

**GENOA CHARTER TOWNSHIP BOARD**  
**Regular Meeting**  
**April 7, 2025**

**MINUTES**

**Call to Order**

Supervisor Spicher called the regular meeting of the Genoa Charter Township Board to order at 6:31 pm at the Township Hall.

**Invocation**

Supervisor Spicher led the invocation for the Board and the members of the public.

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

**Roll Call**

The following members were present constituting a quorum for the transaction of business: Kevin Spicher, Janene Deaton, Candie Hovarter, Robin Hunt, Bill Reiber, Rick Soucy, and Todd Walker.

Also present was Township Manager Kelly VanMarter, Township Attorney Joe Seward, and 21 people in the audience.

**Call to the Public**

The call to the public was opened at 6:32 pm.

Mr. Michael Refalo of 1619 Edwin Drive stated he is in favor of the road maintenance SAD for Edwin Drive.

Ms. Rochelle Huntsman of 1662 Edwin Drive stated the residents would like to continue the road maintenance SAD for Edwin Drive for another five years.

Mr. Jeff Dhaenens of 5494 Sharp Drive hopes that the Township can reach out to WOW and ask them about the cables that they have installed. They are sagging. Legacy is a great project that he hopes receives approval this evening. He is present to answer any questions on the Lake Chemung fireworks request.

The call to the public was closed at 6:37 pm.

**Approval of Consent Agenda:**

**Moved** by Deaton, supported by Soucy, to approve the Consent Agenda as presented. **The motion carried unanimously.**

**1. Payment of Bills: April 7, 2025**

**2. Request to approve the March 17, 2025 regular meeting minutes.**

**Approval of Regular Agenda:**

Ms. VanMarter stated that a change is needed to Item #4 on tonight's agenda. The "Disposition of Rezoning Ordinance Number Z-25-04" states that  $\frac{2}{3}$  vote is required. That is not correct; it requires a majority vote.

**Moved** by Hunt, supported by Reiber, to approve the Regular Agenda as amended. **The motion carried unanimously.**

**3. Presentation by Brighton Area Fire Authority.**

Brighton Area Fire Authority Chief Michael O'Brien stated he has been in the fire service 30 years and has been Chief for 14 years. He provided the BAFA year-end report to the Board. He stated that BAFA is very well prepared for the upcoming construction projects in the area, including knowing how they will navigate the closures and detours. They now have all but one of their stations staffed.

He reviewed the ice rescue incident they had on March 12 on Lake Chemung.

They have deployed four staff to northern Michigan due to the ice storm they experienced last week.

They are reviewing their ice rescue and open water procedures and equipment, including purchasing a new boat.

**4. Public hearing and consideration of recommendations for approval of the rezoning Ordinance Number Z-25-04, environmental impact assessment, planned unit development (PUD) agreement, and conceptual PUD plan to rezone 127.57 acres from Agriculture (AG) to Low-Density Residential (LDR) with Residential Planned Unit Development overlay (RPUD) 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 and the request is submitted by Pulte Homes of Michigan.**

**A. Call to the Public**

**B. Disposition of Rezoning Ordinance Number Z-25-04 (Roll Call, requires ~~2/3~~ vote)**

**C. Disposition of Environmental Impact Assessment (3-05-25)**

**D. Disposition of PUD Agreement**

### **E. Disposition of Conceptual PUD plan (3-05-25)**

The call to the public was made at 6:58 pm.

Mr. Zenon Czornij of 6457 Grand Circle has lived here for 30 years and this is a beautiful area to live. He asked for studies on what is going to happen to the aquifer when these homes are built. They want to ensure that the rate of well failure and performance of the wells is closely studied and understood by the residents. There will be a lot of increased water usage in the new development, and he wants to ensure that it will not negatively affect the residents in Mountain View. He is concerned about the detention pond and runoff. This will have an impact on the environment.

Mr. Carl Mauch of 6503 Catalpa Drive has lived here for 42 years. He is concerned with coming out of the east Grand Circle exit. You cannot see the oncoming traffic. This new development will increase the amount of traffic coming this way. He is also concerned about the crosswalks being installed to connect the pathway on Challis to Bauer because there is a lot of traffic and people drive fast. He suggested putting a sign there.

Mr. Mark Finley of 4567 Mt. Brighton Drive asked why this development is needed. There will be more traffic. Does the Township need more tax revenue? There is plenty of vacant land outside of this area. He is in favor of affordable housing.

The call to the public was closed at 7:09 pm.

Mr. Mike Noles of The Umlor Group, the engineering firm representing Pulte Homes, stated this is the first step in the process. They are requesting to rezone these properties to comply with the Residential PUD ordinance. At the request of the Board, they have provided a full copy of the hydrogeological study that says this development will not negatively affect the surrounding wells or the aquifer. They have amended the PUD Agreement to comply with all of the items requested by the Board at the last meeting. He reviewed the details of those changes. He also showed the site plans, conservation areas, detention ponds, and building elevations from existing Pulte developments.

Supervisor Spicher stated he requested the hydrological study from Mr. Noles. Dr. Tatara reviewed it, and he is confident that the development will not negatively affect existing wells. He appreciates the work that has been done by the developer since the previous meeting. His concerns have been addressed.

Mr. Soucy stated that when the Mt. Brighton golf course was operating, they used 100,000 gallons of water a day, and the 55 homes will draw 20,000 gallons per day.

Ms. Hunt agrees that the homeowner penalty for tree removal should be what is stated in the ordinance. She is comfortable with the \$5,000 fine and the 1:1 replacement for the developer. Mr. Soucy would like the fine to be increased to \$25,000.

Ms. Hovarter questioned if these wells will be on a different aquifer than the existing wells in Mountain View. Mr. Brian Biskner of The Umlor Group stated that the wells will be deeper than the Mountain View wells. They will be at least 100 feet deep and in a different aquifer. The

standards have changed. Ms. Hovarter confirmed that if the existing wells fail, the homeowner's will be responsible for fixing them.

Ms. Deaton thanked the applicant for addressing all of their concerns. Her biggest concern was the discharge from the water softeners.

Mr. Reiber wants to ensure that the refund for the Radon mitigation is enough to fully reimburse the homeowner.

Mr. Mauch asked to speak again. He reiterated his concerns regarding the view for residents turning out of Mountain View. Mr. Noles stated that with the installation of their entrance driveway it will open up the sight distance more, which will help Mountain View residents turning east on Challis see the oncoming traffic.

Mr. Noles stated they agree with the revised language in the PUD Agreement; however, in the suggested motion for the Site Plan, he would like to have the requirement of all trees 3" caliper and smaller be removed. They do not have that survey done and do not believe it is necessary because it is within the development area and all trees there will be removed.

Mr. Joe Skore of Pulte Homes confirmed that they agree with all of the Township Attorney's changes made to the PUD Agreement.

Ms. Debra Beattie asked to speak. She is not ok with not knowing what trees are in the 50 acres that will be developed. There should be a tree survey done. Ms. VanMarter stated it is not required at this step of the process. It is required at the final site plan approval process. Ms. Beattie would like to have trees saved instead of having the area clear cut. She would like to have more discussion on this.

Ms. VanMarter addressed Mr. Noles requests to have the proposed conditions of approval for the Site Plan changed to not include trees that are 3" in caliper and smaller. She agrees with removing that language from the first condition; however, for condition 2, she would like to wait until there is a final grading plan submitted to determine if there is possibly a stand of trees that could be saved, with the understanding that it is not likely. Mr. Noles agreed to this condition.

**Moved** by Soucy, supported by Hunt, to approve and adopt Ordinance Z-25-04. This approval is made because the proposed amendment to the Zoning Map and reclassification as a Residential Planned Unit District (RPUD)/Low Density Residential (LDR) with the related development agreement, impact assessment and conceptual plan have been found to comply with the qualifying conditions and the criteria stated in Sections 10.02, 10.03.01 and 22.04 of the Township Zoning Ordinance. **The motion carried with a roll call vote (Hunt - yes; Reiber - yes; Walker - yes; Hovarter - no; Soucy - yes; Deaton - yes; Spicher - yes).**

**Moved** by Deaton, supported by Reiber, to approve the Environmental Impact Assessment dated March 5, 2025. **The motion carried unanimously.**

**Moved** by Hunt, supported by Deaton, to approve the PUD Agreement revised on March 5, 2025 with the following conditions:

1. The PUD Agreement shall include a requirement that at least 30 percent of the homes in development shall have a setback at least 10 feet from the standard minimum to encourage variation in front setback lines to avoid a monotonous row of houses and to create a more visually appealing and dynamic streetscape.
2. The PUD Agreement shall include a tree preservation section which shall include requirements for tree preservation and protection.
3. The applicant shall identify the Challis and Bauer Road frontages of units 32-45 as the rear yard since they are double-front lots.
4. All staff comments in the marked-up PUD agreement as well as any additional comments by the Township Attorney must be incorporated prior to final PUD plan submittal.

**The motion carried unanimously.**

**Moved** by Hunt, supported by Soucy, to approve the Conceptual PUD Plan dated March 5, 2025 with the following conditions:

1. The final PUD plan shall include a tree survey and inventory of all existing trees above 6" caliper within the development area.
2. For the initial installation of roads and stormwater infrastructure, the developer shall include a limits of grading and tree removal plan indicating the absolute minimum clearing necessary for maximum grade and tree preservation.
3. The pathway as shown on the conceptual plans is in lieu of the required internal pathways as it offers a greater benefit to the community at large, and the details will be revisited at the time of final site plan approval.
4. The final PUD plan shall identify each tree to be preserved including tree protection zones which shall require a pre-construction fenced in area around a tree or group of trees that will not be disturbed to ensure that a tree(s) are protected during construction, have enough space for root and branch growth, and will receive adequate supplies of soil nutrients, air, and water.
5. No tree survey is required for the conservation area.

**The motion carried unanimously.**

5. **Consideration of a recommendation for approval of a special use, site plan and environmental impact assessment for a proposed 15,231 building addition and parking lot of improvements for Three 60 Roto. The property is located at 741 Victory Drive, on the east side of Victory Drive, south of Grand River Avenue. The request is submitted by Neil Ganshorn, Rand Construction.**

**A. Disposition of Special Use Application**

**B. Disposition of Environmental Impact Assessment (01-21-25)**

**C. Disposition of Site Plan (02-18-25)**

Mr. Neil Ganshorn of Rand Construction and Jeff Osliger, representing the applicant, were present. Mr. Ganshorn stated the Planning Commission has recommended approval of their proposal to expand the rear of their existing building and make parking lot improvements. He showed the site plan and colored elevations.

**Moved** by Soucy, supported by Hunt, to approve the Special Use Application for a proposed 15,231 building addition and parking lot of improvements for Three 60 Roto. located at 741 Victory Drive, on the east side of Victory Drive, south of Grand River Avenue, with the following conditions:

1. All existing outdoor storage will be removed
2. All conditions of approval related to the site plan shall be complied with.

**The motion carried unanimously.**

**Moved** by Hunt, supported by Walker, to approve the Environmental Impact Assessment dated January 1, 2025 for a proposed 15,231 building addition and parking lot of improvements for Three 60 Roto located at 741 Victory Drive, on the east side of Victory Drive, south of Grand River Avenue. **The motion carried unanimously.**

**Moved** by Reiber, supported by Soucy, to approve the Site Plan dated February 18, 2025 for a proposed 15,231 building addition and parking lot of improvements for Three 60 Roto located at 741 Victory Drive, on the east side of Victory Drive, south of Grand River Avenue with the following conditions:

1. The landscaping plan shall be revised to provide the required buffer plantings on the north-east property line prior to land use permit issuance.
2. The existing building-mounted lights shall be brought into compliance.

**The motion carried unanimously**

**6. Request for approval of Resolution #1 to Proceed with the Project and Direct Preparation of the Plans and Cost Estimates for the Edwin Drive Road Maintenance Special Assessment Project (Summer tax 2025). (Roll Call)**

Ms. VanMarter reviewed the process for approval of this project. Ms. Hunt stated that the Township typically does not do special assessments for maintenance; however, this was successful in the past for Edwin Drive, so she is in favor of it.

**Moved** by Soucy, supported by Hovarter, to approve Resolution #1 to proceed with the Project and Direct Preparation of the Plans and Cost Estimates for the Edwin Drive Road Maintenance Special Assessment Project (Summer tax 2025). **The motion carried unanimously with a roll call vote (Reiber - yes; Hunt - yes; Spicher - yes; Deaton - yes; Soucy - yes; Hovarter - yes; Walker - yes)**

**7. Request for approval of Resolution #2 to Approve the Project, Schedule the First Hearing for April 21, 2025, and Direct Issuance of Statutory Notices for the Edwin Drive Road Maintenance Special Assessment Project (Summer tax 2025). (Roll Call)**

**Moved** by Hunt, supported by Soucy, to approve the Project, Schedule the First Hearing for April 21, 2025, and Direct Issuance of Statutory Notices for the Edwin Drive Road Maintenance Special Assessment Project (Summer tax 2025). **The motion carried unanimously with a roll call vote (Hovarter - yes; Soucy - yes; Deaton - yes; Spicher - yes; Hunt - yes; Reiber - yes; Walker - yes)**

**8. Request for approval of a fireworks display on Lake Chemung on Saturday, June 28, 2025 as submitted by Celebrate Lake Chemung for AMS Displays, LLC.**

**Moved** by Walker, supported by Reiber, to approve a fireworks display on Lake Chemung on Saturday, June 28, 2025 as submitted by Celebrate Lake Chemung for AMS Displays, LLC. **The motion carried unanimously.**

**9. Consideration of a request to approve Emergency Management Resolution 250407 to acknowledge and adopt the Livingston County Hazard Mitigation Plan and to approve the Support Emergency Operations Plan, General Emergency Management Guidelines, and Emergency Management Response Procedures and Emergency Action Guidelines. (Roll Call)**

Ms. Hunt stated this is reviewed and approved every five years. Ms. VanMarter stated there have been some changes made to the plans, and staff also wanted to update the plan with the new Board Members' names.

**Moved** by Hunt, supported by Walker, to approve the Emergency Management Resolution 250407 to acknowledge and adopt the Livingston County Hazard Mitigation Plan and to approve the Support Emergency Operations Plan, General Emergency Management Guidelines, and Emergency Management Response Procedures and Emergency Action Guidelines. **The motion carried unanimously with a roll call vote (Walker - yes ; Reiber - yes; Hunt - yes; Spicher - yes; Deaton - yes; Soucy - yes; Hovarter - yes)**

**10. Consideration of a request to approve the Property Tax Administration Fee Certification.**

**Moved** by Reiber, supported by Walker, to approve the Property Tax Administration Fee. **The motion carried unanimously.**

**Board Comments**

Mr. Soucy stated that he and Mr. Walker and Ms. Hovarter attended the MTA convention last week. It was very informative and helpful.

Supervisor Spicher invited all members of the public to participate in the Master Plan revision workshops that will be forthcoming. There is a link to the current Master Plan on the front page of the Township website.

Mr. Walker encouraged everyone to download the MyiGenoa App, register, and select your notification preferences.

Mr. Reiber has done research on holding certain public training classes here at the Township. They only allow 12 participants at a time and the cost is approximately \$800 per class. Ms. Hunt suggested that the Township partner with BAFA for these types of classes.

Ms. Deaton advised that the shredding service that the Township uses also recycles the paper.

**Adjournment**

**Moved** by Walker, supported by Soucy, to adjourn the meeting at 8:39 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas  
Recording Secretary

Approved: Janene Deaton, Clerk  
Genoa Charter Township

Kevin Spicher, Supervisor  
Genoa Charter Township

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