

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
April 9, 2001
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, Jerrold Joseph, John Cahill, James Mortensen, Bill Litogot, and Ken Burchfield. Also present was Michael Archinal, Township Manager; Caryn Champine from Langworthy, Strader, LeBlanc & Associates, Inc.; and Mark Coleman 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 7:10 p.m.

The Pledge of Allegiance was recited.

Moved by Figurski, seconded by Joseph, to approve the Agenda. **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 7:11 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 Grand River and Golf Club Drive in the northwestern Section 6 T2N, R5E parcel ID#4711-06-100-043, 3.69 acres net of right of way. The request is to rezone property from OSD (Office Service) to NSD (Neighborhood Service), petitioned by Leo D. Gonzalez.(PC 01-03)

- **Planning Commission disposition of petition**
 - A. Recommendation regarding impact assessment.
 - B. Recommendation regarding rezoning request.

Alan Green and Leo Gonzalez were present to represent the petitioner.

Mr. Green stated they are requesting this site be rezoned from Office Service to Neighborhood Service. They came before the Planning Commission and asked to have this site rezoned to General Commercial; however, based on the Planning Commission's feedback, they have since gone back and revised their plan and feel that neighborhood service is appropriate for this site. He feels this land use would be a nice transition as well as would serve the neighborhood. He added that this property has been zoned office commercial for 20 years and has not been able to sell. They will have the drive thru window in the rear of the building for prescription drop off and pick up only. This is something that has become very common with pharmacies in the area.

Commissioner Figurski asked why CVS cannot change the store they already have 100 feet away. Mr. Green stated CVS is interested in building a stand-alone store; the current store is in a strip mall.

Caryn Champine stated neighborhood service is less intrusive than the petitioner's original request for general commercial and is an appropriate transition for this site. She added that the request is inconsistent with the master plan and the Planning Commission, if they were to approve this rezoning, would have to stipulate the major conditions that shifted their decision to deviate from the master plan.

Mark Coleman reviewed his letter of March 30, 2001.

1. There appears to be some conflicts with the turning movements of trucks around the proposed building.
2. The current plan shows proposed parking within the MDOT right-of-way. He noted that MDOT will most likely reject this.
3. The Livingston County Drain Commission will require a detention and/or sedimentation basis prior to discharge into the wetlands.

The call to the public was made at 7:26 p.m. with no response.

Commissioner Litogot asked if it is the Planning Commission's job to have documentation that this property is not marketable as currently zoned. Ms. Champine stated there is no documentation needed; however, the petitioner can show that they have tried to sell it as currently zoned. Commissioner Litogot is in favor of the rezoning since the property has been sitting vacant for so long.

Commissioner Figurski would like to see it kept as it is currently zoned due to the traffic. It is a very dangerous area.

Commissioner Joseph feels things have changed significantly out here and he is not convinced that office is not a viable use for this site. He would like to see some documentation that it has been attempted to be marketed as commercial.

Mr. Green stated he could provide affidavits from the property owners and brokers as well as various purchase agreements that have been submitted over the years. He added that he feels it is not a very desirable site for office. There is intense commercial across the street and there is a forty-year-old mobile home park adjacent to this property. He feels their proposal is a great transition between these two areas. He also stated that the rezoning would not exclude an office use on this site; however, it would expand the possible uses. If CVS decides not to build here, an office building can still be constructed with the rezoning.

Commissioner Mortensen is in favor of this project. If evidence needs to be shown, it can be shown at the board meeting. He does not feel this issue should be tabled this evening in order for the petitioner to return with their documentation.

Moved by Mortensen, seconded by Litogot, to recommend to the Township Board approval of the impact assessment dated January 2, 2001 to rezone property located on Grand River and Golf Club Drive in the northwestern Section 6 T2N, R5E parcel ID#4711-06-100-043, 3.69 acres net of right of way. The request is to rezone property from OSD (Office Service) to NSD (Neighborhood Service), petitioned by Leo D. Gonzalez. (PC 01-03).

Chairman Pobuda called for a discussion.

Commissioner Figurski would like dust control measures to be added under Letter I in the Impact Assessment.

Commissioner Joseph stated this rezoning will exasperate the traffic problem we already have in this area.

The motion carried (Mortensen – Y; Figurski – N; Joseph – N; Cahill – Y; Litogot - Y; Burchfield – N; Pobuda – Y).

Moved by Mortensen, seconded by Litogot, to recommend to the Township Board approval of the rezoning request to rezone property located on Grand River and Golf Club Drive in the northwestern Section 6 T2N, R5E parcel ID#4711-06-100-043, 3.69 acres net of right of way. The request is to rezone property from OSD (Office Service) to NSD (Neighborhood Service), petitioned by Leo D. Gonzalez. (PC 01-03) citing the following reasons:

1. Changing market conditions have occurred including the build out of neighboring properties.
2. There is no demand for office on this site.

3. There is a demand for certain types of neighborhood service.
4. There is a similarity between certain Office Service and Neighborhood Service activities.
5. The rezoning would be an appropriate transitional use for adjacent properties.

The motion carried (Mortensen – Y; Figurski – N; Joseph – N; Cahill – Y; Litogot - Y; Burchfield – N; Pobuda – Y).

OPEN PUBLIC HEARING # 2... Review of site plan amendment to an approved site plan for approximately 7,700 sq. ft. of additional asphalt parking lot and commercial driveway on Lot #1 of Gentech Industrial Park, Section 8, located on the west side of Fendt Drive north of Grand Oaks Drive petitioned by Brivar Construction. (PC 01-14)

- **Planning Commission disposition of petition**
 - A. Recommendation regarding site plan amendment.

Mr. Stan Brish of Brivar Construction was present to represent the petitioner. They are proposing a 7,700 square foot pavement expansion to their current parking lot. He stated they have spoken to the Drain Commissioner's office and asked for a waiver for an on-site detention pond; however, the Drain Commissioner will not allow a waiver, but will work with the petitioner. He is requesting approval this evening subject to the Drain Commissioner's approval.

Mr. Coleman feels that is a reasonable offer. He would like to see copies on the decision of the drain commissioner.

Ms. Champine reviewed her letter of March 21, 2001.

1. They would like to see the additional landscaping shown on the plan to be labeled. They recommend a spruce, hemlock or fir tree with a minimum height of six feet. Also, the installation of nine canopy street trees could be required by the Planning Commission as an upgrade to the site because of the site plan amendment. Chairman Pobuda asked if the current landscaping is meeting the ordinance. Mr. Brish stated it is, but they will comply with the planner's request.
2. The corners of the parking lot where parking spaces 22 and 23 join the entrance drive should be rounded for easier vehicle maneuvering. The petitioner will comply with this request.
3. All new lighting should be shown on the plan. All new lighting should be shielded and downward facing. The petitioner will comply.
4. Outstanding site plan compliance or site maintenance issues must be resolved as a condition of the amendment approval. Mr. Archinal knows of no issues.

Commissioner Litogot stated he does not want any storage on the parking lot. The petitioner will comply with this request.

Mr. Coleman reviewed his letter of March 21, 2001.

1. The proposed driveway width does not meet the Township ordinance. Mr. Brish stated that the new driveway will be constructed to meet the existing curb. All commissioners agreed that the new curb should match the existing curb.
2. The standard bituminous pavement detail appears to be adequate for the proposed use; however, the petitioner should include a note on the Typical Pavement Section that 0.10 gal/SY bond coat is required between courses.

The call to the public was made at 7:52 with no response.

Moved by Burchfield, seconded by Joseph, to recommend to the Township Board approval of the site plan amendment for approximately 7,700 sq. ft. of additional asphalt parking lot and commercial driveway on Lot #1 of Gentech Industrial Park, Section 8, located on the west side of Fendt Drive north of Grand Oaks Drive petitioned by Brivar Construction. (PC 01-14) with the following conditions:

1. Approval of the Livingston County Drain Commissioner for an on-site detention area for storm water runoff with a copy of the final resolution being provided to the Township Engineer.
2. Six new evergreen trees will be planted to screen the loading area. All of these trees will be six-feet high.
3. The corners of the parking lot where parking spaces 22 and 23 join the entrance shall be rounded for easier vehicle maneuvering.
4. All new lighting must be detailed on the site plan with all fixtures shielded and downward facing.
5. Petitioner shall comply with all Township Engineer requirements, including matching the curb height of the new curb with the existing curb.

The motion carried unanimously.

OPEN PUBLIC HEARING # 3... Review of a site plan application, environmental impact assessment, and site plan for proposed site condominium of thirteen single-family homes on 18.83 acres located on the west side of Char Ann Drive, ¼ mile north of Grand River, Section 6, petitioned by Norm Dymond. (PC 01-13)

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

Mr. Peter Finkbeiner was present to represent the petitioner, Norm Dymond. They are proposing a residential area of 13 single-family homes in a site condominium layout. There is a total of 18.8 acres and it will be accessed from Char-Ann Drive. Mr. Finkbeiner gave a brief review of the proposal. The use is consistent with surrounding uses and it will have very little impact on utilities, the environment, and the neighborhood.

Commissioner Figurski noted the letter from the Howell Fire Marshall dated March 9, 2001 stating that the plan is unsatisfactory based on the number and width between the fire hydrants as well as the street width, which will not allow room for emergency vehicles.

Ms. Champine reviewed her letter of April 4, 2001.

Their main issue with this project is the length of the cul-de-sac. It exceeds the 1000-foot maximum length of a private road. They suggest a road connection to create a loop and eliminate the cul-de-sac. Mr. Finkbeiner stated that Parcels A through E are all built on and there is no access to Char-Ann Drive for a loop road. Commissioner Burchfield would like the road to meet the requirement. Mr. Finkbeiner stated that because of the shape of the property, they have no choice but to ask the Township for a variance.

There was a discussion regarding the water and sewer service for this site. Mr. Archinal stated that there is a problem when connecting to sewer and not water in that it causes compliance problems at the sewer plant with regard to sodium and chloride limitations. He suggested the Planning Commission approve the 1,600-foot-long road with the conditions the road be widened to 30 feet and municipal water with hydrants be provided.

Mr. Coleman stated the petitioner would need a permit from the State Department of Health for this. He also stated that there are many water main extensions in this Township. He feels having the public water would be the best idea.

Commissioner Burchfield would want to see the public water. He feels we need to give concern to Mr. Rodwell's letter stating that the road width is compromising emergency vehicle access. It doesn't appear the petitioner has an objection to a wider road. He does not feel the length of the road should be a major consideration.

Commissioner Litogot feels they need city water in order to have the fire hydrants. He believes the length of the cul-de-sac can be shortened by moving one or two lots from the site.

Commissioner Cahill would like to see the public water as well as the wider road width. He asked Mr. Coleman what the problem is with the long water main. Mr. Coleman stated it requires more maintenance. When the water main is very long, the water does not move as often and it would have to be maintained more by the water department.

Commissioner Joseph feels this site should have public water.

Commissioner Mortensen is in favor of the public water as well as widening the road. He asked if easements should be granted on this property in the likelihood water comes to the property surrounding this site. Mr. Coleman suggests a 25-foot easement. Mr. Finkbeiner feels it would be very easy to obtain an easement. Mr. Archinal suggested going west (between Lots #9 and #10) to the end of the cul-de-sac and then north and south (along Lots #9 and #10).

Commissioner Mortensen would like to see the 30-foot-wide road and the easements.

Commissioner Figurski agrees. She would like to see the public water and the 30-foot-wide road.

It was decided that the Planning Commission will approve the 1,600 foot road, but will require the road to be widened to 30 feet and municipal sewer be available on this site.

Chairman Pobuda asked if this is a private road. Mr. Finkbeiner stated that it is. Chairman Pobuda asked what kind of people will be targeted for these homes, how will they handle the needs for school buses, which will not come down a private road. Mr. Finkbeiner is not sure of what types of people will be purchasing these homes.

Commissioner Mortensen would like to see an improvement to the appearance of the detention pond in the front of this subdivision. He does not feel it looks very desirable. He would like to see it enhanced with landscaping when the petitioner comes back for final site plan approval. Mr. Finkbeiner will comply with this request.

The call to the public was made at 8:32 p.m. with no response.

Mr. Finkbeiner asked for approval from the Planning Commission with the conditions discussed this evening.

Moved by Litogot, seconded by Mortensen, to recommend to the Township Board approval of the Impact Assessment with a revision date of March 30, 2001 for a proposed site condominium of thirteen single-family homes on 18.83 acres located on the west side of Char Ann Drive, ¼ mile north of Grand River, Section 6, petitioned by Norm Dymond. (PC 01-13) with the following conditions:

1. In Item G, "Individual wells....." shall be taken out and replaced with "public water....."
2. Dust control measures shall be added under Item D

The motion carried unanimously.

Moved by Burchfield, seconded by Mortensen, to approve the Site Plan with a revision date of March 30, 2001 for a proposed site condominium of thirteen

single-family homes on 18.83 acres located on the west side of Char Ann Drive, ¼ mile north of Grand River, Section 6, petitioned by Norm Dymond. (PC 01-13) with the following conditions:

1. The site plan be revised to provide for public water to all 13 single-family homes.
2. The width of the current road shown on the site plan shall be 30 feet.
3. The petitioner shall comply with the requirements of the Howell City Fire Department concerning the number and distance between fire hydrants.
4. Easements be provided on the site plan demonstrating connection to the west and north and south (outer boundaries of Lots #9 and 10) for the municipal water to be extended and shall not be less than 25 feet in width.
5. Township Board's agreement of the recommendation of approval of the Impact Assessment as made by motion this evening.
6. Based on the road widening and the requirement for municipal water supply, the 1,000-foot maximum road length be varied to 1600 feet.
7. A permit from the DEQ to extend the length of the water main shall be obtained.

The motion carried unanimously.

OPEN PUBLIC HEARING # 4...Review of site plan application, site plan, and environmental impact assessment for proposed 10,732 sq. ft. industrial facility on 4.44 acres located on Lot #6 in the Brighton Pines Industrial Center, west of Dorr Road, Section 15, petitioned by Brivar Construction. (PC 01-12)

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

Mr. Stan Brish of Brivar Construction and Mr. Chris Price of Price Engineering were present to represent the petitioner.

They are proposing a new 10,732 square foot facility on Lot #6 of Brighton Pines Industrial Center. The building will be at the south end of the property and will be 100 percent integrally-colored masonry block with a steel roof. Mr. Brish showed colored drawings and material samples.

Ms. Champine reviewed her letter of March 29, 2001.

1. They suggest separating the office space from the manufacturing facility for a "big box/little box" affect. Mr. Brish does not feel this is necessary. They have designed it similarly to the Design Comfort building across the street from this site. The way they have designed it is more functional for the owner. Commissioner Cahill feels the proposal is fine. Commissioner Joseph feels it would look better with the planner's suggestion, but feels it is up to the petitioner. Commissioners Mortensen, Figurski, Burchfield, and Litogot agree.

2. The method to screen rooftop equipment must be shown on the plans. Mr. Brish stated the rooftop equipment will be screened and they will add this to the plans for their final submission.
3. They are suggesting one additional evergreen and three canopy trees to be planted close to the building along the southwest and southeast elevation to screen the building from I-96.
4. There was a discussion regarding the Planning Commission requiring a photometric grid. Mr. Brish stated there are no lights pointing to the expressway and the building is very far from the property line inside the industrial park. They are dawn to dusk lights. The business hours of this facility are 7:00 a.m. to 7:00 p.m. five or six days a week. Commissioner Litogot stated there is a lighting detail on the plan so he does not feel a photometric grid is required. Commissioners Cahill, Joseph, Mortensen and Figurski agree. Commissioner Burchfield would like a photometric grid to be provided for the Township Board
5. The Planning Commission needs to approve the wolmanized wood trash enclosure in place of the required masonry material. Commissioners Figurski, Burchfield, Mortensen, Joseph and Cahill all agree the trash enclosure should be masonry. Commissioner Litogot will agree with either decision.

Commissioner Mortensen asked if the loading dock overhead door can be seen from I-96. Mr. Brish stated that it can not be seen from I-96.

Mr. Coleman reviewed his letter of March 29, 2001.

1. The REU's for this site for sewer and water is 5 REU's. Mr. Archinal stated that since this petitioner has many properties in this industrial part, they are going to work with them on recalculating the assessed REU's.

Commissioner Mortensen asked if this project is dependent on the water and sewer project coming to this park. Mr. Brish stated this project is not dependent upon the water and sewer; however, Uniboring's project is dependent upon it, and if they do not build in this park, then this petitioner may have to reconsider locating here. Price Engineering, Inc. performs work for Uniboring. That is their reason for locating in this industrial park.

Commissioner Litogot asked if there will be tall smoke stacks sticking out of the room. There will not.

Commissioner Litogot asked about the 50-foot length turnaround for trucks. Mr. Brish stated it is enough maneuvering space because they use vans and not large tractor trailers.

Commissioner Litogot stated there will be no parking whatsoever of any vehicles in the truck parking spaces overnight. The petitioner will comply with this request.

Chairman Pobuda asked Mr. Price what they manufacture. Mr. Price stated they manufacture cylinder boards for Uniboring. Chairman Pobuda asked about oil, gas, noise pollution. There will be none of that.

Commissioner Cahill asked about outdoor storage. Mr. Price stated they do not use any outdoor storage. Commissioner Cahill stated he would like to see that shown as prohibited in the motion.

The call to the public was made at 9:12 with no response.

Moved by Litogot, seconded by Figurski, to recommend to the Township Board approval of the Impact Assessment dated March 5, 2001 for a proposed 10,732 sq. ft. industrial facility on 4.44 acres located on Lot #6 in the Brighton Pines Industrial Center, west of Dorr Road, Section 15, petitioned by Brivar Construction. (PC 01-12) with the following condition:

1. Dust control measures during construction will be added to the Impact Assessment.

The motion carried unanimously.

Moved by Burchfield, seconded by Litogot, to approve the Site Plan for a proposed 10,732 sq. ft. industrial facility on 4.44 acres located on Lot #6 in the Brighton Pines Industrial Center, west of Dorr Road, Section 15, petitioned by Brivar Construction. (PC 01-12) with the following conditions:

1. Township Board approval of the Impact Assessment as recommended by motion this evening.
2. All building materials as presented this evening be utilized.
3. The color of the visible portion of the roof of the canopy be Patina green as presented this evening.
4. The plan shall be modified to show details of screening of any rooftop equipment.
5. The site plan shall show one additional evergreen tree and three canopy trees on the southwest and southeast side of the building.
6. A photometric grid be supplied prior to submission to the Township Board.
7. The site plan shall be modified to show the dumpster enclosure constructed of masonry to match the building.
8. REU's be calculated either pursuant to Tetra Tech's letter dated March 29, 2001 or as later determined by Genoa Township administrative staff.
9. There shall be no overnight parking of trucks in the 50-foot turnaround on the southwest corner of the site.
10. Township Engineer review and approval of all plans.

11. Dust control measures shall be added to the site plan and construction plan.

The motion carried unanimously.

At this time, Chairman Pobuda called for a five-minute break.

The Planning Commission meeting reconvened at 9:17 p.m.

OPEN PUBLIC HEARING # 5...Review of site plan application, site plan, and environmental impact assessment, for proposed building addition to the First National Bank located at the corner of Grand River and Dorr Road, petitioned by First National Bank. (PC 01-07)

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

Peter Finkbeiner from Boss Engineering, Kevin Irish from Irish Construction, and Jason Rodriguez from Ann Arbor Architects were present to represent the petitioner.

