moved by Ledford, supported by Mortensen, to approve the impact assessment dated 05/22/03 as submitted. The motion carried unanimously.

B. Disposition of special use application.

Moved by Skolarus, supported by Mortensen, to approve the special use permit for indoor commercial recreation in a general commercial district with the following conditions:

- The drainage issue (raised by Cindie DeWolf at the ZBA meeting) will be corrected with all stormwater directed to the detention pond on the southeast corner of the site for which the petitioner has easement rights.
- The rear property line of the site will be fenced and vegetation along that fence line will be replaced where it was destroyed.
- No outdoor storage shall be permitted on the site, except the temporary storage of the existing chain link fence and the proposed allotted smoking area.
- The petitioner shall install and operate a video surveillance system with constant video taping during business operation hours.
- The petitioner will install a fence (stockade, 6' in height, approximately 300 lineal feet) along the southwest corner from the building to the detention pond.
- The petitioner shall provide a bond, deemed adequate by the Township Engineer and Manager, for the completion (within one year) of an eight-foot wide concrete sidewalk with curb cuts and ramps with any extra costs to be borne by the petitioner
- There will be no outdoor speaker with the exception of music at the entrance.
- There will be no food preparation on the site.
- No alcohol will be served or brought onto the premises.

The motion carried unanimously.

C. Disposition of site plan.

Moved by Ledford, supported by Combs, to approve the site plan with the following conditions:

- The building colors shall be earth tones; tan paint with muted green accent colors. The petitioner will be required to submit colored renderings of the building for all elevations prior to the Township Board meeting.
- Additional landscape islands shall be provided as depicted on the Lindhout Associates Architect site plan dated June 18, 2003 as well as the colored drawings presented at this evening's meeting.
- The petitioner is to provide copies of existing recorded easements that are depicted on the Site Plan as well as grant an easement for shared flow and parking to the property to the west and make a good faith attempt to obtain a reciprocal easement for shared flow and parking from the westerly property owner.
- The petitioner is to remove the existing spotlights and replace them with downward directed shoebox fixtures.

- The petitioner shall comply with the Howell Area Fire Department's code requirements.

The motion carried unanimously.

6. Request for approval of the environmental impact assessment corresponding to sketch plan for a proposed renovation and 2,875 sq. Ft. addition to an existing facility located at 2650 E. Grand River, Section 6, petitioned by Henry T. Kuderko and discussed by the Planning Commission August 11, 2003.

Moved by Hunt, supported by Smith, to approve the impact assessment with the following conditions:

1. The bike path will meander to avoid obstructions, will coordinate with the property to the east and will be subject to the approval of the Township staff.
2. Township will receive a copy of the shared access agreement.
3. Up to 10 additional trees will be added subject to coordination with the property to the east. Township staff may alter this requirement.
4. A hedgerow will be provided along Grand River Avenue.
5. Lighting will meet Township ordinance with cut-off fixtures and foot-candles at property lines.
6. The dumpster enclosure will match the building materials of the main facility.
7. Dust control measures will be used during construction and added to the site plan.
8. Signage will meet the Township ordinance.

The motion carried unanimously.

7. Request for approval of contracts as recommended by the Administrative Committee:

A. Assessing Department – Assessor Level II.

Moved by Smith, supported by Combs, to approve the contract for Laura Lee Mroczka as a deputy assessor for the township as recommended by the Administrative Committee.

The motion carried unanimously.

B. Clerks Department – Accountant.

The parameters of an offer of employment for the accountant position were discussed with no final determination of the recipient. The motion carried unanimously.

8. Request for approval of a budget for attendance at the Michigan Society of Planners Annual Conference by Kolakowski.

Moved by Skolarus, supported by Mortensen, to approve an expenditure of up to \$6,000.00 for lodging, conference registration mileage, food and tips for attendance by McCririe, Kolakowski, Mortensen, Archinal and McCririe. The motion carried unanimously.

9. Request for approval of a revision to the Land Use Permit Fee Schedule as requested by Kolakowski.

Moved by Ledford, supported by Mortensen, to approve the revision of the fee schedule, reducing garage, deck and shed fees by \$25.00 and increasing sign applications by \$25.00. The motion carried unanimously.

10. Request for approval of an appointment to the Zoning Board of Appeals as recommended by McCririe.

McCririe recommended the appointment of Doug Brown to the Zoning Board of Appeals. He advised the Board that the Township received approximately 50 applications and that he felt Brown was the most qualified. Skolarus asked that the Board not approve this appointment. After discussion of Board members McCririe called for a motion of the Board. Moved by Mortensen, supported by Ledford, for discussion to appoint Brown to the ZBA. After additional discussion by members the motion carried as follows: Ayes – McCririe, Ledford, Mortensen and Smith. Nays – Skolarus, Hunt and Combs.

Administrative Business:

Moved by Mortensen, supported by Ledford, to approve for payment vouchers totaling \$166,224.89. The motion carried unanimously.

Moved by Smith, supported by Mortensen, to approve the Minutes of the 08/18/03 regular meeting of the board as submitted.

Archinal – A request for eradication of mosquitoes carrying the West Nile Virus was brought to the township board at the last regular meeting of the board. The township will work with the Livingston County Health Dept. to make application for a permit to treat the mosquito-infected areas with larvacide. No decision was made concerning the process of application.

Skolarus regretfully asked the board to accept her verbal request for resignation as alternate to the Zoning Board of Appeals and Secretary to that board for which she had served nearly eighteen years. Smith asked that the resignation be considered at a later date. The board took no further action.

The regular meeting of the Genoa Township Board was adjourned at 10:15 p.m.

Paulette A. Skolarus
Genoa Township Clerk