

**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
SEPTEMBER 14, 2020  
6:30 P.M.  
MINUTES**

CALL TO ORDER: Vice-Chairman Rauch called the meeting of the Genoa Charter Township Planning Commission to order at 6:32 p.m. Present were Marianne McCreary, Eric Rauch, Jim Mortensen, Jeff, Dhaenens, and Glynis McBain, Absent were Chris Grajek and Jill Rickard. Also present were Kelly VanMarter, Community Development Director/Assistant Township Manager, Gary Markstrom of Tetra Tech and Brian Borden of Safebuilt Studio. There were 15 audience members present.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

**Moved** by Commissioner Mortensen, seconded by Commissioner Dhaenens, to approve the agenda as presented. **The motion carried unanimously.**

CALL TO THE PUBLIC: The call to the public was made at 6:33 pm with no response.

**OPEN PUBLIC HEARING # 1**...Review of a special use application, environmental impact assessment and site plan for a proposed 28,851 sq. ft. addition for a retreat center which will include overnight stays located at 1391 Kellogg, southeast corner of Kellogg and McClements Roads. The request is petitioned by the Chaldean Catholic Church of the U.S.A.

- A. Recommendation of Special Use Application
- B. Recommendation of Environmental Impact Assessment (7-31-2020)
- C. Recommendation of Site Plan (8-26-2020)

Ms. Eavan Yaldo of Saroki Architecture was present representing the applicant. Father Andrew Seba, Father Manuel Boji, and Vincent Jarbow, CFO for the applicant, were present.

Ms. Yaldo stated the property is 160 acres and includes Euler Lake. They would like to construct a 28,851 square foot retreat center to be used for religious retreats, youth retreats, as well as to foster community gatherings. These retreats will occur mainly on the weekends. It will be located on the southeast portion of the property and adjacent to the existing church. Over the last 10 years, when the church was first built, it has been underutilized. One portion of the proposed building is one story, a portion is two story and there is a walkout basement.

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There are 20 each two-bedroom units; however, it can sleep a total of 80 people. She noted there will be an enclosed walkway connecting the retreat center to the existing church.

She showed the proposed site plan and building elevations. They do have their proposed building materials and can supply them if the Planning Commission would like.

Commissioner Mortensen asked if it will be available to the public. Ms. Yaldo stated it will be open to other faiths; however, they must abide by the rules and standards that will be put in place by the Caldean Catholic Church. He asked if alcohol will be served anywhere on the property. Ms. Yaldo stated this retreat center will not have alcohol; however, she is not sure about other locations on the campus.

Commissioner Dhaenens questioned where the retreats are currently held. Father Seba stated their retreats are held in different locations in Detroit or Lansing.

Mr. Borden reviewed his letter dated September 2, 2020.

- Provided comments from the Township Engineer and Brighton Area Fire Authority are addressed, his opinion is that the special land use standards of Section 19.03 are generally met.
- The Commission may wish to request building material calculations as it is mostly a brick building.
- The Commission may wish to consider whether the existing gravel parking lot should be improved as part of this project.
- The Commission may wish to require landscaping around the proposed detention pond. He calculated that 7 trees and 70 shrubs should be planted, although this property is heavily wooded.
- The Planning Commission must approve the use of rough sawn cedar for the waste receptacle enclosure. His opinion is that the proposed material is appropriate for this site.
- The Planning Commission may require submission of a photometric plan per Section 12.03.07 of the Ordinance due to the addition of light fixtures. Based on the type and numbers of fixtures, he believes they will meet the Ordinance.
- If approval is granted, the applicant must obtain a sign permit from the Township prior to its installation.

Mr. Borden noted that if this project is approved, it may be appropriate to have the Township evaluate the Future Land Use classification for the property during its next Master Plan review period.

Mr. Markstrom reviewed his letter dated September 10, 2020.

