

GENOA TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
November 8, 2004  
6:30 P.M.  
**MINUTES**

The work session of the Planning Commission was called to order by Chairman Don Pobuda at 6:30 p.m. The following commission members were present constituting a quorum for transaction of business: Don Pobuda, James Mortensen, Barbara Figurski, Dean Tengal, Teri Olson, and Mark Snyder. Also present was Kelly Kolakowski, Township Planner; Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc.; and Tesha Humphriss from Tetra Tech, MPS. By the end of the work session, there were a few persons in the audience.

Items scheduled for action during the regular session of the commission were discussed.

GENOA TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
7:00 P.M.  
**MINUTES**

The regular session of the Planning Commission was called to order by Chairman Don Pobuda at 7:03 p.m.

The Pledge of Allegiance was recited and a moment of silence was observed.

**Moved** by Figurski, seconded by Mortensen, to approve the Agenda. **The motion carried unanimously.**

The call to the public was made at 7:04 to discuss items not on the agenda.

**OPEN PUBLIC HEARING # 1**...Review of special use application, sketch plan and impact assessment for a proposal to display all terrain machines on Grand River Avenue in the parking lot located at 3220 E. Grand River. Sec. 5, petitioned by William Riddle (Livingston County Moto Cross). (04-27)

**Planning Commission disposition of petition**

- A. Recommendation regarding special use
- B. Recommendation regarding impact assessment
- C. Disposition of sketch plan

Mr. William Riddle, the owner of Livingston County Moto Cross, was present. He stated that he and his partner, Robert Fleck, opened this store and did not realize that the dirt bikes and ATV's could not be put in the parking lot for display. He showed where he would like the vehicles to be parked during business hours.

Commissioner Snyder questioned where the vehicles go after business hours and where business is conducted. Mr. Riddle stated the vehicles go into the building and that is where business is conducted.

Commissioner Figurski has a problem with it because it will set a precedent where other business will want the same right. He visited the site and there are a lot of the vehicles out there. Mr. Riddle stated he never has more than 13 vehicles in stock at one time. She questioned if Nextel is part of their group. Mr. Riddle stated they share the rear of the Nextel building for their office and bathroom needs.

Chairman Pobuda questioned if there are utilities in their building. There is electricity, gas, and a phone.

Commissioner Mortensen understands this is their livelihood, but the Township cannot have uncontrolled outside sales and storage. Every retailer in the Township will want this. We need to come to some agreement where there will be upgrades for the facility, including pods, etc. to display the vehicles.

Commissioner Tengel asked what are the hours of operation. They are from 9:00 a.m. – 5:30 p.m. Monday through Saturday. He questioned if there is maintenance and/or repair of the machines at the facility. Mr. Riddle stated they assemble them there. They always come with oil, but he needs to add gasoline. Chairman Pobuda noted that this type of business would usually require a PIP plan to be submitted.

Commissioner Tengel asked if the units can be displayed inside. Mr. Riddle stated they have very little room inside the building.

Mr. Purdy reviewed his letter of November 2, 2004.

1. A special land use permit is required by the Township.
2. The sketch plan does not identify all of the information required by Section 13.03081, including parking, landscaping, lighting, and waste receptacles, to ensure compliance with Township ordinance.
3. An 8-foot wide sidewalk is required within the Grand River right-of-way.
4. The minimum lot size required for outdoor commercial display is one acre. This site is .96 acre. This will require a variance from the ZBA also.
5. Loading and truck maneuvering capabilities need to be provided on the sketch plan. Mr. Riddle stated he does not have any deliveries. He picks them up from the warehouse in his pickup truck.

6. Landscaping buffers need to be provided in accordance with Section 12.2526(g).

Ms. Humphriss stated that since the petitioner is proposing to display the vehicles on an impervious service, they have no engineering issues at this time.

Chairman Pobuda advised the petitioner of his options this evening. The Commission can vote on his request or it can be tabled, at his request, and he can meet with Staff to review the issues and see if an agreement can be made.

Commissioner Mortensen stated that if the petitioner wishes to have this tabled, landscaping, setbacks, and no more than 3 well-constructed pods to display the products will be required. He also suggested that the property owner attend the meeting.

The call to the public was made at 7:25 p.m. with no response.

**Moved** by Mortensen, seconded by Figurski, to table, at the petitioner's request, The application to for outdoor sales and storage on Grand River Avenue in the parking lot located at 3220 E. Grand River. Sec. 5. **The motion carried unanimously.**

**OPEN PUBLIC HEARING # 2...** Review of amendments to the Zoning Ordinance text affecting the entire Township of Genoa.

A. Recommendation regarding zoning ordinance amendments.

Mr. Purdy stated he has been working with the Township for the past several months on a comprehensive revision of the zoning ordinance to address issues that have come up during site plan review. These changes have been available for the public's review for several weeks and this evening's meeting has been published in the paper so the Planning Commission can hear comments from the public. These changes will be reviewed by the Planning Commission and then the Township Board. They will then be sent to the County Planning Commission, and then back to the Township Board for final review and approval. He reviewed the proposed changes:

1. The drive-thru language has been revised in the commercial district.
2. There have been amendments and refinements to the PUD ordinance. A new section, Town Center PUD, has been added, which is being planned for the area surrounded by Grand River and Dorr Road. This will include traditional neighborhood characteristics, similar to what is found in the cities of Howell and Brighton.
3. Private road widths and types based on lot sizes in developments has been revised.

Commissioner Mortensen questioned the term "drive thru services" as shown on Page 7-6. Mr. Purdy stated this was previously referred to only drive thru

restaurants and banks; however, now other types of businesses are adding drive-thru service, such as dry cleaners and other retail uses.

He also questioned Page 10-11, (e) “Design Standards” in the Town Center PUD section. Can vinyl siding be controlled and/or eliminated? Mr. Purdy stated the Township would encourage brick; however, if siding was requested, wood siding would be preferred.

All commissioners, except Commissioner Tengel, agree with completely eliminating vinyl siding in this district. He does not feel it can be completely eliminated, such as on the rear of buildings or when a building is not visible from a major roadway.

Ms. Kolakowski stated the Town Center concept is very new and she would not want to completely disallow something when the Township is not sure what it really desired there. Commissioner Mortensen suggested some specific language regarding the building materials be put in the ordinance, such as “use of vinyl will be discouraged; however, the Planning Commission can approve it for low visibility areas”. All commissioners agree with this suggestion.

The call to the public was made at 7:40 p.m.

Mr. Frank \_\_\_\_\_ of 4355 Filbert Drive stated he is a 36 year resident of the Township and is concerned about high density and curb and gutter. This could cause problems with water runoff.

Ms. Cil Buckner of 5310 Versailles asked the Planning Commission and Township Board not to change the ordinance with regard to gazebos. She reviewed the letter she sent to Ms. Kolakowski, citing the gazebo that was allowed to be erected by the Jennings at 5324 Versailles, which is next door to her home.

Mr. Paul Riggio of 5289 Versailles is a friend and neighbor of Mr. and Mrs. Buckner. He spends time at their home and stated the green of the golf course cannot be seen from their porch due to the Jennings’ gazebo.

Ms. Nancy Ottum of 4467 Villa France also visits the Buckner’s home and used to enjoy sitting on the deck and seeing the green; however, the gazebo now blocks that view. It is only three feet from the Jennings’ property line. She feels it should be required to be taken down. She also submitted a letter from Ms. Gayle Kloosterman of 4455 Quebec, who was unable to attend the meeting, opposing changing the gazebo ordinance.

Mr. Doug Brown of 3420 Pine Ridge lives on a lake and because of the way the lots are shaped, there is a legal gazebo next to his property; however, it blocks

his view of the lake from his bedroom window. He questioned if this issue could be addressed.

Mr. Pete Buckner of 5310 Versailles stated that he complained to the Township about the Jennings' gazebo and was told that Township Staff made an error by approving this.

The call to the public was closed at 7:47 p.m.

Ms. Humphriss addressed Mr. \_\_\_\_\_'s concerns regarding water runoff. She stated that all development needs to meet the Livingston County Drain Commissioner's standards, which requires that the natural water course be maintained. Even if there is a detention pond with an outlet, the water still needs to maintain its natural flows. Mr. Purdy added that the Township has reduced parking lot requirements and road widths, which will reduce the stormwater runoff.

Mr. Purdy addressed Mr. Brown's concerns regarding irregular lot shapes on shorelines. Currently a 150-square-foot gazebo is allowed to be constructed, separate from another other structure, in the rear yard setback; however, it can only have a roof, a floor, and a railing. No screens or glass is allowed. If a gazebo is constructed attached to a deck, then it needs to be built in the building envelope.

Commissioner Mortensen does not feel that the Planning Commission is able to amend and/or approve the gazebo section of ordinance at this time. It needs a lot more discussion and study to be done than what is possible this evening. Chairman Pobuda stated he understands the residents' concerns; however, h agrees with Commissioner Mortensen that this issue needs to be reviewed further with the planner and Township staff.

Commissioner Mortensen noted that many subdivisions' deed restrictions and by-laws are generally more strict than the Township ordinance and the Township cannot do anything about that.

Commissioner Tengel feels that the gazebo ordinance should be addressed differently for properties adjacent to public areas, common areas, golf courses, lakes, etc. than larger acre parcel that are not next to other residences or common areas.

**Moved** by Mortensen, seconded by Tengel, to recommend to the Township Board approval of the Township Zoning Ordinance amendments dated September 28, 2004 with the following exceptions:

1. The proposed gazebo changes will not be made at this time and will continue as written in the presently-approved ordinance. Further, a study will be conducted by the Township Planner as to what appropriate

changes, if any, should be made to the existing gazebo ordinance, which will include a sampling of existing gazebos in the Township, with particular reference to lake shore, golf course, public land, and scenic open space properties.

2. The proposed changes to the Township Zoning Ordinance regarding Town Center PUD will be revised to indicate that the use of vinyl siding will be discouraged, with a provision that the Township Planning Commission and Board can approve limited use in non-visible or low-visibility areas.

**The motion carried unanimously.**

**Moved** by Figurski, seconded by Mortensen, to approve the Planning Commission Meeting minutes of October 12, 2004. **The motion carried unanimously.**

**Moved** by Figurski, seconded by Mortensen, to approve the Planning Commission Meeting minutes of October 25, 2004. **The motion carried unanimously.**

### **Member Discussion**

Commissioner Mortensen advised that the request by Cedar Closet for additional grading to the site was approved by the Township Board. The petitioner did everything that the Planning Commission requested, including a full tree inventory, before they made their presentation to the Board. Ms. Kolakowski advised that a 300-foot mailing was done and there were members of the public at the Board Meeting.

Commissioner Tengel questioned what is defined as outdoor display and/or storage. Mr. Purdy stated that currently, it is set up that even if one item that is sold in the business is outside, it requires a special land use.

Chairman Pobuda stated that himself, the Township Supervisor, Ms. Kolakowski, The Township Clerk and Township Treasure, and three trustees visited Niagara on the Lake last month. Many pictures were taken and they will be shown Planning Commission so they can see the design and basic concept of the buildings and homes. There was a large variety of building styles, colors, etc. Commissioner Mortensen suggested having Ms. Kolakowski put together a presentation for the next Planning Commission meeting since it is a short agenda. Ms. Kolakowski agreed.

The meeting adjourned at 8:30 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary