

Genoa Township Planning Commission  
January 13, 2025  
Approved Minutes

**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
January 13, 2025**

**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, Tim Chouinard, Glynis McBain, Marianne McCreary, Greg Rassel, Eric Rauch, and Bill Reiber. Also present were Planning Director Amy Ruthig, Brian Borden of Safebuilt, and Shelby Byrne of Tetra Tech.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

ELECTION OF OFFICERS:

**Moved** by Chairman Grajek, supported by Commissioner Rassel, to nominate Marianne McCreary for secretary. **The motion carried unanimously.**

**Moved** by Commissioner Rassel, supported by Commissioner Rauch, to nominate Chris Grajek for Chairman. **The motion carried unanimously.**

**Moved** by Commissioner McCreary, supported by Commissioner Chouinard, to nominate Eric Rauch for Vice-Chairman. **The motion carried unanimously.**

**The motion carried unanimously.**

APPROVAL OF AGENDA:

**Moved** by Commissioner Rauch, supported by Commissioner McCreary, 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.

Mr. Jeff Dhaenens of 5494 Sharp Drive stated that social media can be a slippery slope with the Township. Tonight's agenda item is an example of this. An item went on social media, then there was a negative comment, so the Township had to respond. He would like the Township to deal in facts and not respond to these types of comments.

The call to the public was closed at 6:34 pm.

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**OPEN PUBLIC HEARING #1**... Consideration for a rezoning application, PUD agreement, environmental impact assessment, PUD conceptual and preliminary site condo plan to rezone 127.57 acres from Agriculture (AG) to Low-Density Residential (LDR) to allow for a proposed 55-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road. The proposed rezoning is for the following parcels: 4711-23-400-008, 4711-23-400-007, 4711-23-400-001 and 4711-23-300-003. The request is submitted by Pulte Homes of Michigan.

- A. Recommendation of Rezoning to LDR and PUD application for RPUD
- B. Recommendation of PUD agreement
- C. Recommendation of Environmental Impact Assessment (9-27-24)
- D. Recommendation of Conceptual PUD (12-16-24)

Mr. Mike Noles of The Umlor Group, the engineering firm representing Pulte Homes, was present. This is their third public meeting for this project, they also had a meeting with the homeowner's association of the Mountain View neighborhood and spoke with some individual homeowners who contacted them. He is grateful for the letter in support for the project that was in the packet this evening.

He reviewed their proposed project and described the changes they have made since the previous meeting. They are now proposing to build 55 homes instead of 58, they reduced the length of the cul-de-sac so there is less impervious service, reduced the proximity of the homes to the railroad tracks, and doubled the landscaping around the detention pond.

He stated that the traffic study that was done includes the trips that will be generated by the Grand River & Dorr Road development. Additionally, when the roundabout was designed, the LCRC included the original Legacy Hills concept plan, which was for 129 units, and since this development is for only 55 units, the roundabout was over-designed.

Additionally, based on public comment, they will be installing a public path along Challis Road in two directions: from their development to the Mountain View Development and to the roundabout.

Mr. Borden reviewed his letter dated January 7, 2025.

He stated this is the first step in this process. If the Planning Commission recommends approval and the Township Board votes to approve the items on tonight's agenda, the petitioner will have to return to the Township for final site plan review and approval, which will include public hearings.

- 1. PUD Qualifying Conditions (Section 10.02):
  - A. The proposal requires approval by the Township in accordance with the cluster development option of Section 10.03.01(d) for residential units of less than one acre that are not served by public sewer or water.

2. Rezoning Criteria (Section 22.04):
    - A. The proposed zoning designation of LDR/RPUD is consistent with the Future Land Use Plan and goals/objectives of the Township Master Plan.
    - B. Use of the cluster development option under the RPUD overlay results in greater open space/natural feature protection than would otherwise be required, which is 58.1 percent.
    - C. The only use identified in the RPUD is detached single-family, which is generally reasonable and compatible with the area.
  3. Conceptual PUD Plan and PUD Agreement (Section 10.03.01):
    - A. The pathway options provided warrant additional discussion. He noted that the applicant is proposing to install the public walkway along Challis Road, so that should be noted on the plans.
    - B. Dimensional deviations are sought for lot area, lot width, and one side yard minimum setback/combination of side yard setbacks.
    - C. Cluster option. The items below are still outstanding and there are some small typos on the plans that need to be corrected.
      - I. The road connection to Units 13-16 encroaches into the Township's natural feature setback area and the wetland itself, thus requiring State and Township approval. The applicant has added the encroachment to the list of dimensional deviations sought via the RPUD.
      - II. The applicant must include a preservation and maintenance plan with the final PUD site plan submittal.
      - III. The Township may include reasonable conditions to ensure protection of public facilities and services, protection of the natural environment, compatibility with adjacent land uses, use of the land in a socially and economically desirable manner, and to implement the Master Plan.
- ~~DE.~~—The applicant must address staff and/or Township Attorney comments on the PUD Agreement.
- ~~EF.~~ The applicant should identify the Challis and Bauer Road frontages of Units 32-45 as the rear yard since they will be double-fronted lots.
- ~~FG.~~—Signage identifying areas not to be disturbed, specifically natural feature setback and landscape easement, should be included.

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For all items, the applicant must address any technical comments provided by the Township Engineer, Brighton Area Fire Authority and Utilities Director.

Ms. Byrne reviewed her letter dated December 23, 2024. Her comments will need to be included and addressed in the final site plan.

#### DRAINAGE AND GRADING

1. The conceptual site plan includes stormwater and private road improvements within regulated wetland limits. An EGLE wetland permit will be required for this work and should be obtained prior to final site plan approval.
2. The conceptual site plan shows a detention pond and onsite storm sewer. Storm sewer and detention basin design and calculations should be provided for review as part of the final site plan review.
3. An overall proposed grading plan will need to be submitted for review and approval.

#### WATER AND SANITARY SERVICE

1. The proposed PUD does not have access to municipal water and sanitary sewer service and the cover sheet of the conceptual site plan notes that onsite septic and individual wells are proposed to serve the development and conceptual approval from the Livingston County Health Department (LCHD) has been obtained. Final approval from the LCHD should be provided prior to final site plan approval.
2. The Brighton Area Fire Authority has reviewed the proposed PUD and noted that fire protection water supply will be discussed during the final site plan process. The petitioner will need to work with the Fire Authority to meet any fire suppression requirements they have as part of site plan approval.

#### TRAFFIC AND ROADWAYS

1. The proposed PUD would be served by a private road off Challis Road. Future road design should be in accordance with Genoa Township Engineering Standards and a Private Road Construction plan review will be required after final site plan approval.
2. The private road includes a dead-end cul-de-sac on the north end of the development. The road terminating in a dead-end is proposed to be just over 1,100 feet long, which exceeds the maximum length of 1,000 feet for a dead-end street. Given the natural features contained on the site it would be impossible to loop this dead-end road back to the rest of the development. The road will also only have four lots being served, which generates a minimal amount of traffic. Subject to review by the Brighton Area Fire Authority, we would support a variance for the length of the street.
3. A traffic study was provided by the petitioner. The study was conducted and prepared by Fleis & VandenBrink for the intersection on Challis Road and the proposed site driveway. Recommendations stated that no left or right turn lane will be warranted at the proposed site driveway on Challis Road.

The concept plan shows adequate access to the site and a detailed site plan should be submitted with the necessary documents for further review. We recommend that the petitioner consider the above comments in their preparation of the site plan approval process.

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The Brighton Area Fire Authority Fire Marshal's letter dated January 7, 2025 states that all his previous concerns have been addressed.

Commissioner Reiber stated these homes will cost approximately \$800,000 and asked if the developer has shown that there is a need for them. Mr. Noles stated there is a section of the Impact Statement that shows there is a demand for homes in this area. It does not break it down by price range. He noted other developments in the surrounding area that have homes that are selling for these prices.

Commissioner Reiber asked how the open space is calculated. Mr. Noles stated open space is determined by the ordinance. He reviewed the site plan showing the different open space areas and how they are calculated, noting this project is far in excess of the minimum requirement. Commissioner Reiber asked if the upland area can be used by the residents. Mr. Noles stated it is protected land in that it will be kept in its natural state and cannot be developed.

Commissioner Chouinard asked about Lot 30 and how it became smaller. Mr. Noles stated it was 600 square feet too small, so lots 29, 30 and 31 were shifted so they all meet the one-acre requirement.

Mr. Noles noted that the front yard designations are shown on the site plan.

Commissioner McCreary questioned the wide area on the shared driveway for Lots #13-16. Mr. Noles stated that is there to allow fire trucks to turn around. It meets all the requirements of the international fire code. She asked who maintains that private road. Mr. Noles stated it will be the responsibility of the HOA and will be noted in the master deed and by-laws.

Commissioner Rauch asked about the designated open space shown in yellow behind certain lots. Is it maintained by the property owner? Mr. Noles stated it is a limited common element that is maintained by the homeowner as it is their yard. The HOA has a responsibility to maintain the required buffered plantings.

Commissioner McBain asked for clarification on the limited common elements. Mr. Noles explained that it is part of the property owner's property to maintain and enjoy; however, within that area is a required landscape buffer, which will be maintained by the HOA.

Ms. Ruthig requested that the front yard designation for the lots that abut Challis and Bauer be added to the PUD Agreement.

Commissioner McCreary asked about tree removal on the site. Will it be clear cut? Mr. Noles stated that there are 70 acres of this site that have over 5,000 trees that will not be removed. There are also trees being saved along Challis Road, Bauer Road, and the rear yards of the properties that abut the neighboring development.

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Commissioner Rauch stated that the items for consideration this evening are rezoning, PUD, and Concept PUD. There will be an opportunity to discuss details of the plan. He thanked the applicant for listening to the public and the Planning Commission and making the changes, specifically the reduction of the seven lots to four.

The call to the public was opened at 7:50 pm

Mary Jane Hebert of 6899 Lyle Lane stated that the original plan showed that all the trees were going to be cut down. She does not want the dirt part of Bauer to be used for construction traffic. She would like it to be accessed from Challis Road. The current residents of Genoa Township will not benefit from this development. Their property taxes will increase and make it difficult for seniors to age in place.

Ms. Debra Beattie of Pineview Trail commends the builder. She appreciates that there is buffering, and that half of this property will be preserved as natural. She is not sure if anyone is looking for homes of this price. She questioned the application that was submitted. It does not seem that the applicant is taking it seriously. It should be answered with real answers.

Mr. Mortensen of 6475 Grand Circle asked if this is the new people that were just voted in. Chairman Grajek stated that this Board is appointed by the Supervisor; however, one of the members is a new trustee who is a liaison to the Board. Mr. Mortensen is concerned with the retention pond. If the pond fills up, it will drain, and he wants to be sure that it will drain where it is supposed to.

Ms. Debra Hall of 2165 Webster Park has lived in Livingston County since 1976 and has owned this property since 1987. She does not understand \$800,000 homes. Her grown children cannot afford to live in Livingston County, and she thinks that is a shame.

The call to the public was closed at 8:06 pm.

Ms. Ruthig stated that a letter from Christine Cross of 6984 Challis Road was received at 6:00 pm today and was not included in the packet. Chairman Grajek read the letter into the record.

Commissioner Rauch addressed the issue of attainable housing in Livingston County that was stated by a member of the call to the public. As a township, we are working to make strides towards this. The project at Dorr and Grand River and other new developments are more attainable than what is being proposed this evening. He added that during the site plan review process, detailed engineer drawings will be submitted and there are regulations and approvals that are required to be met. The site plan presented this evening is just conceptual.

**Moved** by Rauch, supported by McCreary, to recommend to the Township Board approval of the Rezoning to LDR and PUD Application for RPUD to rezone 127.57 acres, Parcels 4711-23-400-008, 4711-23-400-007, 4711-23-400-001 and 4711-23-300-003, from Agriculture (AG) to Low-Density Residential (LDR) to allow for a proposed 55-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road as this commission finds that the conditions of Sections 22.04 have been satisfactorily met. **The motion carried unanimously.**

**Moved** by Commissioner Rauch, supported by Commissioner Chouinard, to recommend to the Township Board approval of the PUD Agreement to allow for a proposed 55-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road, with the following conditions:

- The front yard designations shown on the site plan shall be added into the PUD Agreement.
- The changes shown in the Agreement in tonight's packet are approved.
- The PUD should show 55 lots.

**The motion carried unanimously.**

**Moved** by Commissioner Rauch, supported by Commissioner McCreary, to recommend to the Township Board approval of the Environmental Impact Assessment Dated September 27, 2024 to allow for a proposed 55-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road, with the following condition:

- The Environmental Impact Assessment shall show 55 lots.

**The motion carried unanimously.**

**Moved** by Commissioner Rauch, supported by Commissioner Chouinard, to recommend to the Township Board approval of the Conceptual PUD dated December 16, 2024 to allow for a proposed 55-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road, with the following conditions:

- A conservation easement shall be added over the western upland areas and not just the wetlands themselves.
- The table on the concept plan will be updated to incorporate the changes made from the original proposal.
- The pathway as shown on the plans is in lieu of the required internal pathways is desirable to the Planning Commission to offer a greater benefit to the community at large and the details will be revisited at the time of final site plan approval.

**The motion carried unanimously.**

The Board took a break from 8:20 to 8:25 pm

**OPEN PUBLIC HEARING #2**...Discussion of an ordinance amendment to Article 7 "Commercial and Service Districts" in regard to drive-through restaurants.

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Mr. Borden stated that he and staff have been discussing a text amendment for an additional category for drive thru restaurants. He is suggesting traditional fast food, intermediary restaurants, like fast casual, and drive through coffee shops.

The goal is to ensure the ordinance is keeping up with the way businesses are developing. COVID has caused more requests for drive through service. A particular request has been made recently for a conditional rezoning for a fast casual restaurant with a drive through. It did not meet the zoning standards so a text amendment, instead of a map amendment, could be done.

Commissioner Rassel asked when does a coffee shop become a restaurant. Mr. Borden stated it is not defined in the ordinance. His proposal is to have better definitions and tie that to the amount of traffic they generate.

Commissioner Rauch is glad this is being addressed. He does not want to add a third category. He would like to have the two current categories put into one and focus on the drive through service. The issue isn't what they are serving, it's what amount of traffic the use is generating and the traffic movement on the site. Mr. Borden agrees that the definition can be based on trip generation. Chairman Grajek agrees that traffic generation should be considered.

Commissioner Rauch recommended that the 500-foot requirements between drive throughs be removed from the ordinance.

There was a discussion regarding allowing these types of uses in the General Commercial District because this zoning is in many locations along Grand River. It was suggested to keep the drive through restaurants together so they can use shared driveways and have the more impactful uses as a special use in GCD.

The Commission agreed to have staff and Mr. Borden draft changes based on this discussion and return to the Planning Commission for review.

ADMINISTRATIVE BUSINESS:

**Staff Report**

Ms. Ruthig stated there may be a second meeting in February. She will be sending out a poll to determine who is available. There is an applicant who is ready to be heard, but the Latson Road PUD is scheduled for the first meeting in February. The Latson Road PUD item cannot be at the same meeting as another item.



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**Approval of the December 4, 2024 and December 9, 2024 Planning Commission meeting minutes**

Needed changes were noted.

**Moved** by Commissioner McCreary, seconded by Commissioner Rassel, to approve the minutes of the December 4, 2024 Planning Commission Meeting as amended. **The motion carried unanimously.**

Commissioner Reiber noted two changes that need to be made on two motions. Ms. McCreary stated that there are other changes that need to be made. There are words and names that are not correct. Ms. Ruthig is not sure if she is able to have the minutes corrected because they were done by a court reporter.

**Moved** by Commissioner McCreary, seconded by Commissioner Rassel, to approve the minutes of the December 9, 2024 Planning Commission Meeting as amended, subject to approval of the stenographer. **The motion carried unanimously.**

**Member Discussion**

Commissioner Rauch questioned if the Township could beautify the new roundabout at Bauer and Challis. It is an entrance to the community. Ms. Ruthig recommended that Mr. Reiber address this with the Township Board.

Commissioner McCreary stated that there is a lot of mud on Latson Road caused by the Mr. Car Wash development.

Commissioner McBain suggested that since the meetings are now televised, it would be helpful to not use acronyms when discussing zoning, etc. The full names should be used.

**Adjournment**

**Moved** by Commissioner Rassel, seconded by Commissioner McCreary, to adjourn the meeting at 9:01 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary