

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
April 22, 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, Barbara Figurski, James Mortensen, Ken Burchfield, Curt Brown, John Cahill, and Bill Litogot. Also present was Michael Archinal, Township Manager; Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc. and Deborah 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 Litogot, seconded by Figurski, to approve the Agenda as written.
The motion carried unanimously.

The call to the public was made to discuss items not on the agenda. There was no response and the call to the public was closed at 7:03 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 rezoning application, environmental impact assessment, and site plan to rezone property located on the east side of Kellogg Rd., between McClements Rd. and Golf Club Rd. in the northwest ¼ corner of Section 1, totaling 30.98 acres. The request is to rezone property from AG (agricultural) to CE (country estates), petitioned by Chris Conrad (PC 02-08)

- **Planning Commission disposition of petition**

- A. Recommendation regarding impact assessment.
- B. Recommendation regarding rezoning request.

Mr. Jason Wallace of Desine, Inc. was present to represent the petitioner. The site is located on the east side of Kellogg Road between McClements and Golf Club Roads. There are currently three 10-acre parcels being served by a gravel driveway off of Kellogg Road. There is single-family residential zoning to the north, east, and south of this site and there is a vacant farm on the west side of Kellogg Road. They are proposing to rezone this site to Country Estates so they can split "Parcel B" into two 5-acre parcels.

Chairman Pobuda asked if there are wetlands on this site. Mr. Wallace advised there is a small wetland area in Parcel C.

Mr. Purdy reviewed his letter of April 2, 2002.

- 1. This request is consistent with the Master Plan.
- 2. The primary difference between the existing and requested districts are the requirements for minimal lots size, which is 10 acres vs. 5 acres.
- 3. The site is suitable for Country Estates residential as it is compatible with the Rural Residential to the east and for the sites to the north, south and west, which are zoned AG.
- 4. This site can accommodate the uses permitted in the requested district without negative impacts to traffic on Kellogg Road. A proposed private, shared access easement along the south side of the property will provide access to the proposed lots.

Ms. Huntley noted their concerns.

- 1. The driveway must meet the Township and Livingston County Road Commission standards.
- 2. The drainage needs to be approved by the Livingston County Road Commission.
- 3. Sewer and water are not available at this site so septic field and wells need to be approved by the Livingston County Health Department.

The call to the public was made at 7:07 p.m.

Ms. Beverly Grostic of 6875 McClements Road is the owner of the 40-acre farm across Kellogg Road. She asked the petition to clarify that only "Parcel B" is going to be split. Also, she stated the driveway will need to be widened and she does not believe that this property will be able to handle the septic fields.

The call to the public was closed at 7:09 p.m.

Mr. Wallace responded to Ms. Grostic's concerns. Yes, they are only proposing to split Parcel B so they will not need to widen or improve the driveway because a maximum of four parcels can be accessed from a gravel driveway.

Commissioner Mortensen noted that if the rezoning is approved, although the petitioner only plans to split Parcel B at this time, there is nothing to prevent him or her from splitting the remaining 20 acres. Mr. Purdy agreed, however, added that the road would then need to be improved.

Mr. Wallace stated the property has been perked and the septic field will comply with the Livingston County Road Commission.

Commissioner Burchfield would like the petitioner to present copies of the soil boring and/or perk tests results to the Planning Commission for review. He asked if any hydrological tests have been done on this site. Mr. Wallace stated that only the perks have been performed.

Commissioner Burchfield asked the petitioner to prove that a reasonable returns on the land owner's investment cannot be met without splitting this land. Mr. Wallace stated Mr. Conrad is hoping to split the property for his own use. Mr. Conrad added that there is currently no agricultural activity being performed on this site and it is consistent with the Master Plan.

Commissioner Burchfield would like to see more detailed, comprehensive evidence that follows the ordinance for rezoning as well as more information regarding the land as it currently exists.

Moved by Litogot, seconded by Mortensen, to recommend to the Township Board approval of the Impact Assessment dated March, 2002 for property located on the east side of Kellogg Rd., between McClements Rd. and Golf Club Rd. in the northwest ¼ corner of Section 1, totaling 30.98 acres to be rezoned property from AG (agricultural) to CE (country estates), petitioned by Chris Conrad (PC 02-08) with the following addition:

1. Dust control measures shall be added so as not to hinder anyone in the neighborhood.

The motion carried (Litogot – Y; Burchfield – N; Figurski – N; Mortensen – Y; Cahill – Y; Brown – Y)

Moved by Mortensen, seconded by Cahill to recommend to the Township Board approval of the site covered by Desine, Inc.'s plan dated April 12, 2002 be rezoned from Agricultural to Country Estates for the following reasons:

1. This zoning consistent with the Master Plan
2. This zoning is compatible with the neighboring zoning, which is primarily agricultural and residential.
3. The site is capable of being developed under dimensional standards of the Country Estates zoning district.

The motion carried (Litogot – Y; Burchfield – N; Figurski – N; Mortensen – Y; Cahill – Y; Brown – Y)

Commissioner Burchfield stated that he feels the zoning ordinance has been developed for the benefit of the land owner and not consistent with the health, safety, and welfare requirements that are under the jurisdiction of the Township with respect to the way land can be subdivided and used. He feels the Township has not been presented with enough information to pass this motion this evening. He would like to see details and that is why he is voting against this proposal.

Chairman Pobuda suggested to the petitioner that they use the Planner's letter of April 2, 2002 as a guide and present this detailed information to the Township Board.

OPEN PUBLIC HEARING # 2... Review of site plan application, site plan, and environmental impact assessment, for exterior renovation and interior rehabilitation, of existing building on site located in Section 13, one mile north of I-96 on the south side of Grand River, petitioned by Fusco, Shaffer, and Pappas, Inc. (PC 02-07)

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

Ms. Mona Marshall of Fusco, Shaffer, & Pappas, Inc. and Mr. Jim Harte were present to represent the petitioner. This site is a 10-acre parcel on the south side of Grand River near Hacker Road. The building has already been updated and they are requesting approval for additional parking and a new storm sewer. They have been instructed by Township staff to present the proposed future development of the site as well.

Commissioner Mortensen asked if additional detention pond space is needed if they are adding more impervious surface. Ms. Huntley stated that if they are adding impervious surface then the detention pond may need to be increased; however, there is no information to determine if the current detention pond will be sufficient.

There was a brief discussion regarding during what phase the detention pond will be constructed. It was advised by Ms. Huntley that if the petitioner is adding impervious surface at this time, the detention pond should be built during Phase 1 as it is proposed on the plans. The petitioner will comply with this request.

Commissioner Cahill wants to make sure that it is clear what the Planning Commission is actually approving this evening due to the fact that the proposed future development is shown on these plans. Mr. Purdy stated Sheets 5 and 6 show what is being proposed to be developed now.

Commissioner Litogot asked how many businesses are currently occupying this building. Mr. Harte answered there are currently seven and he has room for two more. Commissioner Litogot noted that Enterprise Rent-a-Car currently parks

their rental cars in front of the garage area as well as on the gravel area. It is not shown on the plans where Enterprise is going to park their cars. If an area is going to be used for parking, it needs to be paved and shown on the plans. Mr. Purdy concurred with this statement as this requirement is in the Township ordinance.

Mr. Harte stated he will hold Enterprise to their lease, which states they cannot park any cars there after 6:00 p.m.

Commissioner Burchfield asked why 78 parking spaces are being proposed when the ordinance only requires 43 spaces. Mr. Harte stated that he wants to complete the parking and the road at this time. He has updated the building and it looks nice and he would like to have the parking lot complete.

Commissioner Figurski stated dust control measures need to be added to the plans as well as the Impact Assessment.

Commissioner Mortensen noted that the Township has been requiring all developments on Grand River to install a five-foot concrete sidewalk along Grand River. The petitioner will comply with this request and install a sidewalk.

Mr. Purdy reviewed his letter of April 17, 2002.

1. Before and after photograph of the building improvements should be present to the Planning Commission. Ms. Marshall presented these pictures this evening.
2. Landscape "bump outs" should be placed along the east and south sides of the parking lots. The petitioner will comply with this request.
3. The design as well as detail of the rock retaining walls should be provided and reviewed by the Township Engineer.
4. The waste receptacle enclosure should be made of brick to match the building and it should be located to a less visible location. The petitioner will construct the enclosure of brick to match the building and they will relocate it behind the building.
5. This site is surrounded on three sides by residential property and, therefore, a photometric grid should be provided as well as lighting details, including manufacturer's specifications. The petitioner will present the photometric grid and lighting fixture details to the Township Board.
6. The proposed monument sign is larger than what is allowed by the ordinance. Ms. Marshall stated they may request a variance from the ZBA on this issue. If not, they will comply with the ordinance.

Ms. Huntley stated the petitioner has addressed all of their previous concerns.

The call to the public was made at 7:55 p.m. with no response.

Commissioner Mortensen asked about a shared access easement for the property to the east and west of this site. Mr. Purdy agrees with this suggestion and stated it should be recorded.

Moved by Mortensen, seconded by Figurski, to recommend to the Township Board approval of the Impact Assessment dated September 9, 1999 for exterior renovation and interior rehabilitation, of existing building on site located in Section 13, one mile north of I-96 on the south side of Grand River, petitioned by Fusco, Shaffer, and Pappas, Inc. (PC 02-07) with the following conditions:

1. Dust control measures are to be added.
2. The preparer of the Site Plan shall reassess the accuracy of the Impact Assessment.
3. Page 2, Letter H shall state "no hazardous materials to be used or maintained on this site".

The motion carried unanimously.

Moved by Burchfield, seconded by Litogot to recommend to the Township Board approval of the Site Plan, specifically and only consisting of Page 5 of 8 and Page 6 of 8 of the site plan submitted by Fusco, Shaffer, & Pappas, Inc. dated April 1, 2002, for exterior renovation and interior rehabilitation, of existing building on site located in Section 13, one mile north of I-96 on the south side of Grand River, petitioned by Fusco, Shaffer, and Pappas, Inc. (PC 02-07) with the following conditions:

1. Future construction areas on Page 4 shall be noted as such.
2. Approval of the Impact Assessment with updated reaffirmation by preparer.
3. Petitioner shall show landscape bumpouts on the west and south sides of the parking lot.
4. The waste receptacle shall be constructed of brick to match the building and shall be located to the south side of the building to restrict its visibility.
5. The petitioner shall provide a photometric grid demonstrating lighting intensity at the property line shall not exceed .5 footcandle before submission to the Township Board.
6. The petitioner shall provide to Township Staff prior to submission to the Township Board the lighting fixture details, including manufacturer's specifications.
7. The monument sign shall conform to the existing zoning ordinance subject to ZBA approval of any ordinance.
8. Sign details are to be provide to Township Staff for approval before the sign permit is issued.
9. Township Engineer review and approval of all plans.
10. Dust control measures shall be added to the Site Plan and all construction plans.

11. The petitioner shall provide written shared access agreements for approval by the Township Attorney for the property to the east and west as well as detail these proposed access point on the site plan.
12. Planning Commission approval is not a promise, either expressed or implied, of the recommendation or approval of future land use and/or development and the petitioner is to note on Page 4 of 8 of the Site plan prior to submission to the Township Board that pages drawings are conceptual only and have not been approved by the Township.
13. A five-foot wide concrete sidewalk shall be installed along Grand River in the non-driveway area.
14. All vehicle parking shall be on paved areas only.

The motion carried unanimously.

Moved by Figurski, seconded by Litogot, to approve the minutes of April 8, 2002 as corrected. **The motion carried unanimously.**

Member Discussion

Jeff Purdy stated he is working on a recreational plan and hopes to have a draft to present at the next Planning Commission meeting.

Chairman Pobuda advised that Mike Archinal will be sending out a list of capital improvements for the Township. This is the first time this has been done. It will be a six-year plan that will be updated annually.

Chairman Pobuda stated Mike Archinal is putting together something that will show if the Planning Commission is going out of "bounds" by doing things that we shouldn't be doing at this level of the process as well as repeating steps that have already been done. Mike stated we are hoping to streamline the process.

Mr. Purdy stated he is working on revisions to the PUD ordinances. There are new provisions that are being required by state standards. This will be discussed at the next Planning Commission meeting.

Commissioner Cahill asked if the gray and green building that is on Dorr Road that the Planning Commission approved should have more landscaping. Mr. Archinal said the sewer contractor took out a lot of it and the Township is responsible for replacing it, which will be done in the spring.

The meeting adjourned at 8:27 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary