

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting and Public Hearing
July 20, 2020

MINUTES

Supervisor Rogers called the Regular Meeting of the Genoa Charter Township Board to order at 6:30 p.m. at the Township Hall with the Pledge of Allegiance. The following members were present constituting a quorum for the transaction of business: Bill Rogers, Paulette Skolarus, Robin Hunt, Jean Ledford, Terry Croft, Jim Mortensen and Diana Lowe. Also present were Township Manager Michael Archinal, Township Attorney Joe Seward and seven persons in the audience.

A Call to the Public was made with the following response: Ty Cole, I am the future vice-president of Lake Chemung riparian association, - I am here to express concern about property lines infringement and the Township's neglect to enforce ordinances. There are multiple six foot fences out on the lake property along with back lot owners intended as access with no rights to docks or to moor boats. Examples include Lake Chemung Outdoor Resort 68 mooring with permission for 32, Sunrise Park 12 docks where there should be 7, the Green Belt on Glen Echo 63 docks but 81 boats docked and the Genoa Township easement off Hughes with 6 boats and no marina license. The Sheriff's office has stated that it is a civil matter for the courts. Please enforce your ordinance. We have regulation with no enforcement.

Michael Siterlet – Genoa Township has a process of planning and public participation, but does it have any effect on the result. Bill Rogers – You may opine on concerns that are raised, but that depends on your argument.

Approval of Consent Agenda:

Moved by Ledford and supported by Lowe to approve all items under the Consent Agenda, noting that there is a missing check register for the General Fund and that should be included in the next regular meeting of the board. The motion carried unanimously.

1. Payment of Bills.

2. Request to Approve Minutes: July 6, 2020

3. Request for approval of a recommendation from the Election Commission for poll workers tentatively scheduled to work the Aug. 4, 2020 Primary Election.

Approval of Regular Agenda:

Moved by Skolarus and supported by Hunt to Amend Agenda Item 5 adding reference to Pine Summit. The amended agenda was voted and carried unanimously.

4. Consideration of a recommendation for approval of a rezoning (Ordinance Z-20-02) and impact assessment involving approximately 46.5 acres from Rural Residential (RR) to Low Density Residential (LDR) for parcel #11-05-200-002. The parcel is located at 3850 Golf Club Road on the southwest corner of Golf Club Road and Latson Road. This request is petitioned by Bible Baptist Church.

A. Call to the Public

A call to the public was made with Michael Siterlet responding. The dam maintenance easement is not included in the environmental impact assessment or the site plan. I am most concerned with traffic and the affect this development will have on our quality of life. I need an acknowledgement of the easement concern. Mortensen - These issues should be discussed at the site plan. The property could put 25 homes there as a matter if right – 2-acres per home. Siterlet – This property has rights and at what point are the right considered. Skolarus – Is your concern the future church? Siterlet – My concern is the lake environment.

B. Disposition of Rezoning Ordinance Z-20-02

Moved by Hunt and supported by Lowe to adopt Ordinance Z-20-02. This approval is made because the proposed amendment to the Zoning Map and reclassification as a Low Density Residential (LDR) has been found to comply with the criteria stated in Section 22.04 of the Township Zoning Ordinance. The motion carried by roll call vote as follows: Ayes – Ledford, Croft, Hunt, Lowe, Mortensen, Skolarus and Rogers Nays – None.

C. Disposition of Environmental Impact Assessment dated February 24, 2020

Moved by Lowe and supported by Hunt to approve the Environmental Impact Assessment dated Feb. 24, 2020 as submitted. The motion carried unanimously.

5. Consideration of a recommendation for approval of a preliminary site plan and impact assessment requesting preliminary site condominium approval for a proposed 10-unit site condominium. The property in question is located at 3850 Golf Club Road on approximately 46.5 acres on the southwest corner of Golf Club Road and Latson Road known as Pine Summit. The request is petitioned by Bible Baptist Church.

Brent LaVanway of Boss Engineering addressed the Board. The petitioner is proposing 10-single family residential site condominium units, which will be located on the west side of the property and south of the pond. The access point to the residential lots is from Golf Club road and has been approved by the Livingston County Road Commission. The proposed utilities include on-site septic systems and well water. A water main to the subdivision will provide fire protection. Skolarus asked that refuse collection be reviewed with our hauler and that allowance for mail boxes at the entrance included in the next site plan. Hunt was pleased with the

water and sewer proposal. Ledford asked about the acreage of the pond. LaVanway – The pond is 3 acres with building sites between 15' and 20' above the lake level.

A. Disposition of Environmental Impact Assessment (3-30-2020)

Moved by Skolarus and supported by Mortensen to approve the impact assessment dated 03/30/2020 with the understanding that all lots will be served by private wells. The motion carried unanimously.

B. Disposition of Preliminary Site Plan

Moved by Lowe and supported by Hunt to approve the preliminary site condominium plan for Pine Summit dated May 20, 2020, subject to the following:

1. The existing residence, park/nature preserve, and future church site are not included in the condominium. These properties must be separated from the existing parcel.
2. Condominium documents (Master Deed and By-Laws) must be provided with the final plan submittal. Language must be included ensuring protection of the wetlands, natural features, setbacks, and undisturbed wooded areas. Use and maintenance provisions for the park must also be provided.
3. The existing accessory building will become non-conforming as it will be located in a front yard via construction of the private road. If the applicant unable to obtain a variance for this condition the building will need to be removed.
4. The requirements of the Township Engineer's letter dated April 23, 2020 and the BAFA letter dated April 9, 2020 will be met.
5. The applicant must provide a Private Road Maintenance Agreement, as required by the Township. This document must include provisions for access, maintenance, and financial obligations for use by parcels not included in the condominium.
6. Final plan submittal must include a detailed landscape plan demonstrating compliance with the street tree requirements.
7. During construction, protection fencing must be provided around wooded areas/trees to be preserved.
8. Special land use approval is required for the encroachments into the 25-foot natural features setback (private road, landscape wall, grading, and storm water management structures).
9. Any activities within the wetland areas are subject to review and approval by EGLE.

10. The easement reflected in Section 2 of the Deed and Grant of Easement be included in the site plan and condominium documents. The current easement provides access to the dam for a maintenance, etc., over an access easement (paragraph 2-c. The existing easement should be modified to provide access over Summit Place Drive (the existing easement is a straight line from Golf Club Drive).
- 11.11. The impact assessment should address the impact of the development of the pond level and should demonstrate that storm water is not being diverted from the pond.

The motion carried unanimously.

6. Introduction of a proposed rezoning and authorization of statutory notice for a public hearing on August 3, 2020 concerning a rezoning request from Country Estates (CE) to Interchange Campus Planned Unit Development (CAPUD) and Interchange Commercial Planned Unit Development (ICPUD) for approximately 195 acres along S. Latson Road south of I-96. The subject property includes 177 acres on the west side of S. Latson Road, 10 acres on the east side of S. Latson Road and 6 acres on Beck Road east of S. Latson Road. The properties include the following parcels requested to be rezoned to CAPUD: 4711-08-400-004, 006, 012, 013, 014, 015, 020, 4711-09-300-031 and 4711-17-200-008. Parcel 4711-09-300-040 (formerly 001) is requested to be rezoned to ICPUD. The request is petitioned by Todd Wyett.

Moved by Skolarus and supported by Lowe to introduce and conduct the first reading on proposed ordinance number Z-20-03 and to set the second reading, public hearing and consideration for adoption before the Township Board on Monday, August 3, 2020 for the purpose of considering the proposed zoning map amendment. The motion carried unanimously.

7. Consider approval of a request to modify the Township Attorney's rate of compensation from \$160 per hour to \$190 per hour.

Moved by Mortensen and supported by Croft to approve the compensation rate as requested for Attorney Joe Seward. The motion carried unanimously.

Member Discussion:

Mortenson – I would like to hear an overview of crime and law enforcement within our township. Rogers – I receive regular correspondence and will provide that information to the board.

Skolarus – a little more than 30% of our voters have now received absent voter ballots. The Big Red Barrel will be collection used needles and unused prescription drugs this coming Saturday the 25th.

Rogers – The basketball pads are underway. A well is being bored at the hill for irrigation of our soccer fields. Landscape is being placed at the entrance of the township hall.

Archinal - We have set a clean -up date for Suburban Mobile Estates. Muirfield Manor has been cape sealed.

Moved by Ledford and supported by Mortensen to adjourn the regular meeting and public hearing of the board at 7:20 p.m.

Paulette A. Skolarus, Clerk
Genoa Charter Township