

GENOA TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
May 13, 2002  
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, Ken Burchfield, and Bill Litogot. Also present was Michael Archinal, Township Manager; Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc. and Deb Huntley 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 7:00 p.m.

The Pledge of Allegiance was recited and a moment of silence was observed for all of the victims of the September 11, 2001 attacks as well as the men and women fighting in the war in Afghanistan.

**Moved** by Mortensen, seconded by Burchfield, to approve the Agenda with the following change:

1. Agenda Item #1 shall include "B. Recommendation regarding site plan".

**The motion carried unanimously.**

The call to the public was made to discuss items not on the agenda.

Mr. Ron Lesperance of 2490 Springrove Drive in Brighton has put an offer in on the property at 2260 Euler Road in Brighton. He wants to construct a four-bay self-service car wash. There is currently a house on this property but it is master planned for industrial zoning. He would like to know if it would be possible to rezone this site to general commercial so he can build the car wash. Mr. Lesperance gave a drawing of what he is proposing for this site.

Mr. Purdy stated this property is surrounded to the north and west by property that is master planned industrial. Most of the surrounding land is part of a current industrial park.

Mr. Archinal stated there are some surrounding uses of office, general commercial as well as some old homes that will not support industrial zoning in the future.

Commissioner Burchfield as if this site is serviced with sewer and water. Mr. Lesperance stated that it is.

Commissioner Burchfield would like the parcel to the south to join into a petition to make that general commercial also. Mr. Lesperance feels he can get that support.

Commissioner Mortensen stated he does not want spot zoning. He would like to look at the total area. He did advise the petitioner that if this does get approved, the landscaping and architecture requirements are going to be very strict.

Chairman Pobuda stated he is not too "keen" on another car wash in the Township and advised the petitioner that it may be a "tough sell" to the Township but he is welcome to proceed.

Mr. Robert Shriver of 4906 Grand River is wishing to put a car audio shop in the garage located on the site of Marilyn's Towing, which used to be the Flo-Rite paint store. This site is currently zoned for auto repair and a car audio shop would require a Special Use Permit. There is no decibel testing so noise will not be a factor. There will be no overnight parking or car storage.

Commissioner Mortensen does not see a problem with this. It seems to be consistent with what business is currently there.

Commissioner Burchfield agrees.

Commissioner Litogot agrees and feels it would be an asset to this area. He would like to see a floor plan and elevations.

Mr. Purdy stated he would like to see what parking and flow of traffic is being proposed.

Mr. Ron Grady and Lewis Spinster of Outdoor Resorts on Hughes Road are wishing to install an above-ground, 300-gallon gas storage tank on their site. A Special Land Use Permit is required for this. They have a letter of approval from the fire chief, Les Rodwell, with five conditions that need to be met.

Commissioner Litogot asked if the petition is going to be selling any of the gas. Mr. Grady answered no. It is for their business use only. Commissioner Litogot does not have a problem with this, although he would like to see more detail on how it is going to be protected.

Commissioner Burchfield noted that the stipulations from the fire chief will have to be complied with.

The call to the public was closed at 7:30 p.m. Chairman Pobuda noted that the Board will not begin any new business after 10:00 p.m.

**OPEN PUBLIC HEARING # 1**...Review of site plan approval for Pine Creek Ridge Water Tower, Section 36, petitioned by River Place/Abbey Limited Partnership. (PC 00-35)

- **Planning Commission disposition of petition**
  - A. Recommendation regarding environmental impact assessment.
  - B. Recommendation regarding site plan

Mr. Michael Polmear of Giffels-Webster Engineers, Inc. was present to represent the petitioner, River Place/Abbey.

They were previously granted site plan approval in November of 2000 to build a water tower. The development had many issues that caused it to be delayed and the site plan approval expired.

Commissioner Mortensen asked why the project did not progress and how long is the extension.

Mr. Archinal stated they have one year to begin construction.

Mr. Polmear stated they had problems due to Hamburg Township. The water agreement between Hamburg Township and the City of Brighton was approved in March of 2002 and now construction of the tower can proceed. They also had problems with site plan approval from Hamburg Township regarding a condominium development.

Commissioner Burchfield asked if there have been any changes to the site and Mr. Polmear stated there has not.

Ms. Huntley stated the Township Engineer is requiring a set of construction plans as well as review and approval from the FAA.

The call to the public was made at 7:35 with no response.

**Moved** by Burchfield, seconded by Mortensen, to recommend to the Township Board approval of the Impact Assessment for a proposed water storage tank on

behalf of the petitioner based upon the representation of the agent tonight that there has been no physical changes to the site since the October 2000 Impact Assessment as originally written. **The motion carried unanimously.**

**Moved** by Burchfield, seconded by Mortensen, to recommend to the Township Board approval of the Site Plan for a proposed water storage tank whereas the conditions previously enumerated, specifically Items #1 through #9, in the Disposition of the Site Plan on Page 3 of the Genoa Township Board Meeting of November 6, 2000 with one additional condition:

#10. Construction plans are to be provided to the Township Engineer prior to any permits being issued.

**The motion carried unanimously.**

**OPEN PUBLIC HEARING # 2...**Review of amendments to the Zoning Ordinance text affecting the entire Township of Genoa. (PC 02-09)

A. Recommendation regarding Zoning Ordinance text.

Mr. Purdy stated that in the beginning of the year, the State amended the Township Zoning Act to mandate all governments have a provision to allow a developer to do clustering on ½ of the property provided the other 50 percent is set aside as permanent open space. They have reviewed the PUD Zoning District Ordinance and made some changes to accommodate this requirement. Also, other sections of the ordinance were reviewed and “cleaned up” and revised issues that have been addressed since the ordinance was originally drafted. He reviewed the proposed changes.

Section 10.02 a. – The requirement of a minimum parcel size of forty (40 ) acres is being eliminated.

Section 10.02 d. – The site used to be required to be serviced by public water and sewer and now the PUD can be approved for a site that is not serviced by public sewer and water as long as it is at least one acre in area and meets the requirements of the County Health Department. This is an area that needs to be amended to comply with the State Act.

Section 10.03 – This would eliminate certain projects having to go before the ZBA. It would allow the Planning Commission to approve certain “variances”. Commissioner Mortensen noted the Midway Party Store and Pier 1 as examples of this.

Section 10.0301 a. – Residential density can be determined by a parallel plan, where the developer would show the site as it would be developed under conventional zoning and that would set the density requirement for the PUD. Also, the density may be increased by up to 10% where the Planning Commission determine significant natural resources will be preserved.

Section 10.0301 b. – This section states that the setback requirements may be reduced by up to 50% (instead of 20%) with the resultant area preserved as open space.

There was a discussion regarding this change. Commissioner Mortensen would like this section to apply to single-family residences only and not multi-family dwellings. Mr. Purdy stated we can all language to make that a requirement.

Commissioner Litogot asked why it is being increased to 50%. Mr. Purdy stated it is the intent of the State Act to allow for this in order to get the other 50% open space. Commissioner Litogot does not like this.

Commissioner Burchfield feels these suggestions are ill founded. It is not consistent with what the residents of Genoa Township want for this Township. He does not feel the 40-acre minimum should be eliminated. He feels a serious error would be made if this is approved based on what is desired for this Township in the area of commercial, office, and residential areas.

Commissioner Mortensen asked if the State has a minimum parcel size requirement. The State does not have a minimum and it is unclear if the Township can set a minimum for themselves. Commissioner Mortensen suggested this be discussed at the joint meeting in July. He feels it needs work.

Mr. Archinal reiterated the fact that this is being done to comply with State law. The Township did not initiate these changes. It was felt that revising the PUD Ordinance was the best way to comply with the State, but there may be another way to accomplish this, such as writing a whole new ordinance to comply with the state. He agrees that it does need more discussion.

Section 10.0301 c. – This is an entirely new section with all new language regarding open space.

Section 10.0301 d. 1-5 – This section regarding the additional open space clustering option is being added to comply with the State Zoning Act.

Section 10.0302 c. – This is a new section regarding design standards. It is intended to create more of an office-party-type environment instead of industrial-type buildings.

Section 10.0304 – This is a new section regarding the redevelopment of non-conforming / blight sites. This will give the Township the ability to negotiate setbacks for other site upgrades such as landscaping and architecture. Commissioner Mortensen feels this section needs to have a lot more protection for the Township. Mr. Purdy suggested writing other specific standards, which would be what the Planning Commission is expecting for these types of properties.

Mr. Purdy suggested revising this document based on comments this evening.

The call to the public was made at 8:16 p.m.

Mr. Kenneth Tyler of 5200 Richardson Road feels that no one would benefit from this with regard to RR and CE zoning where a small parcel is in question. He feels it should be written as a separate ordinance to satisfy the state law as suggested by Mr. Archinal this evening. He advised he will put his comments in writing for the Township.

The call to the public was closed at 8:17 p.m.

Commissioner Litogot would like to hear opinions for the other members of the Planning Commission as well as the Board, ZBA, Township Attorney, and the public.

Chairman Pobuda agreed with Bill. He would like them to review this document and then it can be discussed at the joint meeting in July.

Commissioner Mortensen agrees. He would like everyone to review it well before the joint meeting.

Commissioner Burchfield would welcome comments from others in the Township as well as comments from the public. He feels that if we can meet the State requirements by amending current section of the ordinance without having to amend the PUD Zoning Ordinance, it would be better. He feels these changes are undermining the intent of the ordinance.

Commissioner Litogot agrees. He would like the other members of the Township to review it and then it can be discussed at the joint meeting.

**Moved** by Litogot, seconded by Burchfield, to table Open Public Hearing #2.  
**The motion carried unanimously.**

Commissioner Litogot asked for a five-minute break at 8:21 p.m. The meeting resumed at 8:26 p.m.

**OPEN PUBLIC HEARING # 3...** Review of Parks & Recreation Plan affecting the entire Township of Genoa. (PC 02-10)

A. Recommendation regarding Parks & Recreation Plan.

Jeff Purdy reported that a subcommittee has been working on developing a parks and recreation plan for Genoa Township. This is a five-year plan that outlines the goals and objectives for parks as well as pathway development.

Chairman Pobuda noted that he likes the idea of the “mini parks” in the Township; however, he would like to see one nice major recreation site for the Township and then branch out with other smaller parks.

Mr. Purdy cited Map #6, which shows three location options where this type of site can be developed.

Chairman Pobuda feels the bike paths and walkways should be in the residential developments instead of along Grand River and the individual residential developments should have their open space and recreational areas.

Commissioner Litogot asked if there is going to be a need for a recreational director. Mr. Purdy stated that if the Township is to ever develop its own recreation department, then there would be a need for a director; however, it is not being proposed at this point.

Commissioner Burchfield appreciates the effort that was put forth toward this. He is very much in favor of the pathway systems and would like the priority to be more toward the pathway system instead of developing new larger recreational areas. He agrees with Chairman Pobuda. We should encourage private development to develop these areas in their subdivisions.

Mr. Purdy noted that the short-term goal of the Township is to acquire the land while it is still available and relatively affordable and hold it until such time as it will be developed.

Commissioner Mortensen feels this is a terrific document.

The call to the public was made at 8:50 p.m.

Mr. Tyler cited Hamburg’s center recreational area, which might be something that Genoa Township may want to consider.

Commissioner Litogot would like to hear the opinions of the other members of the Township.

**Moved** by Mortensen, seconded by Burchfield, to recommend to the Township Board adoption of the Parks and Recreation Plan dated May, 2002 with revisions to be made periodically as demographic, financial, and other conditions change. **The motion carried unanimously.**

**OPEN PUBLIC HEARING # 4...** Review of a Capital Improvements Program affecting the entire Township of Genoa. (PC 02-11)

A. Recommendation regarding Capital Improvements Program.

Mr. Archinal gave a brief overview of the proposed Capital Improvements Plan for Genoa Township. He stated that Genoa Township has never had a capital improvements plan and there needs to be a more comprehensive effort as to how we spend our money. This program will get more people involved in these types of decisions, will help better coordinate projects in the Township, will allow the Township to apply for grants, and it will be updated every year.

He stated some projects proposed under this plan are:

1. To close the water system gap on Grand River in 2003.
2. The Latson Road / I-95 interchange, which is an M-DOT five-year plan
3. The paving of Crooked Lake Road
4. The development of one large recreational facility for the Township.

Mr. Archinal stated this is important for the Township and will be revised over the next year.

All Commissioners agree this is an outstanding plan.

The call to the public was made at 9:21 with no response.

**Moved** by Mortensen, seconded by Litogot, to recommend to the Township Board adoption of the Capital Improvements Program for 2002 –2008 as presented to the Planning Commission this evening with revisions to be made at least once a year as demographic, financial, and other conditions change.

**The motion carried unanimously.**

**Moved** by Mortensen, seconded by Litogot, to approve the minutes of April 22, 2002 as presented. **The motion carried unanimously.**

### **Member Discussion**

Mr. Archinal stated an issue that will be discussed at the July 29, 2002 joint meeting will be six-foot privacy fences. Genoa Township is rather unique in that we do not allow these fences.

Chairman Pobuda reiterated his concern that the motions made at the Planning Commission need to be clean and should reflect what the intent of the Planning Commission really is.

The meeting adjourned at 9:27 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary