

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
JUNE 13, 2022
6:30 P.M.
MINUTES**

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:30 p.m. Present were Chris Grajek, Jeff Dhaenens, Marianne McCreary, Eric Rauch, Glynis McBain, Tim Chouinard and Diana Lowe. Also present was Kelly VanMarter, Community Development Director/Asst. Township Manager, Brian Borden of Safebuilt, and Shelby Byrne of Tetra Tech.

Chairman Grajek introduced the newest Planning Commissioner, Diana Lowe. She is also a trustee for the Township Board.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

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

DECLARATION OF CONFLICT OF INTEREST: None

CALL TO THE PUBLIC:

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

OLD BUSINESS:

OPEN PUBLIC HEARING # 1...Consideration of a special use application, environmental impact assessment and site plan for an expansion of an existing automobile dealership to expand a parking/vehicle storage lot located at 7100 Grand River Avenue, southeast corner of Grand River Avenue and Hubert Drive. The request is petitioned by Joshua Tauriainen.

- A. Recommendation of Special Use Application.
- B. Recommendation of Environmental Impact Assessment (1-18-22)
- C. Recommendation of Site Plan (5-3-22)

Mr. Joshua Tauriainen and Mr. Wayne Perry of Desine, Inc. were present. Mr. Perry stated they have changed the plans per the comments from the Planning Commission and township consultants. They have expanded the buffers on the north and east sides, reconfigured the parking lot, moved the detention basin, and reduced the amount of impervious surface.

Mr. Borden reviewed his letter dated June 8, 2022.

1. The special land use standards of Section 19.03 of the zoning ordinance are generally met, though the applicant must address any comments raised by the Township Engineer and/or the Brighton Area Fire Authority.
2. To comply with the use conditions of Section 7.02.02(c) of the zoning ordinance, the applicant must combine the two parcels.
3. The rear yard buffer zone is deficient by 11 evergreen trees; however, the overall landscape plan for the site provides more trees than required by at least 13 trees.
4. The discrepancies between the landscape plan and planting table must be corrected.
5. The applicant will need to ensure that shielding is provided for the light fixtures at the rear of the site to protect the adjacent residential properties.
6. Overall lighting intensity must be reduced to meet ordinance standards, which is no more than 10 footcandles.

Mr. Perry agrees with Mr. Borden's comment regarding the landscaping and he requested the Planning Commission approve the deficiency. He will ensure that the lighting issues are addressed.

Ms. Byrne stated that all of her previous concerns have been addressed.

The May 25, 2022 letter from the Fire Marshal states that all of his previous concerns have been addressed by the applicant.

Commissioner Dhaenens asked the applicant if they received the letter from the Livingston County Road Commission. Mr. Perry stated they are working with the Road Commission and will have it resolved prior to their presentation to the Township Board.

The call to the public was made at 6:42 pm.

Mr. Kristian Smith 6972 Rink Drive asked if the retention pond will be standing water. Mr. Perry stated that this plan complies with the updated Livingston County Drain Commissioner code. Part of it does include standing water. Mr. Smith stated that Mr. Tauriainen has made improvements to the site since he has taken ownership and he appreciates the increased plantings.

The call to the public was closed at 6:44 pm.

Moved Commissioner Rauch, seconded by Commissioner Lowe, to recommend to the Township Board approval of the Special Use Application for an expansion of an existing automobile dealership to expand a parking/vehicle storage lot located at 7100 Grand River Avenue, southeast corner of Grand River Avenue and Hubert Drive as the Commission finds

that the special land use standards of Section 19.03 of the zoning ordinance are met. **The motion carried unanimously.**

Moved Commissioner Rauch, seconded by Commissioner Dhaenens, to recommend to the Township Board approval of the Environmental Impact Assessment dated January 18, 2022 for an expansion of an existing automobile dealership to expand a parking/vehicle storage lot located at 7100 Grand River Avenue, southeast corner of Grand River Avenue and Hubert Drive. **The motion carried unanimously.**

Moved Commissioner Rauch, seconded by Commissioner Lowe, to recommend to the Township Board approval of the Site Plan dated May 3, 2022 for an expansion of an existing automobile dealership to expand a parking/vehicle storage lot located at 7100 Grand River Avenue, southeast corner of Grand River Avenue and Hubert Drive with the following conditions:

- The two parcels shall be combined
- The Planning Commission finds the tree plantings as noted and located on the landscape plan to be appropriate, although deviating slightly from the requirements of the zoning ordinance.
- The petitioner shall update the landscape count on the plan and table.
- The sight lighting plan shall be updated so the shielding on the lights on the south side protects the adjacent residential properties.
- The site lighting intensity must be reduced to meet ordinance standards of no more than 10 footcandles.
- All conditions of the township engineer, Brighton Area Fire Authority, Drain Commissioner and Road Commission shall be met.

The motion carried unanimously.

NEW BUSINESS:

OPEN PUBLIC HEARING #2...Consideration of a rezoning application and environmental impact assessment to rezone 20-acres from Rural Residential (RR) to Country Estates (CE) for property located at 5320 Richardson Road on the west side of Richardson Road, south of Brighton Road. The request is petitioned by Andrea Sydor.

- A. Recommendation of Environmental Impact Assessment (5-31-22)
- B. Recommendation of Rezoning (5-31-22)

Mr. and Mrs. Jason and Andrea Sydor were present. They would like to change their zoning from Rural Residential (RR) to Country Estates (CE). Their property is 20 acres and they are adjacent to CE to the rear and RR is on either side. They would like to build a 60 x 80 barn; however, they are not able to build that size due to their current zoning. They would also like to develop and maintain a small hobby farm to grow local organic garlic.

Mr. Borden reviewed his letter dated June 2, 2022.

1. The Country Estates zoning is generally consistent with the rezoning criteria of Section 22.04 of the zoning ordinance.
2. The request is consistent with the goals of the Township Master Plan.
3. The request is anticipated to be compatible with the surrounding area.
4. The host of uses permitted in Country Estates are compatible with existing and planned uses in the surrounding area. Additionally, the more intensive agriculture uses, such as those allowed in agricultural zoning, are not allowed in Country Estates or would require a special land use. The applicant is requesting to rezone to a less intense use.
5. Consideration must be given to any technical comments provided by the Township Engineer, Utilities Director and/or Fire Authority with respect to infrastructure compatibility or capacity.

Commissioner McCreary questioned the section of the ordinance regarding the keeping of animals. Mr. Borden advised that if this is rezoned, they can keep livestock, but they are not to operate an intensive livestock operation. They would be able to have five of one species and not more than a total of seven animals.

Chairman Grajek asked the applicant if they had a conversation with their neighbors. Ms. Sydor stated they had a very positive conversation with one of their neighbors. They are in support of their request.

The call to the public was made at 7:00 pm

Mr. Mario Genovese of 5282 Richardson stated he is in support of the rezoning.

The call to the public was closed at 7:02 pm.

Ms. Byrne had no issues with the proposed rezoning.

The June 1, 2022 letter from the Fire Marshal states that all of his previous concerns have been addressed by the applicant.

Commissioner Rauch would like the Planning Commission to review this because it is not master planned for Country Estates zoning; however, he does not believe it will stand out due to the surrounding zoning.

Moved by Commissioner Dhaenens, seconded by Commissioner McCreary, to recommend to the Township Board approval of the Environmental Impact Assessment dated May 31, 2022 to rezone 20-acres from Rural Residential (RR) to Country Estates (CE) for property located at 5320 Richardson Road on the west side of Richardson Road, south of Brighton Road.

The motion carried unanimously.

Moved by Commissioner Dhaenens, seconded by Commissioner Lowe, to recommend to the Township Board approval of the rezoning dated May 31, 2022 to rezone 20-acres from Rural Residential (RR) to Country Estates (CE) for property located at 5320 Richardson Road on the west side of Richardson Road, south of Brighton Road as the Planning Commission finds that the Country Estates zoning is generally consistent with the rezoning criteria of Section 22.04 of the zoning ordinance, the request is consistent with the goals of the Township Master Plan, the request is anticipated to be compatible with the surrounding area and the host of uses permitted in Country Estates are compatible with existing and planned uses in the surrounding area. This recommendation is conditioned upon the following:

- All conditions of the township engineer, Brighton Area Fire Authority, Drain Commissioner and Road Commission shall be met.

The motion carried unanimously.

OPEN PUBLIC HEARING #3...Consideration of an environmental impact assessment and site plan for a proposed renovation and addition to the existing clubhouse located inside the Sylvan Glen Manufactured Housing Park. The park is located at 6600 Grand River Avenue, south side of Grand River, east of Dorr Road. The request is petitioned by Mike Barnett, Sun Communities.

- A. Recommendation of Environmental Impact Assessment (5-3-22)
- B. Disposition of Site Plan (5-256-22)

Mr. Robert Miller of M Architects provided a review of the project. They will be adding a pool and a small addition to the clubhouse to include bathrooms and a fitness room. They will also be making improvements to the office and reception area.

Mr. Borden reviewed his letter dated June 7, 2022.

1. The applicant should provide elevation views for the remaining two sides of the equipment storage building.
2. The elevations are mislabeled on Sheet A301.
3. The applicant should be prepared to submit material samples and color samples for the Commission's consideration.
4. The applicant must include a typical light pole detail demonstrating that the maximum height requirement of 20 feet is met.
5. The applicant must address comments provided by the Township Engineer and/or Brighton Area Fire Authority.

Ms. Byrne reviewed her letter dated June 8, 2022.

1. The plans need to be signed and sealed by a professional engineer.
2. The petitioner is proposing swales and a riprap area to control the additional drainage from the site. The riprap area is intended to fill up and overflow across the site drive during a storm event. The storm management for the site should be designed so that overflow stormwater is not being conveyed across the access drive to the site. A culvert will be needed to direct flow to the west side of the existing drive.

The June 3, 2022 letter from the Fire Marshal states that all of his previous concerns have been addressed by the applicant.

Mr. Miller submitted a drawing of the side elevations to the Planning Commission. He showed the proposed materials.

Commissioner McCreary asked how the safety of the pool and the building is handled. Ms. Anita Haddock, the property manager, stated this is for the residents only. There will be a lifeguard on duty and there will be pool monitors. There will always be someone in the office while the pool is open.

The call to the public was made at 7:19 pm with no response.

Moved by Commissioner Rauch, seconded by Commissioner Lowe, to recommend to the Township Board approval of the Environmental Impact Assessment dated May 3, 2022 for a proposed renovation and addition to the existing clubhouse located inside the Sylvan Glen Manufactured Housing Park. **The motion carried unanimously.**

Moved by Commissioner Rauch, seconded by Commissioner Dhaenens, to approve the Site Plan dated May 26, 2022 for a proposed renovation and addition to the existing clubhouse located inside the Sylvan Glen Manufactured Housing Park, with the following conditions:

- The elevation views for the remaining two sides of the equipment storage building shall be supplied to staff for review & approval
- The mislabeling of the elevations on Sheet A301 shall be corrected.
- The material samples and colors viewed this evening are acceptable to the Planning Commission and shall be submitted and become property of the Township.
- The light pole height must conform to the requirements of a maximum height of 20 feet. The light pole details shall be submitted to staff for review & approval.
- The items listed in the township's engineer letter dated June 8, 2022 shall be met, specifically, to accommodate for the overflow of the stormwater management system
- The applicant must address comments provided by the Brighton Area Fire Authority.

The motion carried unanimously.

OPEN PUBLIC HEARING #4...Consideration of an amendment to the master deed and bylaws for Chestnut Springs to allow a detached accessory structure on lot 25. The property in question is located on the east side of Chilson Road, South of Brighton Road along the southern Township boundary with Hamburg Township. The request is petitioned by Chestnut Development LLC.

A. Recommendation of Master Deed and Bylaws amendment

Ms. Catherine Riesterer of Cooper & Riesterer, the attorney for the applicant, and Christian Bugeja of Chestnut Development were present. This was a development built by the Chestnut Group. Most of the homes are on 1-2 acre lots and there is one large 25-acre parcel; however,

only approximately eight acres of it are buildable. This is a site condominium and there were no outbuildings allowed. This one parcel owner will need to maintain their own property so they would like to allow this lot to have an accessory structure in addition to the home. She cited the proposed revised documents presented in the packet. They submitted forms from 21 neighbors who are in favor of allowing this for the one parcel.

Mr. Borden agrees with the request. He suggested that this would be the time for the applicant to consider amending the Master Deed and Bylaws to allow outbuildings on the other parcels. Ms. Riesterer stated they do not wish to have outbuildings allowed on the other parcels. They are not needed as the homeowner's association hires out the landscaping

Ms. Byrne stated she has no concerns with this proposal.

Commissioner McCreary questioned why the applicant cannot build an attached garage. Ms. Riesterer stated that anyone who has shown interest in this property, due to the size of the lot, has stated they would want an outbuilding for their maintenance equipment. The developer can waive this provision in the agreement; however, it was suggested to have the Township approve the change. Commissioner McCreary is concerned that the type of equipment that could be on that site and used could be loud and it is adjacent to the other residences. Commissioner McCreary wants to ensure that this does not become used for a commercial business. Ms. Riesterer stated this lot is restricted to a single-family residential use and not commercial. Ms. VanMarter stated the zoning ordinance allows for home occupation businesses. She agrees that the restriction should be put in the master deed and bylaws.

The call to the public was made at 7:41 pm with no response.

Moved by Commissioner Rauch, seconded by Commissioner Lowe, to recommend to the Township Board approval of an amendment to the master deed and bylaws for Chestnut Springs to allow a detached accessory structure on Lot 25, with the condition that additional language be added stating the accessory building for Lot 25 shall not be used for commercial purposes, including a home occupation business. **The motion carried unanimously.**

OPEN PUBLIC HEARING #5...Discussion and review of a conceptual site plan for 12 attached condominiums and 102 single family homes for the Summerfield Pointe PUD. The property in question is located on Lawson Drive, north of Grand River Avenue. The request is petitioned by Healy Homes, LLC.

Mr. Wayne Perry of Desine, Inc. stated that Mr. Healy requested to have this item on tonight's agenda; however, he is not present.

Mr. Perry stated that Mr. Healy's original application was withdrawn after it was recommended for denial by the Planning Commission. Mr. Healy then met with residents of the community as their biggest concern was developing single-family residences into a multi-family neighborhood.

They also wanted to keep their community separate from the single-family homes. Mr. Healy changed his proposal to develop multi-family homes on the three remaining parcels and then build the homes throughout the rest of the development. They will also have separate associations. The residents are satisfied with the proposal.

The changes from the original, approved plan is they are reducing the density and traffic to the surrounding neighborhood. The current market is not for attached condominiums.

Commissioner Dhaenens would like to postpone this item until a future Planning Commission meeting so Mr. Healy can speak to the Planning Commission.

Commissioner McBain is concerned that the traffic from this development will be traveling on the roads in the other three attached developments, and those residents will have to pay for the maintenance. She would like to see a shared road maintenance agreement for these different developments. Mr. Perry stated the road network is already approved and the new proposal will reduce the number of units and users. Commissioner Chouinard suggested that representatives from the abutting developments meet. Ms. VanMarter stated the road network was designed to be a benefit to all of the neighborhoods. There is pending legislation regarding special assessments that would allow for assessments to be made on properties that benefit from the road and not just those residences that are on the road. Commissioner McBain would like to continue the discussion when the item is brought back before the Planning Commission.

Commissioner Rauch noted that the density is being reduced from what is already approved. During the recent Master Plan update, there was a lot of discussion regarding affordable housing and perhaps this could meet that need. The Planning Commission discussed this and would like Mr. Healy to return and provide details of the types of homes that will be built.

Moved by Commissioner Lowe, seconded by Commissioner Rauch, to postpone this discussion to a future Planning Commission meeting when Mr. Healy is available. **The motion carried unanimously.**

ADMINISTRATIVE BUSINESS:

Staff Report

Ms. VanMarter advised there will be five items on the July 11 Planning Commission meeting agenda.

Approval of the May 9, 2022 Planning Commission meeting minutes

Needed changes were noted.

Moved by Commissioner McCreary, seconded by Commissioner Lowe, to approve the minutes of the May 23, 2022 Planning Commission Meeting as corrected. **The motion carried unanimously.**

Genoa Township Planning Commission

June 13, 2022

Approved Minutes

Member Discussion

Chairman Grajek asked if the Township could meet to discuss the issue raised by Commissioner McBain regarding the private road maintenance agreements or the Township could put together information to distribute to the associations. Commissioner Chouinard agrees. Ms. VanMarter recommended that the affected homeowner's associations contact the Township Manager as this issue would be decided by the Township Board.

Adjournment

Moved by Commissioner McBain, seconded by Commissioner Rauch, to adjourn the meeting at 8:39 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary