

GENOA CHARTER TOWNSHIP BOARD

Regular Meeting and Public Hearing

May 4, 2015

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Township Board to order at 6:30 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Jim Mortensen, Todd Smith and Jean Ledford. Also present were: Township Manager Michael Archinal; Township Attorney Frank Mancuso; Township Assistant Manager Kelly VanMarter; and 10 persons in the audience.

A Call to the Public was made with no response.

Approval of Consent Agenda:

Moved by Smith and supported by Hunt to approve all items under the consent agenda and move approval of the Minutes to the regular meeting for approval. The motion carried unanimously.

1. Payment of Bills.

Approval of Regular Agenda:

Moved by Ledford and supported by Mortensen to approve for action all items listed under the regular agenda with the addition of Item No. 2 from the consent agenda. Further, adding a request from the Livingston County Road Commission allowing for a limestone improvement to McClements Road. The motion carried unanimously.

2. Request to Approve Minutes: April 20, 2015

Moved by Smith and supported by Ledford, to amend the April 20, 2015 Minutes deleting the note related to the Election Commission and who can vote on that board. The motion carried unanimously.

3. Public hearing on the Northshore Development Road Improvement Project.

A. Call to the Public was made with the following response: Kevin Eves – The road seems to be in good condition, why is this being done. McCririe – We were approached by the homeowners association for this project. Archinal – The work is being done on the west driveway.

B. Request for approval of Resolution No. 3 [Approving the project, cost estimates, special assessment district and causing the special assessment roll to be prepared.]

Moved by Mortensen and supported by Ledford to approve Resolution No. 3 as requested. The motion carried by roll call vote as follows: Ayes, Ledford, Smith, Hunt, Mortensen, Skolarus and McCririe. Nay – None. Absent – Rowell.

C. Request for approval of Resolution No. 4 [Acknowledging the filing of the special assessment roll, scheduling the second hearing, and directing the issuance of statutory notices.]

Moved by Mortensen and supported by Smith to approve Resolution No. 4 as requested. The motion carried by roll call vote as follows: Ayes, Ledford, Smith, Hunt, Mortensen, Skolarus and McCririe. Nay – None. Absent – Rowell.

4. Request for approval of a rezoning (Ordinance Z-15-01), PUD agreement amendment, site plan, and environmental impact assessment for a proposed 3,848 sq. ft. Red Olive Restaurant, located at 3838 E. Grand River Avenue, Howell, Michigan 48443, # 4711-05-400-025. The request is petitioned by PKJJ, LLC.

A. Public hearing and adoption of Ordinance Z-15-01 to rezone parcel 4711-05-400-025 from Regional Commercial District (RCD) to Non-Residential (NR-PUD).

A call to the public was made with no response. Moved by Hunt and supported by Smith to approve the rezoning as requested that is compatible with the PUD of neighboring properties and complies with the criteria stated in Sections 10.02.04 and 22.04 of the Zoning Ordinance. The motion carried by roll call vote as follows: Ayes, Ledford, Smith, Hunt, Mortensen, Skolarus and McCririe. Nay – None. Absent – Rowell.

B. Disposition of PUD Agreement Amendment dated March 12, 2015.

Moved by Smith and supported by Ledford to approve the Planned Unit Development agreement amendment as requested as it relates to the Red Olive project with review by the township attorney. Further, the PUD agreement shall be recorded on the subject parcel at the Livingston County Register of Deeds. The motion carried unanimously.

C. Disposition of Environmental Impact Assessment dated April 25, 2014.

Moved by Smith and supported by Skolarus to approve the impact assessment dated 04/25/2015 as requested. The motion carried unanimously.

D. Disposition of Site Plan dated April 29, 2015.

Moved by Skolarus and supported by Ledford to approve the site plan with the following conditions: 1. the applicant shall endeavor to the best of their abilities to provide written authorization from the property to the east to allow for the trees to be planted within the ingress/egress easement to the east. If unable to secure approval, the applicant will work with Township Staff to locate the proposed plantings elsewhere on the property. 2. The applicant

shall comply with the requirements of the MHOG Utility system prior to the issuance of a Land Use Permit. The motion carried unanimously.

5. Request for approval of PUD agreement amendment, environmental impact assessment, and site plan for the proposed redevelopment of an existing outparcel to create two (2) outlots and construct a 4,283 sq. ft. restaurant building for Panera Bread, located at 3950 E. Grand River Avenue, Howell, Michigan 48843, parcel # 4711-05-400-047. The request is petitioned by RG Properties, Inc.

Moved by Smith and supported by Skolarus to table the petition until the next regular meeting of the Board to allow for a modification of the façade without any change to the footprint or interior design of the facility. The motion carried as follows: Ayes – Ledford, Smith, Hunt, Skolarus and McCririe. Nay – Mortensen. Absent - Rowell

6. Request for approval of a special use, environmental impact assessment, and sketch plan for proposed outdoor storage, sales, and display, including mulch, landscape supplies, and brick pavers, located at 7949 W. Grand River, Brighton, Michigan, parcel # 4711-13-400-025. The request is petitioned by Nelligan’s Outdoor Services.

A. Disposition of Special Land Use Permit.

Moved by Smith and supported by Ledford to approve the Special Use Permit dated 04/30/2015 with the following conditions:

- The special use permit will be granted for a period of one-year with the ability for township staff to issue renewals if the site remains in compliance. Further, this will be accomplished without a fee charge.
- The display in front shall be permitted subject to the review and approval of Township staff to ensure that the design doesn’t violate Township ordinances and is small and attractive.
- The applicant shall agree that upon termination of their lease or occupancy of the site, the display must be removed.
- At no time shall any materials located within the rear storage area exceed the height of the brick screen wall.
- The petitioner will ensure that there will be no blowing and/or other dispersing of dust or other materials into neighboring properties.
- Trucks delivering materials to the site will arrive at the Grand River entrance and depart on the Hacker Road entrance.
- Signage will be within Township ordinance and will require Township approval.

The motion carried unanimously.

B. Disposition of Environmental Impact Assessment dated April 09, 2015.

Moved by Smith and supported by Hunt to approve the impact assessment as submitted. The motion carried unanimously.

C. Disposition of Sketch Plan dated April 9, 2015.

Moved by Ledford and supported by Hunt to approve the Sketch Plan as submitted with the following conditions:

- The applicant shall obtain a tenant build-out permit for their occupancy of the site within 7 days of this approval.
- The applicant understands that where authorized by ordinance, a sign permit is required for all signs on the property.
- The applicant will work with Township staff to address the requirements of the Township Engineer in the letter dated April 22, 2015.

The motion carried unanimously.

7. Consideration of a request from the Livingston County Road Commission for financial support for the improvement to McClements Road between Hacker Road and the township line for addition of limestone.

Moved by Skolarus and supported by Mortensen to allow an agreement with the L.C.R.C at an estimated cost (estimated at \$17,000.00) not to exceed \$18,000.00 in accordance with correspondence from Steve Wasyk of the road commission dated 04/30/2015. The motion carried unanimously.

Correspondence was reviewed. At the recommendation of Township Attorney Mancuso the township took no formal action with regard to Mr. Bud Clark's submission.

8. Request to enter into a closed session to discuss pending litigation pursuant to MCL 15.268 § 8 (e).

Moved by Skolarus and supported by Ledford, to enter into closed session at 7:20 p.m. to discuss pending litigation. The motion carried by roll call vote as follows: Ayes, Ledford, Smith, Hunt, Mortensen, Skolarus and McCririe. Nay – None. Absent – Rowell.

The regular meeting was re-opened 7:37 p.m. and then adjourned with no further action taken by the board.

Paulette Skolarus, Clerk
Genoa Charter Township