

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
NOVEMBER 8th, 2010
6:30 P.M.**

MINUTES

CALL TO ORDER: At 6:30 p.m., the meeting of the Genoa Township Planning Commission was called to order. Present constituting a quorum were Chairman Doug Brown, John McManus, Jim Mortensen, Barbara Figurski, Lauren Brookins, Diana Lowe, and Dean Tengel. Also present were Jeff Purdy of LSL Planning and Kelly VanMarter, Planning Director.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

WORK SESSION: No work session was required.

APPROVAL OF AGENDA: Upon motion of Barbara Figurski and supported by Jim Mortensen, the agenda was approved as submitted. Motion carried unanimously.

CALL TO THE PUBLIC: (*Note: The Board reserves the right to not begin new business after 10:00 p.m.*)

OPEN PUBLIC HEARING #1...Request for extension of site plan application, impact assessment and site plan for a proposed 18,510 sq. ft. retail and office building located at 5970 E. Grand River, Sec. 10, petitioned by Jasmar LLC.

Planning Commission disposition of petition

- A. Disposition of approval extension for the site plan application, site plan and impact assessment from 11-19-10 thru 11-19-11.

Motion by Jim Mortensen to grant extension of site plan application, impact assessment and site plan for a proposed 18,510 sq. ft. retail and office building located at 5970 E. Grand River, Sec. 10, petitioned by Jasmar LLC from 11-19-10 thru 11-19-11.

Supported by Barbara Figurski. **Motion carried unanimously.**

OPEN PUBLIC HEARING # 2...Review of conditional rezoning agreement, environmental impact assessment and rezoning site plan for a rezoning located at 2980 Dorr Road from LDR (Low Density Residential) to a conditional OSD (Office Service District), Sec. 15, petitioned by Genoa Township on behalf of the Livingston County United Way.

Jeff Purdy, LSL Planners stated that the changes made to the agreement were made due to the discussions at the last meeting.

Chairman Brown stated that changes need to be made in the environmental impact assessment to reflect changes to the agreement.

Planning Commission disposition of petition

- A. Recommendation of environmental impact assessment.
- B. Recommendation of conditional rezoning agreement.
- C. Recommendation of rezoning site plan.

11-8-10 Approved PC Minutes

Motion by Barbara Figurski, to recommend to the Township Board that they approve the impact assessment dated September 29, 2010 with the changes made according to the agreement, subject to:

1. Approval by the Township Board of the conditional rezoning agreement and the rezoning site plan.

Support by Jim Mortensen. **Motion carried unanimously.**

Motion by Jim Mortensen, to recommend to the Township Board approval of the conditional rezoning agreement for the United Way property located at 2980 Dorr Road. The Township Board shall approve the conditional rezoning site plan and the environmental impact assessment.

1. This approval was due to the uniqueness of the property and location to the railroad and wetlands.

Support by Barbara Figurski. **Motion carried unanimously.**

Motion by Jim Mortensen, to recommend to the Township Board approval of the rezoning site plan for the United Way building located at 2980 Dorr Road, reviewed with the materials presented to the Commission this evening, subject to:

1. Approval by the Township Board of the conditional rezoning environmental impact assessment and the conditional rezoning agreement.

Support by Barbara Figurski. **Motion carried unanimously.**

OPEN PUBLIC HEARING #3...Review of amendments to Zoning Ordinance Articles 3 and 11.

Chairman Brown stated that he did not have any problems with the text of Article 3 and that was the consensus of the Commission.

In regards to Article 11, Chairman Brown stated that he did research on the internet regarding outdoor burning furnaces. He stated that he would like for the ordinance to control what can be burned in them.

Lauren Brookins stated that she did not have a problem with this ordinance and stated that it is a great thing to have. The nuisance is going to be minimal as they are seen in rural areas more. The cost effectiveness is a good thing.

Chairman Brown stated that he lives in a small lot subdivision and with the 100 feet setback, it would be very difficult to put one on there. He questioned about an area being 30 feet completely free of debris.

Jeff Purdy, LSL Planner, stated that the intent is not to end up with a brush fire. Firewood would be stacked and well maintained.

Kelly VanMarter stated that the fire marshall did have a chance to review the ordinance. He was glad to see the community with a regulation on this issue.

He would like the township to require a permit. He suggested there could be an issue about people making their own. The clear distance area was a large area. He felt that wood up to the unit would be ok.

11-8-10 Approved PC Minutes

He thought that if we wanted to require that units be used by the manufactured requirements that would alleviate some of the issues. Kelly VanMarter stated that would be difficult to enforce and that they comply with manufactured standards.

Frank Mancuso, Township Attorney, stated that there are many different manufacturers with different standards. We might run into problems that would contradict the ordinance.

Jim Mortensen stated that maybe the township could do what other township's do by issuing a burn permit.

Kelly VanMarter stated that it is a building and it would be appropriate to issue a land use permit.

Chairman Brown stated that there is much information out there and maybe the township should do more investigating into this matter before it is approved.

Dean Tengel questioned the forty-foot setback. Some of these can be used in a pole barn. They are a contained appliance. Are they designed to be inside? If so can they put it inside a pole barn?

Kelly VanMarter stated that the township would not regulate it if it was inside a home or building. That would be the Livingston County Building Department.

After discussion with the board members, Jeff Purdy stated that he could add the information that was discussed tonight and take a look at other township ordinances.

Kelly VanMarter thinks that the township has done a good job with this ordinance and the main thing is to make sure that this is not a nuisance to the neighbors and what type of material is going to be used.

James Mortensen stated that he could move forward on this as long as the fuel source is within 15 feet.

Dean Tengel questioned if the outdoor furnaces can be put in any zoning district. Kelly VanMarter stated that as long as it meets the setbacks and the conditions of the ordinance that it could go in any residential district.

Chairman Brown stated that he would like the commission to slow down and get all the information and in place before moving this ordinance forward.

Planning Commission disposition of petition

A. Recommendation of Zoning Ordinance Amendments

Motion by Mortensen to recommend to the Township Board approval of Zoning Ordinance Amendments containing Article 3 covering home based occupations and Article 11 covering outdoor furnaces as reviewed and modified by the Planning Commission this evening. Support by Barbara Figurski. **Motion carried unanimously.**

Administrative Business:

- *Planner's report: Jeff Purdy, LSL Planners, gave a brief slide show presentation regarding the changes to Act 51 under PA 134 in regards to Complete Streets legislation.*
- *Approval of October 12th, 2010 Planning Commission meeting minutes. Upon **motion** by Barbara Figurski and support by John McManus, the minutes were accepted as amended. **Motion carried unanimously***
- *Member Discussion*
- *Adjournment. **Motioned** by McManus, to adjourn at 7:34 p.m., supported by Figurski. **Motion carried unanimously.***