

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
OCTOBER 9, 2012
6:30 P.M.**

AGENDA

CALL TO ORDER: The meeting of the Genoa Charter Township Planning Commission was called to order at 6:30 p.m. Present constituting a quorum were Diana Lowe, Dean Tingle, Chairman Douglas Brown, John McManus, Jim Mortensen, Barbara Figurski and Lauren Brookins. Also present were Assistant Manager, Kelly VanMarter.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Motion by Figurski to approve the agenda with the addition to name of the applicant on the agenda. Support by Lowe. **Motion carried.**

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

Linda Rowell stated that she wanted to address the Board in regard to the Master Plan with the Latson Interchange. Some people are in favor of the interchange, some in the middle and some are opposed to it. It presents us with a great opportunity for discussion with regard to how we want the Township to look. The Township could engage with focus groups including associations, bankers, realtors and homebuilders. In 2005 there was a lot of opposition to the Town Center Overlay and that went through. It was designed to look like Canton Township, she is from Plymouth and thinks that is a great place to raise kids however Ford Road is a mess. The people of Genoa Township do not want that. The focus groups do not need to be handpicked, the Township could use the website, newsletter, WHMI and the paper. There are members of the Board that are attending the Traverse City Planning Conference and in the General Session is a class on Thursday that is pretty in tune to what is going on. It is Social Equity Obligations of Planners and Planning Officials regarding planners need to solve problems with a comprehensive understanding of the real needs of those they serve, and they have the responsibility, which no one else does, to give voice to those who have none in our land use decision making. It would be great timing to take that class. Ms. Rowell stated that the Township has experts to do the planning and she is not one and in talking to the people in the community she stated that it would be great to put that out to the residents.

Chairman Brown stated that there will be public hearings that will be published showing everyone how it works.

Ms. Rowell stated that the public hearings are at the point where the Township is closer to the end and it maybe should be brought up sooner. In regards to the overlay, there were a lot of people that said they did not want it and maybe get them on the front end and not to react.

Chairman Brown stated that he liked what Ms. Rowell added. Ms. VanMarter advised that the Township holds public hearings and the Board does not need to act on it at the first meeting. The Township can have multiple hearings. Chairman Brown added that the Township could hold workshops for the public.

Mr. Mortensen advised that when Ms. Rowell was talking about Canton Township and Ford Road, the development that the Township was looking at was on Cherry Hill Road not Ford Road. It was not just Canton Township, there were also ones in Washington D.C. and Niagara on Lake, Ontario.

Mr. Tengel advised that it was not necessarily the development but the architecture of it.

Mr. Brown stated that he was not in favor of the overlay. However there are two buildings that went thru the overlay process and they turned out nice and that is due to the overlay, so it does work.

The call to the public was closed at 6:43 p.m.

OPEN PUBLIC HEARING#1... Review of a special use application, impact assessment and site plan for proposed storage of hazardous materials in above ground storage tanks within existing outdoor storage area, petitioned by Transtar Autobody Technologies.

Planning Commission disposition of petition

- A. Recommendation of Special Use Application.
- B. Recommendation of Impact Assessment dated 9-5-12.
- C. Recommendation of Site Plan dated 9-24-12.

Mike Westrick, Vice President and Charlie Fuqua, President along with Rick Coy, Jim Wxzola and Barbara Kapusniak, Site Engineer were present to represent the petitioner.

Mr. Westrick gave a company overview and a project overview showing Transtar Autobody has a great history of growth. The overall safety is quite good. The reason behind this effort is due to manual efforts to dispose of solvents. They would like to make it automated which is safer and more efficient.

Mortensen questioned the height of the fence. Mr. Westrick advised the fence is 8 feet tall and the wall is 9 ½ to 10 feet tall and the tanks are 10 feet tall. If someone is looking at the tanks from the front of the building they would not be able to see them.

Kelly VanMarter was presenting for LSL Planners. Ms. VanMarter summarized the planner's letters. The applicant is aware that they require two variances for their tank sizes and setback from the building from the Zoning Board of Appeals. It was noted that the applicant must obtain any outside permits that may be required in accordance with Township Ordinance Section 13.07.05 and provide all documentation of compliance with federal and state regulations.

Landscaping information was not provided. It is heavily wooded, however there were no details included. Mr. Mortensen agreed that there is no need for a buffer zone. Tengal stated that the property lines do need to be shown on a site plan to verify that they are on Transtar's property. Ms. VanMarter agreed that the landscaping on the south side is sufficient.

The waste receptacle that is on site needs to be relocated and/or put in an enclosure. It can not be visible from a public street or a masonry enclosure is needed. Mr. Westrick stated that they could move the receptacle to the rear of the building where it can not be seen from any public street. The Planners were unable to determine if the lighting met the Township Ordinance due to details not being submitted.

Ms. VanMarter stated that the applicant provided a truck turning movement template. It showed that the truck would have to stop on Heiserman Drive. Mr. Westrick stated that Transtar is the only property using Heiserman Drive and is located on their property. Mr. Mortensen stated that they would need to have a site plan showing that Heiserman Drive is located on Transtar's property. Ms. VanMarter stated that the Livingston County Road Commission would have information on Heiserman Drive and if it was dedicated or not.

Ms. VanMarter stated that the Engineer has requested that an as-built plan be provided when the project is complete.

There was discussion on amending the Township Zoning Ordinance as this is the Township's second request in regards to the tank being larger than 300 gallons which is allowed in the ordinance now.

Mr. Tengal questioned why the tanks need to be set close to the building in regards to the 75 foot setback variance that the applicant will be asking for at the Zoning Board of Appeals. Mr. Westrick replied that the Fire Department requested that the tanks be located 10 feet from the building. If the tanks had to be located 75 feet from the building, pipes would have to be run to the tanks.

The tanks are double walled and the containment system is curbed and can handle the largest tank if there were to be an issue. It was demonstrated to get into the containment yard someone would have to drive over the curb and down into the yard. Mr. Tengel questioned how long it would take for a tanker to get to the facility to pump if there was a leak. Mr. Westrick stated that should be within one day.

The applicant explained the underground drainage system that is in place at the site. If there is water in the tank, it is sent to an analytical department and tested before it is released into the retention pond.

A call to the public was made at 7:37 p.m. with the following response: Terry Croft- I am a retired fire marshal and this is an improvement. He stated that the Brighton Area Fire Department will get it straightened out and will do a good job. They are trying to make their operation safer and this should be encouraged. The call to the public closed at 7:39 p.m.

Motion by Mortensen to recommend to the Township Board approval of the special use application for Transtar Autobody Technologies to construct 6 solvent tanks with 4 at 3,500 gallons and 2 at 5,000 gallons for containment, subject to:

1. Township Board approval of Impact Assessment and Site Plan.
2. Approval by Zoning Board of Appeals for tank size and setback. The Planning Commission recommends approval due to the following:
 - a. Tanks improve the safety by virtually eliminating storage on site and in the building.
 - b. The practical difficulty for the setback is that transmission lines would have to be put underground with further safety complications.

The Planning Commission finds that this proposal by the applicant is consistent with Special Use conditions in section 19. 03 of the Township Zoning Ordinance and moreover is consistent with uses in the area which is presently zoned Industrial.

Support by Lowe. Motion carried unanimously.

Moved by Figurski to recommend to the Township Board that the Impact assessment be approved with the addition of PIP materials and subject to Township Board approval of the Special Use and Site Plan and Zoning Board of Appeals approval of the variances. Support by Mortensen. Motion carried unanimously.

Motion by Mortensen to recommend to the Township Board approval of the Site Plan dated September 24, 2012, subject to:

1. Township Board approval of Special Use Application and Site Plan;
2. Zoning Board of Appeals approval of the two variances that are required;
3. Documentation provided to Township staff verifying that the wooded area to the North is on Transtar's property and verifying that Heiserman Drive is available for continued use by applicant;
4. Engineer requirements in their September 28, 2012 review letter will be met;
5. Brighton Area Fire Department requirements in their September 25, 2012 will be met;
6. Waste Receptacle will be moved to the loading dock area and shown on revised site plan prior to Township Board meeting. An enclosure will not be required;
7. Submit proof to Township staff that the lighting meets the ordinance;
8. Copies of permits from outside agencies will be given to the Township.

Support by Tengel. Motion carried unanimously.

Administrative Business:

- *Staff report*
- *Approval of August 13th, 2012 Planning Commission meeting minutes. **Motion** by Figurski to approve the minutes with corrections. Support by McManus. **Motion carried unanimously.***
- *Member Discussion*

Adjournment. **Motion** by McManus to adjourn the meeting. Support by Brookins. **Motion carried unanimously.** Meeting adjourned at 8:00 p.m.