

**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
August 14, 2023**

**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, Diana Lowe, Marianne McCreary, Eric Rauch, Tim Chouinard, Jeff Dhaenens and Glynis McBain. Also present was 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:

It was noted that Open Public Hearing #1, Item C should say “Site Plan” and not “Environmental Impact Assessment.”

**Moved** by Commissioner Dhaenens, 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 made at 6:32 pm.

Ms. Colleen Quinn, Precinct 1 Delegate lives in the Grand River Latson Road area and has seen the development since 1996. She is opposed to the proposed PUD development. This will increase the traffic. She requested that the area be kept zoned as Country Estates. She is also concerned that a battery plant could be built in the area. She is concerned with the environmental effects if this is developed. She requested the request be denied and the current CAPUD south of Beck Road be removed.

Ms. Susan Nichols of 4935 Fairways Drive, Precinct 6 Delegate read a portion of the Township’s website speaking to the rural nature of the township. None of the proposed development is country living. She is asking that the property that has been rezoned be rezoned back to Country Estates.

Ms. Tracy Pardiac has been a resident of this area for more than 45 years. This PUD is a slap in the face to the residents. Their family legacies will be gone due to a greedy, out of town developer. The residents will not back down ever.

Mr. Mack Miller of 5171 River Ridge Drive has lived here for 45 years. The current plan allows for most of the development to be north of I-96 and he would like it to be kept that way. This is not a benefit to the township or the residents. He would like to see the redevelopment of property that is already zoned for it instead of taking existing green space

Ms. Denise Pollicella of 4200 Sweet Road stated there are many residents who were not aware of this item and those that did, did not understand it. The existing PUD expired last August and at that time it was not extended. The developer has now requested an extension. She would like the township to look at redevelopment.

Ms. Deb Towles of 3210 Pineview Trail stated her road backs up the already-approved rezoning on Latson as well as the proposed rezoning. The first rezoning approval occurred during the global pandemic. While a certain range of people are notified, it affects others. All the residents now have little trust in the township to protect the residents. The initial property rezoning was unethical and she strongly opposes other rezonings on Latson Road.

She provided letters from four of her residents. Linda Byer of 2627 Chilson Road, Val Cummings of 2521 Chilson and Larie Shirley of 3278 Pineview, and Ralph Berz of 3093 Pineview Trail are against this rezoning.

Ms. Linda Byer of 2627 Chilson Road stated that she backs up all of what has been said tonight. She and her husband moved from California and chose to live here due to the lifestyle. She is not in favor of urban development in this area. It is not appropriate.

Ms. Jane Locke of 3401 Pineview Trail is the Precinct 2 Delegate. The approval back on June 10, 2020 was illegal and the Open Meetings Act was violated. The township is ruining the property values of the neighbors. In 2024, the voters are not going to forget.

Mr. William Martin of 3947 S. Latson Road stated it is difficult to get out of his driveway due to the traffic. This will decrease his property values and increase his taxes. He questioned who is going to pay for the water and sewer improvements.

Mr. Rick Rattai of 3901 S. Latson Road has lived here for 38 years. The vehicles drive very fast on Latson Road. He has seen the changes with the zoning and widening of Latson Road, but this is too far.

Mr. Matthew Samar of 4587 Mt. Brighton asked why this wasn't put on a ballot.

Ms. Jeanine Iyer of 2396 Brighton Road echoed what other residents have stated this evening. She moved to the township six years ago. She lives within three miles of the development and it will affect the traffic and the wildlife. There are empty buildings along Grand River and those should be used first.

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Mr. Doug McCray of 5962 Audubon Trail has lived here for 14 years. The purported benefits of this development are high paying jobs and high-end commercial development, etc. There could be a battery plant. The only people who are going to benefit from this are the predatory, greedy developers.

Mr. Tom Bebbe of 1749 Westgate Drive moved to the area 25 years ago. He used to live on Gray Road but moved from there due to development. He does not want a low-income or industrial district. There are other areas in the county where this can be built. The current industrial buildings are vacant.

Ms. Veronica Godwin of 2482 S. Latson Road has the county drain on her property and she has worked very hard to plant flowers. There will be an access drive next to her property, Latson Road will be five lanes, and there will be multiple developments.

Mr. Marcus of 2821 Russell Drive grew up in this county and bought a house here. He would hate to see it turn into Oakland County. He thanked his neighbors for coming tonight.

Mr. Terry Zbicz of 4107 Summer Hill stated he is privileged to live in a beautiful area. Putting a large industrial development in this area is inappropriate.

Ms. Mallory Wilson of 3400 Beattie Road has lived in many places in the country, the world, and Michigan. They have lived here for 1 ½ years and has spoken to Marion Township about the solar farm and is now here. She has spoken to her neighbors and 80 percent of them only knew about this development when a sign was put up. This development will not benefit the residents. Developers should invest on Grand River Avenue.

Ms. Beverly Hamilton of 4769 Stillmeadow Drive has lived her for five years. They left Canton due to the development. She is concerned about the traffic. She agrees with what was said this evening.

Mr. Reiber of 3154 of Stillriver Drive, is a precinct delegate. The residents are here because they do not support this development. There are posters, fliers and signs and the community is united.

Ms. Deborah Jones of 3533 Westphall is representing her street. There is an elementary school across from their street and this type of development brings crime. The township should start listening to the residents.

Ms. Madeline Thomas of 4260 Pleasant Valley Road, Brighton Township stated this area needs to be protected. If there is a mistake at this factory, it could affect the water supply. She does not want to get rid of farmland.

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Mr. Wayne Jewel is not a resident of Genoa Township; however, he is a resident of Livingston County, stated that the current PUD is expired. The township has an obligation to listen to the residents. Battery plants cause fires and they cannot be put out with water. He asked if the Brighton Area Fire Authority is prepared for this. He requested the township stay with the Master Plan.

Mr. Jerome Washburn of 4537 Kingswood Drive urged the Planning Commission to visit a battery plant to see what it is doing to communities. If this is approved, it will change the landscape of this area forever.

Ms. Betty Nelson is a 30-year resident of Livingston County. She is concerned that the country atmosphere is going to be gone and once it's gone, it cannot be brought back. This will cause light pollution.

Ms. Debbie Quinn of 1018 Pinecone Drive agrees with what was said this evening. She asked the commission to listen to the residents and to work in their best interests.

Mr. Thomas Jatkowski of 3414 Pineview Trail moved here in 1981. He moved here to get away from the City. He is against what is being considered. He would have liked a mailed letter to the residents so they were aware of the project. He agrees with what was said this evening. He does not want this development

The call to the public was closed at 7:26 pm.

OLD BUSINESS:

**OPEN PUBLIC HEARING #1...** Consideration of a special use application, environmental impact assessment and site plan to allow for commercial outdoor recreational events at the existing Mt. Brighton facility. The property is located at 4141 Bauer Road on the south-east corner of Bauer and Challis Roads. The request is petitioned by VR US Holdings, Inc.

- A. Recommendation of Special Use Application
- B. Recommendation of Environmental Impact Assessment (6-28-23)
- C. Recommendation of Site Plan (7-27-23)

Mr. Mike Giorgio, the general manager of Mt. Brighton, stated they are not proposing any changes to the property, such as additional buildings, etc. They want to renaturalize the area that was the golf course. They were preparing to host the Chamber's Yellowstone Event, they realized they needed a permit for other events they had held in the past. Having this special use approval will allow them to hold those outdoor events.

Mr. Borden reviewed his letter dated August 9, 2023.

1. Special Land Uses (Section 19.03):

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- a. The proposal is generally compatible with the Master Plan classification of Private Recreation.
  - b. The Township may wish to seek input from the Road Commission to help mitigate any potential traffic concerns.
  - c. The Township may wish to require an earlier end time for events. 12AM is proposed; 10PM would be consistent with the Noise Ordinance. Alternatively, the Township may wish to set decibel limits for events that may extend past 10PM.
  - d. In order to make favorable findings related to compatibility and impacts, the use conditions of Section 6.02.02(g) need to be met to the Planning Commission's satisfaction.
  - e. The applicant must address any comments provided by the Township Engineer or Brighton area Fire Authority regarding public facilities and services.
  - f. Any event expected to include more than 1,000 patrons will be subject to the procedures and requirements of the Township's Assembly Ordinance.
2. Use Conditions (Section 6.02.02(g)):
- a. The entire parking lot does not appear to be improved. The Township may require improvements based on the request for a new special land use.
3. Sketch Plan Review:
- a. The Township may wish to require additional plantings to bring the site into compliance with the approved site plan or improvements to any additional site deficiencies identified as part of this review process.

Ms. Byrne reviewed her letter dated August 7, 2023.