- The Petitioner will need approval from the Livingston County Health Department for the proposed well and septic updates. This should be obtained and provided to the Township for their records.
- The Petitioner shows parking calculations on the plans. Currently the plans show seven new spaces, while the parking calculations show 74 spaces required for the proposed use. The Petitioner is proposing to share parking with the church, which has 102 parking spaces currently. Due to the church and retreat center being used mostly by the same group of people, he finds this co-use of parking to be reasonable.
- The Genoa Township Zoning Ordinance requires that the parking lot be hard surface with concrete curb and gutter. However, an aggregate parking lot may be considered as a Low Impact Development alternative to the zoning requirements. The Petitioner should provide more information on the intended use of this parking lot. If the Petitioner is intending to use the lot during the winter and to clear snow, the parking lot should be paved with curb and gutter as the Zoning Ordinance describes. As the Petitioner is proposing a paved access drive through the existing gravel parking lot, the petitioner should at least consider paving the parking spaces adjacent to the drive.
- The tributary area shown on Sheet 6 does not encompass all of the proposed site improvements, but it does collect some of the existing drive and church that was not previously captured by on site storm sewer. The development is proposed on a small portion of the entire site. The parcel contains ponds and basins that collect all the runoff from the developed portion of the property. Since the tributary area to the new basins is essentially the same size as the proposed impervious area addition we feel the proposed detention meets the intent of the storm water management guidelines and is acceptable as presented. He noted that they are making improvements to the storm water management on the site.

Ms. Yaldo acknowledged receipt of the Brighton Area Fire Authority's letter. She has been working with the Fire Marshal and she will address their concerns. She is also working with the Livingston County Health Department.

She stated that many of the retreats are youth retreats and the kids are bussed in. With regard to the adult retreats, most people carpool or are also bussed in so the amount of vehicular traffic and parking will be low; therefore she does not feel it is necessary to pave the parking lot. The applicant would like to keep the natural look of the area as well as reduce the amount of runoff from the site.

Commissioner Mortensen noted that the Township Engineer recommended at least paving the parking spaces adjacent to the drive. Vice-Chairman Rauch agrees, especially since Ms. Yaldo stated that there will be buses coming in. Chairman Dhaenens agrees.

The call to the public was made at 7:10 pm.

Mr. Mike Berean of 1273 Euler Road has concerns with the addition of a 30,000 square foot building and the capacity being 80 people every weekend, the potential for a decrease in their

property values, and the increased drainage, which already drains onto his property. He does not believe this is the appropriate site for this type of use. This will affect all of the residents in the area. He has lived in his home for two years and has heard the music from the camp in his home with the windows closed.

Mr. James Drouillard of 6781 Filice stated that 300 feet of his property borders this property. He questioned what type of people will be at the retreats and where will they be coming from. If the building will accommodate 80 people then he believes there will always be 80 people there. He wants to know how the drainage and the septic system will affect him. Will there be more garbage trucks coming to the site? Will there be a backup generator? He is concerned about the traffic and speed of drivers on Kellogg Road as there are many walkers and bicycle riders on this road, and how this use will affect the condition of the road. He asked why he didn't know about this until the end of August. He is concerned about the condition of the existing fence; it has not been maintained.

Ms. Patricia Kopicko of 6843 Filice Drive has complained numerous times about the noise from the camp. She cannot be in the yard most times due to the noise. She is concerned about a 30,000 square foot building in their residential neighborhood.

Ms. Dori Berean of 1273 Euler Road stated trees have fallen on the fence and it has not been repaired, they have taken down trees that were protected, she finds alcohol bottles on both sides of the road, and the parties and concerts on the property are loud. This will negatively affect the neighbors and the property values.

Father Andrew Seba agrees with many of the comments made this evening, specifically regarding the maintenance. It costs a lot of money to maintain the property so they need income. The intention of the use of the proposed building is for people to come to escape noise; they are coming to a religious Catholic retreat. He appreciates the neighbors' concerns. He wants to work with them and have a better relationship.

Father Manuel Boji reiterated what Father Seba stated regarding the events that will be taking place at the new facility.

Mr. Berean asked if the Township knew that the church needed income when it approved their plan. Will they have the money to maintain the new facility or will they need to hold more events for their income.

Commissioner Mortensen noted that when the church was first built, there were many noise complaints within the first few years and the Township acted upon those complaints. He is not aware that there have been more complaints. Ms. VanMarter stated she receives approximately one complaint per year regarding the noise.

Mr. Robert Kopicko of 6843 Filice Drive has taken measurements of the noise and has presented them to the Township. They are in the 95 range from 150 feet away. Currently the lights in the parking lot shine into his home in the winter when the trees have no leaves.

The call to the public was closed at 7:59 pm.

Commissioner McCreary is a supporter of people being allowed to use their property according to their rights and that the applicant is trying to bring people together for retreats. The question she asks herself is will this alter the character of the area. She does not feel that this is the appropriate place for this. It is a rural area surrounded by five-acre parcels.

Commissioner Dhaenens is familiar with this site as he used to camp there as a child. Because of the current use of the property and the noise concerns and parties, the neighbors do not believe that this place will change and that it will be more quiet. He thinks it will be a great place for a retreat and the noise issue does need to be addressed.

