

GENOA TOWNSHIP  
PLANNING COMMISSION  
SEPTEMBER 21, 1999  
WORK SESSION  
6:30 P.M.  
MINUTES

The work session of the Planning Commission was called to order by Chairman Bill Colley at 6:30 p.m. The following commission members were present constituting a quorum for transaction of business: Bill Colley, Don Pobuda, Barb Figurski, Jerry Joseph, Jim Mortensen, and Bill Litogot. Also present were Michael Archinal, Township Manager; Jeff Purdy and Caryn Champine from The Strader Group; and Melissa Talley from McNamee, Porter and Seeley. By the end of the work session there were several persons in the audience.

Items scheduled for action during the regular session of the commission were discussed. No formal action was taken. However, the Commissioners agreed that "Member Discussion" should also be included on the Agenda for the Work Session portion of future meetings. It was noted that sometimes, due to the lateness of the evening, the Commissioners are reluctant to stay and discuss topics that are of interest to them. There is usually some time left at the end of the Work Session which can be utilized for such discussions.

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

The regular session of the Planning Commission was called to order by Chairman Colley at 7:00 p.m. **Moved** by Pobuda supported by Litogot to approve the Agenda, tabling Public Hearing #1, Crest Mobile Homes, as the applicant did not have all the information in on time. **Motion unanimously carried.**

A call to the public was made to discuss items not on the agenda with no response. Chairman Colley noted that the Board will not begin any new business after 10:00 p.m.

Commissioner McCririe arrived at this time, it being 7:01 p.m.

- 1) OPEN PUBLIC HEARING #1...REVIEW OF A SPECIAL USE APPLICATION, SITE PLAN, AND ENVIRONMENTAL IMPACT ASSESSMENT FOR A PROPOSED EXPANSION AT WONDERLAND

MARINE, SOUTH OF GRAND RIVER AND EAST OF GRAY ROAD,  
SECTIONS 10 AND 15, PETITIONED BY GARY MITTER/LINDHOUT.

- A. RECOMMENDATION REGARDING SPECIAL USE APPLICATION.
- B. RECOMMENDATION REGARDING IMPACT ASSESSMENT.
- C. RECOMMENDATION REGARDING SITE PLAN.

Mr. James Barnwell of Desine Engineering, introduced Mr. Terry Clark from Lindhout Associates and Mr. Gary Mitter, Sr., owner. Mr. Barnwell explained the revised plans. Mr. Mitter wishes to construct a new sales/display and repair facility and additional storage facilities for his existing boat dealership. Proposed building #4 would include office/sales and the relocation of the boat service department. Proposed buildings #5-12 would be used for boat storage. A large outdoor storage area is also proposed. The area is growing rapidly and there is a growing demand for boat storage during the off season. The colors and materials of the storage buildings would be the same as what he currently has. Mr. Barnwell presented enlarged photographs and areal photographs of the area, including views from the west, east and northwest.

Mr. Terry Lindhout briefly presented the floor plans for building #4 which include 14 bays for service. He also presented the elevations of the building and stated they will match the existing buildings (gray tones). The Commissioners agreed the building materials were acceptable.

Chairman Colley asked about the circulation for customers coming to the service area. Will customers drive the trailers to the back of the parcel? He was concerned with the possible difficulty of negotiating the turns.

Mr. Mitter explained everything will come in off of Grand River to the service "write-up" area. Customers will drop off their boats there and Wonderland Marine will take it from there.

Commissioner Pobuda asked about the property owned by Wilson Marine which juts into Mr. Mitter's property. Does Mr. Mitter plan to acquire that property someday?

Mr. Mitter agreed with Commissioner Pobuda that it would be advantageous for Wonderland Marine to acquire that property. He stated he has asked to purchase it from Wilson Marine in the past, and was told that Wilson Marine wasn't interested in selling it as they plan to put a tower on it someday. Mr. Mitter stated he would certainly be willing to talk to Wilson Marine again.

Mr. Purdy reviewed The Strader Group letter of 9/9/99. He noted that he had not had much of a chance to review the revised plans and accompanying letter from Desine Engineering since he had just received them at the beginning of the meeting. The use of gravel for the outdoor storage was discussed. The Commissioners agreed it was acceptable. They did not want to see unnecessary asphalt on the site. Mr. Purdy stated

the proposed landscaping is not sufficient. Many trees will have to be taken out due to the grading plan, the detention pond and the emergency access road. Also, the storage building at the southwest is only 33' away from residentially zoned property. Mr. Mitter owns that property. The Planning Commission may make a recommendation to the ZBA on this variance, if it chooses to.

Commissioner McCririe asked Mr. Mitter if he would be willing to put a conservation easement on the residential property to prohibit future development?

Mr. Mitter agreed to this.

Regarding the translucent light panels, Mr. Mitter stated there will be no power out to the buildings. They won't be internally lit. The panels are there to allow light in during the day. He also agreed to meet the township requirements for any signage, including the sketch of the boat.

The Commissioners discussed the parking. Mr. Mitter explained the employees will mostly park in the front portion. There will be lots of area there for parking once it is cleaned up. There will be 25-30 employees with about 20 at one time at the site. It was noted 25 spaces are provided leaving the site 13 spaces short. After discussion, the Commissioners asked Mr. Mitter to revise the plans and show five (5) additional paved spaces on the plan and provide banking for the remainder eight (8) spaces. Mr. Mitter agreed to this.

The biggest issue to the Commissioners was the landscaping. They were concerned with the view of the residents on Gray Road. They agreed that additional evergreens should be provided, one (1) every 10', staggered, planted on top of the berm on the top edge of the wetlands. Also, on the west of the site, the seven (7) arborvitae should remain and be complemented with five (5) high canopy trees. The Commissioners asked Mr. Mitter to provide some drawings of what the landscaping will look like in these areas, providing some sight lines. The Commissioners asked Mr. Mitter to also consider looking at additional landscaping at the northwest side of the detention pond.

Commissioner Pobuda asked about the emergency access on Gray Road.

Mr. Mitter stated the gravel road is 20' wide with a fire gate. He could make it wider if needed. He, too, wants to make sure emergency vehicles have proper access to his property in case of an emergency.

The Commissioners noted that Mr. Mitter would be required to put up a performance bond for a 5' sidewalk along Grand River. They have been requiring sidewalks along Grand River. Mr. Mitter agreed to this.

Regarding lighting, Mr. Barnwell noted that there will be no outdoor lighting in the storage area. Wall-mounted lighting is proposed on the service building. It was noted that these must be down shielded.

The Commissioners briefly discussed the Impact Assessment. Mr. Mitter stated the service area will encompass oil changing, fueling, fiberglass work, painting, etc. He will meet OSHA standards. The Commissioners asked Mr. Mitter to provide a PIP Plan with details on odors, views, etc. Also, the Impact Assessment should contain language on dust control measures, and the loading/unloading of parts.

Ms. Talley reviewed the McNamee, Porter & Seeley letter of 9/8/99. She, too, noted that she had not had time to review the revised site plan yet. Bumper blocks are proposed around the parking area. She noted that this will help with the sheet flow to the basin. The Commissioners agreed that the proposed bumper blocks were acceptable. Regarding the catch basins, Ms. Talley stated she believed they would serve the purpose, but she needed more information and detail to fully determine that the drainage will be contained on the site. She hasn't had a chance to review the new calculations or site plan regarding her storm sewer comments. The sanitary service lead needs clarification, and she asked that the petitioner participate with the township on the easement along the frontage to install and maintain a water main.

Chairman Colley made a call to the public at 8:00 p.m.

Mr. Willard Howe, 1837 Gray Road, voiced his concern with the emergency access. He asked what guarantee do the residents have that they will not start using the emergency road?

Chairman Colley answered it will be a condition on the site plan and Impact Assessment that it will not be allowed.

Mr. Howe stated he has an easement across the back section of the property. He acquired the easement several years ago when water from the swamp came onto his property from another development. He wondered what his recourse would be if the swamp water started to back up? (He provided a copy of the easement to Mr. Mitter.)

Chairman Colley stated the petitioner would have to demonstrate to the township engineer that it won't happen. He suggested Mr. Howe meet with Mr. Mitter to discuss his concerns.

Mr. William Friend, 1829 Gray Road, reiterated Mr. Howe's concerns. He stated the water runs behind the blue spruce line and drains in the area where the detention pond is.

Mr. Tod Beebe, 1875 Gray Road, stated the corner of his property will not be 50' away from the buildings for the buffer. He is on lot #30. He also asked if an impact study has been done for the wetlands.

Chairman Colley stated the site plan shows the building is at least 50' away from his property. And, no disturbance to the wetlands area is indicated.

Mr. Beebe also voiced his concerns with the catch basins. He noted they would be drained once or twice/year. He stated they have wells on their property. What about hazardous wastes? Also, couldn't the emergency access be put on the east, southeast corner towards Sterling Road, by the Wood Products property?

Commissioner McCririe answered the petitioner is required to submit a PIP Plan for the activities that will be going on in the new building. If there is any sort of spill on the site, the petitioner has to show how it will be handled. The emergency access is on Mr. Mitter's property. Conditions on the site plan will be made regarding the use of that access.

Mr. Dennis Ling, 1840 Gray Road, voiced his concern with the emergency access, too. Also, he stated he could see the storage buildings from his living room. He is concerned with the property value of his home. He wanted to see the buildings moved further back or down-sized.

Chairman Colley stated Mr. Mitter is within the standards of the ordinance. Unfortunately, the situation is an industrial district abutting a residential district. The Planning Commission can only require the petitioner follow the ordinances and provide the proper buffers.

Ms. Lori Tallman, 1922 Gray Road, voiced her concern with the emergency exit, as well. She stated there are many young families in the neighborhood. She doesn't want to see the access opened. Some dumping is already going on there. She is concerned that as the public has more knowledge about the access, there will be more use of the road. She stated she was very pleased about the Commissioners' concerns with the trees and landscaping. She doesn't want the property values to decrease. The Commissioners are giving the Gray Road residents some consideration and she hoped these concerns will remain a priority.

Mr. Ling noted that there had been an increased amount of traffic on the road since Mr. Mitter bought the property. He felt they were travelling too fast and asked if his people could please slow down.

Ms. Louise Jacobs, 1836 Gray Road, voiced her concern with traffic. She stated she has lived there 35 years and there used to be a speed limit sign (25 mph). The sign is gone now and people are travelling too fast. The sign needs to be replaced.

Chairman Colley stated Ms. Jacobs needed to contact the county to replace the sign since it is a county road.

A resident asked if Mr. Mitter had to come back before the Planning Commission if he wanted to put any lighting in?

Chairman Colley answered "Yes."

Mr. Ed Bronikowski, 1771 Gray Road, stated he is concerned with the traffic, too. He also wondered if Mr. Mitter could eventually use the home as another vehicle access site?

Chairman Colley, answered "No," it is zoned residential and could not be used. With no other comments, he closed the call to the public at 8:20 p.m.

Mr. Purdy advised that the deed restrictions should also include that there will be no commercial access to Gray Road except for the emergency vehicle access.

**Moved** by McCririe, supported by Pobuda to table Wonderland Marine as more information is needed. **Motion unanimously carried.**

**Moved** by McCririe, supported by Litogot to recommend that the ZBA grant Mr. Mitter's request for a setback variance for the building abutting the residentially zoned property on the condition that Mr. Mitter agrees to deed restrictions which will restrict the residential property from further development. **Motion unanimously carried.**

The meeting was recessed at 8:25 p.m. and reconvened at 8:30 p.m.

2) OPEN PUBLIC HEARING #2...REVIEW OF A SITE PLAN APPLICATION, ENVIRONMENTAL IMPACT ASSESSMENT, AND SITE PLAN FOR A PROPOSED 6084 SQUARE FOOT PAINT SHOP LOCATED AT GRAND OAKS WEST INDUSTRIAL PARK, SOUTH OF GRAND RIVER, EAST OF CHILSON, PETITIONED BY KING/LINDHOUT.

- A. RECOMMENDATION REGARDING IMPACT ASSESSMENT
- B. RECOMMENDATION REGARDING SITE PLAN.

Mr. Bob King from Lindhout Associates introduced Mr. Karl Kiefer, owner. The petitioner is proposing an auto body repair and paint shop with accompanying office area. The proposed building will be located on lot #4 in the Grand Oaks West Industrial Park. The rear elevation (auto repair facility) would be split-faced block and the front (office area) would be face brick. The building will have asphalt shingles. Parking is on the north of the building with vehicle staging on the west. Storm water runoff will be collected by sheet flow and directed to several different curb spillways to gravel swales that will direct the runoff to the detention basin. The existing topography is very flat and trying to pipe it would require an 8" deep detention pond next to an apartment complex.

Ms. Talley stated the proposed collection will work, but aesthetically it is not as nice.

Mr. King presented photographs of the view of the vegetation from the adjacent apartments (from inside and outside of the apartment). The existing vegetation will remain and more screening of the detention area will be provided.

The building materials were reviewed. Depending upon the availability of the brick, it will either be tan block and brown brick or gray block with gray brick. The overhead doors will be painted the same as the block and an accent color will be on the fascia. The Commissioners didn't have a problem with either color, but preferred the brown brick.

Chairman Colley noted that if there will be storage of cars outside, a special use permit is required. An application must be made and a public notice sent out. Consequently, no action can be taken on this petition until the special use public hearing is held.

Mr. Purdy stated the site plan could be approved with the condition that no outside storage be allowed, but that didn't seem reasonable due to the nature of the business.

Commissioner Litogot stated he felt it would be unfair to take any action on the site plan without having community input. Commissioner Pobuda voiced his agreement. The Commissioners agreed that the site plan could be discussed, however, to give the petitioner some direction.

Mr. Kiefer stated his business will include cars, pick-up trucks, and sport utility vehicles. Not included are semi-trucks and trailers. He noted that leakage of vehicle fluids almost always take place at the accident site, not at his business. Paint storage will not exceed 25 gallons. The paint shop is an enclosed paint shop which will handle an 80 gallon spill. If his business grows he would have to come back in order to add onto the building. Everything comes in either a pint or quart and is on a rack.

Commissioner Pobuda asked if he will have car rentals?

Mr. Kiefer answered he will deal with car rental companies as a service to his customers, but he will not be renting out the cars.

Mr. Lindhout stated there will be two stacks coming out of the paint booth, each 24" in diameter and 3' above the roof line.

The Commissioners asked Mr. Kiefer to provide photographs of these stacks on other sites and more information about the paint booth. They don't want the stacks to look like the ones on the Waldecker paint facility.

Mr. Kiefer stated the booth recycles 98% of the heat and so there is no odor. It is a three-filter system and is the best contained booth available on the market.

Ms. Champine reviewed The Strader Group letter of 9/9/99. Most of the items have been addressed and/or agreed to by the petitioner. The Commissioners decided a photometric grid was not required. Detail for the building mounted lights is needed.

Chairman Colley asked why the building could not be "mirrored".

Mr. Lindhout explained the difficulty lies in the pipeline easement relative to the setback. He would have to split the parking or not meet the parking requirements. The Commissioners agreed to allow the driveway even though it did not meet the minimum spacing requirement to the north.

The Commissioners discussed the landscaping. They agreed that buffer zone "A" was required, except they could not agree on the 32 shrubs. Commissioner McCririe stated he supports the landscaping ordinance, but questioned why the shrubs were needed when they wouldn't even be seen eventually because of the natural brush growth around the detention area.

Mr. Purdy suggested substituting eight (8) evergreens for the 32 shrubs. Commissioner McCririe noted that the Planning Commission has given credit in the past for existing tree lines. Perhaps the evergreens could be put adjacent to the parking area. He suggested the applicant revisit the landscaping. The Commissioners are looking for screening for the residents. Show how a certain number of evergreen and canopy trees will screen the residents. An undulating berm might work.

Ms. Talley reviewed the McNamee, Porter & Seeley letter of 9/14/99. They need to revisit the control structure. She needs to see 2 cfs/acre out of the pond.

Chairman Colley stated sign details are needed. Mr. Lindhout stated the petitioner has not decided on a ground sign or building sign. Although, the location for a ground sign is shown on the plans.

Chairman Colley made a call to the public at 9:10 p.m. with no response.

**Moved** by Pobuda, supported by Litogot to table Kiefer Paint Shop at the request of the petitioner. **Motion unanimously carried.**

- 3) OPEN PUBLIC HEARING #3...REVIEW OF A TENTATIVE PRELIMINARY PLAT APPLICATION, PRELIMINARY PLAT SITE PLAN, SITE PLAN APPLICATION AND ENVIRONMENTAL IMPACT ASSESSMENT FOR A PROPOSED SINGLE FAMILY DETACHED PLATTED SUBDIVISION (LAKEWOOD KNOLL IV), LOCATED ON THE EAST SIDE OF LATSON ROAD BETWEEN GRAND RIVER AND GOLF CLUB ROADS, SECTION 4, PETITIONED BY P.M.J. DEVELOPMENT/BOSS ENG.

A. RECOMMENDATION REGARDING IMPACT ASSESSMENT.



B. RECOMMENDATION REGARDING TENTATIVE PRELIMINARY PLAT/PUD PLAN.

Mr. Vipul Desai of Boss Engineering stated they are looking for approval for tentative preliminary plat of Lakewood Knoll, Phase IV, which is part of the larger PUD approved in 1992. Mr. Desai distributed information regarding the densities of all phases of the PUD. Phase IV proposes 16 single-family homes. The roads will be public. At one time, attached condos were thought to be the best product for this phase. He explained that the total density of this PUD is a function of the number of REU's. Eventually, the apartment (multiple) portion of this development will be brought before the Planning Commission which will be adjusted based on the total number of REU's allowed.

Commissioner Mortensen asked if the PUD is written in such a way that allows for apartment(s) to be traded for single-family units? (Answer: "Yes.") He thought it would be wise for the township's planner to reconcile the density count for the entire PUD to make sure everything is as it should be.

Mr. Purdy agreed and stated this should be done before it goes to the Township Board.

Commissioner McCririe asked when this portion of the PUD was proposed as attached condos, how many units were there going to be?

Mr. Desai answered about 35-40 units. Regarding the planner's comments about some of the lots, Mr. Desai stated lots #100 and 106 are buildable lots. Lot #100 will have a sufficient building envelope. There is no septic or well on this lot. There is room for a 2,400 s.f. ranch on this lot. Lot #106 is a unique piece of property the way the upland is. Lot #97 does not meet the front and rear yard setbacks. This lot is uniquely situated as it comes off the easement. The front is about 5' deficient and the back is about 15' deficient. There is no home in front of or behind it. They are looking for a variance and since it is a PUD, the Planning Commission may grant this.

Ms. Champine stated an amendment to the PUD agreement may be recommended by the Planning Commission, or the applicant can go to the ZBA. But, if the PUD is amended, it should show some benefit to doing so. She stated all three of those lots (#97, 100, and 106) will create some building constraints.

Commissioner McCririe stated the Planning Commission in the past has been reluctant to recommend site plans that necessitate a variance. However, it has requested some changes in PUD contracts for certain benefits to the township. He suggested the possible cooperation between Mr. Delguidice and Nellie Rissman for a connection.

Mr. Delguidice stated the connection has only been brought to his attention in a cursory fashion. He had a conversation with Mr. Boss but made no commitments. He stated this area of the PUD is the prime area. It is what this PUD is all about. Reducing the front

setback on lot #97 makes it easier to build in the back and stay away from the wetlands. Lot #106 is a premium lot. It has a great view of the tee and a long drive.

Chairman Colley stated he didn't have problem with lot #106. Also, lot #100 is acceptable to him since it backs up to the wetlands. But lot #97 bothers him. It doesn't have the benefits of lot #100.

Commissioner Pobuda asked if lot #97 could be eliminated and made into a recreational area. The density could be made up somewhere else in the PUD.

Mr. Delguidice stated that he didn't want to put a recreational area there. It is not an appropriate place. If he couldn't keep the lot, he would combine them. He has 39 acres of woodlands and wetlands area already.

Commissioner McCririe agreed that the location is not the best for a recreational area. However, he noted that if Mr. Delguidice came before the township now, just starting out, he would be required to put in sidewalks as well as park areas for children.

Mr. Desai confirmed that if Cagney Court encroaches into the wetlands, MDEQ approval would be required. He didn't think it would be encroaching, however.

Ms. Talley noted that when she reviewed the road, she was under the impression it was a private road. County road standards are different. No outlot is proposed. If a variance is needed for the length of the cul-de-sac and/or for the number of houses facing a cul-de-sac, it will have to come from the County.

Mr. Desai stated that he met with the Road Commission several months ago and while he doesn't have anything in writing, he was told it was all right. They can't put in an outlot because of the golf course.

Commissioner McCririe stated he is a great proponent of connections, but a connection at the golf course was not contemplated when the whole PUD was discussed. He would have a hard time asking the petitioner to provide that, especially in addition to a connection with the Adler development.

Commissioner Pobuda disagreed. He stated if lots #104-107 should need emergency vehicles and the cul-de-sac is blocked, there should be a potential connection. What if the golf course is ever developed?

Chairman Colley stated he didn't see that as a reasonable likelihood with this particular golf course.

It was noted that two street trees per lot are required. Landscaping in the cul-de-sac is in the control of the County.

Ms. Talley noted that if Cagney Court does encroach on the wetlands they must have the MDEQ permit by final review.

Commissioner Pobuda asked if the residents in that area are aware of this phase and the changes?

Mr. Delguidice stated they were. He has plans in the office and revised plans are posted. Every purchaser gets a copy of the PUD.

Chairman Colley made a call to the public at 9:58 p.m. with no response.

Commissioner Figurski asked about a tree survey. Will there be much clearing?

Mr. Delguidice answered there shouldn't be much clearing. They have taken down some "scrub" (thickets, picker bushes, etc.) in order to make a path through the site. This allows the surveyors and consultants to access the site. He invited the Planning Commission to come out and review the site.

The Commissioners stated they would like to see the tree line delineation more clearly defined. Also, the construction fence should be shown to mark grading limits.

Commissioner Figurski voiced her concern with lot #97. She wasn't sure where the rest of the Commissioners stood.

Commissioner Mortensen stated he didn't have a big problem with it and would support it with the provision that the density not go beyond the original PUD and there be no other future variances. He believed lot #100 would not work and might need a variance.

Commissioner Joseph stated lot #97 should be demonstrated that it does not encroach on the wetlands.

Commissioner McCririe stated Mr. Delguidice and Mr. Kramer have been very cooperative with the township throughout the entire PUD development. He was inclined to approve lots #97, 100, and 106.

**Moved** by Pobuda, supported by Litogot to recommend to the Township Board the approval of the Impact Assessment for Lakewood Knoll, Phase IV, dated 2/10/99 and revised 8/4/99, adding dust control language for adjacent homes. **Motion unanimously carried.**

**Moved** by McCririe, supported by Litogot to recommend to the Township Board an amendment to the PUD Agreement for Lakewood Knoll as follows:

1. On lot #97 as depicted on the Phase IV drawing dated revised 8/25/99, the front yard setback of 30' is acceptable provided there is no

unnecessary encroachment of the road on the wetlands; and the rear yard setback of 35' is acceptable.

2. Lot #100 will not be seeking any variances.
3. Lot #106 as depicted is acceptable.

**Motion carried (6 yes, 1 no, with Figurski dissenting).**

**Moved** by McCririe, supported by Litogot to recommend to the Township Board approval of the tentative preliminary plat for the Lakewood Knoll Phase IV with the following conditions:

1. Township Board approval of the Impact Assessment as modified by motion this evening.
2. Approval of the recommended changes in the PUD Agreement.

**Motion carried (6 yes, 1 no, with Figurski dissenting).**

Commissioner McCririe reiterated that Mr. Delguidice should look into a connection with the Rissman parcel.

#### ADMINISTRATIVE BUSINESS

There was no Planner's Report.

**Moved** by Litogot, supported by Pobuda, to approve the minutes of the September 13, 1999 meeting with minor changes on pages 4, 5, 8, and 10. **Motion unanimously carried.**

The meeting was adjourned at 10:17 p.m.

Respectfully submitted,

Dia M. Moulton  
Recording Secretary