1. The Petitioner should obtain approval from the Brighton Area Fire Authority prior to Township approval.
2. A more detailed traffic plan should be provided for how event traffic will be managed. Both Bauer Road and Challis Road are maintained by the Livingston County Road Commission, and they should review and approve of the proposed traffic management plan.

The Brighton Area Fire Inspector's letter dated July 17, 2023 states:

1. In section C of the outline submitted, there is reference to the driving distance from "Brighton Sheriff Department". Police response to this area would be provided by the Livingston County Sheriff Department. It is unknown what the response time would be to this area and would depend on the staffing levels of the sheriff department.
2. Also found in section C of the submitted outline is the fire department response. The Brighton Area Fire Authority has two fire stations similar distances from Mt. Brighton. If fire apparatus are in quarters at the time of an emergency response times would be between four and seven minutes.

3. Lastly, section C references that when emergency responders are required to be on site that emergency vehicles must be parked by ski patrol. Whenever emergency vehicles are required to be on site for an event, the location of emergency vehicles will be determined through event planning meetings.
4. In various locations of the submitted outline it is stated that when an emergency arises staff is to call the sheriff department or the fire department. If emergency services are on site and an emergency occurs, emergency services will be contacted by radio when available or via face to face. If emergency services are not on site, or if the above modes of communication are not available, staff shall call 911.

Commissioner Rauch thanked Mt. Brighton for filling the need for the community this year due to the construction downtown Brighton. He would only approve activities being done by 10 pm and not 12 am. The events that have been held there are appropriate for this site, but he does not believe concerts would be. Mr. Giorgio stated that if this special use is approved for the qualifying events, then they will work within the Assembly Ordinance for other events.

Commissioner Dhaenens asked what the capacity of the site is when it is a busy ski day. Mr. Giorgio stated they have 300 parking spaces and they estimate that cars will have three people each so when they are full, they have more than 1,000 people on a busy day.

Mr. Giorgio stated they have held events such as 5K's for veterans, Warriors for Hope, first responder training, the Winter Event, Duct Tape Derby, where families and kids build racing units out of duct tape and cardboard, and other fundraisers that support the community. They have live music in the winter and they close at 9 pm.

Mr. Dhaenens stated the parking lot could use improvement. Mr. Giorgio stated they spent \$87,000 repaving the front of the parking lot. They put those millings in other areas of the lot. They are purchasing grading equipment to help keep it smooth during the winter. They have a capital plan to complete the parking lot, which costs approximately \$700,000. He added that they are agreeable to increase the landscaping, and have plans in place for this.

Commissioner McCreary questioned what events would be approved with this special land use. Mr. Borden stated they would be able to have these events without the need to obtain approval each time; however, if they have an event with over 1,000 people, the Assembly Ordinance would apply and they would need additional approval.

Commissioner McCreary questioned the Use Conditions of the Special Land Use, specifically "..... and shooting ranges, animal racing, go-cart, automobile or motorcycle tracks....". Mr. Giorgio stated they do not allow weapons on their property and they do not allow motorized vehicles as it ruins their turf.

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Commissioner McCreary questioned the statement that Vail Resorts' goal is to "achieve a zero net operating footprint by 2030". Mr. Giorgio stated they are environmentally conscious and that is one of their goals.

The call to the public was made at 8:09 pm.

Ms. Jordan Sellek of 4686 Kingswood Drive is an avid concert and festival attendee; however, she is concerned with the vagueness of the proposal. She is concerned with the traffic on Bauer Road and people parking on their neighborhood streets. Their roads are narrow and they do not have sidewalks. There is access to Mt. Brighton properties from the cul de sac at the end of their street and people park there and access the property. She wants to ensure that attendees will not park on their street and access the property from there. There is traffic from the two schools, and the high school, and these festivals will just increase this. She asked for a plan on how the traffic will affect her neighborhood.

Ms. Jana Damsky of 4518 Kingswood Drive agrees with Ms. Sellek about the traffic in their subdivision. She is concerned with the noise. The concert this summer was very loud. She stated that long exposure to high decibels can affect hearing. She wants to ensure that their well water is not negatively affected. She asked how having these events will affect their property values, and how many concerns will be held.

Mr. Jerome Washburn of 4537 Kingswood Drive stated that since the golf course has been closed, the maintenance of the property has gone down. There is overgrown vegetation. He would also like to know how many events will be held and how many people will attend. This will affect traffic as people will all arrive and leave at the same time. He agrees with his neighbor that people access Mt. Brighton from their street.

Mr. Craig Lytle of 4162 Bauer Road is concerned with the vague proposal. He appreciated the clarifications this evening; however, he would like them put into writing. He wants to ensure that they meet the lighting ordinance. The neighbors should be notified when larger events are going to occur.

Ms. Michelle Miller of 7515 Brookview Drive reiterated Ms. Sellek's concerns in that the proposal was vague. She would also like to see the clarifications put in writing.

Mr. Mark Finley of 4567 Mt. Brighton Road stated many vehicles drive down their road and then turn around because they are trying to find the ski hill. He is concerned about the traffic, what will be occurring in the parking lot before and after events, water and sewer contamination, lighting, and off-site parking. He wants to ensure that as time goes on, the number of events will not continue to increase each year.

Ms. Alana Bennett of 4673 Brookview Drive did not receive a letter, but her neighbors shared it with her. She agrees with what has been said today. She would like to ensure that the 10 pm

end time is adhered to. She is concerned with the light pollution and the increased traffic. She suggested left-turn lanes be put on Bauer and Challis for this property.

Ms. Coral Addis of 4514 Kingswood Drive has lived here for 50 years. She appreciates what Mt. Brighton does for charity but the concert was too loud. Her house was vibrating.

Mr. Roy Yapple of 4704 Mt. Brighton Drive agrees with the events stopping at 10 pm, he believes these events will increase revenue for Vail and the surrounding area. He is concerned with alcohol consumption and suggested an early last call for alcohol.

Ms. Sherry Graenser of 7272 Brookview Drive asked what two events have already been approved. She was not notified of this item. She learned of it from her neighbors. She is concerned with the noise and the light. She also asked if the neighbors will know when events will be held.

The call to the public was closed at 8:37 pm.

Mr. Giorgio appreciates the feedback from the neighbors this evening. Their events would not have more than 1,000 attendees and there is enough parking for that amount of people. These events are in the summer so the school traffic will not affect them, they had security at the previous event and no one was able to get onto their property from Kingwood, the property is beautiful as there is wildflowers and wildlife, they will not have people staying overnight, Vail is very committed to the environment, they will be having the events from May through September, if it's desired, he will notify each of the residents when there will be events, they do have an early last call an hour before the end of the event. He wants to be able to do the recreational events that they have always been doing and if they are not allowed to have concerts, then he will abide by that.

Commissioner Rauch would like to see a schedule of the proposed event uses, the times of those events, and the maximum number of events per year; they do not have to be the specific events, but the types of events. He does not feel comfortable recommending approval of outdoor concerts to the Township Board. It is not a good fit in this part of the community.

Commissioner Dhaenens agrees with Commissioner Ruach; however, he is not opposed to allowing the outdoor concerts.

Commissioner Lowe is not opposed to allowing the outdoor concerts.

Commissioner Chouinard questioned the Planning Commission regarding the parking lot and tree plantings noted by the planner. Mr. Giorgio stated that if they must redo the parking lot to have their small events, then they will not be able to have them. They do not have the funding now. Ms. Ruthig stated that in 2019 the gravel parking lot was approved.



**Moved** by Commissioner Rauch, supported by Commissioner McCreary, to table Open Public Hearing #1 for 4141 Bauer Road to give the applicant an opportunity to create a schedule of non-skiing events to present to the Planning Commission. **The motion carried unanimously.**

**OPEN PUBLIC HEARING #2**...Consideration of a special use application, environmental impact assessment and sketch plan to allow for used vehicle sales. The property in question is located at 7949 Grand River Avenue, located west of Hacker Road. The request is petitioned by Aric Wilson.

- A. Recommendation of Special Use Application
- B. Recommendation of Environmental Impact Assessment (7-19-23)
- C. Recommendation of Sketch Plan (7-19-23)

Mr. Wilson stated would like to open a small used auto dealership. He will be buying and selling specialized vehicles. He believes this is an appropriate location for this business.

Mr. Borden reviewed his letter dated August 10, 2023.

1. Special Land Uses (Section 19.03):
  - a. Given the presence of existing auto-oriented businesses in the immediate area, the proposal is generally compatible with the Master Plan classification of Mixed-Use-East Grand River.
  - b. In order to make favorable findings related to compatibility and impacts, the applicant must provide lighting details and the use conditions of Section 7.02.02(c) need to be met to the 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 (Section 7.02.02(c)):
  - a. Pending input from the Township Engineer, the Commission may allow the existing gravel surfacing to remain or may require that it be paved.
3. Sketch Plan Review:
  - a. The Township may require improvement to the existing gravel surfacing.
  - b. The applicant must provide lighting details.
  - c. The site does not fully meet current Ordinance standards with respect to landscaping; they are one tree deficient along the Grand River greenbelt; signage does not meet the 10-foot setback and encroaches into the ROW; and the number of customer parking spaces, barrier-free space striping, and looped striping.
  - d. The Township may require improvement to any additional site deficiencies identified as part of this review process.

Ms. Byrne reviewed her letter dated August 8, 2023.

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1. The bar scale on the sketch plan is incorrect. The sketch plan is drawn at 1" = 30', but the graphic scale is shown as 1/30"=1'.
2. The existing parking spaces are not striped per the Township's Zoning Ordinance. The parking lot and access drive between Grand River Avenue and the existing building is paved, but the area to the east of the existing brick wall is gravel parking lot and vehicle display area. Section 7.02.02 of the Zoning Ordinance requires that outdoor storage areas be hard surface unless approved otherwise. Since the gravel surface is existing and proposed activities are of a low intensity, she has no concern with the vehicle display area being gravel, but the petitioner should consider at least paving the proposed customer parking spaces.
3. The two parking spaces shown near the existing gate in the northeast corner of the site are not accessible and should not be considered parking spaces.
4. The sketch plan should include parking calculations based on the parking space numerical requirements in section 14.04 of the Township's Zoning Ordinance.
5. Since the barrier free parking space is not detailed, it is unclear if the space meets the township's requirements. The barrier free parking space needs to be signed and marked.

The Brighton Area Fire Inspector's letter August 3, 2023 states:

1. The building shall include the building address on the building. The address shall be a minimum of 6" high letters of contrasting colors and be clearly visible from the street. The location and size shall be verified prior to installation.
2. The location of a Knox Box shall be indicated on future submittals. The Knox box shall be located adjacent to the main entrance of the structure, in a location coordinated with the fire authority.

Commissioner Rauch stated that if the chain link fence was upgraded so the back of the property is not visible from the front, he would be agreeable to allow the gravel parking lot. He would also like to see improved landscaping on the Grand River greenbelt, such as low lying plantings or flowers, but not trees.

Mr. Wilson will be upgrading the landscaping in the front and is agreeable to upgrading the fence, but it would be open during business hours. In response to the review letters, he will not have lights on overnight; he is willing to paint the parking spaces however, he does not want to paint the existing brick pavers; he will be cleaning up the rear of the lot; and he will plant another tree in the greenbelt if required, but he agrees with Commission Rauch that plants should be installed. The sign and its location are existing. He will comply with the two requirements of the Brighton Area Fire Authority.

Commissioner Rauch agrees with Mr. Wilson regarding not painting the parking spaces on the brick pavers; however, the ADA parking space must be delineated.

Chairman Grajek would like to limit the number of cars that are allowed to be displayed in both the front and rear lots. Mr. Wilson agrees and will abide by the limits set by the township.

The call to the public was made at 9:30 pm

Mr. Doug Hamborsky, who represents Brighton Champion Buick at 7885 Grand River stated they are concerned that a business similar to theirs will be next door to them as this is supposed to be a "mixed use" area, there are deficiencies with the project scope such as stormwater management, customer and staff parking, no building and site details, the drawing is not complete, etc. He provided a hard copy of his list of his concerns to the Planning Commission this evening.

Mr. John Folio, who also represented Brighton Champion Buick, stated there are 10 used car dealerships in the area and there does not need to be another one.

The call to the public was closed at 9:44 pm.

Mr. Borden stated that many of the details that Mr. Hamborsky noted would be needed for a full scale site plan; however, that is not what is required by the township for this project.

**Moved** by Commissioner Rauch, supported by Commissioner Dhaenens, to recommend to the Township Board approval of the Special Use Application for Aric Wilson to allow for used vehicle sales at 7949 Grand River Avenue, with the following conditions:

- The lighting details will be submitted to staff for review and approval of compliance with the township ordinance.
- The petitioner will meet all requirements of the Brighton Area Fire Authority and Township Engineer.
- There shall be no more than three display vehicles parked in the front lot and on hard surfaces only.
- Petitioner shall update the sketch plan to show the location of three display vehicles parking spots and the location of customer and ADA parking spaces for review and approval by Township staff.

**The motion carried unanimously.**

**Moved** by Commissioner Rauch, supported by Commissioner Lowe, to recommend to the Township Board approval of the Environmental Impact Assessment dated July 1, 2023 for Aric Wilson to allow for used vehicle sales at 7949 Grand River Avenue. **The motion carried unanimously.**

**Moved** by Commissioner Rauch, supported by Commissioner Dhaenens, to recommend to the Township Board approval of the Sketch Plan dated July 19, 2023 for Aric Wilson to allow for used vehicle sales at 7949 Grand River Avenue, with the following conditions:

- Petitioner shall update the sketch plan to show the location of three display vehicles spots and location of customer and ADA parking spaces for review and approval by Township staff.
- The fence gate shall be updated so it is opaque and the rear parking lot cannot be seen from the front.
- Fifteen low line shrubs shall be planted in the Grand River frontage.
- This Planning Commission finds the gravel parking lot to be sufficient with the addition of the opaque gate.

**The motion carried unanimously.**

**OPEN PUBLIC HEARING #3...**Consideration of an amendment to a previously approved site plan for an expansion of a parking lot for an existing office/medical building located at 3399 E. Grand River Avenue on the north side of Grand River Avenue, west of Grand Oaks Drive. The request is petitioned by KULOL LLC.

A. Disposition of amended site plan. (7-19-22)

Mr. David Burcon of KULOL, LLC provided a review of his project and why he would like to plant four arborvitae instead of the ninety plants that are required. These trees will help provide privacy to the adjacent condominiums. If the township requires additional landscaping, then he will comply with their request.

Mr. Borden reviewed his letter dated August 9, 2023.

1. The proposed amendment to an approved site plan is subject to Planning Commission review and approval.
2. The applicant proposes to remove 90 shrubs and add 4 Arborvitae.
3. The stated rationale for this change is tied to financial considerations and suitability of the land around the detention pond to support shrub plantings.
4. Simply based on quantities, the proposed change does not appear entirely equitable.
5. We suggest the applicant identify alternative locations that can accommodate additional plantings to offset the significant difference in quantities.
6. Section 12.02.13 allows the Planning Commission to waive or modify landscaping requirements.

Commissioner McBain wants to ensure that the applicant is not over landscaping, which could cause some of the plantings to die.

**Mrs.** Ruthig stated that the applicant had to grade part of the property which removed some of the screening to the condominiums.

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The call to the public was made at 10:13 pm.

Mr. Jim Strand who is president of the homeowner's association behind this property stated there is ample screening from the detention pond, but there were trees and shrubs that were removed that provided screening and security from the parking lot. What Mr. Burcon is proposing would provide this screening year-round.

The call to the public was closed at 10:19 pm.

After a discussion, it was decided to permit the petitioner plant 15 arborvitae.

**Moved** by Commissioner Rauch, supported by Commissioner Dhaenens, to recommend to the Township Board approval of the Amended Site Plan dated July 19, 2023 to allow for the relocation of three existing, alive evergreen trees to a location on the property as deemed appropriate by the owner and in its place install 15 arborvitae from the northwest corner of the parking lot to the dumpster area and not be required to plant the 90 shrubs around the detention pond as previously required. **The motion carried unanimously.**

#### ADMINISTRATIVE BUSINESS:

##### **Staff Report**

Ms. Ruthig stated that she, Mr. Borden and Commission Rauch attended a meeting with a potential applicant who would like a drive thru that would not be allowed due to it being too close to another drive thru. It was suggested to amend the zoning ordinance to remove this restriction.

##### **Approval of the July 10, 2023 Planning Commission meeting minutes**

Needed changes were noted.

**Moved** by Commissioner McCreary, seconded by Commissioner Lowe, to approve the minutes of the June 12, 2023 Planning Commission Meeting as corrected. **The motion carried unanimously.**

##### **Member Discussion**

Commissioner Rauch addressed the comment at the call to the public that stated the township violated the Open Meetings Act in 2020; however, the OPA was amended for COVID and that meeting was legal. Ms. Ruthig confirmed this is correct.

##### **Adjournment**

**Moved** by Commissioner McBain, seconded by Commissioner Lowe, to adjourn the meeting at 10:32 pm. **The motion carried unanimously.**

Respectfully Submitted,

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Patty Thomas, Recording Secretary