

GENOA TOWNSHIP
Regular Meeting
July 7, 2003

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Township Board to order at 7:00 p.m. at the Genoa Township Hall. 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, Jean Ledford, Anthony Combs and Todd Smith. Also present were Township Manager Michael Archinal, Township Attorney Rick Heikkinen and approximately 15 persons in the audience.

Moved by Ledford, supported by Smith, to approve the Agenda as presented. The motion carried unanimously.

A call to the public was made with no response.

1. Request for approval of a rezoning application, environmental impact assessment, conceptual PUD plan, and PUD agreement (Chemung Highlands) to rezone 49 acres located on the south side of Grand River Ave., between Grand River and I-96, Section 10, the request is to rezone property from OSD (PUD) (office service district PUD) to MDR (PUD) (medium density residential PUD) petitioned by B/K/G Development L.L.C., and discussed by the Planning Commission 04/14/03.

Moved by Skolarus, supported by Smith, to remand to the Planning Commission and suggest adoption of the following criteria:

- Allow 130 units
- The road length is okay
- The sewer and water connection fees are to be determined
- An additional vegetative buffer (evergreens) will be added along I-96 and Gray Road
- A practical solution to the parking for guests will be solved
- The width of the road may be lessened
- Planning Commission determination concerning a sidewalk along Grand River
- The three storm water detention areas are okay
- The cul-de-sac is okay
- A park area will be provided with the homeowners providing any equipment

The motion carried unanimously.

2. Request to remand to the Planning Commission a petition for approval of the conceptual PUD plan, PUD agreement, and environmental impact assessment for the proposed construction of 17 single-family homes on approximately 70 acres known as Timber Green, located west of Chilson Road, north of Coon Lake Road in Sections 20 and 29 as petitioned by Chestnut Development.

Moved by Hunt, supported by Smith, to remand this petition to the Planning Commission at the request of the petitioner. The motion carried unanimously.

3. Request for approval of a special use permit, site plan, and impact assessment for a proposed 2,550 sq. ft. restaurant with drive-thru service known as the Lion's Choice, located on the south side of Grand River Ave., Lot 1 of the Wal-Mart site (Livingston Commons) Sec. 5, petitioned by David Brueckman and reviewed by the Planning Commission 05/27/03.

A. Disposition of special use permit.

Moved by Smith, supported by Ledford, to approve the Special Use Permit for a drive-thru restaurant as requested. The motion carried unanimously.

B. Disposition of impact assessment.

Moved by Ledford, supported by Combs, to approve the impact assessment (11/27/02) as presented. The motion carried unanimously.

C. Disposition of site plan.

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

1. The petitioner shall obtain written approval from the property owner consenting to the Special Land Use Application, Impact Assessment, and Site Plan.
2. The building elevations and sample building materials will be reviewed and approved by the Clerk and Supervisor after a favorable determination by R.G. Properties. The roof will be standing-seam metal. The awning may be yellow and made of fabric.
3. One wall sign of not more than 100 square feet is permitted.

The motion carried unanimously.

4. Request for approval of the impact assessment corresponding to site plan for a proposed 8000 sq. ft. commercial building located along Grand River Ave. east of Latson Road in Section 9, (half of the building will be a restaurant (Leo's Coney Island) the other half will be leased) as petitioned by Leo Stassinopoulos and discussed by the Planning Commission on 06/09/03.

Moved by Ledford, supported by Smith, to approve a 6,080 sq. ft. commercial building, according to the plans submitted with the following conditions:

1. A cross access easement for the service drive will be executed and provided to the Township prior to issuance of a land use permit.
2. Colored renderings and elevation drawings presented this evening are acceptable and shall become the property of the Township.
3. The eight-foot wide sidewalk will tie exactly to the adjacent property to the west and if necessary any utilities will be relocated to avoid bending the sidewalk.
4. No drive thru uses will be permitted.
5. Township Staff and the Township Engineer will determine the REU calculation

The motion carried unanimously.

5. Request for approval of amendments to the Zoning Ordinance Text as discussed by the Planning Commission 05/27/03.

Moved by Ledford, supported by Combs, to approve the amendment as outlined in the document prepared by Strader and identified as Township Ordinance No. 030707. The motion carried unanimously.

6. Discussion of a provision in the PUD for Pine Creek that relates to gas powered boats on Brighton Lake.

Mr. Hickey, representing the Pine Creek Homeowner's Association asked that the township join with the association and Burton Katzman in litigation to enforce the rules of the Pine Creek Association related to the PUD Agreement.

Moved by Ledford, supported by Hunt, to authorize Township Attorney Rick Heikkinen to commence litigation against Eric and Holly Holm residing at 5603 Arbor Bay Ct. Brighton, MI 48116 (Lot 127 of Phase IV). This action specifically relates to Section N of the PUD agreement that states – "These riparian owners will be allowed to own a maximum of two (2) boats per residential lot powered by means other than gasoline or diesel fuel." The motion carried as follows: Ayes – Ledford, Hunt, Skolarus, McCririe and Smith. Nay – Combs. Absent – Mortensen.

7. Consideration of a recommendation by the Administrative Committee for the purchase and installation of a fence along the north side of the Chilson Cemetery.

Moved by Ledford, supported by Skolarus, to approve the purchase and installation of a fence for the Chilson Cemetery at a cost not to exceed \$8,500.00. The motion carried unanimously.

8. Request for an amendment to the Fire Authority Budget for fiscal 2003/04 as submitted by Skolarus.

Moved by Combs, supported by Smith, to approve the amendment as submitted. The motion carried unanimously.

9. Request for approval of an amendment to the Waste Management contract.

Moved by Ledford, supported by Smith, to approve the amendment as submitted with the addition of a clause providing for two trucks loads in the spring and two truck loads in the fall for the spring clean up and fall leaf collection at no cost to the township. The motion carried unanimously.

10. Request for review and approval of the Township Newsletter articles as previously submitted by Skolarus.

Moved by Combs, supported by Smith, to approve the newsletters with minor revisions. The motion carried unanimously.

11. Request for approval of a revised fee schedule for Lake Edgewood water and Pine Creek water/sewer as revised by the City of Brighton effective 07/01/03.

Moved by Hunt, supported by Ledford, to approve the fee schedule as outlined in the June 12, 2003 correspondence from Pfeffer, Hanniford and Palka. (NOTE: This action is directly related to the City of Brighton's revised fee schedule.) The motion carried unanimously.

Administrative Business:

The donation to Howell Parks and Recreation was reaffirmed at \$54,334.00.

Moved by Ledford, supported by Hunt to approve for payment vouchers totaling \$706,888.89. The motion carried unanimously.

A letter of resignation was received from Tonia Clifford. The township will be advertising for a second assessor.

The regular meeting of the Genoa Township Board was adjourned at 9:45 p.m.



Paulette A. Skolarus
Genoa Township Clerk

(PA 07/16/03)