

**GENOA CHARTER TOWNSHIP BOARD  
Regular Meeting and Public Hearing  
June 6, 2022**

**MINUTES**

Supervisor Rogers called the regular meeting of the Genoa Charter Township Board to order at 6:30 pm 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 29 persons in the audience.

Mr. Rogers read a resolution from the Brighton Area Fire Authority recognizing the outstanding service of Jim Mortensen.

The call to the public was made at 6:33 pm.

Mr. Mike Berean of 1273 Euler Road spoke regarding the retreat center on Kellogg Road. They are planning to only rent to religious groups; however, there is no way to monitor that. They are hoping to use the facility to capacity, which could serve over 11,400 visitors each month. This type of use is required to be serviced by a primary county road and this property does not meet that standard. The use is not harmonious with the surrounding neighborhood. He is requesting that the Township Board deny the request as recommended by the Planning Commission.

Mr. James Drouillard of 6781 Filice has 300 feet adjacent to this camp. He would like the Township Board to deny this request as recommended by the Planning Commission.

Ms. Lynn Drouillard of 6781 Filice stated she loves the quietness of her neighborhood and there is already a lot of traffic on the road. This is a commercial building and does not belong in a residential area.

Mr. Charles Saliba of 1829 Kellogg Road is concerned that the applicant is interested in the 60 acres across the road and would like to know what their intent is for that.

Ms. Kay Baker of 1780 Euler Road moved to her home to enjoy the quiet, peaceful space. She is concerned for her property values, the increased traffic, the water pollution, property drainage, solid waste management, soil erosion, and the loss of wildlife. This will only benefit the applicant and they do not pay taxes in Genoa Township, nor did they elect the Township Board.

Mr. Robert Kopicko of 6843 Filice Drive stated his house will be 250-300 feet from the proposed building. He does not want to look at the back of a hotel and have to put blinds on his windows. He moved to the country for peace and quiet.

Mr. Bill Maniaci 1866 Euler Road agrees with what his neighbors have said with regard to the property values and the increased traffic.

Mr. Saliba stated there are two hills on Kellogg Road between Grand River and the camp that cause blind spots.

Ms. Patricia Kopicko 6843 Filice submitted a letter from Michael and Bradlynn Jusino of 6967 Filice Drive who are against the proposal. She stated that the Sheriff has rescinded his letter of recommendation for this project. They have had numerous complaints to the Township. She requested the Township Board agree with the recommendation of the Planning Commission.

Mr. Michael Baker of 1780 Euler Road moved here for the country, quiet life. This is the wrong use in the wrong place. The neighbors do not want it and they do not need it.

Mr. Jonathan Rhodes of 1735 Euler Road believes that the owners can do what they wish with their property; however, a 30,000 square foot building is excessive. He has lived in his home for three years and has heard the music from the camp. He suggested a negotiation for the size of the building and when the events can be held.

Mr. Patrick Spence who lives on Euler Road is opposed to this project. It is not the right place.

The call to the public was closed at 6:57 pm.

### **Consent Agenda:**

Mr. Croft requested to have Items 3, 4, 5 be moved to the Regular Agenda. Ms. Skolarus requested to have Items 2 and 8 moved to the Regular Agenda. Mr. Mortensen requested to have Item 7 moved to the Regular Agenda.

Moved by Lowe, supported by Hunt, to approve the consent agenda moving Agenda Items 2-8 to the Regular Agenda. The motion carried follows: ~~Ayes – Hunt, Croft, Ledford, Lowe, Mortensen, Skolarus, Rogers; Nays – none.~~ The motion carried unanimously.

### **1. Payment of Bills: June 6, 2022**

## Regular Agenda

### **2. Request to Approve Minutes: May 16, 2022**

Ms. Skolarus noted there are some items in the minutes that were not formatted properly. All motions should have the "Ayes" and "Nays" listed showing how each member voted. She noted additions that need to be made for Items 6 and 12.

Moved by Mortensen, supported by Ledford, to approve the minutes submitted by the Recording Secretary, with the changes provided by Ms. Skolarus. ~~The motion carried follows: Ayes – Hunt, Croft, Ledford, Lowe, Mortensen, Skolarus, Rogers; Nays – none.~~  
The motion carried unanimously.

### **3. Request for approval of a fireworks display on Lake Chemung on June 25, 2022 as submitted by Chris Bonk.**

### **4. Request for approval of a fireworks display on the lakefront at 4127 Clifford Road on July 2, 2022 as submitted by Calvin Heckman, Jr.**

### **5. Request for approval of a fireworks display at Oak Pointe Country Club on July 3, 2022 as submitted by Michael Freeland of Ace Pyro, LLC.**

### **6. Request for approval of a fireworks display at Mt. Brighton Ski Lodge on July 16, 2022 as submitted by Calvin Heckman, Jr.**

Mr. Croft questioned if the Fire Department has reviewed these applications. Mr. Rogers stated the Township Manager advised them that these firework displays will be taking place. He will also advise the Fire Board at his meeting this week.

Moved by Croft, supported by Hunt, to approve Items #3-6 for fireworks displays and ensure the Fire Department is aware that these displays will be occurring. ~~The motion carried follows: Ayes – Hunt, Croft, Ledford, Lowe, Mortensen, Skolarus, Rogers; Nays – none~~  
The motion carried unanimously.

### **7. Request for approval of an agreement with Howell Public Schools for the construction of Senior Survivor Park.**

Mr. Mortensen stated that the contract states the students raised \$482,290.33 and the contract for the work is proposed to be \$750,000, that leaves an approximate gap of \$260,000. Mr. Archinal stated that the Township approved \$145,000 to help for this. The total raised by the students in 2021 and 2022 is \$622,000. The anticipated cost of the project is \$750,000. The contractor is a good corporate citizen, and they will be doing some in-kind donations. If there is still a gap, there will be some changes made to the plan to meet the amount of funding.

Moved by Mortensen, supported by Skolarus, to approve an agreement with Howell Public Schools for the construction of Senior Survivor Park. ~~The motion carried follows: Ayes—Hunt, Croft, Ledford, Lowe, Mortensen, Skolarus, Rogers; Nays—none~~ The motion carried unanimously.

#### **8. Request for approval of Board appointments as presented.**

Ms. Skolarus stated there is an error. Mr. Greg Rassel has a three-year term and should expire on “6/30/2025” not “6/30/2023”.

Moved by Skolarus, supported by Lowe, to approve the Board appoints as corrected. ~~The motion carried follows: Ayes—Hunt, Croft, Ledford, Lowe, Mortensen, Skolarus, Rogers; Nays—none~~ The motion carried unanimously.

#### **9. Public Hearing for the Timberview Private Drive Road Improvement Special Assessment Project (Winter 2022)**

- 1. Call to the Property Owners**
- 2. Call to the Public**

The call to the property owners was opened at 7:13 pm

Ms. Jan Barrett who lives on Timberview stated the residents are all in agreement with the special assessment. They wanted to say “Thank You” to the Township for their time and consideration.

The call to the property owners was closed at 7:14 pm.

The call to the Public was made at 7:14 pm with no response.

Ms. Hunt reminded the property owners that the original Timberview Agreement is still in effect for one more year so that last assessment and this first assessment will be at the same time for one year.

#### **10. Request for approval of Resolution #3 approving the project cost estimates, special assessment district and causing the special assessment roll to be**

**prepared for the Timberview Private Drive Road Improvement Special Assessment Project. (Winter 2022).**

Moved by Mortensen, supported by Lowe, to approve the project cost estimates, special assessment district and causing the special assessment roll to be prepared for the Timberview Private Drive Road Improvement Special Assessment Project. (Winter 2022). The motion carried by a roll call vote as follows: Ayes - Hunt, Croft, Ledford, Lowe, Mortensen, Skolarus, Rogers; Nays - none.

**11. Request for approval of Resolution #4 acknowledging the filing of the special assessment roll, scheduling the second hearing, and directing the issuance of statutory notices for the Timberview Private Drive Road Improvement Special Assessment Project (Winter 2022).**

Moved by Skolarus, supported by Mortensen, to acknowledge the filing of the special assessment roll, scheduling the second hearing, and directing the issuance of statutory notices for the Timberview Private Drive Road Improvement Special Assessment Project (Winter 2022). The motion carried by a roll call vote as follows: Ayes - Hunt, Croft, Ledford, Lowe, Mortensen, Skolarus, Rogers; Nays - none.

**12. Consideration of a recommendation for denial of a special use application, environmental impact assessment and site plan to expand the Our Lady of the Fields Camp (formerly Camp Chaldean) by constructing a proposed 28,851 sq. ft. retreat center with a 40-room dormitory for overnight stays. The property is located at 1391 Kellogg at the southwest corner of Kellogg and McClements Roads. The request is petitioned by the Chaldean Catholic Church of the U.S.A.**

Mr. Dave Johnson, the attorney for the Caldean Church, provided an aerial view of the property that he submitted to the Board.

Ms. Eavan Yaldo of Saroki Architecture provided a review of the proposed project, including details of the proposed building, the access road, and their proposed uses. They have provided an operations plan, and an environmental impact assessment. She noted that all the zoning requirements have been met. The comments brought up this evening in the Call to the Public have been discussed with the Planning Commission before and have been addressed. She requested that the Township Board approve their request this evening.

Mr. Burt Kassab, Chairman of the Our Lady of the Fields Committee, provided details of how the property would be used.

Mr. Johnson stated that he has provided the Board with letters of recommendation from other religious organizations who request that the Township Board approve this proposal. He noted that the Future Land Use Plan would allow this property to be

developed with 40 households, which would cause a more intense use than what is being proposed. He reviewed when the retreats would occur and the number of attendees at each retreat. This would be a benefit to the community.

Ms. Hunt stated that the roads do not meet the requirements and this property could only be developed with 19 homes as it is zoned today. She stated that the current use, as a country camp, is a perfect use for this site. The proposed size of the building is too large for her to approve.

Ms. Skolarus questioned the need for such a large facility. Ms. Yaldo stated they have accounted for the need for this space in their submission. There are places for people to eat and meet and there is a small chapel. Ms. Skolarus is opposed to the project as it is proposed. She would like to see a building approximately half of this size. Ms. Yaldo provided the square footage for each of the floors and the walk-out basement, noting the setbacks, density and height are well below the ordinance limits.

Mr. Rogers disclosed that he has known Mr. Johnson since the 1970's and he was his corporate attorney since the 1980's; however, he does not have to recuse himself from this item. He noted there are many subdivisions in the Township that he remembers as farms. He has toured this property and the proposed building would not be overbearing. He is in support of this proposal.

Ms. Skolarus noted that only three members of the Planning Commission voted to deny this. She would like the applicant to return to them with a smaller building with less bedrooms. She stated that the agenda states a recommendation of denial and this should not be. Ms. Hunt stated that is because the Planning Commission recommended denial. Mr. Rogers stated that the Planning Department provided recommended motions for both approval and denial.

Mr. Mortensen stated there are other facilities like this; however, they are not in residential areas.

#### **A. Disposition of Special Use Application**

Moved by Hunt, supported by Lowe, to deny the Special Land Use request as provided by Section 19.02.04(f)(5) for a 28,851 square foot Prophet Elijah Retreat Center located at 1391 Kellogg Road, Howell. This action is based upon the finding that the proposed use is inconsistent with the standards of Section 19.03 of the Township Zoning Ordinance and specifically finds that:

1. The proposed use involving a 28,851 square feet retreat center and dormitory with 40 rooms for overnight stay with associated parking lot, site lighting, and building lighting that is planned for year-round use with up to 60 retreat participants plus staff is not consistent with the following goals, objectives and policies of the Master Plan:
  - a. The use does not "Promote harmonious and organized development consistent with adjacent land uses".
  - b. The proposed use is located within the rural reserve area outside of the growth boundary and is contrary to the purpose of the rural reserve area which is an area

that is to be “maintained at a relatively low intensity rural character of development, that will not adversely impact natural features and agricultural uses”.

- c. The proposed use is not consistent with the following description of the Rural residential planned areas: “These areas shall develop as single family residential on large lots. Many of the areas have significant natural limitations such as wetlands or severe soil limitations and are not planned for sanitary sewer. This classification is recommended for single family residences on lots no smaller than 2 acres”.
2. The amount of traffic, visitors, lighting, noise, and activity associated with the use is not compatible with and will significantly alter the existing and intended character of the general vicinity. Events previously held at the site were described by numerous neighbors as creating nuisance noise with heavy traffic involving cars parked on the roadway causing hazardous conditions.
3. The access to the project on a rural secondary gravel road is not suitable for the proposed use.
4. The impacts of the proposed use and activities will be detrimental to the natural environment, public health, safety or welfare by reason of excessive production of traffic, noise, lighting or other such nuisance.

The motion carried as follows: Ayes - Hunt, Croft, Ledford, Lowe, Mortensen; Nays - Skolarus, Rogers.

### **B. Disposition of Environmental Impact Assessment (3-15-21)**

Moved by Hunt, supported by Lowe, to deny the Environmental Impact Assessment dated March 15, 2021 for a 28,851 square foot Prophet Elijah Retreat Center located at 1391 Kellogg Road, Howell due to non-compliance with the standards of Sections 19.03 and 18.08 and more specifically sections 18.08.02, 18.08.04, 18.08.10, and 18.08.11 as follows:

1. The proposed use involving a 28,851 square feet retreat center and dormitory with 40 rooms for overnight stay with associated parking lot, site lighting, and building lighting that is planned for year-round use with up to 60 retreat participants plus staff is not harmonious with, and will be harmful, injurious, or objectionable to, existing and planned future uses in the immediate area.
2. The architectural scale of the proposed 28,851 square feet retreat center and two-story dormitory with 40 rooms does not complement the character of the surrounding area.
3. The amount of traffic, visitors, and activity associated with the use is not compatible with and will negatively impact the rural secondary gravel road provided access to the site.

The motion carried as follows: Ayes - Hunt, Croft, Ledford, Lowe, Mortensen; Nays - Skolarus, Rogers.

### **C. Disposition of Site Plan (3-15-21)**

Moved by Lowe, supported by Ledford, to deny the Site Plan dated March 15, 2021 for a 28,851 square foot Prophet Elijah Retreat Center located at 1391 Kellogg Road, Howell due to non-compliance with the standards of Sections 19.03 and 18.08 and more specifically sections 18.08.02, 18.08.04, 18.08.10, and 18.08.11 as follows:

1. The proposed use involving a 28,851 square feet retreat center and dormitory with 40 rooms for overnight stay with associated parking lot, site lighting, and building lighting that is planned for year-round use with up to 60 retreat participants plus staff is not harmonious with, and will be harmful, injurious, or objectionable to, existing and planned future uses in the immediate area.
2. The architectural scale of the proposed 28,851 square feet retreat center and two-story dormitory with 40 rooms does not complement the character of the surrounding area.
3. The amount of traffic, visitors, and activity associated with the use is not compatible with and will negatively impact the rural secondary gravel road provided access to the site.

The motion carried as follows: Ayes - Hunt, Croft, Ledford, Lowe, Mortensen; Nays - Skolarus, Rogers.

**13. Consideration of a recommendation for approval of a special land use application, environmental impact assessment and site plan for a proposed group day care home (7 to 12 children) located at 2638 Hubert Road on the west side of Hubert Road, north of Herbst Road. The request is petitioned by Sarah Lanning.**

Ms. Sarah Lanning provided a review of her request.

**A. Disposition of Special Use Application**

Moved by Lowe, supported by Croft, to approve the Special Land Use permit for a group day care home allowing in-home childcare for 7 to 12 children because it has been found that the requested use meets the requirements of Sections 19.03 and accommodates a variety of land uses that are located in a logical pattern and complements community goals, the surrounding land uses, environment, capacity of roads and the sanitary sewer, and public water system capabilities. The use provides landowners with reasonable use of their land in a manner that is compatible with adjacent land uses and the overall land use plan for the Township and the capacity of infrastructure. The use promotes harmonious and organized development consistent with adjacent land uses and achieves well-planned, safe, balanced, and pleasant residential neighborhoods. The use also has been found to comply with the use conditions found in Section 2.03.02(k) of the Zoning Ordinance. ~~The motion carried as follows: Ayes – Hunt, Croft, Ledford, Lowe, Mortensen, Skolarus, Rogers; Nays – None.~~ The motion carried unanimously.



**B. Disposition of Environmental Impact Assessment (3-28-22)**

Moved by Hunt, supported by Skolarus, to approve the Environmental Impact Assessment dated March 28, 2022. The motion carried as follows: Ayes - Hunt, Croft, Ledford, Lowe, Mortensen, Skolarus, Rogers; Nays - None.

**C. Disposition of Site Plan (4-20-22)**

Moved by Lowe, supported by Ledford, to approve the site plan dated April 20, 2022. The motion carried as follows: Ayes - Hunt, Croft, Ledford, Lowe, Mortensen, Skolarus, Rogers; Nays - None.

**14. Consideration of a recommendation for approval of an environmental impact assessment and final PUD site plan for a proposed 2,600 sq. ft. restaurant with a drive-through facility located on the northwest corner of Latson Road and Grand Oaks Drive on parcel #4711-08-200-018. The property is within the Livingston Commons Phase 2 Planned Unit Development and is petitioned by Panda Restaurant Group.**

Mr. Mike McPherson of Atwell. LLC provided a review of the site plan. Ms. Mekawy of Norr Architect reviewed the details of the building, noting they made the changes as requested by the Planning Commission.

The Board and the applicant briefly discussed the colors and signage on the building.

**A. Disposition of Environmental Impact Assessment (received 05-27-22)**

Moved by Hunt, supported by Croft, to approve the Environmental Impact Assessment received on May 27, 2022 with the following conditions:

1. The impact assessment shall include a date on the first page.
2. The section regarding "Impact on Surrounding Land Use" shall be updated as follows:
  - a. A statement shall be added to indicate that all product deliveries and trash/grease collection shall occur outside of business hours.
  - b. A statement shall be added that the dumpster gates shall remain closed at all times.

~~The motion carried as follows: Ayes - Hunt, Croft, Ledford, Lowe, Mortensen, Skolarus, Rogers; Nays - None.~~

The motion carried unanimously.

**B. Disposition of Final PUD Site Plan (05-26-22)**

Moved by Lowe, supported by Croft, to approve the Final PUD Site Plan dated May 26, 2022 with the following conditions:

1. The building elevations presented this evening are acceptable and approved by the Township Board.
2. The easement document for the Township Gateway area shall be reviewed and approved by Staff and the Township Attorney prior to issuance of the Land Use Permit.
3. The additional site circulation pavement markings and signs requested by staff in the attached mark-up plan shall be provided and approved prior to issuance of a land use permit.
4. The sign package must be revised prior to land use permit issuance as follows:
  - a. The PUD requires individual channel letters for wall signs. The logo sign proposed on the Latson Road elevation must be revised to be individual letters.
  - b. Directional signs shall not exceed a height of 3 feet.
  - c. The clearance bar shall be eliminated from the western most drive-thru lane to allow for over height delivery vehicles.
  - d. Signage must be removed from the clearance bar.
  - e. The menu board cannot exceed 20 square feet.
  - f. The S10 Sign that says "Wok On" shall be eliminated.
5. The following items from the Township Engineer letter dated May 4, 2022 shall be addressed prior to issuance of a land use permit:
  - a. The parking spot detail shall be revised to eliminate the bumper blocks.
  - b. The site plan should include inverts of the proposed storm sewer to provide more information on how the connection to the existing storm sewer will be achieved. The storm sewer calculations should also include the hydraulic grade line in the proposed pipe.

The motion carried as follows: Ayes - Hunt, Croft, Ledford, Lowe, Skolarus, Rogers;  
Nays - Mortensen.

#### **15. Discussion regarding contracted Sheriff services.**

Sheriff Murphy sent a letter to the Township asking if they are interested in having more protection in the schools. They would have a dedicated officer to check into the schools each day and would then patrol the roads and assist with ordinance or traffic issues. During school breaks and during the summer, they would still be dedicated to the Township. All Board Members agree this is a good idea and requested that a contract be brought before the Board for review and action.

#### **16. Discussion regarding use of ARPA funds at the Chilson Hills Cemetery.**

Commissioner Mortensen stated the cemetery needs attention. If ARPA funds are not available, he would like the Township to fund the improvements. The Board members discussed how the cemetery is maintained and what improvements should be made. Ms. Skolarus stated that Karlene Shaffer of Landscape Designs can provide a design.

Mr. Rogers asked the Board Members to rank the list of improvements submitted by Mr. Mortensen and submit them to Mr. Archinal. Ms. Skolarus will also contact Ms. Schaffer to develop a design and plan.

**17. Discussion regarding Township Hall entrance sign.**

All Board Members like the design. It was noted that the address should be added to the sign. Mr. Archinal will make this change.

**18. Request for approval of a proposal from Fahey Burzych Rhodes to perform an Independent Investigation and Report regarding various issues related to the Township Clerk.**

Moved by Hunt, supported by Ledford to approve a proposal from Fahey Burzych Rhodes to perform an Independent Investigation and Report regarding various issues related to the Township Clerk. The motion carried as follows: Ayes - Hunt, Croft, Ledford, Lowe, Mortensen, Rogers; Nays - None; Abstain - Skolarus.

**Correspondence**

Mr. Archinal sent a memo to the Township Board reminding them that all agenda items should be submitted to him by noon five days prior to the scheduled Board Meeting.

**Member Discussion**

Ms. Hunt noted that the corrected and approved version of the April 18, 2022 meeting minutes are not on the website. Ms. Skolarus will make this correction.

Mr. Archinal stated that Crooked Lake is on schedule to be completed by mid July.

Ms. Skolarus stated that the cost of the election equipment is \$9,500 per year for the next five years. She questioned if the Township should use ARPA funds to pay this off now instead of paying \$9,500 each year for the next five years from the general fund. The Board agreed to have this item placed on a future agenda for review and action.

**Adjournment**

**Moved** by Mortensen, supported by Lowe, to adjourn the meeting at 8:58 pm. The motion carried unanimously.

Respectfully Submitted,

Patty Thomas  
Recording Secretary

Board of Trustees  
6-6-22  
Approved Minutes

Approved:

Paulette Skolarus, Clerk  
Genoa Charter Township

Bill Rogers, Supervisor  
Genoa Charter Township