

GENOA TOWNSHIP
PLANNING COMMISSION
MARCH 22, 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, Barbara Figurski, Gary McCririe, Jim Mortensen, and Bill Litogot. Also present were Michael Archinal, Township Manager and Jeff Purdy from The Strader Group. 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. No formal action was taken.

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 7:02 p.m. **Moved** by McCririe supported by Figurski to approve the Agenda with Items #5 and 6 being reversed, putting the Wilson Marine petition before the Election of Officers. **Motion unanimously carried.**

Chairman Colley made a call to the public to discuss items not on the agenda with no response.

- 1) OPEN PUBLIC HEARING #1...REVIEW OF A PRELIMINARY SITE PLAN AND CORRESPONDING ENVIRONMENTAL IMPACT ASSESSMENT FOR 25 DETACHED CONDO HOMESITES, NORTHSORE PHASE VIII, SOUTH OF CROOKED LAKE BETWEEN NIXON AND SHARP; SECTION 20: NORTHSORE LAND DEVELOPMENT/BOSS ENGINEERING. (Tabled from February 8, 1999 meeting).
 - A. RECOMMENDATION REGARDING IMPACT ASSESSMENT.
 - B. RECOMMENDATION REGARDING SITE PLAN.

Mr. Dave LeClair from Boss Engineering stated the petition was tabled at the February 8th meeting. Since then, they have received approval from MDEQ for the 100' well

isolation area. He presented a letter from Mr. Patrick Cook from MDEQ, dated February 16, 1999, granting approval. He stated the number of proposed units had not changed. There will be water and sewer and sidewalks. The roads are private and are 26' to be consistent with the rest of the development. He stated they did not resubmit the Impact Assessment (dated 1/8/99) as nothing has changed in it.

Mr. Purdy briefly reviewed his review letter of 3/17/99. He voiced his concern with the sidewalk only being setback one or two feet from the curb. He suggested providing more of a green space. After discussion, it was agreed to provide 3' of greenspace between the curb and sidewalk.

Commissioner Pobuda asked what the protection well area will look like.

Mr. LeClair answered it will look like open space. It is a 100' area in which no building or utilities can go. It will look like mowed grass. The Township will have the easement.

Commissioner Pobuda asked about its maintenance.

Mr. LeClair stated it could be maintained as a general common element by the homeowners' association. It was noted that this would need to be included in the association's documents.

Chairman Colley noted that he didn't see any engineering concerns that would affect the layout of the development. They would have to be addressed, of course, before final approval.

Chairman Colley made a call to the public at 7:10 p.m. with no response.

Moved by Litogot, supported by Mortensen to recommend to the Township Board the approval of the Impact Assessment, dated January 8, 1999, for Phase VIII of NorthShore Development. **Motion unanimously carried.**

Moved by McCririe, supported by Litogot to recommend to the Township Board the approval of the preliminary site plan for NorthShore Phase VIII with the following conditions:

1. Township Board approval of the impact assessment.
2. Township engineer review and approval of all plans and specifications.
3. Petitioner shall relocate the sidewalks to be setback three feet from the roadway curb.
4. Petitioner shall provide language in the homeowners' association documents to provide for the maintenance of the well isolation area by the homeowners' association.

Motion unanimously carried.

Commissioner Pobuda asked about letters being sent to the Fire Marshall and the school district on this development. Wasn't there some discussion on this being done on all developments?

Mr. Archinal stated his office will notify the school district and Fire Marshall as a matter of procedure on all future developments.

- 2) OPEN PUBLIC HEARING #2...REVIEW OF SITE PLAN APPLICATION AND CORRESPONDING SITE PLAN FOR LYNCH CARPETS PROPOSED STORAGE BUILDING, LOCATED AT 5205 EAST GRAND RIVER, SECTION 10: LYNCH CARPETS/DESINE. (Tabled from March 8, 1999 meeting.)

A. RECOMMENDATION REGARDING IMPACT ASSESSMENT.

B. DISPOSITION OF SITE PLAN

Mr. Brian Biskner from B.F. Thompson stated the petitioner wants to add a 30' x 30' wood framed garage building for stock storage and a 12' wide loading zone. They will also come up to code for parking.

Mr. Purdy reviewed The Strader Group letter, dated March 19, 1999. Because of the setback, they will need a variance from the ZBA. The right-of-way needs to be verified and delineated. He asked about details of the existing building and samples of building materials and colors.

Mr. Biskner provided a sample of split-faced block. He stated it will be painted to match the existing building color. The shingles will match the existing roof shingles as closely as possible.

Chairman Colley noted that the Planning Commission has been working very hard to have aesthetically pleasing buildings as viewed along Grand River. He felt more work needed to be done on the building's design and landscaping. He felt uncomfortable not having more detail on the building elevations. As the corridor has been updated, certain requirements have been stipulated on other developments. He felt this was an opportunity to make this area more aesthetically pleasing.

Mr. Donald Lynch, owner, stated they could move the dumpster to the southeast side and add more landscaping.

Commissioner McCririe agreed that the dumpster should be moved. He also suggested adding more landscaping to the new paving area to accomplish some screening.

Chairman Colley stated he was unhappy with the design of the building itself. The new roof line will be seen by people going eastbound on Grand River.

Mr. Purdy suggested putting matching vinyl siding on the gable.

Commissioner Litogot asked about what the neighbors on the lake will be viewing? The garage door? He, too, did not like the view of two roof lines from Grand River.

Mr. Lynch answered "yes", they will be viewing the garage door, and more landscaping could be put there, as well.

Chairman Colley stated he felt the elevations and architecture needed to be studied more. In the past, the Planning Commission has given much consideration to buildings on Grand River. It has been required of everybody else. He felt more could be done.

Commissioner Figurski voiced her concern with the adjacent residential. Proper landscaping is required, and she was concerned with the drainage.

Mr. Biskner stated he had just received approval from the Drain Commissioner to have a leaching basin underneath a natural grass basin. More details will be provided.

It was noted that there will be no rooftop equipment.

The petitioner agreed to items #6 and 7 in The Strader Group letter. Mr. Biskner added that they will also enhance the landscaping between the garage door and the adjacent residential.

Mr. Purdy suggested the sidewalk be put in now and more detail is needed for the detention area. Mr. Lynch agreed to remove the 6' ground sign on the east.

Chairman Colley made a call to the public at 7:40 p.m. with no response.

Chairman Colley stated that in his opinion, approval could not be granted tonight because of the lack of detail in the landscape plans and the building elevations. He suggested they get a designer to help with the building. He would like to see the building look less like a storage building, and more like a commercial/retail building. The back side (east) could be split-faced block, but the elevation facing Grand River needs work.

Mr. Lynch stated that the whole site needs some improvement, and he hopes the proposed building does that. Basically, he was just looking to put up a storage building, preparing for the future to leave the business to his son, and the project has taken on a life of its own. He didn't realize so much would be required.

Commissioner McCririe stated he appreciated Mr. Lynch's position. But there are numerous things that need to be done before going to the Township Board. While this business has been in the area for a long time, the Planning Commission has to balance

what the Grand River corridor is going to look like years down the road. With the site coming before them now, there is an opportunity to improve it.

The Commissioners discussed the sidewalk issue and agreed that it should be required. This has been required of all other recent developments along Grand River.

Mr. Archinal noted that if the petitioner asks to be tabled, the next Planning Commission meeting is April 12, 1999. The petitioner will be on the agenda for the next ZBA meeting which will be April 13, 1999.

Chairman Colley reiterated some of the major issues that needed to be addressed, including, but not necessarily limited to: building architecture, more detailed elevation drawings; sidewalk construction; Health Department approvals; sign removal; shoe-box fixtures; right-of-way verification; detailed drainage drawings (leaching basin); dumpster relocation to southeast; landscaping issues (additional screening on Grand River, dumpster screening, garage door screening, spruce trees uniformly spaced 15' on center along Wildwood Drive).

Mr. Biskner thanked the Commissioners for their input and asked to be tabled.

Moved by Pobuda, supported by Figurski to table Lynch Carpets at the request of the petitioner. **Motion unanimously carried.**

3) OPEN PUBLIC HEARING #3...REVIEW OF FINAL PRELIMINARY PLAT FOR PEBBLE CREEK SUBDIVISION, 57.6 ACRES OFF HACKER ROAD, SECTION 12: DESINE.

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

Mr. Jim Barnwell of Desine Engineering stated he was before the Planning Commission last fall. No significant changes have been made since then. There are sidewalks, landscaping has been added along the residential to the north, streets are paved and county dedicated, sewer and water, and they have a pump station.

Chairman Colley asked about the Impact Assessment.

Mr. Barnwell stated he did not resubmit one because there were no changes to it since its submission last September.

Chairman Colley stated that one was required. It would be very difficult to pass this on to the Township Board without reviewing the Impact Assessment. The other Commissioners agreed.

Mr. Purdy stated the Impact Assessment is part of the final plat package. It is required.

Commissioner Figurski asked about the cemetery ownership and perpetual maintenance.

Mr. Barnwell answered they have researched the issue, and it appears that the only way to deal with it is to regard it like a "park" and have the maintenance done by the property owners' association.

Commissioner Figurski also asked about the "seed money" to provide for park improvements (benches, playground equipment, etc.).

Mr. Barnwell presented a copy of a letter signed by Joseph Shilist of Huntwood Development, dated 3/22/99, to provide \$10,000.00 to be set aside for the property owners' association to buy equipment with the requirement that it meet national safety standards.

Commissioner Pobuda asked who names the roads? What is the process for this?

Mr. Purdy stated the road names are subject to Township approval and the county will also look at the street names to see if any are the same or similar to other street names in other parts of the county.

Mr. Purdy briefly reviewed The Strader Group letter of February 16, 1999. A wetland delineation report is needed. Regarding the street trees, the owner stated they will be bonded as owners apply for their permits. Mr. Purdy noted that two deciduous trees per lot are required between the sidewalk and the curb. It was noted that no street lights or signs are proposed. The Commissioners agreed that landscaping is not required in the cul-de-sacs.

Chairman Colley made a call to the public at 8:15 p.m. with no response.

Chairman Colley stated that it appears this is a plan that the Commissioners feel comfortable with, but the required information/documents have not been submitted in order to take favorable action. The Impact Assessment and deed restrictions need to be submitted. He informed Mr. Barnwell that the Planning Commission must take action on the petition, either favorable or unfavorable, unless the petitioner asks to be tabled.

Mr. Barnwell asked that the petition be tabled.

Moved by Pobuda, supported by Litogot to table Pebble Creek Village at the request of the petitioner. **Motion unanimously carried.**

- 4) OPEN PUBLIC HEARING #4...REVIEW OF PROPOSED ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 15, ACCESS MANAGEMENT AND PRIVATE ROAD STANDARDS, SECTION 15.1004(b) IS PROPOSED TO BE AMENDED TO CHANGE THE MAXIMUM NUMBER

OF RESIDENTIAL LOTS THAT MAY BE SERVED BY A PRIVATE ROAD
TO EIGHT FOR ALL ZONING DISTRICTS.

A. RECOMMENDATION REGARDING PROPOSED TEXT AMENDMENT.

Mr. Purdy explained that, currently, in the LDR and SR districts, a private road does not have to be paved if it services five or less lots. In CE and AG, the number of lots is eight. This zoning amendment will change the number of residential lots to eight to make it consistent in all zoning districts. He stressed that this change would affect only private roads servicing eight or less lots. Changing the ordinance to make everything consistent was brought about by discussions of a recent development on Challis Ct. He noted that the road construction standards will not change. Gravel roads must meet the road commission standards. Grading, width, site distance requirements, etc. will not change.

Chairman Colley stated he felt it was a good idea to make the number of lots uniform.

Commissioner McCririe voiced his opinion that the variance granted on Challis Ct. was granted for five lots. If more lots are to be developed, he felt the road improvements would need to come back to the Planning Commission for review. He recollected the discussion at that time as being the variance could possibly be granted because there were only going to be five lots developed. If more lots are to be developed, he felt that "opened the door" to require the proper improvements on the road.

Mr. Archinal stated that unless the Challis Ct. variance was granted with only a specific number of lots in mind (i.e., five lots or less), it would be difficult for him to not allow a lot split. He would have to review the ZBA minutes.

Commissioner McCririe stated the hardship was presented as only five lots being serviced by the gravel road. If more lots are to be proposed, this provides a different set of criteria. With the increased traffic a proper road bed and drainage should be provided.

Commissioner Mortensen asked why the number had to be eight? (Answer: The consensus at a previous joint meeting was to make it eight.) He stated he wasn't in favor of lessening a standard. He didn't think it should be approved.

Commissioner McCririe stated he was in favor of the amendment, but he had a real issue with existing roads and how they will be upgraded.

Mr. Archinal stated that he believed the number "eight" made sense because it graduates cleanly with other standards. He noted that he gets complaints from people because the Township requires paved roads for five houses, but the county roads aren't paved.

Chairman Colley made a call to the public at 8:37 p.m. with no response.

Moved by Pobuda, supported by McCririe to recommend to the Township Board the approval of the zoning text amendment to revise Article 15 Section 15.1004(b) as submitted by The Strader Group. **Motion carried. (5 yes, 1 no with Mortensen dissenting)**

Mr. Archinal noted for the record that the amendment discussion was initiated at a previous Planning Commission meeting, not by him.

5) **OPEN PUBLIC HEARING #5...REVIEW OF WILSON MARINE REQUEST FOR AN EXTENSION OF SITE PLAN APPROVAL.**

Mr. Wilson was present and stated a site plan for a warehouse/storage building was approved in February of 1997. Because of inclement weather and a business situation, which no longer exists, the site was not developed. He recently wanted to start the building and found out that the approval had expired. He was not aware that site plan approvals expire. He stated they haven't changed anything on the plans since the last approval.

Mr. Archinal stated he suggested Mr. Wilson come to the Planning Commission for input and direction.

Chairman Colley stated he felt the township planner and engineers should be afforded the opportunity to review the plan again to make sure that nothing has changed.

Mr. Purdy stated the only requirement that may have changed since then is the sidewalk requirement.

Commissioner McCririe stated he wasn't opposed to it, but he didn't know if there was a provision in the ordinance to allow a site plan extension if it is not submitted before its expiration. He noted, however, that the Planning Commission Minutes of February 10, 1997 specifically state in the special use permit motion that "...there shall be absolutely no display of any type whatsoever outside of the limits of the fence..." Wilson Marine is not adhering to this requirement.

Mr. Wilson stated that this is truly a "boulevard wide" problem. He doesn't believe he has seen an ordinance officer at Wilson Marine on this. Anything the township has asked them to stop, they have done so. He noted that other businesses are doing the same thing.

Commissioner McCririe stated that the motion for the approval specifically disallows it. He noted that Mrs. Gentry used Wilson Marine as an example to excuse her display on the road. It starts with one business, and then goes on from there. He reiterated that if the same plan is brought before the Planning Commission, he would not have a problem with it, but the display outside the fence must be stopped.

Regarding the sidewalk, Mr. Purdy stated that the Planning Commission has been requiring them along Grand River unless there is a specific reason, inherent with the grading, etc.

Mr. Wilson stated he would rather provide a bond for the sidewalk.

Commissioner Litogot asked about the 3' high evergreen hedgerow requirement as stipulated in the site plan approval motion of February 10, 1997.

Mr. Wilson explained that he had Mr. Meier install the hedges and was mistakenly told that the measurement is from the root ball to the top of the plant. He felt they were nice looking plants, and they will certainly continue to grow.

Mr. Purdy noted that the township had made a concession back in 1997 to Wilson Marine for 3' hedges. The requirement is actually 6' for outdoor storage.

Commissioner McCririe suggested that the Commissioners drive by the site in the next couple of weeks to look it over and see what they think about the storage, landscaping, etc.

Mr. Wilson thanked the Commissioners for their input and said he would be back with a site plan.

6) OPEN PUBLIC HEARING #6...ELECTION OF OFFICERS FOR THE
GENOA TOWNSHIP PLANNING COMMISSION.

Chairman Colley asked the Commissioners if anybody else was interested in being Chairman. If not, he would agree to serve another year. Nobody else voiced interest.

Moved by Figurski, supported by Litogot to nominate and elect Bill Colley as Chairman with the nominations being closed and a ballot cast. **Motion unanimously carried.**

Chairman Colley asked if anybody else was interested in being Vice-Chairman. Commissioner Pobuda stated that if nobody else was interested, he would serve another year. Nobody else voiced an interest.

Moved by Figurski, supported by Mortensen to nominate and elect Don Pobuda as Vice-Chairman with the nominations being closed and a ballot cast. **Motion unanimously carried.**

Chairman Colley asked the Commissioners if anybody else was interested in being Secretary. Commissioner Figurski stated that if nobody else was interested, she would serve another year. Nobody else voiced an interest.

Moved by McCririe, supported by Litogot to nominate and elect Barbara Figurski as Secretary with the nominations being closed and a ballot cast. **Motion unanimously carried.**

ADMINISTRATIVE BUSINESS

There was no Planner's Report.

Commissioner Figurski stated that at the end of the year in the past, the Commissioners received a synopsis of actions taken by the Planning Commission for the previous year. She wondered if some type of report would be received for the year 1998?

Commissioner Pobuda asked if it would be possible to receive information on the estimated value of how much the township has increased as a result of new developments.

Mr. Archinal stated spreadsheets on land use permits are done regularly, and he could get copies for the Commissioners.

Moved by Pobuda, supported by Figurski to approve the minutes of the March 8, 1999 meeting as written. **Motion unanimously carried.**

Commissioner Pobuda stated that he would be more than happy to attend any planning sessions that take place during the day if Planning Commission representation is needed.

Chairman Colley stated that it would be a good idea to include Commissioner Pobuda on the list of attendees for planning sessions.

A Commissioner asked who follows up on developments when they are completed to check for compliance on signage, landscaping, dumpster placement, etc.?

Mr. Purdy stated his office goes out and checks on some developments at the discretion of the zoning administrator.

Mr. Archinal stated that his office does not have the manpower to check on every development.

Commissioner McCririe stated he thought the money to pay for the follow-up came out of the applicant's escrow money.

Chairman Colley stated he thought every development should be looked at upon completion. The other Commissioners agreed.

Mr. Archinal stated it would be easier on his office if it could be done on all approved site plans. More follow-up for approved site plans is needed.

Chairman Colley voiced his concern with the Planning Commission not receiving all the necessary documents to take action (e.g., updated Impact Assessments, deed restrictions, etc.). Other Commissioners voiced their agreement. Chairman Colley felt this should be handled by a secretary in the township hall offices. Applicants should be notified, even if just by a phone call, that certain documents are missing and need to be submitted.

The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Dia M. Moulton
Recording Secretary