

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
July 11, 2016
6:30 P.M.
MINUTES**

CALL TO ORDER: The meeting of the Genoa Charter Township Planning Commission was called to order at 6:30 p.m. Present were Chairman Doug Brown, Barbara Figurski, James Mortensen, Chris Grajek, and Eric Rauch. Absent were Diana Lowe and John McManus. Also present was Kelly VanMarter, Community Development Director/Assistant Township Manager, Brian Borden of LSL Planning, Gary Markstrom of Tetra Tech, and an audience of 15.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA: **Moved** by Commissioner Figurski, seconded by Commissioner Mortensen, to approve the agenda as presented. **The motion carried unanimously.**

CALL TO THE PUBLIC: The call to the public was made at 6:32 pm with no response.

OLD BUSINESS:

OPEN PUBLIC HEARING #1...Review of special use applications, impact assessment, and site plan for proposed 9,200 square foot contractor's office, warehouse, and storage yard. Special land use approvals are requested for outdoor storage, storage of hazardous materials, and grading activities within 25 feet of natural features setback. The property is located on the east side of Victory Drive, south of Grand River Avenue, on vacant Parcel #11-05-303-025. The request is petitioned by Seaside Seawalls.

Planning Commission Disposition of Petition:

- A. Recommendation of Special Use Application – Outdoor Storage
- B. Recommendation of Special Use Application – Storage of Hazardous Materials
- C. Recommendation of Special Use Application – Grading Activities within 25 feet of Natural Features Setback
- D. Recommendation of Impact Assessment (6-22-16)
- E. Recommendation of Site Plan (6-22-16)

Mr. Aaron Wallace of Seaside Seawalls and Brent LaVanway, of Boss Engineering were present.

Mr. LaVanway stated they feel they have addressed the items noted at last month's Planning Commission meeting. The architect did not have time to revise the note on the plans to state "display area / waiting room". Also, the emergency spillway details

have not been added on the site plan yet. They agree to the additional plantings as requested by the planner.

He described the outdoor storage area. They will have a Dumpster, material that will be stored in bins, fuel storage, and a parking area for vehicles to park while fueling. They have added a narrative to Sheet #3 to explain the material and fuel storage.

Chairman Brown does not feel that the "No Exposure" form that was submitted satisfies the requirement of submitting a PIP plan. This is a requirement of the Township. Mr. Borden agrees. Mr. Wallace stated that he contacted an environmental consultant who wanted to charge \$4,000 to develop a PIP plan and advised that the "No Exposure" form he submitted could be used. Ms. VanMarter stated there is a section of the ordinance that explains what items need to be included in the PIP plan. Mr. Borden stated that there is no professional certification need for a PIP plan. He believes this is something that the applicant can complete himself as much of the information he has already submitted can be used to answer the questions noted in the ordinance section cited by Ms. VanMarter.

Mr. Borden has no other outstanding items.

Mr. Markstrom stated all of his outstanding items have been addressed.

Chairman Brown noted there is still information needed by the Brighton Area Fire Authority. Mr. LaVanway stated this information has been included in the narrative on the site plan; however, he will follow up with the Fire Authority.

The call to the public was made at 6:55 pm with no response.

Moved by Commissioner Mortensen, seconded by Commissioner Figurski, to recommend to the Township Board approval of the Special Use Application for outdoor storage for Seaside Seawalls with the following conditions:

- The outdoor storage will be consistent with the ordinance in terms of the height permitted above the screening.
- Approval by the Township Board of the Site Plan and Impact Assessment.

This motion is made because outdoor storage is consistent with Section 19.02 of the Township Ordinance and consistent with activity at the nearby properties in the industrial zone.

The motion carried unanimously.

Moved by Commissioner Mortensen, seconded by Commissioner Grajek, to recommend to the Township Board approval of the Special Use Application for storage of hazardous materials as depicted on the Site Plan for Seaside Seawalls with the following conditions:

- A PIP Plan shall be prepared as required by Township Ordinance prior to submission to the Township Board and subject to review and approval by Township Staff.
- Approval by the Township Board of the Site Plan and Impact Assessment.

This motion is made because outdoor storage is consistent with Section 19.02 of the Township Ordinance and consistent with activity at the nearby properties in the industrial zone.

The motion carried unanimously.

Moved by Commissioner Mortensen, seconded by Commissioner Rauch, to recommend to the Township Board approval of the Special Use Application for grading within 25 feet of natural features setback with the following conditions:

- The area that is graded will be returned to its natural condition.
- Approval by the Township Board of the Impact Assessment and Site Plan.

This motion is made because outdoor storage is consistent with Section 19.02 of the Township Ordinance and consistent with activity at the nearby properties in the industrial zone.

The motion carried unanimously.

Moved by Commissioner Grajek, seconded by Commissioner Mortensen, to recommend to the Township Board approval of the Impact Assessment with a revision date of 6/22/16 for Seaside Seawalls. **The motion carried unanimously.**

Moved by Commissioner Mortensen, seconded by Commissioner Figurski, to approve the Site Plan dated 6/22/16 for Seaside Seawalls with the following conditions:

- The following open items can be written on the Site Plan for review and approval by Township Staff prior to submission to the Township Board.
 - Indication of “Showroom and Customer Waiting Room”
 - Two emergency spillway locations on Sheet #4
- Shrubbery will be added as requested by LSL Planning with review and approval by Township Staff prior to submission to the Township Board.
- The colors and materials as presented in the rendering this evening are acceptable to the Planning Commission and will become the property of the Township.
- Any signs proposed will require a sign permit prior to installation.
- The requirements of the Brighton Area Fire Authority’s letter dated 6/29/16 shall be complied with.
- Approval by the Township Board of the Special Use Applications and Impact Assessment.

The motion carried unanimously.

OPEN PUBLIC HEARING #2...Review rezoning application and impact assessment to rezone approximately 64 acres from RR and PRF to CE for the following parcels: #11-12-100-007, 008, 010, 011, 012, 013. The parcels are located on the east side of Euler Road, south of McClements Road, Brighton. The request is petitioned by Joyce Oliveto.

Planning Commission Disposition of Petition:

- A. Recommendation of Rezoning
- B. Recommendation of Impact Assessment (6-22-16)

Ms. Joyce Oliveto, the property owner, and Mr. Brent LaVanway of Boss Engineering were present. Mr. LaVanway stated there are five parcels, totaling 64 acres, that they would like to be rezoned. One parcel is zoned RR and the other four are zoned PRF. The purpose of this request is the ability to have horses on these parcels and that is only allowed in the CE zoning district.

Mr. Borden stated that the RR zoned property is currently consistent with the Master Plan; however, the PRF zoned properties are not. They are master planned for 2 acre parcels and CE is five acres so the impact would potentially be less, but in the CE zoning, the keeping of horses as well as some agricultural uses that are permitted could be impactful to nearby single-family residences.

Commissioner Mortensen feels this zoning is a natural progression of zoning in this area. Additionally, there is CE zoning to this south of these parcels.

Ms. VanMarter advised that the owner of Parcel C would like to be included in the rezoning; however, it would need to be done separately because it was not included in this application and was not in the public notice. If the Planning Commission would like to include Parcel C in this application, then it would need to be tabled this evening and then resubmitted. Otherwise, the owner of Parcel C would need to submit his own application.

Ms. Oliveto stated she would like to move forward with her application as it is this evening.

Mr. Markstrom did not find any engineering issues regarding site drainage or water and sewer utilities that would arise from this change in zoning.

Chairman Brown stated that the Brighton Area Fire Authority has no issues with the rezoning.

The call to the public was made at 7:23 pm.

Mr. Rob Russell, whose home is directly adjacent to Parcel F, is concerned with the odor that can be caused by horses. It can spill onto his property and affect his property values. Commissioner Grajek noted that there is currently CE zoning to the south of the properties that are requesting to be rezoned. Ms. VanMarter stated there is a large wetland close to the lot line so no activity would be able to be done within 25 feet of it as it is a protected wetland by the DEQ. She noted that there are also regulations by the State to ensure that these types of uses do not negatively affect neighboring properties.

The call to the public was closed at 7:33 pm.

Moved by Commissioner Mortensen, seconded by Commissioner Rauch, to recommend to the Township Board approval of the rezoning of the properties depicted on the site plan with a revision date of 6/27/16 from PRF and RR to CE. This recommendation is made because the Planning Commission finds that it is consistent with the property to the south and further to the north of the subject properties. **The motion carried unanimously.**

Moved by Commissioner Figurski, seconded by Commissioner Mortensen, to recommend to the Township Board approval of the Impact Assessment dated 6/22/16 conditioned upon Township Board approval of the rezoning. **The motion carried unanimously.**

OPEN PUBLIC HEARING #3...Review of an impact assessment and site plan for a proposed parking lot expansion and carport structure located at the rear of the Livingston County complex located at 2300 E. Grand River, Howell. The request is petitioned by Livingston County Building Department.

Planning Commissioner Disposition of Petition:

- A. Recommendation of Impact Assessment (6-1-16)
- B. Disposition of Site Plan (6-22-16)

Mr. Brent LaVanway of Boss Engineering, and Mr. Rick Swanson, the Deputy Building Official, were present.

Mr. LaVanway stated they are proposing a small expansion to the rear of the complex, consisting of 24 spaces with carports. They will mill and resurface the parking lot and update the lighting to LED. They will also be removing 400 feet of the six-foot wooden privacy fence and replacing it with eight-foot vinyl fencing. They presented samples of the material proposed for the carport.

Mr. Borden reviewed his letter dated 9/29/16. He would like to see calculations for the number of parking spaces because if it is over the 120% allowed, it will need Planning Commission approval. Mr. Swanson stated the additional parking is definitely needed at this complex. Mr. LaVanway stated the required parking is 340 spaces and they currently have 430, which is already in excess of the 120%. Commissioner Mortensen stated that if the applicant feels they need the parking, it should be approved.

The proposed Dumpster is located within an easement; however, the applicant has stated they have received approval from the Livingston County Drain Commissioner for it to be placed here. Mr. Markstrom stated that there is a force main in this area and he wants to ensure that when installing the foundations for the Dumpster pad, they are not hit. He suggested relocating the enclosure somewhere out of the easement. Mr. Swanson stated he will address this to see if it can be relocated.

The call to the public was made at 7:52 pm with no response.

Moved by Commissioner Figurski, seconded by Commissioner Rauch, to recommend to the Township Board approval of the Impact Assessment dated 6/1/16 for the Livingston County Building Department for 24 parking spaces, including carports. **The motion carried unanimously.**

Moved by Commissioner Mortensen, seconded by Commissioner Grajek, to approve the Site Plan dated 6/22/16 for a parking expansion for the Livingston County East Complex with the following conditions:

- The colored renderings submitted this evening are acceptable and will become the property of the Township.
- The parking, while more than 20% in excess of the Township Ordinance, is deemed to be appropriate due to the nature and intentions of the business conducted on the site by the County.
- The location of the Dumpster will be subject to further review and approval by the Township Engineer prior to the issuance of a Land Use Permit.

- The petitioner will provide to Township Staff a copy of the approval from the Genoa Oceola Sewer and Water Authority for the placement of the Dumpster enclosure if it is not relocated.
- The issues raised in the Brighton Area Fire Authority's letter of 6/28/16 shall be complied with.

The motion carried unanimously.

OPEN PUBLIC HEARING #4... Review of an impact assessment and site plan for a parking lot addition for new vehicle parking at the existing Bob Maxey Ford located at 2798 E. Grand River, Howell. The request is petitioned by SRM Associates, LLC.

Planning Commission Disposition of Petition:

- A. Recommendation of Impact Assessment (6-22-16)
- B. Disposition of Site Plan (6-22-16)

Mr. Mike Maxey was present. They would like to expand their parking lot to the west on undeveloped property to have more new-car inventory on site. It is proposed to be gravel.

Mr. Borden reviewed his letter of 6/30/16. This is an opportunity for the Planning Commission to require additional improvements on the site.

He wanted to advise the applicant that they are approaching the maximum impervious surface coverage allowed for this site.

He would like more details to ensure that the buffer zone requirements to the south, north, and west of the site are met. He is suggesting a screen wall to the north and west of the property. Mr. Maxey presented pictures showing the existing vegetation and landscaping to the south. Mr. Borden feels this is sufficient. With regard to the screening to the north and west, Mr. Maxey stated he will be putting new cars in this area so he does not want to put up a fence or wall as he would like to show his inventory. Additionally, he showed pictures of the condition of the rear of the property to the west. He does not want to spend a lot of money on landscaping in this area. Commissioners Mortensen and Grajek agree.

Mr. Markstrom stated that the parking lot is draining into a fore bay and could cause erosion problems for the applicant. He has no other outstanding issues.

Mr. Maxey advised he will address the issues of the Brighton Area Fire Authority's letter dated 6/28/16.

The call to the public was made at 8:23 pm with no response.

Moved by Commissioner Figurski, seconded by Commissioner Mortensen, to recommend to the Township Board approval of the Impact Assessment dated 6/22/16 for Bob Maxey Ford with the following conditions:

- The number of parking spaces should be changed from 146 to 141.
- The Township Board shall approve a gravel parking lot and approval of the Impact Assessment is tied to the Board's approval of the Site Plan.

The motion carried unanimously.

Moved by Commissioner Mortensen, seconded by Commissioner Grajek, to approve the Site Plan for a parking lot addition for Bob Maxey Ford dated 6/22/16 with the following conditions:

- Acknowledgement by the petitioner that the site is approaching the maximum impervious surface coverage allowed on this site.
- The Planning Commission finds that the buffer zone requirements for the north, west, and south areas are already sufficiently covered with natural and otherwise plantings.
- The Site Plan depicts 141 spaces, which the Planning Commission has determined to be accurate.
- The petitioner will consult with the Township Engineer regarding potential erosion on the south side of the parking lot.
- The requirements of the Brighton Area Fire Authority's letter dated 6/28/16 shall be complied with.
- Township Board approval of the gravel parking lot as depicted on the site plan.

The motion carried unanimously.

OPEN PUBLIC HEARING #5... Review of an impact assessment and site plan for the proposed construction of a new 9,600 sq. ft. showroom and an 11,750 sq. ft. storage building for the existing Wilson Marine located at 5866 Grand River, Howell. The request is petitioned by Wilson Marine.

Mr. Brent LaVanway of Boss Engineering, Mr. Kevin Wetzel, the general contractor, and Mr. Ron Wilson, owner of Wilson Marine, were present.

They are proposing two new buildings on the site. They showed the site plan and colored renderings. Mr. Wetzel stated the materials on the new buildings will match the existing ones.

Mr. Borden noted that there are four separate parcels for this site and they are in two separate districts so part of the proposals are under discretion of the Planning Commission and the other part must be approved by the Township Board.

Mr. Wilson requested to be allowed to plant low-growing plants and shrubs and not trees as they can be a problem when storing boats. Mr. LaVanway stated they are going to be adding a sidewalk along Grand River and are proposing to add shrubs and perennials between the sidewalk and the building. Chairman Brown would like to see landscaping on the outside of the site and not the interior. He agrees with what is being proposed for Grand River, but asked if landscaping can be added at the intersection of Sterling Drive and Dorr Road.

Mr. Markstrom has no outstanding issues.

The call to the public was made at 8:50 pm with no response.

Moved by Commissioner Figurski, seconded by Commissioner Grajek, to recommend to the Township Board approval of the Impact Assessment received 6/27/16 for a 9,600

sq. ft. showroom and an 11,750 sq. ft. storage building for Wilson Marine. **The motion carried unanimously.**

Moved by Commissioner Mortensen, seconded by Commissioner Figurski, to approve the Site Plan for an 11,750 sq. ft. storage building on the south side of the site for Wilson Marine with the following conditions:

- The elevation colors, materials, and renderings are approved and will become the property of the Township.
- The applicant will add additional low-lying shrubbery plantings at Sterling Drive and the driveway to the service entrance with review and approval by Township Staff.

The motion carried unanimously.

Moved by Commissioner Mortensen, seconded by Commissioner Rauch, to recommend to the Township Board approval of the Site Plan for a 9,600 sq. ft. showroom on the south side of the site for Wilson Marine with the following conditions:

- The elevation colors, materials, renderings and building configuration on the site are recommended for approval, even though they are inconsistent with the TSO zoning.
- Additional landscaping of low-lying shrubs will be planted in the northeast part of the site with review and approval by Township Staff prior to submission to the Township Board

This recommendation is made because the site has long been under its present use and there are no immediate plans to change it to the Town Center Overlay District.

The motion carried unanimously.

OPEN PUBLIC HEARING #6...Review of sketch plan for a proposed 1,200 sq. ft. storage building for the existing Brighton Church of Nazarene located at 7669 Brighton Road, Brighton. The request is petitioned by Brighton Nazarene Church.

Planning Commission Disposition of Petition:

A. Disposition of Sketch Plan (6-22-16)

Mr. Brent LaVanway of Boss Engineering and Mr. Al Herndon of Brighton Nazarene Church were present.

Mr. LaVanway stated they are proposing an accessory building on the back/west part of the site to store the church's van. He showed samples of the building materials, which will match the existing parsonage.

Mr. Borden has no outstanding issues.

Mr. Markstrom has no outstanding issues.

Commissioner Grajek would like to ensure that all of the plantings that were required with the applicant's previous approvals have been installed. Ms. VanMarter stated all of the requirements of previous approvals have been complied with; however, she can do a site visit to ensure the landscaping is still in compliance.

The call to the public was made at 9:08 pm with no response.

Moved by Commissioner Mortensen, seconded by Commissioner Grajek, to approve the sketch plan dated 6/22/16 for a storage building by Brighton Nazarene Church with the following conditions:

- Township Staff shall review the site for past approval compliance and any deficiencies will be complied with prior to land use approval.
- The items outlined in the Brighton Area Fire Authority's 6/29/16 letter shall be complied with.

The motion carried unanimously.

Administrative Business:

- Staff Report

Ms. VanMarter stated there will be two items on next month's agenda.

- Approval of the June 13, 2016 Planning Commission meeting minutes

Moved by Commissioner Figurski, seconded by Commissioner Mortensen, to approve the minutes of the June 13, 2016 Planning Commission Meeting as presented. **The motion carried unanimously.**

- Member Discussion:

Commissioner Figurski stated the updates done on the Chem Trend building are very nice.

- Adjournment

Moved by Commissioner Grajek, seconded by Commissioner Figurski, to adjourn the meeting at 9:16 pm. **The motion carried unanimously.**