

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
FEBRUARY 9, 2015
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, James Mortensen, Barbara Figurski, Eric Rauch, Diana Lowe, Chris Grajek, and John McManus. Also present was Kelly VanMarter, Township Community Development Director and Assistant Township Manager.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Mr. Brown indicated there was a need to add a work session to this evening's meeting. Ms. Figurski moved to amend the agenda, adding a work session to immediately follow and changing public hearing #2 to a "request to table" as recently requested by the petitioner RG Properties. The motion was supported by Ms. Lowe. **Motion carried unanimously.**

WORK SESSION: Chairman Brown indicated that Mr. Grajek has identified a potential conflict of interest with the DeWitt Radiator petition. The Township attorney was consulted and provided input, which needs to be discussed. Section 7.1 in Township bylaws provides declaration of conflict, which shall be determined by the commission and includes financial interest or reasonable reason to believe conflict of interest exists.

Mr. Grajek identified himself as an officer for First Merit Bank who provided an appraisal for the loan involved in the DeWitt Radiator project and stated that in the event there is any perception at all of conflict of interest, that the board recuse him of participation in this agenda item. There is familiarity of the project and perceived advantage gained might exist.

Mr. Brown read information on common law, quoting an attorney general's opinion from 1977-78, stating there shall be no abuse of the public trust. Mr. Brown believes Mr. Grajek should be recused of this project. Mr. Grajek indicated that the perception is there and there is no down side in recusing. Mr. Brown asked that the Commission vote.

Ms. Lowe moved to recuse Mr. Chris Grajek of the DeWitt Radiator agenda item. Seconded by Mr. Mortensen. **Motion carried unanimously.**

In accordance with the bylaws of the Planning Commission, Mr. Grajek agreed to be absent from the room during discussion of the project.

CALL TO THE PUBLIC: A call to the public was made.

Mr. Tom DeWitt of Grand Oaks Drive indicated that a possible special assessment might be considered regarding the Grand Oaks Drive. Mr. Mortensen indicated that the

property owners might be contacted in the near future regarding that project as the project is being discussed. Ms. VanMarter indicated a meeting occurred about a month ago with the Livingston County Road Commission and there is work being done to bring costs down and to move forward. The property owners will be contacted as soon as the project details are known. Mr. DeWitt indicated that the Grand Oaks community became aware of the possibility of a special assessment some time ago and the delay might cause a negative response from property owners. Ms. VanMarter indicated that she would be happy to talk further with Mr. DeWitt as the Planning Commission does not oversee this function.

No one further was present to address the Commission and the call to the public was closed.

OPEN PUBLIC HEARING #1... Review of site plan and environmental impact assessment for a proposed 4,661 sq. ft. addition for enclosed storage, located at 1275 Grand Oaks Drive, Brighton, Michigan 48116, parcel # 4711-08-101-015. The request is petitioned by DeWitt Radiator.

Mr. John Stewart, project architect from 1645 Milford Rd, Milford, Michigan addressed the Planning Commission on behalf of the petitioner. The petitioner is interested in adding storage with some assembly taking place in the space. An additional barrier-free parking space is being added and an exact match of the current exterior materials is being used. Dumpsters are out of view. No new signage is anticipated. No additional landscape is anticipated at this time. The project is at the rear of the building, not impacting visuals of the property. Mr. Stewart stated that Deputy Chief Mike Evans walked through the building and asked for an additional access drive in the back and that was agreed to along with all other fire related requests.

Mr. Brown indicated that Planner Mr. Borden indicated in his review that additional plantings might benefit the property, along the frontage. Mr. Stewart indicated that trees are already present along the south. Because of the scope of the project, a small addition in the back, updating the entire site with landscaping did not seem to be a necessity. Mr. Brown indicated that the zoning ordinance calls for plantings and that the commission has to be careful about what they approve because they need to be in keeping with the ordinance. Mr. Stewart asked how a small project in the back of the property affects the entire site? Mr. Brown indicated that the ordinance has grown and the interest in a quality community has grown and we are trying to make improvements in that direction for the sake of everyone in the township.

Mr. Brown asked why the project was categorized as site plan review and not sketch plan. Ms. VanMarter indicated that the project falls under the classification of a site plan because the project affects more than 10% of the property. Had the request been for outdoor storage, a special land use permit would have been required. Mr. Mortensen stated that the scope of the project only calls for squaring off an L-shaped building. Mr. McManus indicated that squaring off the building is an improvement of the property. Mr. Stewart indicated the current area is a concrete slab and was used by a previous owner as outdoor storage.

Mr. Mortensen indicated that the request is such a minor change to the property, it seems unnecessary to impose the landscaping requirement. Mr. Rauch indicated that no aesthetic opportunity is being proposed as part of the project. Mr. Stewart indicated that the parking lot is adequately striped. Mr. Mortensen asked about dumpsters. Where is it? Is it enclosed? Mr. Stewart indicated that the dumpster is enclosed on three sides and that it is below the surface of the ground. The dumpster is difficult to see from the north because of a change in elevation and grade.

A call to the public was made with no response.

Planning Commission disposition of petition

- A. Recommendation of Environmental Impact Assessment. (01-09-15)
- B. Disposition of Site Plan. (11-19-14)

Ms. Figurski moved to recommend approval of the environmental impact assessment dated January 9, 2015, saying that a notation about the barrier free parking spot should be added to the impact assessment. Seconded by Mr. McManus. **Motion carried unanimously.**

Mr. Mortensen moved to approve the site plan dated November 19, 2014 for a proposed 4,661 sq. ft. addition for enclosed storage, located at 1275 Grand Oaks Drive, Brighton, Michigan, subject to the following:

1. The building materials of the expansion will match the existing building.
2. One additional barrier free parking space will be provided.
3. The existing dumpster will continue to be in the truck loading dock which is below grade.
4. The requirements of the township engineer as specified in his letter dated January 30, 2015 and the requirements of the fire department in their letter dated February 5, 2015 will be complied with.
5. The landscaping as presently existing will continue, although non-conforming this Commission finds that the changes to the site are minor enough and at the rear of the building thus not requiring a revision to the landscaping.

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

OPEN PUBLIC HEARING #2... Request to table site plan, environmental impact, and PUD amendment for a proposed redevelopment of an existing outparcel to demolish the existing Bennigan's Restaurant and construct a new 12,000 sq. ft. multi-tenant building, located at 3950 E. Grand River Avenue, Howell, Michigan 48443, parcel # 4711-05-400-047. The request is petitioned by RG Properties, Inc.

Planning Commission disposition of petition

- A. Table request to March 9, 2015 meeting.

Mr. McManus moved to table open public hearing item #2 at the request of the petitioner. Supported by Lowe. **Motion carried unanimously.**

Administrative Business:

- *Staff report – The Annual Report of the Planning Commission for 2014 is available in the packet, as required by the Michigan Planning Enabling Act. A Grand River Office Complex might appear on the March agenda. The Livingston Commons Lot 4 redevelopment will potentially return as well.*
- *Approval of January 12, 2015 Planning Commission meeting minutes. Mr. Mortensen indicated that his intent was not to require the building of a ramp but that in his motion he indicated compliance with the engineer letter which required a ramp. Mr. Mortensen would like the minutes to be modified to indicate no inclusion of a ramp. Ms. Figurski moved to approve the minutes as amended and excluding the pedestrian ramp. Supported by Mr. McManus.
Motion carried unanimously.*
- *Member discussion*
- *Adjournment occurred at 7:21 p.m.*