

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
AUGUST 12, 2019
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, Marianne McCreary, Jim Mortensen, Chris Grajek, Eric Rauch, Jeff Dhaenens, and Jill Rickard. Also present was Kelly VanMarter, Community Development Director/Assistant Township Manager, Brian Borden of SafeBuilt Studio, and Gary Markstrom of Tetra Tech. There were seven audience members present.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

Moved by Commissioner McCreary, seconded by Commissioner Grajek, to approve the agenda as presented.

CALL TO THE PUBLIC: The call to the public was made at 6:31 pm with no response.

NEW BUSINESS:

OPEN PUBLIC HEARING #1... Review of a site plan for a proposed 19-unit site condominium. The property in question is located on approximately 30.8 acres at 4242 Bauer Road (Parcel #4711-26-200-002) on the west side of Bauer Road, between White Pines Drive and Challis Road. The request is petitioned by John Moretti.

- A. Recommendation of Environmental Impact Assessment (6-13-19)
- B. Recommendation of Final Site Condominium Plan (7-22-19)

Mr. John Moretti and Mr. Bruce Silver, operations manager, were present. Mr. Moretti provided a brief review of the project. It is a site condominium consisting of 19 one-acre plus lots. He has made some changes since he was last before the Planning Commission. The 10-acre parcel is now two five-acre parcels and the detention pond is larger. He noted that the two five-acre parcels will be participating in the association as it relates to road maintenance, but they will not be part of the association.

Commissioner Mortensen noted that both lots will require easements to the proposed private road. Mr. Moretti agreed. There was a discussion on how the enforcement of

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the payments for the road maintenance will be handled. The Township's attorney will work with Mr. Moretti's attorney to ensure the enforcement language is recorded and included in the road easement.

Mr. Borden reviewed his letter of August 6, 2019.

- The applicant must comply with any conditions included with outside agency approvals, such as the Road Commissioner, Drain Commissioner's Office, etc.
- The applicant must address any comments provided by the Township Attorney with respect to the condominium documents.
- Tree protection fencing must be provided around the existing wooded and natural areas to be preserved prior to the beginning of construction.
- Sample building elevations should be provided.
- Details of the residential entrance signage must be provided and a permit shall be obtained from the Township.
- He is suggesting that the cluster mailbox be separated from the private road via an access drive so that residents accessing their mailbox do not disrupt traffic flow. Mr. Moretti stated they have some flexibility to possibly move it further into the development. He will need to check with the post office to see if they prefer it on one side or the other. Ms. VanMarter stated that the Brighton Postmaster is requiring cluster mailboxes for all residential developments.
- The Impact Assessment still refers to the development as Moretti Estates, as opposed to The Ridge.

Mr. Markstrom reviewed his letter of August 5, 2019.

- The proposed private road is not in the middle of the proposed ROW, and at the entryway, some of the proposed road improvements on the north side of the drive are not within the road ROW. Also, the landscaping plan includes proposed landscaping that is not inside the road ROW. Any proposed landscaping improvements for the entryway should be within a dedicated easement or road easement. There was a discussion that perhaps a landscape easement can be granted for the condominiums by the property to the east.
- The petitioner is proposing to install an asphalt pavement sidewalk. He suggests concrete sidewalks, which will allow for the installation of ADA approaches and approach warning devices. Mr. Moretti agrees.
- The on-site road pavement section shown on the plans should match the road pavement design required in the Genoa Township Engineering Standards. There are other locations where road cross sections are not consistent.
- Over 100 feet of Mountain Ridge Drive is at a 10-percent grade and around 300 feet of Ridge Lake Court is at an 8-percent grade. The maximum grade for local roads is noted as 6 percent in the Genoa Township Engineering Standards and

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this deviation from the standard road grades will need to be approved by the Township.

- After site plan approval, the petitioner will need to submit private road construction plans for review and approval.
- The well placement in Lot 1 is within the storm easement for the infiltration structure. This is a concern due to the possibility of having standing water around the well head. The well should be relocated and additional approval from the LCHD should be obtained for this lot. Mr. Moretti agrees to relocate it.
- Instead of running the storm sewer easement through front yards, the petitioner should consider running the storm sewer north through the proposed cul-de-sac and then turning east when the storm sewer reaches the shared drive. This will permit easier access for maintenance and not encumber the lots with additional easements in their front yards.
- The culvert under the driveway in Lot 3 should be designed for the non-typical flow it will see from both Mountain Ridge Drive and the backyard drainage from Lots 4 through 7. This flow suggests that a standard 12-inch culvert will be overwhelmed and block the flow in the ditch line. The petitioner should look at all driveway culverts to ensure they are properly sized.
- The catch basin diameters are not consistent on the plans.
- The plans should be updated to reflect that a storage tank will be used for fire suppression.

Mr. Markstrom noted that these are minor changes and should be corrected before this item goes before the Township Board for approval.

Commissioner Rauch noted that the storm sewer line is encroaching into the required 25-foot setback requirement of the regulated wetland. Mr. Markstrom agrees and Mr. Moretti will make the change.

Commissioner Mortensen noted that the Health Department's letter states that Lot #8 is unbuildable. Mr. Moretti stated this lot did not perk and it will need an engineered field; however, he will not be able to have this information before he goes before the Township Board. Ms. VanMarter stated the Township does not create lots that are not buildable. Commissioner Rickard is not comfortable recommending this item for approval if this lot is not buildable.

He also noted that the by-laws state that two lots can be combined, and one home can be built, but that property owner will only pay road maintenance for one lot. Mr. Moretti stated he will change the document to state that if this occurs, that owner will pay the road maintenance amount equivalent for two lots.

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Commissioner Mortensen would like the Master Deed to state that the ordinances of Genoa Township shall override what is in the document, if the Township's is stricter.

Commissioner Rickard is concerned about the road ROW at the entrance and that the plans are shown with landscaping out of the ROW. She would like the applicant's engineer to address the Township engineer's concerns before the Planning Commission makes a recommendation to the Township Board. Commissioner Rauch agrees. He would like to see a clean set of plans before making a recommendation for approval.

Mr. Moretti stated the biggest issue is with Lot #8, but the other items are easy to address.

The call to the public was made at 7:45 pm with no response.

Moved by Commissioner Mortensen, seconded by Commissioner Rickard, to postpone Agenda Item #1 for The Ridge Subdivision to allow the petitioner to address the following items:

- The need for easements at the entry
- Location of the cluster mailbox
- Storm sewer location
- Buildability of Lot #8

The motion carried unanimously.

OPEN PUBLIC HEARING #2... Review of a site plan and environmental impact assessment for 106 attached residential units within 29 buildings for Westbury Phase II. The property in question is located north of the intersection of Whitehorse Drive and Arundell Drive. This property is located within the Lorenzen Planned Unit Development and was previously approved for 137 apartment units. The request is petitioned by Singh Development Company.

- B. Recommendation of Environmental Impact Assessment. (6-28-19)
- C. Recommendation of Preliminary Site Condominium Plan (7-24-19)

Mr. Vipul Desai, the engineer, and Sunny Grewal from Singh Development, were present. Mr. Desai provided a brief review of the project. It is Phase II of Westbury Development, which is 107 units of attached condominiums for sale. Phase I is apartments.

They received the consultant's comments and addressed their concerns. They are aware that there are additional review letters.

Mr. Borden reviewed his letter of August 6, 2019.

- If preliminary condominium site plan approval is granted, the applicant must provide the following items with the final condominium plan submittal:
 - Condominium documents (master deed and by-laws)
 - A private road maintenance agreement, including financial and maintenance assurances
 - A detailed lighting plan
 - Details of residential identification signage.
- The Planning Commission is able to grant a reduction in the road width. He noted that this can be addressed further by the Township engineer.
- The applicant must obtain authorization for a road connection with the development to the north.
- The total number of trees depicted on the landscape plan exceeds Ordinance requirements; however, the types and planting locations are not fully compliant. The applicant must modify the plan; however, the Planning Commission has the discretion to modify the specific requirements.
- The applicant proposes to allow access to existing recreational features / structures for Phase II residents. He believes this access will suffice in lieu of additional recreational features/structures that are required, which would be park/open space of approximately 3.65 acres
- There is a discrepancy in the lot area for Phase II between the site plan (16.35 acres) and Impact Assessment (17.42 acres).

Mr. Markstrom reviewed his letter of August 2, 2019. He noted that since this is preliminary site plan review, most of his comments can be addressed before final site plan approval.

- The existing stretch of Arundell Avenue from White Horse Lane to Grand River Avenue is in poor condition and the petitioner noted on the plans that improvements to Arundell Avenue would be included on the construction plans.
- The petitioner is proposing to extend the two existing private roads of Arundell Avenue and Westbury Boulevard. After site plan approval, the petitioner must submit private road construction plans for review.
- The proposed road cross section shown on the plan notes a 50-foot-wide road ROW. The Township's Engineering Design Standards require that local roads have a minimum road ROW of 66 feet; however the proposed 50-footwide road ROW matches the previously approved road ROW in Westbury Phase I.
- After final site plan approval, the petitioner will be required to submit construction plans to MHOG Sewer and Water Authority for review and approval.

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- The construction plan review phase is only for sanitary sewer, water main, and private road improvements; however, it is important that storm sewers and detentions are sized correctly as part of the site plans, as it could affect the proposed arrangement of the site. The petitioner should provide storm sewer and detention calculations for the existing detention basin as part of the final site plans.
- Prior to obtaining Livingston County Soil Erosion and Sedimentation Control Permit from the Drain Commissioner, petitioner will need to obtain a drainage review letter from the Township indicating the improvements were designed to County standards.

Commissioner Rauch recommends traffic calming devices be placed throughout the site because the roadways are very straight and long and the sidewalks are close to the roadway. Mr. Desai agrees and they will look into this.

Chairman Brown feels that a new Impact Assessment should have been created for this phase of the development instead of having it continually reference the one from Phase I. There should be more detail.

The call to the public was made at 8:30 pm with no response.

Moved by Commissioner Mortensen, seconded by Commissioner Rickard, to recommend to the Township Board approval of the Environmental Impact Assessment dated June 28, 2019 for Westbury Condominiums Phase II. **The motion carried unanimously.**

Moved by Commissioner Grajek, seconded by Commissioner Dhaenens, to recommend to the Township Board approval of the Preliminary Site Condominium Plan dated July 24, 2019, with the following conditions:

- The following items shall be provided with the final condominium plan submittal:
 - Condominium documents (master deed and by-laws);
 - A private road maintenance agreement, including financial and maintenance assurances
 - A detailed lighting plan
 - Details of residential identification signage.
- The applicant must obtain authorization for a road connection with the development to the north
- The conditions stated in the Township Engineer's letter dated August 2 shall be met.

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- The conditions stated in the Brighton Area Fire Authority's letter dated August 2 shall be met.
- Arundell Avenue from White Horse Lane to Grand River Avenue will be repaved.

The motion carried unanimously.

ADMINISTRATIVE BUSINESS

Staff Report

Ms. VanMarter anticipates that Home Depot and Lowe's will be on the September meeting agenda.

Approval of the July 8, 2019 Planning Commission meeting minutes

Moved by Commissioner McCreary, seconded by Commissioner Dhaenens, to approve the minutes of the July 8, 2019 Planning Commission Meeting as presented. **The motion carried unanimously.**

Member Discussion

Commissioner Grajek expressed his concern with members of the audience speaking out during an applicant's presentation or discussion between the Commission and the applicant.

Adjournment

Moved by Commissioner Rickard, seconded by Commissioner Rauch, to adjourn the meeting at 8:46 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary