

**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
December 12, 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, Eric Rauch, Tim Chouinard, Diana Lowe, and Marianne McCreary. Absent were: Jeff Dhaenens and Glynis McBain. Also present was Township Manager Kelly VanMarter, Planning Director Amy Ruthig, Brian Borden of Safebuilt, and Shelby Byrne of Tetra Tech.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

**Moved** by Commissioner Rauch, seconded by Commissioner Lowe, 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 opened at 6:31 pm with no response.

**OPEN PUBLIC HEARING #1...**Consideration of special land use application, environmental Impact assessment and site plan for the construction of an 11,990 sq. ft. boat showroom and sales office building replacing the existing building for Wonderland Marine West located at 5796 East Grand River Avenue. The request is petitioned by Mitts, LLC.

- A. Recommendation of Special Use Application.
- B. Recommendation of Environmental Impact Assessment (dated 11-1-22)
- C. Recommendation of Site Plan (dated 11-21-22)

Mr. Wayne Perry of Desine, Inc. and Mr. Gary Mitter, the applicant, were present. Mr. Perry provided a review of the request. They would like to demolish and reconstruct an 11,999 square foot showroom. They will also be removing and reconstructing the parking lot.

Mr. Borden reviewed his letter dated December 6, 2022.

- 1. Special Land Use:
  - a. The standards of Section 19.03 are generally met.

- b. In order to make favorable findings related to compatibility and impacts, the conditions of Section 7.02.02(c) need to be met to the Planning Commission's satisfaction.
  - c. The applicant must address any comments provided by the Township Engineer or Brighton Area Fire Authority regarding public facilities and services.
2. Use Conditions:
- a. The majority of the use conditions are met; however, the buffer zone requirements are not fully met for either side or the rear of the site. Under the Town Center Overlay District (TCOD) regulations, the Planning Commission may waive the side yard requirements; however, the rear yard buffer zone is required.
3. Site Plan Review:
- a. The proposed parking does not fully comply with the dimensional requirements of Section 9.04.01.
  - b. The proposed building does not fully comply with the architectural requirements of Section 9.05.01. Per Section 9.05.03, the Township may modify these requirements.
  - c. Proposed sidewalks, street trees and lighting do not fully comply with the streetscape requirements of Section 9.06.01.
  - d. The proposed parking does not fully comply with the parking and loading requirements of Section 9.07.
  - e. The site plan does not fully comply with the open space requirements of Section 9.08.

He noted that The Township has not had one project that has been able to comply completely with the Town Center Overlay standards. Any projects within this zoning district have had the TCOD removed. He and Township Staff have discussed this, and it appears that this zoning has not produced projects as was anticipated. Due to this, he would recommend that this site have the TCOD removed and have it returned to its general zoning. Without this, the applicant would need to go to the Zoning Board of Appeals for many variances. Additionally, he and Staff recommend removing this district from the zoning ordinance. The Planning Commission has the ability to do this by a motion. Ms. VanMarter showed the zoning map and what properties would be affected.

Commissioner Rauch agrees with the suggestion; however, he questioned the sidewalk requirements and those projects that have left money in escrow for those improvements. Ms. VanMarter would like to keep the sidewalk requirements for all those properties.

Ms. Byrne reviewed her letter dated December 7, 2022.

1. The sidewalk cross section should be updated to show six inches of MDOT CLII sand subbase.
2. The Livingston County Drain Commissioner (LCDC) requires that the "Land Use Summary Table" found in Appendix J of their updated LCDC Procedures and Design Criteria for Stormwater Management Systems be included on the cover sheet of the construction plans.

3. The existing site plan originally showed standing water around the storm catch basin on the south of the site. More information should be provided as to what is causing the on-site flooding, and the site plan should demonstrate how this issue will be addressed. Aerial imagery shows that the area is frequently flooded throughout the year.

Mr. Perry acknowledged there is standing water in the spring; however, this catch basin flows into the retention basin on the Crystal Gardens property and they do not have the ability to change it. It is a seasonal, temporary problem. It is where the boats are stored so it does not create a problem. Mr. Mitter stated when the water is too high, they pump the water out of this area onto their vacant property. Mr. Perry noted that the LCDC does not allow a connection into the storm sewer on Grand River because it is at capacity.

Commissioner Rauch asked if this project would increase or decrease the impervious service. Mr. Perry stated it is being reduced.

The Brighton Area Fire Marshal's letter dated December 5, 2022 states the Knox box and Knox Padlock are now shown on the revised site plan submittal. All other previous comments will be addressed on the architectural plan review and are subject to inspection by the fire authority.

The call to the public was made at 6:56 pm with no response.

**Moved** by Commissioner Rauch, seconded by Commissioner Lowe, to table the request for the construction of an 11,990 sq. ft. boat showroom and sales office building replacing the existing building for Wonderland Marine West located at 5796 East Grand River Avenue. **The motion carried unanimously.**

Commissioner Rauch noted that the TCOD zoning has been discussed very often over the last seven years, including during the latest Master Plan Update.

**Moved** by Commissioner Rauch, seconded by Commissioner Lowe, to direct Township Staff to take the action of removing the Township Center Overlay District (TCOD) from the zoning map. **The motion carried unanimously.**

**OPEN PUBLIC HEARING #2...**Continuation of public hearing for the proposed Genoa Charter Township Master Plan.

Ms. VanMarter stated a public hearing was held at the previous Planning Commission meeting; however, there are some changes that still need to be made before it can be presented to the Planning Commission.

The call to the public was made at 7:07 pm.

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Approved Minutes

Ms. Liz Hoover of 661 Abbington Court questioned if sidewalks are part of the Master Plan. She has sidewalks on her property. Will this now be public even though the road is private. Ms. VanMarter stated public sidewalks are only on public road rights of way. If the roadway is private, then the sidewalk is private also.

Ms. Melanie Johnson of 3990 Chilson Road suggested including the Livingston County Pathways Plan in the Genoa Township Master Plan. Ms. VanMarter stated that the County's plan has been taken into consideration when developing the Non-motorized Network in the Township's Master Plan.

#### ADMINISTRATIVE BUSINESS:

##### **Staff Report**

Ms. Ruthig stated there will be a Planning Commission meeting in January and there will be two items on the agenda as well as the election of officers.

##### **Approval of the November 14, 2022 Planning Commission meeting minutes**

Needed changes were noted.

**Moved** by Commissioner McCreary, seconded by Commissioner Rauch, to approve the minutes of the November 14, 2022 Planning Commission Meeting as corrected. **The motion carried unanimously.**

##### **Member Discussion**

There were no items to discuss this evening.

##### **Adjournment**

**Moved** by Commissioner Rauch, seconded by Commissioner Chouinard, to adjourn the meeting at 7:17 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary