

**GENOA CHARTER TOWNSHIP BOARD**  
**Regular Meeting and Public Hearing**  
**Dec. 5, 2011**  
**6:30 p.m.**

**MINUTES**

Supervisor McCririe called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following persons were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Steve Wildman, Jim Mortensen, Todd Smith and Jean Ledford. Also present were Township Manager Michael Archinal and approximately 35 persons in the audience.

In addition were Township Planner Kelly VanMarter, Building Official Dennis Smith, and Fire Marshall Michael O'Brian.

A Call to the Public was made with the following response:

Boyd Buchanan – The County is one stop shop for building. Genoa township has not done due diligence. Why aren't the mechanical and electric contracts given to persons in the County? The homeowner fees will be significantly higher. The building department does not cost the taxpayers one cent. General Fund taxpayer dollars will be needed to make up for any deficit. You people are up for re-election. Do something with Conrad Road instead.

Glen Nelson – I appreciate the previous efforts, but is this effort a want or a need? The governor wants consolidation.

Dave Keller - I have heard no one speak in favor of the township building department. The county is not a problem. Why have other townships closed their building department?

Jim Rowell – 60% of permits come from professional contactors. The board represents us.

Ron Jones - Pass a resolution that the township fees will never be greater than the county.

Linda Rowell – If your fees are not high enough, the General Fund will bear the burden. At the Nov. 21<sup>st</sup> meeting the attendees thought this issue would be on the agenda. Complaints have not been validated. The county is fixing the problems. The county commissioners listened to the residents and corrected their problems.

Tom Rafferty – The last application was approved on 09/06/2011. When will you stop making applications?

Response by Supervisor McCririe – We can agree to disagree, however personal attacks in public, on blogs and Facebook are wrong. Comments in the past have been professional. The reason we are exploring a building department is customer service. We feel that Genoa Township can do the job faster, cheaper and more efficiently. We are the 53<sup>rd</sup> largest municipality in the state by State Equalized Value. 51 of those municipalities with greater S.E.V. have their own building department.

The Township cannot pass a resolution concerning fees as requested because the law won't allow it.

Mortensen – This is the time to begin a building department – when the work is slow. Consolidation is not necessarily good. Studies show that in other states costs have actually increased instead of decreased.

Wildman – This action will not cost our taxpayers anything. The purpose is to make it easier on those here tonight.

**Approval of Consent Agenda:**

Moved by Ledford supported by Wildman, to approve all items listed under the consent agenda as requested. The motion carried unanimously.

**1. Payment of Bills.**

**2. Request to approve minutes: November 21, 2011.**

**3. Request for approval of Michigan Township Associations Annual Conference budget as submitted by the Township Supervisor.**

**4. Request for approval to add line six to the bill payment policy as follows: Two representatives of the administrative committee may approve payment of any bill provided that the previously approved budget allows for remittance.**

**5. Consider reappointment of the Board of Review for 2012 as presented by Township Supervisor.**

**6. Request for approval of the following appointments that will expire on 11-20-2012:**

- **Jean Ledford to SELCRA**
- **Jean Ledford and Paulette Skolarus to SEMCOG**
- **Gary McCririe and Robin Hunt to Genoa/Oceola Sewer and Water Authority**
- **Todd Smith and Gary McCririe (alternate) to Howell Area Parks and Recreation,**
- **Robin Hunt and Gary McCririe to MHOG**
- **Paulette Skolarus to Greenways**
- **Michael Archinal to FOIA Coordinator**
- **Gary McCririe and Jim Mortensen to Brighton Fire Authority**
- **Kelly VanMarter and Paul Edwards (alternate) to Huron River-Watershed Council**
- **Steve Wildman and Jean Ledford to Election Commission**
- **John Kirsh, Jean Ledford, Todd Smith, James Mortensen, Steve Wildman to Brownfield Development**
- **Dean Tengal, Diana Lowe and Jim Mortensen to Planning Commission**
- **Chris Grajek and Steve Wildman to Zoning Board of Appeals**

**as requested by the Township Supervisor McCririe.**

**Approval of Regular Agenda:**

Moved by Skolarus supported by Mortensen, to approve for action all items listed under the regular agenda. Smith asked to be excused from discussion related to item 7 because he is the Real Estate Broker for that property. The motion carried unanimously.

**7. Request for approval to terminate the Special Land Use and Site Plan approval for Industrial Resin Recycling, Inc., 1480 Grand Oaks Drive, Howell, MI.**

Planner VanMarter – I have provided information related to the revocation of a special use permit for Industrial Resin Recycling. The conditions placed on the Special Use Permit granted by the Board on 10/04/2010 have not been met. Specifically, (a) impervious surface has not been reduced, (b) the area occupied by outside storage has increased, (c) the storage racks have increased in both quantity and height, (c) the Township did not receive a request to renew the special use by November 1, 2011, (d) the landscaping was not completed by June 1, 2011, and (e) the requirements of the Brighton Area Fire Department have not been met. Article 19, Section 19.02.04 (k) provides in pertinent part “non-compliance with the requirements and conditions approved for the Special Land Use.

Building Official Smith – I observed the following violations:

1. Impervious surface needs to be removed in order to improve drain water management.
2. Racks need to be reduced from a 12' to 8' in height. They exceed 20' in height.
3. Materials stored on the site in outside storage will should be non-toxic. Combustible junk and debris were observed throughout the property. The junk and debris consists of highly combustible materials and are considered an immediate danger.
4. Cardboard and other combustible materials were observed though-out the site with no clear control of the refuse.

Fire Inspector O'Brien – A fire lane does not remain unobstructed as required. A 55-foot turning radius for the fire trucks does not appear to be provided. Adequate address numbering is not in place. There is no fire alarm protection or portable fire extinguishers. Emergency exits are obstructed and emergency lighting is missing. Photographs were taken on my site visit and I have included photographs taken by Fire Inspector Brookins.

Bob Houston of Industrial Resin Recycling- In 120 days we can have 50% of this site improved. We are only short six maples trees with regard to the landscaping.

McCrie - You have been given years to improve the site and it only keeps getting worse.

Skolarus – Should we deny this request it will only end up in court and the court will allow them five or six months to clean up the site. I do not want to see any outdoor storage on this site. It is a sty and a fire hazard.

Mortensen – We should allow them 30 days to clean up the site with requirements for reduction of storage.

Archinal – The township staff has spent untold hours trying to resolve this issue. The burden should now be placed on the petitioner for resolution.

A call to the public was made with no response.

Attorney Mancuso - With regard to the practical options regarding the Board's decision, I suggested that the Board either (1) vote to revoke Industrial Resin Recycling's (IRR) Special Use Permit in accordance with the provisions of Article 19 of the Zoning Ordinance, or (2) vote to table with conditions item #7 until the next Board Meeting.

Moved by Hunt supported by Skolarus, to table with conditions as follows:

- All fire issues will be resolved as determined by fire inspectors;
- There will be a 20% reduction in outdoor storage each month with removal of all materials within five months;
- Necessary permits will be obtained;
- This item is tabled until the January 17<sup>th</sup> regular meeting of the board.
- Industrial Resin Recycling will provide aerial photos (to be compared with those photos submitted this evening) of work as it progresses with regard to the removal of outdoor storage

The motion carried as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen and Skolarus. Nay – McCririe.

**8. Request for approval of PUD amendment, impact assessment and site plan for a proposed 3,954 sq. ft. restaurant with a drive-thru located on Grand River Avenue west of Latson Road, Howell, MI Sec. 5, petitioned by Metro Design and Build Inc.**

A. Disposition of PUD amendment.

Moved by Ledford supported by Wildman, to approve the amendment to the PUD allowing for additional signage, additional drive-thru using internal roads, and a reduced parking ratio that was initially required for WalMart. Note: This parking is not being used within the development. In addition all cross- easements between parties will be provided. This action and all suggested revision have been approved by Frank Mancuso as depicted in the letter of Dec. 1, 2011. The motion carried unanimously.

B. Disposition of environmental impact assessment dated 10/25/2011.

Moved by Smith supported by Ledford, to approve the impact assessment with the addition of a statement that dust control measures will be used during construction. The motion carried unanimously.

C. Disposition of Site Plan.

Moved by Skolarus supported by Ledford, to approve the site plan with the following conditions:

- Review and approval by the township engineer and Brighton Area Fire authority of the final site plan;

GENOA CHARTER TOWNSHIP BOARD – Regular Meeting and Public Hearing – Dec. 5, 2012

- Access to the waste receptacles and proof of agreement will be provide to the township attorney and VanMarter;
- Solid blue Culver awnings will be used on the building.

The motion carried unanimously.

Correspondence was reviewed as well as comments received from audience members regarding the building department. No formal action was taken by the board.

The regular meeting and public hearing of the board was adjourned at 9:05 p.m.

Paulette A. Skolarus  
Genoa Township Clerk

(posted 12/06/2011)