Commissioner McBain noted that the current zoning of the property allows for this type of use.

Mr. Jarbow stated that if this property starts to be used for the retreats as what is being proposed this evening, there would no longer be wedding receptions, family reunions, concerts, etc. The income generated from having these events was not used to maintain the property. They are a very minor source of income. It is not intended to be a profit making facility.

Ms. Yaldo reiterated that they are here this evening proposing a retreat center to have a quiet, meditative place to pray in a church and in a peaceful setting, and to remove people from the noise of the world.

Commissioner Mortensen is not in favor of the Township approving the expansion of a use that currently has violations of the sound ordinance. He needs the applicant to absolutely guarantee that they will comply with the sound ordinance.

**Moved** by Commissioner Mortensen, seconded by Commissioner McCreary, to table the request for a Special Land Use, Site Plan, and Environmental Impact Assessment for the Prophet Elijah Retreat Center to allow the applicant to come back with information regarding how they will address the noise concerns of the neighborhood. **The motion carried unanimously.**

**OPEN PUBLIC HEARING #2...** Review of a site plan and environmental impact assessment for re-approval of an expired project for a 4,661 sq. ft. addition for enclosed storage, located at 1275 Grand Oaks Drive, Brighton. The request is petitioned by Tadbad, LLC.

- A. Recommendation of Environmental Impact Assessment (7-28-2020)
- B. Disposition of Site Plan (7-27-2020)

Mr. Tom Dewitt, the owner of the building, and Mike Long from Dewitt's radiator, who is the tenant, were present. Mr. Dewitt stated he applied for and was granted approval in 2015 for an addition to his building. He would like to begin the construction of the plan that was approved by the Township at that time..

Mr. Borden stated that nothing has changed since the original plan. He has reviewed the Township Ordinance to see if there were any changes that would affect this project and there were none.

Mr. Markstrom reviewed his letter dated September 9, 2020.

- The proposed site plan and gravel access drive will need to be approved by the Brighton Area Fire Authority and this approval should be provided to the Township prior to site plan approval.
- The proposed addition will increase the net impervious area on the site, but the existing on-site detention basins are shown to have adequate capacity. Additional spot elevations near the corner of the building, indicating positive drainage towards the existing detention basin should be added to the construction plans. This comment was on the January 2015 review letter also.

Vice-Chairman Rauch advised Mr. Dewitt that the concerns noted in the Fire Marshal's letter dated September 8, 2020 shall be addressed. Mr. Dewitt's architect has reviewed the letter and will be working with them to address their requirements. He added that there may be areas where the applicant and the Fire Marshal can compromise on some of his comments in their letter.

The call to the public was made at 8:21 pm with no response.

**Moved** by Commissioner Mortensen, seconded by Commissioner McBain, to recommend to the Township Board approval of the Environmental Impact Assessment dated July 28, 2020 for Tadbab, LLC. **The motion carried unanimously.**

**Moved** by Commissioner Mortensen, seconded by Commissioner Dhaenens, to approval the Site Plan dated July 27, 2020 for Dewitt Radiator, subject to the following:

1. The applicant shall meet the requirements listed in the Township Engineer's letter dated September 9, 2020
2. The applicant shall work with the Fire Marshal to address his concerns.

**The motion carried unanimously.**

**OPEN PUBLIC HEARING #3...** Review of a site plan and environmental impact assessment for proposed exterior building renovations and site improvements to the existing commercial building located at 2700 E. Grand River Avenue on the south side of Grand River, east of Chilson Road. The request is petitioned by Partlund Development, LLC.

- A Recommendation of Environmental Impact Assessment (8-18-2020)
- B. Disposition of Site Plan (8-18-2020)

Mr. Shawn Toole, the project manager, Steve Baibak of Desine Inc, and Todd Ballou, the architect, was present.

Mr. Toole stated they are working on the former Tenpenny Furniture store at 2700 East Grand River and are requesting to increase the size of the rear parking lot.

Mr. Baibak stated this will be an improvement to the site. They would be increasing the permeable area of the greenspace, adding landscaping, and increasing the quality of the asphalt.

Mr. Borden reviewed his letter dated September 2, 2020.

- If the Commission considers favorable action on the site plan, it should be conditioned upon execution of the proposed land transfer between the subject site and the adjacent property to the east. Ms. VanMarter stated that this land transfer is pending at this time.
- The applicant is deficient in the side and rear parking lot setbacks. The Planning Commission may reduce side and rear parking setbacks given the use of shared drives and connected parking lots.
- The applicant must provide lot coverage calculations for both building and impervious surfaces.
- He would like the applicant to present building material samples or a color rendering to the Planning Commission.
- He agrees that the applicant is adding additional landscaping; however, the landscape plan is deficient in greenbelt, parking lot, and buffer zone plantings along both sides and the rear setback. He acknowledges the difficulty in adding plantings to the greenbelt area in the front of the site. The Planning Commission has discretion over the waiving of this requirement.
- Light fixture and pole details must be provided as part of a lighting plan.
- Maximum lighting intensities are exceeded along the east and rear property lines.
- The applicant must obtain a sign permit from the Township prior to installation of any new signage.

Mr. Baibak has sent the photometric plan back to the lighting engineer and he is confident that they can meet the Ordinance requirements. They can add some additional landscaping, such as shrubs and trees in the areas noted and he agrees that adding plantings to the front of the site would be difficult.

Mr. Markstrom reviewed his letter dated September 9, 2020.

- The Petitioner is proposing to discharge the onsite drainage to an existing retention pond on the parcel to the south. The petitioner has provided calculations to show that the proposed site improvements lower the amount of impervious surface on the site. A drainage easement should be obtained and provided to the Township as part of the site plan approval. The Petitioner should also obtain approval from the Livingston County Drain Commissioner. He noted that the Drain Commissioner is withholding approval until comments in their letter dated August 28, 2020 have been addressed.
- The revised site plan no longer proposes a fire suppression lead. The petitioner should verify this is correct.
- The proposed 8-inch water main will be public and should be shown in a 25-foot-wide water main easement.

- Once the site plan is approved, construction plans must be submitted to MHOG for review and permitting through EGLE.

Vice-Chairman Rauch asked the applicant if they have received the Fire Marshal's letter dated August 8, 2020. Mr. Baibak stated he has and they will be able to meet all of his requirements.

Vice-Chairman Rauch stated the Livingston County Drain Commissioner's letter was included in the review letters and these issues and concerns will have to be addressed.

Commissioner McCreary asked how many tenants will be allowed. Mr. Toole showed the site plan and colored renderings, showing that there are three addresses for this building; however, it is being built to accommodate up to eight tenants.

The call to the public was made at 8:56 pm with no response.

**Moved** by Commissioner Mortensen, seconded by Commissioner Dhaenens, to recommend to the Township Board approval of the Environmental Impact Assessment dated August 18, 2020 for the building located at 2700 East Grand River. **The motion carried unanimously.**

**Moved** by Commissioner Mortensen, seconded by Commissioner Dhaenans, to approve the Site Plan dated August 18, 2020 for the building located at 2700 East Grand River, subject to the following:

- Execution and recording of a land transfer agreement between this site and the adjacent property to the east shall be obtained and submitted to the Township.
- The applicant will provide lot coverage calculations to Township Staff to ensure the building and surface coverage are within the Township Ordinance.
- The building and colored renderings are acceptable and will become Township property.
- The landscape plan is deficient in various plantings and recognizing the difficulty of the site, the applicant will work with Township staff for appropriate plantings.
- The applicant will provide light fixture and pole details to Township Staff and demonstrate that lighting intensities will not exceed the Township Ordinance across the east and rear property lines.
- The requirements of the Township engineer's letter dated September 2, 2020 shall be met.
- The requirements of the Livingston County Drain Commissioner's letter dated August 28, 2020 shall be met.
- The requirements of the Brighton Area Fire Authority Fire Marshal's letter dated August 28, 2020 shall be met.

**The motion carried unanimously.**



## ADMINISTRATIVE BUSINESS

### **Staff Report**

Ms. VanMarter stated the October Planning Commission meeting will be held on Tuesday, October 13, due to Columbus Day on Monday.

Staff is working on the Master Plan and there may be a joint meeting between the Planning Commission, ZBA, and Township Board at the end of October.

### **Approval of the August 10, 2020 Planning Commission meeting minutes**

**Moved** by Commissioner McCreary, seconded by Commissioner Dhaenens, to approve the minutes of the August 10, 2020 Planning Commission Meeting as presented. **The motion carried unanimously.**

### **Member Discussion**

Commissioner McCreary advised there is a Zoom Meeting being held on water quality issues on Wednesday. If anyone is interested in attending, she can send you the link.

### **Adjournment**

**Moved** by Commissioner Mortensen, seconded by Commissioner McCreary, to adjourn the meeting at 9:09 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary