

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
AUGUST 11, 2014
6:30 P.M.
MINUTES**

CALL TO ORDER: The meeting of the Genoa Township Planning Commission was called to order at 6:30 p.m. Present were Chairman Doug Brown, Eric Rauch, Diana Lowe, John McManus, James Mortensen, and Barbara Figurski. Also present were Michael Archinal, Township Manager, and Brian Borden of LSL Planning. Township Attorney, Frank Mancuso Jr., was also present.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Diana Lowe moved to approve the agenda as amended to include a work session. The motion was supported by John McManus. **Motion carried unanimously.**

WORK SESSION: A general discussion regarding the Timbergreen amendment was held.

CALL TO THE PUBLIC: No one wished to address the Planning Commission.

OPEN PUBLIC HEARING #1... Review of a proposed amendment to the Timbergreen planned unit development (PUD) site condominium and agreement for the property located at 3800 Chilson Road, Howell, Michigan 48443, petitioned by Chestnut Development.

The amendment would delete two building lots from the site condominium, allow construction of a single 6,000 square foot accessory building and reduce the minimum house size to 2,500 square feet.

Steve Gronow addressed the Planning Commission. He provided copies of the original C-3 to the Planning Commission members. James Mortensen held a discussion with the petitioner for the purpose of refreshing his memory as to what has transpired to this point.

Chairman Brown discussed the PUD agreement and the letter from the Township Attorney, Frank Mancuso, Jr., dated July 25, 2014. There is a reference to a second amendment. The petitioner indicated this is the only amendment. There is no second amendment. That should be corrected. The name of the Township should be corrected as well. The references to C-3 should be corrected to include the date of the C-3 being referenced. The first should be dated 9/30/03 and the second should be dated 10/3/03. The petitioner indicated that should actually read 8/11/14.

Chairman Brown indicated that someone should clean up the language of the PUD agreement so that any reader would be able to understand what is being included and excluded at this point in time along with a brief explanation of why it is being included or excluded. Attorney Mancuso indicated that he would prefer that the paragraph indicate the changes and outline them succinctly. He is willing to work with the petitioner's attorney to clean up the language.

James Mortensen inquired whether the setbacks had changed. The petitioner indicated that the homes will fit within the envelope sufficiently. There are two changes in building sizes. Mr. Mortensen asked the petitioner if he could provide to the Township a drawing that overlays the old plan with the new plan, but the changes should be outlined in red.

The petitioner showed the Planning Commission where the new 6,000 foot building would be built. The width of the drive was discussed. The petitioner was told it must be able to accommodate emergency vehicles. Attorney, Frank Mancuso, Jr., indicated that an easement will be required. The petitioner indicated he would like a secondary access road.

The petitioner indicated parcels C, D, and E were 17 on the old PUD. This will be cleared up in future paperwork.

Township Attorney, Frank Mancuso, Jr., indicated he was unable to confirm that the legal description was correct for what was being discussed tonight. Chairman Brown indicated that the barn will require site plan review.

Chairman Brown reminded the Planning Commission that the pole barn would not be seen by anyone, so he has no objection to the pole barn. Township Attorney Mancuso indicated that the plan review should outline that an exception is being made and the reason for it. Chairman Doug Brown concurred.

Attorney Mancuso indicated there will be an amendment to the Master Deed. It is necessary for the access easement. The schedule of values will change, as well. The amendment to the Master Deed would need approval by the Township. The Master Deed provided was that which was recorded in 2004 or 2005. This was provided for informational purposes. He is willing to work with the petitioner's attorney on that.

Chairman Brown opened the hearing to the public. Al and Debbie, who reside across the street from the petitioner, indicated they are happy with the discussions they've heard this evening.

Brian Borden addressed the Planning Commission. He addressed the zoning. The Township Attorney believes the underlying zoning in the PUD is now zoned RR rather than CE. It was re-classified due to density issues. The PUD agreement will need a provision in it to allow an accessory building of this size. Chairman Brown indicated that the reasoning for the reclassification should be outlined in the PUD.

Planning Commission disposition of petition

- A. Recommendation of PUD Agreement Amendment.
- B. Recommendation of PUD Site Plan.

Motion by James Mortensen to recommend to the Township Board approval of amendment one, to the PUD Agreement dated December 15, 2005, for Timbergreen to provide a reduction in the square footage of two story homes from 3,000 square feet in the original agreement to 2,500 square feet and the creation of a 2,000 square foot minimum building requirement for one story homes. This is subject to mutually agreed upon language between the developer and Township Attorney. This motion is made because the petitioner convinced the Planning Commission that the real estate market has changed. Support by John McManus. **Motion carried unanimously.**

Motion by James Mortensen to table the remaining items of the proposed amendment in the Timbergreen agreement dated December 15, 2005 until the Planning Commission meeting September 8, 2014. Support by Diana Lowe. **Motion carried unanimously.**

Motion by John McManus to table the Site Plan approval until the September 8, 2014 Planning Commission meeting. Support by Eric Rauch. **Motion carried unanimously.**

Administrative Business:

- *Staff report. Michael Archinal gave a staff report. Kelly VanMarter returned to work today.*
- *Approval of July 14, 2014 Planning Commission meeting minutes. **Motion** by Barbara Figurski to approve the minutes of the July 14, 2014 meeting. Support by Diana Lowe. **Motion carried unanimously.***
- *Member discussion. Michael Archinal suggested a workshop to discuss the packets.*
- *Adjournment. **Motion** by John McManus to adjourn. Support by Barbara Figurski. **Motion carried unanimously.***