Mr. Finkbeiner stated they are planning to add an extension to the current building behind the bank. They have made the following changes since the last time they were before the Planning Commission:

1. They added a small vestibule at the main entrance to the building.
2. They have completed a photometric study and they do meet the Township ordinance.
3. They have improved the construction of the dumpster. They have added landscaping to screen the dumpster as well as turning the dumpster so the gates will be not seen from Dorr Road

They have not altered the proposed driveway off Dorr Road. They received a letter from the Livingston County Road Commission which lends support to their claim that the proposed driveway relieves the traffic problem at the intersection.

They also have not changed their proposal for a standing seam roof. Mr. Finkbeiner showed pictures of many buildings in Genoa Township with this type of roof that have recently been approved.

Mr. Rodriguez showed colored elevated drawings of the changes they have made to the building, including the added vestibule, the additional landscaping, and the additions and re-spacing of the windows on the Dorr Road façade. They have also changed the color of the roof from green to brown, which will match the existing roof color.

Don Pobuda asked if there will customers entering into this building. Mr. Finkbeiner stated this building is for employees only. It is a secure building that is dedicated to computers and records for the bank.

There was a discussion regarding the third drive being added. Commission Cahill asked if they have addressed the idea of sharing the current drive with Wilson Marine. Mr. Irish stated he spoke with Ron Wilson on March 27, 2001 and Mr. Wilson is concerned about encumbering what he has now because "it works". He was not very receptive to have more traffic on his drive. It does not appear that this is a very viable solution.

Commissioner Mortensen mentioned the bypass lane that was suggested by the Road Commission in their letter. Mr. Finkbeiner stated they do not want to put in the bypass lane and they will discuss this with the Road Commission. Chairman Pobuda feels a bypass lane is needed there. Commissioner Cahill would like to see the bypass lane.

Commissioner Figurski does not like the two driveways there. She feels Wilson Marine should allow them to use their driveway.

Commissioner Burchfield feels it is an improvement to what the petitioner presented last time; however, he would like a traffic analysis performed and provided to the Township Engineer.

Commissioner Litogot feels there is "a bigger problem". He does not feel that a bypass lane should be put in and it should be paid for by the petitioner. He feels Dorr Road is eventually going to need to be widened and there will need to be a light put at that intersection.

Commissioner Burchfield added that the Township does not have jurisdiction to have the petitioner put in the bypass lane; however, we can tell the petitioner that they can't put the third drive there. Mr. Finkbeiner stated the benefits of the drive alleviate the problems at the intersection. The bypass lane has nothing to do with the intersection problem.

Ms. Champine reviewed her letter of April 4, 2001.

1. A variance is required from the ZBA to expand this non-conforming structure. Mr. Finkbeiner stated that there is a small corner of the building that is non-conforming because of the set back. Commissioner Mortensen stated the existing building and the addition are both non-conforming. Mr. Rodriguez showed how the proposed brick, windows, and roof will match the current building.

Commissioner Joseph does not like the standing seam roof and he is not in favor of expanding a non-confirming building. He feels the roof is a very harsh look. This building is very close to the road where the ones that the petitioner showed

pictures of are far from the road. He did not approve those building while he was on the Planning Commission.

Commissioner Cahill agrees with Commissioner Joseph. The building is already non-conforming and very close to the road. He would prefer the shingled roof to soften the look. Commissioners Figurski and Mortensen agree with the shingled roof.

Commissioner Burchfield stated that maybe the Planning Commission should not be approving this project at all. It is already a non-conforming building, and we are not satisfied with the traffic proposal and current design of the building.

Chairman Pobuda suggested the ZBA act on this issue before the Planning Commission. Mike Archinal stated the ZBA looks to the Planning Commission's recommendation on site plans.

Commissioner Litogot does not see a problem with the expansion. He feels the petitioner is facing a hardship because a small corner of the existing building does not meet the setback ordinance. He also does not feel the building is big enough to worry about the standing seam roof. He noted the Heath Center that is being built. That building is very large and it was approved with a standing seam roof. He would recommend the variance on the non-conforming building and accept the standing seam roof.

Commissioner Figurski feels the ZBA would have a problem with the expansion because it is a non-conforming building.

Commissioner Mortensen would like to accommodate the petitioner, but he still has a problem with the third driveway that is proposed.

Commissioner Cahill stated the Road Commission does not appear to be approving this project. They are suggesting either adding a bypass lane and/or moving the driveway.

There was a discussion regarding an encroachment for the new part of the building. Kevin Irish would prefer to build the new wall flush with the existing wall. He stated it would be a 19" x 5' encroachment and he does not feel it would be worth it. They would prefer to go to the ZBA in order to keep the wall flush

Ms. Champine stated the Planning Commission may require a photometric grid. Chairman Pobuda as well as Commissioners Burchfield, Cahill, Joseph, Mortensen, and Figurski all feel a photometric grid is required for the entire site. Commissioner Litogot does not feel a photometric grid is necessary.

Chairman Pobuda asked if there is a security system on the premises that will sound an alarm. The petitioner stated it is a silent alarm system.

The call to the public was made at 10:07 p.m. with no response.

Commissioner Cahill asked if the possibility of Wilson Marine sharing First National Bank's drive was discussed with Mr. Wilson. Mr. Irish does not feel that Ron Wilson would agree to that. He reiterated Mr. Wilson's quote of what he has "works" and he doesn't want to change it.

Chairman Pobuda asked the petitioner if they would like to be tabled or move forward this evening. Mr. Irish stated they would like to move forward because time is of the essence.

Moved by Litogot, seconded by Burchfield, to recommend to the Township Board approval of the Impact Assessment with a revision dated of March 7, 2001 for a proposed building addition to the First National Bank located at the corner of Grand River with the following conditions:

1. Item D, Line 5 shall be changed from ".....control **can** be provided by...." to ".....control **will** be provided by...."
2. The following language shall be added to Item I "Traffic analysis will be performed to determine what, if any, modifications are required to the site plan and adjacent road"

Chairman Pobuda called for a discussion.

Commissioner Cahill feels we should have the traffic study now, before we go ahead and approve the plan.

Commissioner Mortensen asked if the Road Commission says the petitioner needs to install a bypass lane or move the driveway, does that not have to come back before the Planning Commission. Mr. Archinal stated the ordinance allows for minor modifications regarding "site access, safety, or circulation" to be handled administratively.

The motion failed (Mortensen – Y; Burchfield – Y; Litogot – Y; Cahill – N; Joseph – N; Figurski – N; Pobuda – N)

Moved by Burchfield, seconded by Litogot, to approve the Site Plan for a proposed building addition to the First National Bank located at the corner of Grand River with the following conditions:

1. The building materials as shown this evening shall be used in the construction of the building and the roof being standing seam colored Sepra brown.
2. A photometric grid be provided prior to submission to the Township Board.
3. The petitioner shall comply with all requirements of the Livingston County Road Commission and a traffic analysis study be conducted with the results presented to the Township Engineer and Township

Board prior to the petitioner seeking approval from the Township Board.

4. The petitioner is required to obtain a variance from the ZBA for the non-conforming setback.
5. All Township Engineer requirements shall be met
6. The petitioner shall provide for dust control measures on the site plan and construction plan.

The motion failed (Mortensen – Y; Burchfield – Y; Litogot – Y; Cahill – N; Joseph – N; Figurski – N; Pobuda – N)

Chairman Pobuda elected to accept hearing Public Hearing #6 after the cut-off time of 10:00 p.m. because it is the same petitioner.

OPEN PUBLIC HEARING # 6...Review of site plan, and environmental impact assessment, regarding number of drive-thru lanes for the proposed 2,834 sq. ft. First National Bank Building; located on 2.6 acres at Grand River east of Latson Road, Section 9, petitioned by First National Bank. (PC 00-42)

- **Planning Commission disposition of petition**
 - A. Recommendation regarding request.

Mr. Tom Dumond from Boss Engineering and Mr. Jason Rodriguez from Ann Arbor Architects were present to represent the petitioner. They are asking for four drive thru lanes for this bank. He stated the Planning Commission has approved more than three drive thru lanes for other banks. Standard Federal on Grand River has five drive thru lanes. The bank prefers the ATM outside the building because it is serviced by an outside agency and they need access to it even when the bank is not open. He added the outside ATM lane will only be for the ATM.

Ms. Karen Champine stated there is different zoning for the site where the Standard Federal bank is and this site. This is in the Lorentzen PUD, which was designed to offer high-quality, well-designed sites, specifically no drive thru restaurants, pharmacies, etc. permitted on the site. She does not feel this site can be compared to the Standard Federal site due to these reasons. She added if the Planning Commission should allow for the four drive thru lanes, there would have to be an amendment to the PUD.

Commissioner Litogot feels the PUD amendment should be approved.

Commissioner Burchfield was prepared to approve this project; however, if the PUD has to be amended to accomplish this, he will vote against this project.

Commissioner Figurski is not in favor of the project.

Commissioner Mortensen does not have a problem with the project, but he would like a clear indication of who is going to pay for the easement in the back of this site.

Commissioner Joseph would like to approve this plan. He does not feel the additional drive thru lane is going to make a difference; however, because the petitioner stated they wanted the Planning Commission to approve it because someone else has more than three lanes, he would vote no.

Commissioner Cahill would vote no on this project.

The call to the public was made at 10:36 with no response.

Moved by Litogot, seconded by Mortensen, to recommend approval to amend the Lorentzen PUD to allow for four drive thru lanes on this site under the following conditions:

1. All building materials shall be as presented to the Planning Commissioner this evening.
2. All exterior lighting fixtures are to be permanently pointed at a 90-degree, downward angle.
3. Only three drive thru lanes will be permitted with the location of the automatic teller machine in the outside lane.
4. A letter of agreement from property owner requiring construction and completion of rear service drive, pathway, and ornamental lighting to be completed temporarily with the development of the adjoining land to the north.
5. A letter of agreement shall be provided by the property owner requiring construction of the rear service drive to be recorded after Township Attorney approval.
6. Appropriate access drive permits shall be obtained from MDOT.
7. Elimination of direction sign as shown on the site plan.
8. Additional landscaping along Grand River Avenue frontage to shield headlights of vehicles in the drive thru lanes.
9. All signing is to be shown on the site plan.
10. Subject to approval of the Township Engineer.
11. Dust control measures during construction shall be on the site plan and construction plan.
12. REU's as determined by the Township Engineer shall be \$3,500 per REU for sewer and \$3,000 per REU for water.
13. If the petitioner chooses to use a water softener, the discharge cannot be connected to the sanitary sewer and a potassium based regenerate should be used.
14. The bike path shall be extended to the Detroit Edison easement to the west.

The motion failed (Mortensen – Y; Burchfield – N; Litogot – Y; Cahill – N; Joseph – N; Figurski – N; Pobuda – Y)

Chairman Pobuda asked for a motion for approval of the site plan. No commissioners responded and the motion died for lack of action.

Moved by Figurski, seconded by Mortensen to approve the minutes of March 26, 2001. **The motion carried unanimously.**

Member Discussion

Commissioner Figurski feels the Planning Commission needs to be apprised of what the Township Board approves.

Commissioner Figurski questioned the banners that are on Wilson Marine's fence on the corner of Hughes and Grand River.

There was a brief discussion about the large amount of rubbish that is behind the Meijer store. The Commissioners feel this needs to be enforced.

Wilson Marine's new awning light is very bright. Mr. Archinal stated they have a light meter that records the intensity of the light from the property line. It was suggested to have the ordinance changed to have the maximum be measured inside the property line.

Commissioner Litogot stated Wal Mart's flood lights from the garden center shine right onto Grand River. Mr. Archinal will look into this.

Commissioner Joseph stated Home Depot has outside storage in the back of their building, which is not allowed. Mr. Archinal stated Wal Mart, Lowes and Home Depot are all in violation right now. He will handle this problem.

Mark Coleman informed the Planning Commission that Melissa Tally has resigned her position from Tetra Techs in order to stay at home with her new baby. **Moved** by Joseph, seconded by Cahill, to send a letter to Melissa expressing the Planning Commission's appreciation for all of the work she has done over the years. **The motion carried unanimously.**

The meeting adjourned at 11:00 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary