

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
August 18, 2014
6:30 p.m.

AGENDA

Call to Order:

Pledge of Allegiance:

Call to the Public*:

Approval of Consent Agenda:

1. Payment of Bills.
2. Request to Approve Minutes: August 4, 2014.
3. Request to accept the resignation of Dean Tengal from the Planning Commission.
4. Request to appoint Chris Grajek to the Planning Commission as recommended by Supervisor McCririe, creating a vacancy on the Zoning Board of Appeals.
5. Request to appoint Jerry Poissant to the Zoning Board of Appeals as recommended by Supervisor McCririe.
6. Request for approval to participate in the 2015 Aerial Imagery Flight in partnership with Livingston County and other local municipalities at a cost not to exceed \$3,580.03.

Approval of Regular Agenda:

7. Consider approval of an amendment to the Timber Green Planned Unit Development Agreement to reduce minimum building sizes from 3,000 square feet to 2,500 square feet for two-story homes and 2,000 square feet for single-story homes.
8. Discussion regarding a proposed noxious weed ordinance.
9. Discussion regarding blight and the Township litter ordinance.

Correspondence
Member Discussion
Adjournment

*Citizen's Comments- In addition to providing the public with an opportunity to address the Township Board at the beginning of the meeting, opportunity to comment on individual agenda items may be offered by the Chairman as they are presented.

CHECK REGISTERS FOR TOWNSHIP BOARD MEETING

DATE: August 18, 2014

TOWNSHIP GENERAL EXPENSES: Thru August 18, 2014	\$127,168.98
August 12, 2014 Board Of Review Payroll	\$239.03
August 15, 2014 Bi Weekly Payroll	\$80,878.01
OPERATING EXPENSES: Thru August 18, 2014	\$17,555.84
TOTAL:	<u>\$225,841.86</u>

<u>Check Number</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Check Date</u>	<u>Check Amount</u>
30889	OFF EXPR	Office Express	07/29/2014	84.51
30890	ASSENMAC	Diane G. Assenmacher	07/30/2014	25.00
30891	assenma	Robert Assenmacher	07/30/2014	25.00
30892	Binder	Donald Binder	07/30/2014	25.00
30893	BODALSKI	Mary Lynn Bodalski	07/30/2014	25.00
30894	BRENNAN	Ann Brennan	07/30/2014	25.00
30895	BROWNT	Tara Brown	07/30/2014	25.00
30896	BURGNER	Mary Burgner	07/30/2014	25.00
30897	Clarke	Jane Clarke	07/30/2014	25.00
30898	Gogolin	Michael Gogolin	07/30/2014	25.00
30899	Grochows	Cynthia Grochowski	07/30/2014	25.00
30900	HOWARDZ	Zena Howard	07/30/2014	25.00
30901	MateviaJ	Joyce Matevia	07/30/2014	25.00
30902	Kelloggs	Sarah Kellogg	07/30/2014	25.00
30903	Lewis	Barbara Lewis	07/30/2014	25.00
30904	RYNICKE	Antoinette Rynicke	07/30/2014	25.00
30905	Saunder	John Saunders	07/30/2014	25.00
30906	Sebastia	Paul Sebastian	07/30/2014	25.00
30907	SwihartE	Eva C. Swihart	07/30/2014	25.00
30908	Wisser	Kathleen Wisser	07/30/2014	25.00
30909	Mancuso	Mancuso & Cameron, P.C.	07/31/2014	3,092.00
30910	Lollo K	Kelly Lollo	08/04/2014	660.94
30911	ASSENMAC	Diane G. Assenmacher	08/05/2014	250.00
30912	assenma	Robert Assenmacher	08/05/2014	250.00
30913	BENNETTT	Thomas Bennett	08/05/2014	200.00
30914	Bhavsar	Janice Bhavsar	08/05/2014	200.00
30915	Binder	Donald Binder	08/05/2014	250.00
30916	BODALSKI	Mary Lynn Bodalski	08/05/2014	250.00
30917	BodalskR	Richard Bodalski	08/05/2014	200.00
30918	Bowman	Chuck Bowman	08/05/2014	200.00
30919	Brender	Karen Brender	08/05/2014	200.00
30920	BRENNAN	Ann Brennan	08/05/2014	250.00
30921	Brenna	Deborah Brennan	08/05/2014	200.00
30922	BROWNT	Tara Brown	08/05/2014	250.00
30923	BURGNER	Mary Burgner	08/05/2014	250.00
30924	Clarke	Jane Clarke	08/05/2014	250.00
30925	BillelCl	Clementine Billel	08/05/2014	200.00
30926	DavisS	Shelagh Davis	08/05/2014	200.00
30927	Doucette	Louis Doucette	08/05/2014	200.00
30928	DubyC	Cynthia Duby	08/05/2014	200.00
30929	FRASHEC	Cheryl Frasheski	08/05/2014	200.00
30930	FRASHEK	Kenneth Frasheski	08/05/2014	200.00
30931	Gogolin	Michael Gogolin	08/05/2014	250.00
30932	Goodall	Diane Goodall	08/05/2014	250.00
30933	Grochows	Cynthia Grochowski	08/05/2014	250.00
30934	GUERR	Marie Guerriero	08/05/2014	200.00
30935	HOWARDZ	Zena Howard	08/05/2014	200.00
30936	JETS PIZ	Jet's Pizza	08/05/2014	410.46
30937	MateviaJ	Joyce Matevia	08/05/2014	250.00
30938	Kelloggs	Sarah Kellogg	08/05/2014	250.00
30939	KIRSCH H	Hilda Kirsch	08/05/2014	200.00
30940	Kolinsk	Miriam Kolinski	08/05/2014	200.00
30941	Kolinski	Tom Kolinski	08/05/2014	200.00
30942	Konsitzk	Konrad Konsitzke	08/05/2014	200.00
30943	Koss	Brigitte Koss	08/05/2014	200.00
30944	Larson	Sally Larson	08/05/2014	200.00
30945	LAWRENC	Lynda Lawrence	08/05/2014	200.00
30946	Lewis	Barbara Lewis	08/05/2014	250.00
30947	Lind	Tammy Lindberg	08/05/2014	250.00
30948	Lizak	Jean Lizak	08/05/2014	200.00
30949	LIZAKSTE	Steve Lizak	08/05/2014	200.00
30950	Lollo K	Kelly Lollo	08/05/2014	250.00

<u>Check Number</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Check Date</u>	<u>Check Amount</u>
30951	LORR	Mary Jo Lorr	08/05/2014	200.00
30952	Mat	Gerald Alan Matevia	08/05/2014	200.00
30953	Mcclure	Cecelia McClure	08/05/2014	250.00
30954	McGrath	Carol McGrath	08/05/2014	200.00
30955	McMahon	Janina McMahon	08/05/2014	200.00
30956	MEMMER	Larry W. Memmer	08/05/2014	200.00
30957	MORRISON	Carolyn Morrison	08/05/2014	200.00
30958	NAGYC	Catherine Nagy	08/05/2014	200.00
30959	Nagy	Joseph Nagy	08/05/2014	200.00
30960	Napper	Dawn Napper	08/05/2014	200.00
30961	OBrien	Thomas O'Brien	08/05/2014	200.00
30962	Poppy	Kathryn Poppy	08/05/2014	250.00
30963	Quattro	Terry Quattro	08/05/2014	200.00
30964	RYNICKE	Antoinette Rynicke	08/05/2014	250.00
30965	Sapienza	Kristen Renee Sapienza	08/05/2014	250.00
30966	SapienzP	Paul Sapienza Jr.	08/05/2014	250.00
30967	Saunder	John Saunders	08/05/2014	250.00
30968	Schelosk	Mary Scheloske	08/05/2014	200.00
30969	SCHELOSR	Robert Scheloske	08/05/2014	200.00
30970	Sebastia	Paul Sebastian	08/05/2014	250.00
30971	Smyth	Allen Smyth	08/05/2014	200.00
30972	SmythM	Marilynn Smyth	08/05/2014	200.00
30973	STGERMA	Audrey St. Germain	08/05/2014	200.00
30974	StGermaM	Marie St. Germain	08/05/2014	200.00
30975	StGerMau	Maurice St. Germain	08/05/2014	200.00
30976	SwihartE	Eva C. Swihart	08/05/2014	250.00
30977	SwihartW	William D. Swihart	08/05/2014	200.00
30978	Vettrain	John Vettraino	08/05/2014	200.00
30979	Bel	Vonda Belanger	08/05/2014	200.00
30980	WATSON V	Victor Watson	08/05/2014	200.00
30981	DespotW	William Despot	08/05/2014	200.00
30982	Wisser	Kathleen Wisser	08/05/2014	250.00
30983	WisserKe	Kelsey Wisser	08/05/2014	200.00
30984	Withorn	Margaret Withorn	08/05/2014	200.00
30985	Woody	Frank Woody	08/05/2014	200.00
30986	WoodyPr	Prudence Woody	08/05/2014	200.00
30987	AmerAqua	American Aqua	08/08/2014	278.45
30988	AMERAWAR	American Awards & Engraving	08/08/2014	9.01
30989	ARCHINAL	Michael Archinal	08/08/2014	500.00
30990	B S & A	B S & A Software, Inc.	08/08/2014	4,491.00
30991	CHLORIDE	Chloride Solutions, LLC	08/08/2014	18,569.54
30992	Clearwat	Clearwater Systems	08/08/2014	84.50
30993	COMC	Comcast	08/08/2014	326.25
30994	COOPERST	Cooper's Turf Management LLC	08/08/2014	995.00
30995	DTE LAKE	DTE Energy	08/08/2014	1,101.11
30996	Duncan	Duncan Disposal Systems	08/08/2014	79,266.10
30997	GORDONFO	Gordon's Food Services	08/08/2014	264.61
30998	KERNE	Erik Kern	08/08/2014	87.50
30999	LAKESIDE	Lakeside Service Company, Inc.	08/08/2014	223.00

Report Total: 127,168.98

Accounts Payable
Computer Check Register

Genoa Township

2911 Dorr Road
Brighton, MI 48116

(810) 227-5225

User: cindy

Printed: 08/11/2014 - 11:06

Bank Account: 101CH

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
13146	EFT-FED	EFT- Federal Payroll Tax	08/11/2014		13.95 13.95 3.27 3.27

Check 13146 Total: 34.44

Report Total: 34.44

3 checks 20459

\$239.03

<u>Check No</u>	<u>Check Date</u>	<u>Employee Information</u>		<u>Amount</u>
12095	08/11/2014	LupiRobert	Robert Lupi	66.07
12096	08/11/2014	MatkinRona	Ronald Matkin	69.26
12097	08/11/2014	PetratPat	Patricia Petrat	69.26
Total Number of Employees: 3		Total for Payroll Check Run:		204.59

Accounts Payable

Computer Check Register

Genoa Township

2911 Dorr Road
Brighton, MI 48116

(810) 227-5225

User: cindy

Printed: 08/07/2014 - 16:39

Bank Account: 101CH

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
13140	AETNA LI	Actna Life Insurance & Annuity	08/15/2014	08/15/2014	50.00
Check 13140 Total:					50.00
13141	EFT-Equi	Equivest Unit Annuity Lock Box	08/15/2014	08/15/2014	705.00
Check 13141 Total:					705.00
13142	EFT-FED	EFT- Federal Payroll Tax	08/15/2014	08152014	8,672.48
				08152014	4,724.73
				08152014	4,724.73
				08152014	1,104.98
				08152014	1,104.98
Check 13142 Total:					20,331.90
13143	EFT-PENS	EFT- Payroll Pens Ln Pyts	08/15/2014	08152014	1,092.94
Check 13143 Total:					1,092.94
13144	EFT-TASC	EFT-Flex Spending	08/15/2014	08152014	1,171.09
Check 13144 Total:					1,171.09
13145	FIRST NA	First National Bank	08/15/2014	08152014	4,040.00
				08152014	53,487.08

Check 13145 Total:

57,527.08

Report Total:

80,878.01

4:02 PM

#595 PINE CREEK W/S FUND

Payment of Bills

July 30 through August 12, 2014

Type	Date	Num	Name	Memo	Amount
------	------	-----	------	------	--------

no checks issued

3:56 PM
08/12/14

#503 DPW UTILITY FUND

Payment of Bills

July 30 through August 12, 2014

Type	Date	Num	Name	Memo	Amount
Bill Pmt -Check	08/12/2014	2925	Ashley Repke	Computer parts	-31.79
Bill Pmt -Check	08/12/2014	2926	LOWE'S		-1,906.09
Bill Pmt -Check	08/12/2014	2927	WEX Bank		-170.13
Total					-2,108.01

3:59 PM

#592 OAK POINTE WATER/SEWER FUND

Payment of Bills

July 30 through August 12, 2014

Type	Date	Num	Name	Memo	Amount
Bill Pmt -Check	08/12/2014	3056	BRIGHTON ANALYTICAL, LLC	0714-85446, 0714-85460	-335.00
Bill Pmt -Check	08/12/2014	3057	CONSUMERS ENERGY	OP 5-30 to 6-30-14 and 7-1 to 7-25	-1,332.47
Bill Pmt -Check	08/12/2014	3058	DTE ENERGY	Electric Bills	-9,670.35
Total					-11,337.82

4:08 PM

#593 LAKE EDGEWOOD W/S FUND

Payment of Bills

July 30 through August 12, 2014

Type	Date	Num	Name	Memo	Amount
Bill Pmt -Check	08/12/2014	2573	Brighton Analytical L.L.C.	Invoice #0714-85767	-154.00
Bill Pmt -Check	08/12/2014	2574	DTE Energy	LE Electricity Billings	-3,956.01
Total					-4,110.01

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
August 4, 2014

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. at the Township Hall. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Linda Rowell, Jim Mortensen, Jean Ledford and Todd Smith. Also present were Township Manager Michael Archinal and four persons in the audience.

Pledge of Allegiance:

A Call to the Public was made with no response.

Approval of Consent Agenda:

Moved by Ledford and supported by Mortensen to approve all items listed under the consent agenda, correcting the Minutes from page 4 with regard to the sidewalk installation date for Uncle Joe's Used changing 2014 to 2015. The motion carried unanimously.

1. Payment of Bills.

2. Request to Approve Minutes: July 21, 2014

3. Request to approve contract with Scodeller Construction for pavement crack sealing in an amount not to exceed \$44,250.

4. Accept the resignation of Bob Lupi from the Board of Review and approve Barbara Figurski as the replacement until the term expires.

Approval of Regular Agenda:

Moved by Hunt and supported by Rowell to approve for action all items listed under the Regular Agenda with the addition of item 7 (an amendment to the parks and recreation budget as requested by Skolarus. The motion carried unanimously.

5. Consider modification to the Township's Large Item Sticker policy.

Moved by Smith and supported by Ledford to approve a change to the large item sticker policy effective Jan 1, 2015 that would provide the first sticker at no cost to any residential property that is currently paying the refuse fee, with additional stickers available for purchase at \$10.00 each. The motion carried unanimously.

6. Request for approval of the engineering services proposal from Tetra Tech for the Timberview Street Reconstruction Project in an amount not to exceed \$13,000.

Moved by Smith and supported by Skolarus to approve the engineering proposal with Tetra Tech not to exceed \$13,000.00 for the purpose of analyzing and possibly going forward with a special assessment district relative the petitions previously received. The motion carried unanimously.

7. Request for an amendment to the Parks and Recreation budget to allow for a \$12,000.00 increase in expenditures.

Moved by Mortensen and supported by Rowell to allow the budget amendment as requested. The motion carried unanimously.

The township manager will review the status of the cleanup at Suburban Mobile Estates with the Ordinance Enforcement Officer to determine if additional steps are needed to complete the cleanup and to allow for more effective policing such as a blight ordinance and unsafe structures.

The regular meeting of the Genoa Charter Township Board was adjourned at 7:25 p.m.



Paulette A. Skolarus, Clerk
Genoa Charter Township

(Press/argus08/08/14)

Dean Tengel
3609 Woodridge Drive
Howell, MI 48843
August 13, 2014

Gary
Supervisor
Genoa Charter Township
2911 Dorr Road
Brighton MI 48116

Dear Gary:

Effective immediately, I must resign from my position as a commissioner from the Genoa Township planning commission. Commitments outside of the township will prevent me from being able to effectively serve the community. It has been a pleasure working with you over the past ten plus years.

Sincerely,

Dean Tengel
Planning Commissioner – Vice Chair

Mike Archinal

From: Gary McCririe <garymccririe@gmail.com>
Sent: Wednesday, August 13, 2014 4:43 PM
To: Mike Archinal
Subject: Fwd: Your offer to help

Sent from Gary's iPhone

Begin forwarded message:

From: Jerry Poissant <jerry@quebeclane.com>
Date: August 13, 2014 at 4:39:10 PM EDT
To: Gary McCririe <garymccririe@gmail.com>
Subject: RE: Your offer to help

Thank you for the offer. I would be happy to serve on the Zoning Board of Appeals.

From: Gary McCririe [<mailto:garymccririe@gmail.com>]
Sent: Monday, August 11, 2014 1:04 PM
To: Jerry Poissant
Subject: Your offer to help

Jerry,

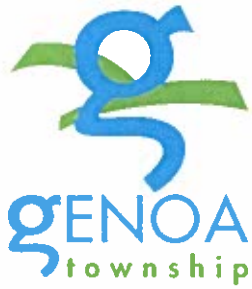
I will probably have an opening on our Zoning Board of Appeals shortly and wondered if you were interested in perhaps serving? I can explain in more detail but much of what you will need to know to make a decision can be found in the minutes/agenda section of our web site genoa.org.

Let me know you thoughts/or we can meet and discuss.

Regards,

--


Gary McCririe
garymccririe@gmail.com



MEMORANDUM


2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

TO: Honorable Board of Trustees

FROM: Kelly VanMarter, Assistant Township Manager 

DATE: August 13, 2014

RE: 2015 Aerial Imagery

MANAGER'S REVIEW: 

Attached please find information from Livingston County in regard to updating the aerial photograph imagery for use with our GIS Software. The existing orthophotography was flown in 2010 and updated images are long overdue. The aerial images are essential to our work and are used extensively by the assessing, planning, zoning, enforcement, and utility departments. By partnering with County agencies, local communities, and regional entities the images can be provided at a reduced cost. The County has calculated community costs using a formula based on area, population, and parcel count. The proposed allocation for Genoa Charter Township is \$3,580.03.

In regard of the aforementioned, staff requests your consideration of the following action:

Moved by _____, supported by _____, to agree to participate in the 2015 Aerial Imagery Flight to provide 6" orthophotography in partnership with Livingston County and other local units at a cost not to exceed \$3,580.03.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

MANAGER

Michael C. Archinal

From: Sandon Lettieri [<mailto:SLettieri@livgov.com>]
Sent: Friday, August 01, 2014 2:50 PM
Subject: 2015 Aerial Imagery Flight

Good Afternoon,

As many of you have been asking about new imagery, the time has come to confirm your community's participation in the 2015 Aerial Imagery Flight. After some discussion about differences in the resolutions available for this imagery, I am recommending that we purchase the 6 inch imagery for this partnership due to its' improved resolution and reasonable cost.

The major benefit of the increase in the imagery resolution is that it will contain 4x the number of pixels as the imagery that was collected in 2010. The increased resolution provides a sharper image which will make it easier to identify features such as small buildings, roads, vegetation, fences, and utilities. Possessing the most accurate, reliable, and up-to-date information for a community is paramount to good decision making, whether it is at the County or Municipal level. Having this data for your community can assist the assessor with parcel mapping and property assessments. Using the latest aerial imagery, the assessor is able to ensure that all of the improvements to a property are accounted for in the assessment record. This imagery adds to the accuracy of the assessment and can increase the overall taxable value of the community. This imagery can also be useful in updating/improving other GIS data such as roads and buildings as well as provide the clarity to develop additional datasets that would be helpful to your community and residents. Your community can also provide this higher quality imagery to your engineering or planning consultants for infrastructure improvements and ordinance updates. Overall, this can result in all round better service for the residents of your community.

In an effort to maintain accurate, reliable, and up-to-date geographic information at a reasonable cost, Livingston County has once again partnered with regional agencies to acquire digital aerial imagery in the spring of 2015. The regional agencies in this partnership include SEMCOG, State of Michigan, Detroit Water and Sewerage Department, and county partners of Macomb, Monroe, St. Clair, Washtenaw, and Wayne. In the past Livingston County has experienced a significant cost savings when partnering with other agencies like this for acquiring aerial imagery. This project is no different as we will experience a significant price break for the imagery collection.

All the local municipalities in Livingston County are encouraged to take advantage of this opportunity as the higher resolution imagery will not only provide superior quality and utility, but it will provide an overall improvement in data quality over the next five years as another imagery collection project of this type is not expected until 2020.

I have provided a document showing the improvement that is provided with 6 inch imagery as well as a price list showing the cost to your organization to participate in the partnership and a document from the imagery vendor discussing the benefits of the different imagery resolutions. A Letter of Intent will follow within the next week or so which will need to be signed and returned by the middle of September. Invoices will not be sent to your organization for the partnership cost until 2015.

If you have questions concerning this project, please contact me at (517) 540-8780 or slettieri@livgov.com

Thanks,

Sandon Lettieri
GIS Technician
Livingston County
SLettieri@livgov.com
P: (517) 540 - 8780
F: (517) 545 - 9608



LIVINGSTON COUNTY, MICHIGAN
DEPARTMENT OF INFORMATION TECHNOLOGY / GIS DIVISION

304 E. Grand River Ave., Suite 101, Howell, MI 48843
Phone 517.540.8777 Fax 517.545.9608
Web Site: www.livgov.com/GIS

2015 Aerial Imagery Partnership Cost per Partner

The total cost to Livingston County and our local partners for this project is estimated to be \$51,798.06.
The local partner costs are calculated based upon Area, Population, and Parcel Count.

- Countywide Partners - \$12,500.00
 - Livingston County GIS - \$5,000.00
 - Livingston County Drain Commissioner - \$5,000.00
 - Livingston County Road Commission – 2,500.00

- Local Unit Partners - \$39,298.06
 - City of Brighton - \$1,137.79
 - Brighton Township - \$3,358.82
 - Cohoctah Township - \$1,387.88
 - Conway Township - \$1,385.21
 - Deerfield Township – \$1,492.62
 - Village of Fowlerville - \$419.29
 - Genoa Township - \$3,580.03
 - Green Oak Township - \$3,345.90
 - Hamburg Township - \$3,951.74
 - Handy Township - \$1,505.89
 - Hartland Township - \$2,775.53
 - City of Howell - \$1,313.57
 - Howell Township – \$1,729.42
 - Iosco Township - \$1,385.35
 - Marion Township - \$2,290.59
 - Oceola Township - \$2,568.28
 - Village of Pinckney - \$376.18
 - Putnam Township - \$1,691.81
 - Tyrone Township - \$2,227.42
 - Unadilla Township - \$1,374.76

Southeast Michigan 2015 Orthoimagery Project
Partner with State of Michigan
Cost per Partner for Buy-Up Option

Community	Area in Square Miles	2010 Census Population	Parcel Count	Split by Area	Split by Population	Split by Parcel	Average
Brighton City	3.54	7,444	3,413	\$238.00	\$1,616.60	\$1,558.77	\$1,137.79
Brighton Twp	34.63	17,791	8,512	\$2,325.27	\$3,863.63	\$3,887.56	\$3,358.82
Cohoctah	38.44	3,317	1,888	\$2,581.01	\$720.35	\$862.28	\$1,387.88
Conway	37.79	3,546	1,857	\$2,537.44	\$770.08	\$848.12	\$1,385.21
Deerfield	37.64	4,170	2,289	\$2,526.84	\$905.59	\$1,045.42	\$1,492.62
Fowlerville	2.27	2,886	1,048	\$152.47	\$626.75	\$478.64	\$419.29
Genoa	36.15	19,821	8,777	\$2,427.01	\$4,304.49	\$4,008.59	\$3,580.03
Green Oak	37.03	17,476	8,225	\$2,485.98	\$3,795.23	\$3,756.48	\$3,345.90
Hamburg	36.07	21,165	10,591	\$2,421.79	\$4,596.36	\$4,837.07	\$3,951.74
Handy	32.23	5,120	2,719	\$2,163.97	\$1,111.90	\$1,241.81	\$1,505.89
Hartland	37.24	14,663	5,784	\$2,500.60	\$3,184.33	\$2,641.64	\$2,775.53
Howell City	5.13	9,489	3,362	\$344.52	\$2,060.71	\$1,535.48	\$1,313.57
Howell Twp	32.03	6,702	3,464	\$2,150.73	\$1,455.46	\$1,582.06	\$1,729.42
Iosco	35.44	3,801	2,083	\$2,379.27	\$825.46	\$951.34	\$1,385.35
Marion	35.86	9,996	5,022	\$2,407.35	\$2,170.81	\$2,293.62	\$2,290.59
Oceola	36.76	11,936	5,790	\$2,468.34	\$2,592.12	\$2,644.38	\$2,568.28
Pinckney	1.65	2,427	1,074	\$110.96	\$527.07	\$490.51	\$376.18
Putnam	33.94	5,821	3,355	\$2,279.00	\$1,264.13	\$1,532.28	\$1,691.81
Tyrone	36.73	10,020	4,467	\$2,466.08	\$2,176.02	\$2,040.15	\$2,227.42
Unadilla	34.72	3,366	2,325	\$2,331.42	\$730.99	\$1,061.86	\$1,374.76
Total	585.31	180,957	86,045	\$39,298.06	\$39,298.06	\$39,298.06	\$39,298.06

Total Buy-Up Cost		\$51,798.06	Cost per Sq Mile:	\$67.14
Countywide Partners	LCGIS	\$5,000		
	LCDC	\$5,000	Cost Per Parcel:	\$0.46
	LCRC	\$2,500	Cost Per Resident:	\$0.22
		\$39,298.06		

6 inch pixel resolution will cost an additional \$82.53 per square mile if we capture > 500 sq miles

If split equally, community partners would contribute \$2,245.50 each

Choosing the right resolution

Orthophotography can vary greatly in accuracy and pixel resolution. Pixel (a single point in a graphic image) resolution refers to the actual distance on the ground each pixel represents in the orthophotography. For example, a one-foot pixel resolution means each pixel in the image covers one foot on the ground. Some common resolutions include three-inch, six-inch, and one-foot. The higher the resolution, the greater the visible detail.



12" resolution orthophotography

Generally captured at higher altitudes, 12-inch resolution orthophotography provides a greater scale at a lower resolution. It is a cost effective way to collect large-area projects in time constrained environments.

Key identifiable features:

- Paved Roads
- Airfields
- Railroads
- Buildings
- Hydrology
- Forested Areas
- Quarries

Typical uses:

- Regional/rural planning
- Tax assessment
- Building counts
- Change detection
- Land cover trends
- Watershed management
- Forestry management
- Highway mapping



6" orthophotography

Six-inch resolution orthophotography is a standard resolution option. The 6" resolution ortho product yields greater accuracy and greater detail, as well as better inherent positional accuracy.

Key identifiable features:

- Roads - Paved and unpaved
- Parking Lots and Driveways
- Lakes, ponds, rivers and streams
- Culverts and headwalls
- Property line fences
- Utility Poles

Typical uses:

- State planning
- Land boundaries
- Planimetric
- Pervious/impervious surface modeling
- Feature identification
- Stormwater management
- Natural resource management
- Irrigated/non-irrigated land management



3"-4" orthophotography

Captured at lower altitudes, high resolution orthophotography has the greatest resolution and provides a product that is extremely rich in detail and has the best innate positional accuracy available.

Key identifiable features:

- Utilities - fire hydrants, manholes, catch basins
- Power and light poles
- Billboards and traffic signs
- Curbs and gutter
- Transportation paint lines
- Single trees and shrubs
- Golf course - tees, greens, fairways, sandtraps

Typical uses:

- Urban planning and zoning
- Contour development
- Asset management
- 3D Modeling
- Utility and pipeline mapping projects
- Land development, transportation, corridor projects
- Volumetric analysis
- Civil engineering



12 INCH IMAGERY



6 INCH IMAGERY



Livingston County, Michigan
Information Technology Department
G.I.S. Division 517.548.3230

Feet
10 5 0 10 20 30

2015 Imagery Program - Resolution Comparison 12 Inch Vs. 6 Inch



Orthophotos Flown Spring 2013
Printed: May 07, 2014
Parcel lines are a representation only.
Not intended for survey purposes



Livingston County, Michigan
 Information Technology Department
 G.I.S. Division 517.548.3230



2015 Imagery Program - Resolution Comparison 12 Inch Vs. 6 Inch



Orthophotos Flown Spring 2013
 Printed May 07, 2014
 Parcel lines are a representation only.
 Not intended for survey purposes.

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
AUGUST 11, 2014
6:30 P.M.
MINUTES**

CALL TO ORDER: The meeting of the Genoa Township Planning Commission was called to order at 6:30 p.m. Present were Chairman Doug Brown, Eric Rauch, Diana Lowe, John McManus, James Mortensen, and Barbara Figurski. Also present were Michael Archinal, Township Manager, and Brian Borden of LSL Planning. Township Attorney, Frank Mancuso Jr., was also present.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Diana Lowe moved to approve the agenda as amended to include a work session. The motion was supported by John McManus. **Motion carried unanimously.**

WORK SESSION: A general discussion regarding the Timbergreen amendment was held.

CALL TO THE PUBLIC: No one wished to address the Planning Commission.

OPEN PUBLIC HEARING #1... Review of a proposed amendment to the Timbergreen planned unit development (PUD) site condominium and agreement for the property located at 3800 Chilson Road, Howell, Michigan 48443, petitioned by Chestnut Development.

The amendment would delete two building lots from the site condominium, allow construction of a single 6,000 square foot accessory building and reduce the minimum house size to 2,500 square feet.

Steve Gronow addressed the Planning Commission. He provided copies of the original C-3 to the Planning Commission members. James Mortensen held a discussion with the petitioner for the purpose of refreshing his memory as to what has transpired to this point.

Chairman Brown discussed the PUD agreement and the letter from the Township Attorney, Frank Mancuso, Jr., dated July 25, 2014. There is a reference to a second amendment. The petitioner indicated this is the only amendment. There is no second amendment. That should be corrected. The name of the Township should be corrected as well. The references to C-3 should be corrected to include the date of the C-3 being referenced. The first should be dated 9/30/03 and the second should be dated 10/3/03. The petitioner indicated that should actually read 8/11/14.

Chairman Brown indicated that someone should clean up the language of the PUD agreement so that any reader would be able to understand what is being included and excluded at this point in time along with a brief explanation of why it is being included or excluded. Attorney Mancuso indicated that he would prefer that the paragraph indicate the changes and outline them succinctly. He is willing to work with the petitioner's attorney to clean up the language.

James Mortensen inquired whether the setbacks had changed. The petitioner indicated that the homes will fit within the envelope sufficiently. There are two changes in building sizes. Mr. Mortensen asked the petitioner if he could provide to the Township a drawing that overlays the old plan with the new plan, but the changes should be outlined in red.

The petitioner showed the Planning Commission where the new 6,000 foot building would be built. The width of the drive was discussed. The petitioner was told it must be able to accommodate emergency vehicles. Attorney, Frank Mancuso, Jr., indicated that an easement will be required. The petitioner indicated he would like a secondary access road.

The petitioner indicated parcels C, D, and E were 17 on the old PUD. This will be cleared up in future paperwork.

Township Attorney, Frank Mancuso, Jr., indicated he was unable to confirm that the legal description was correct for what was being discussed tonight. Chairman Brown indicated that the barn will require site plan review.

Chairman Brown reminded the Planning Commission that the pole barn would not be seen from anyone, so he has no objection to the pole barn. Township Attorney Mancuso indicated that the plan review should outline that an exception is being made and the reason for it. Chairman Doug Brown concurred.

Attorney Mancuso indicated there will be an amendment to the Master Deed. It is necessary for the access easement. The schedule of values will change, as well. The amendment to the Master Deed would need approval by the Township. The Master Deed provided was that which was recorded in 2004 or 2005. This was provided for informational purposes. He is willing to work with the petitioner's attorney on that.

Chairman Brown opened the hearing to the public. Al and Debbie, who reside across the street from the petitioner, indicated they are happy with the discussions that they've heard this evening.

Brian Borden addressed the Planning Commission. He addressed the zoning. The Township Attorney believes it is now zoned RR rather than CE. It was re-classified due to density issues. The PUD agreement will need a provision in it to allow an accessory building of this size. Chairman Brown indicated that the reasoning for the reclassification should be outlined in the PUD.

Planning Commission disposition of petition

- A. Recommendation of PUD Agreement Amendment.
- B. Recommendation of PUD Site Plan.

Motion by James Mortensen to recommend to the Township Board approval of amendment one to the PUD Agreement dated December 15, 2005 for Timbergreen to provide a reduction in the square footage of two story homes from 3,000 square feet in the original agreement to 2,500 square feet and the creation of a 2,000 square foot minimum building requirement for one story homes . This is subject to mutually agreed upon language between the developer and Township Attorney . This motion is made because the petitioner convinced the Planning Commission that the real estate market has changed. Support by John McManus. **Motion carried unanimously.**

Motion by James Mortensen to table the remaining items of the proposed amendment in the Timbergreen agreement dated December 15, 2005 until the Planning Commission meeting September 8, 2014. Support by Diana Lowe. **Motion carried unanimously.**

Motion by John McManus to table the Site Plan approval until the September 8, 2014 Planning Commission meeting. Support by Eric Rauch. **Motion carried unanimously.**

Administrative Business:

- *Staff report. Michael Archinal gave a staff report. Kelly VanMarter returned to work today.*
- *Approval of July 14, 2014 Planning Commission meeting minutes. **Motion** by Barbara Figurski to approve the minutes of the July 14, 2014 meeting. Support by Diana Lowe. **Motion carried unanimously.***
- *Member discussion. Michael Archinal suggested a workshop to discuss the packets.*
- *Adjournment. **Motion** by John McManus to adjourn. Support by Barbara Figurski . **Motion carried unanimously.***

TOWNSHIP OF GENOA
PLANNED UNIT DEVELOPMENT AGREEMENT
FOR
TIMBER GREEN

THIS AGREEMENT is made as of the 15th day of December, 2005, by and between the Township of Genoa, Livingston County, Michigan, (hereinafter called the "Township)," the offices of which are located at 2911 Dorr Road, Brighton, Michigan 48116 and Chestnut Development, L.L.C., a Michigan limited liability company (hereinafter referred to as "Developer"), the address of which is 3800 Chilson Road, Howell, Michigan 48843.

WITNESSETH:

WHEREAS, Developer is the owner and developer of certain land located in the Township of Genoa, County of Livingston, State of Michigan, more particularly described on Exhibit A hereto and incorporated herein by reference (sometimes hereinafter referred to as the "Property"); and

WHEREAS, Developer desires to develop the Property with various land uses under a comprehensive development plan as a planned unit development ("PUD" or "Planned Unit Development") to be known as "Timber Green"; and

WHEREAS, the Township's Planning Commission, after giving proper notice, held a public hearing on July 28, 2003, at which Developer's Preliminary Application for a PUD ("Preliminary Application") was considered, comments and recommendations of the public were heard, and the Planning Commission recommendations were made to the Township Board; and

WHEREAS, on August 18, 2003, the Township Board reviewed the Preliminary Application and made recommendations to Developer concerning the Preliminary Application; and

WHEREAS, on December 4, 2003, Developer submitted to the Planning Commission an Application for Final Approval of the PUD ("Final Application"), pursuant to the provisions of Article 10 of the Township's Zoning Ordinance ("Zoning Ordinance") and

WHEREAS, the Planning Commission, after giving proper notice, held a public hearing on January 26, 2004, as required by P.A. 184 of 1983, as amended, at which the Final Application was considered, comments and recommendations of the public were heard, and recommendations were made by the Planning Commission to the Township Board concerning the Final Application; and

WHEREAS, the uses to be permitted within a PUD may allow clustering of single family residential dwellings to preserve open space and natural features of the lands lying within the PUD; and

WHEREAS, the Township Planning Commission and the Township Board have reviewed the Final Site Development Plan, attached hereto as Exhibit B, and have approved the Final Site Development plan as to: (1) total acreage under consideration for the Planned Unit Development; (2) the general location and acreage therein for the specified zoning district (being single-family residential use); (3) the number and general locations of residential building sites; (4) the general locations of the various land uses; and (5) the general layout and types of street patterns; and

WHEREAS, the approved Final Site Development Plan for the PUD is consistent with the purposes and objectives of the Township; and further, is consistent with the Township's Zoning Ordinance pertaining to permitted land uses, the intensity of such uses, the size and location of open space areas and the manner of use thereof; and

WHEREAS, the Developer recognizes that the success of the development of the PUD depends upon several important factors, including ease of access by hard surface road, approved individual water supply and individual on-site sewage disposal; and

WHEREAS, Developer has made its application for final approval of the PUD to the Township Board pursuant to and in accordance with the provisions of Article 10 of the Township's zoning ordinance; and

WHEREAS, at a regular public meeting of the Township Board on February 16, 2004, the Township Board approved the Final Application submitted by the Developer and rezoned the property to a PUD Zoning District; and

WHEREAS, the Township's Zoning Ordinance requires the execution of a Planned Unit Development Agreement in connection with the approval of a PUD which Agreement shall be binding on the Township and the Developer;

NOW, THEREFORE, the Developer and the Township, in consideration of the mutual covenants of the parties described herein, and with the express understanding that this Agreement (sometimes hereinafter and in other documents related to Timber Green referred to as

the "PUD Agreement) contains important and essential terms as part of Final Approval of the Final Application, agree as follows:

I. GENERAL TERMS OF AGREEMENT

A. Township and Developer acknowledge and represent that the foregoing recitals are true and accurate and binding on the respective parties.

B. Township acknowledges and represents that the Property has been rezoned to a PUD Zoning District.

C. The PUD shown and described in Exhibit A (legal descriptions of PUD Site) and the Final Site Development Plan referenced herein as Exhibit B (and specifically captioned as "Construction Drawings for Timber Green" consisting of Sheets C-1 through C-11, both inclusive, and Sheet L-1) is hereby approved in accordance with the authority granted to and vested in the Township under and pursuant to Act No. 184, Public Acts of 1943, the Township Rural Zoning Act; Act No. 185, Public Acts of 1931 and Act No. 168, Public Acts of 1945, relating to Municipal Planning; and in accordance with the Zoning Ordinance of Genoa Township, enacted October 7, 1991, as amended, except as modified herein; subject to the terms of this Agreement and in compliance with Exhibit B, and in compliance with the Michigan Condominium Act, P. A. 59 of 1978 ("Condominium Act") and the Administrative Rules promulgated thereunder and all provisions of the Township Zoning Ordinance pertaining thereto (collectively referred to herein as the "Applicable Regulations"), according to the terms thereof as of the date of approval of the PUD.

D. The Approved Plan for the PUD ("Approved Plan") includes Exhibit A and Exhibit B. The Approved Plan was formulated by the Developer and approved by the Township based upon the material terms of the following documents, which were presented to the Township by the Developer:

1. Environmental Impact Statement
2. Soils Boring Information

The Developer and the Township acknowledge that the Approved Plan takes precedence over the terms of the foregoing documents.

E. Developer and Township acknowledge and agree that rezoning to PUD of the Property described in Exhibit A constitutes approval of Exhibit B as it sets forth the number of permitted dwelling units and the general configuration of permitted land use clusters to be submitted for specific condominium subdivision/site plan approval. Site plan review for the PUD described in Exhibits A and B are not subject to any subsequent enactments or amendments to the Zoning ordinance or the Applicable Regulations and will be reviewed and approved in light of this

Agreement including Exhibit B hereto, the Zoning Ordinance and Applicable Regulations as they exist at the date of this Agreement. Developer shall comply with Article 13 of the Zoning Ordinance, as modified herein and as may be otherwise required, with respect to any condominium subdivision/site plan approved by Township at Developer's request. Any subsequent zoning action by the Township shall be in accordance with applicable constitutional law, the Township Rural Zoning Act and the Zoning Ordinance.

F. The approval of the PUD described herein and in Exhibit B, and the terms, provisions and conditions of this Agreement are and shall be deemed to be of benefit to the Property described on Exhibit A and shall run with and bind such Property and shall bind and inure to the benefit of the parties hereto and their successors and assigns.

II. SPECIFIC TERMS OF AGREEMENT REGARDING LAND USE AND LAND DEVELOPMENT.

A. In all districts designated for single-family residential use, the only permitted principal use shall be single-family dwellings; provided that accessory uses, buildings and structures customarily incidental to single-family residential use as allowed by the Genoa Township Zoning Ordinance shall be permitted uses. Provided, however, that no single family residence shall be constructed on Parcel C or Parcel D as designated on Exhibit B hereto. Further, no additional single family residence shall be constructed within the area depicted on Exhibit B as Parcel E (sometimes also referenced as Parcel 17).

B. Developer represents that Developer presently intends to develop the parcels of the Property identified as Parcels 1 through 14, both inclusive, on Exhibit B as a residential building site condominium project under the provisions of the Condominium Act, but that Parcels A, B, C, D and E, although included as a part of the PUD, will not be included in the site condominium project. Parcels A and B shall be established and are hereby approved as separate building parcels under the Township's applicable parcel division ordinance which parcels are acknowledged by the Township to have been approved by the Livingston County Department of Public Health for installation of on-site wastewater systems in accordance with its regulations pertaining to parcel divisions rather than site condominiums. Parcels C, D and E (17) are included in Exhibit B and in this PUD Agreement solely to evidence the Developer's agreement to restrict them with reference to the Preservation Areas included within their respective boundaries as elsewhere herein provided and are not otherwise subject to participation in the proposed site condominium or restricted by any other aspects of the proposed development except as may be specifically set forth herein.

C. At the time of filing a condominium subdivision/site plan review application, Developer shall indicate, for each individual building site ("Unit"), the proposed location for the building area within such Unit with attention to preservation of natural features, such as trees, views, vistas and topography. Final approval of the condominium subdivision/site plan shall constitute the Township's approval of the building area for the residence within each Unit and no residence shall be erected or placed other than within the confines of an approved building area. All areas

designated on Sheet L-1 of Exhibit B hereto as "Deeded Preservation Areas" (whether located within or outside of any Unit) shall be maintained in perpetuity in their respective natural states and restrictive covenants satisfactory to the Township shall be set forth in the condominium master deed, bylaws and any other real property restrictions or covenants applicable to the Property (collectively hereinafter sometimes referred to as the "Governing Documents"). All such Deeded Preservation Areas shall be limited in the Governing Documents to passive recreation, with no tree removal or wetland altering permitted. Such restrictions shall also affirmatively require that native vegetation and existing drainage patterns shall continue to be maintained within such Areas. In addition, all areas designated on Sheet L-1 of Exhibit B hereto as "Restricted Preservation Areas" need not be maintained in their natural state but shall be restricted as follows: (i) no tree measuring more than six inches in diameter at a point four feet above ground level shall be cut down without Township approval and (ii) no fertilizers containing phosphorous shall be used.

D. Where not otherwise specified herein, all units and residences shall conform, at a minimum, with the following area and bulk requirements:

MIN. UNIT SIZE MAX. BLDG. HGHT. MIN. YD. SETBACK MIN. LIVING AREA

<u>Area</u>	<u>Width</u>	<u>Stories Feet</u>		<u>Front</u>	<u>Side</u>	<u>Rear</u>	<u>Sq. ft. per unit</u>
	At Street - 75						
43,560	At Front Setback - 100	2	35	50	30	60*	3000

*Parcels 3-6, 13 and 14 shall maintain an 80 foot rear setback.

The Township Board, after review by the Planning Commission, may modify the foregoing minimum requirements at Developer's request on an individual Parcel basis.

Developer acknowledges that Township, in evaluating site plans, may consider the effect of the plan on the natural environment and resources, the health, safety and welfare of the ultimate owners of the homes in the PUD and the plan's compatibility with adjacent uses of land with regard to promoting the use of land in a socially and economically desirable manner. In considering all such items, Township shall act reasonably to effectuate the purposes of the Zoning Ordinance.

E. Governing Documents controlling and limiting the use and enjoyment of the Property described in Exhibit A shall be submitted for review and approval by the Township Board before any final approval of permission to start residential construction within the PUD. The Governing Documents shall be binding on all successors in interest of the Property. The provisions of the Governing Documents shall not reduce minimum area and bulk requirements as stated in paragraph II. D above, unless otherwise agreed upon in writing between Township and Developer. Among other things, the Governing Documents and any other pertinent restrictions shall provide, in accordance with the depictions on Exhibit B hereto, for the following which are specifically agreed by the Township and the Developer: (1) a private paved road of a minimum width of 26 feet (22 feet of pavement and 2 foot gravel shoulders on each side) as depicted on Exhibit B hereto with low level ornamental street lights adjacent thereto; further, the cul-de sac

and intermediate turnaround specifications for such road shall be as depicted and specifically set forth on the Exhibit B and shall incorporate vehicle turning radii and traffic safety standards in conformity with Township requirements; additionally, in connection with the such private road, it is also agreed that a private drive access from the private road to Parcel 2B on Exhibit B is approved and a further extension of said private drive access across Parcel 2B for access to Parcel B is likewise approved with applicable private road frontage requirements for Parcel B being hereby waived by the Township; (2) a gated entry (per the requirements of the Township, the Livingston County Road Commission and the Howell Fire Department) at the Chilson Road entrance with extensive landscaping in connection therewith including a 100-foot wide landscape buffer along the Chilson Road frontage which shall contain plantings as depicted on the Site Plan and which may also contain a bikepath or sidewalk for use by persons other than residents of the PUD area; (3) an internal park area, walking path and other common open space for the use and benefit of the residents of the Planned Unit Development as depicted on Exhibit B hereto; and (4) appropriate covenants and restrictions in the Governing Documents which are designed to incorporate the essential depictions and provisions of Sheet L-1 of Exhibit B hereto as relates to the Deeded Preservation Areas, the Restricted Preservation Areas and various developmental features with respect to the Property. The Developer agrees to maintain the existing woodland buffer along the southern boundary of the Property and to supplement the same with additional plantings as depicted on the Landscaping and Preservation Plan attached as a part of Exhibit B.

F. In no event shall the number of total dwelling units permitted within the PUD exceed seventeen (17), being sixteen (16) new single-family homes and one (1) existing residence, and which conform to the number thereof shown on Exhibit B, without re-application and the execution of a new PUD Agreement by the parties after proceedings in accordance with the procedures specified in the PUD Zoning District of the Zoning Ordinance. In no event shall the total number of dwelling units permitted within the PUD be less than the number of dwelling units provided for in Exhibit B without Developer's prior written consent.

G. In accordance with Article 10 of the Genoa Township Zoning Ordinance; the Genoa Township Planning Commission on January 26, 2004 has determined that the proposed development, as presented, may be served by on-site septic systems. Furthermore, the use of on-site septic systems shall meet the site condominium requirements of the Livingston County Department of Public Health (except as to Parcels A and B which shall be subject to separate Health Department requirements) and shall be subject to all other applicable laws and regulations.

H. In accordance with Article 10 of the Genoa Township Zoning Ordinance, the Genoa Township Planning Commission on January 26, 2004 has determined that the proposed development, as presented, may be served by individual wells for domestic water supply. Furthermore, the use of individual wells shall meet the site condominium requirements of the Livingston County Department of Public Health (except as to Parcels A and B which shall be subject to separate Health Department requirements) and shall be subject to all applicable laws and regulations.

I. The storm water retention/detention system for the PUD shall meet the requirements of the Livingston County Drain Commission and all applicable laws and regulations.

J. Certain common areas committed to the use of residents of the Property pursuant to the PUD Ordinance are designated as open space as depicted on Exhibit B. Such open space areas may also be used for landscaping and for storm water management including detention basins and sediment basins. Maintenance and supervision of all common areas shall be the responsibility of the condominium homeowners association ("Association") which shall be established to administer, manage and maintain the common areas of Timber Green.

K. All utilities required in connection with the development of Timber Green shall be installed underground.

III. MISCELLANEOUS TERMS OF THIS AGREEMENT

A. Any violation of the terms of this Agreement shall be a violation of the Zoning Ordinance. The remedies of Township for a violation shall be such remedies as are provided by and for violation of the Zoning Ordinance. Developer further understands and agrees that no use permits will be issued if the Developer is in breach of its duties under the PUD Agreement or the Master Deed for Timber Green.

B. The parties hereto make this Agreement on behalf of themselves, their successors and assigns and the signers hereby warrant that they have the authority and capacity to make this contract. All references to Developer herein shall include any successor to the Developer who or which may act as Developer of the Property or any part thereof and shall also include the Association. So long as Developer shall not violate any of the terms of this Agreement, it shall be relieved of further responsibilities hereunder upon conveyance by it of the Property or any part thereof to a successor developer and/or to the co-owners of some or all condominium Units and/or upon succession by the Association to various of the Developer's rights by assignment under and pursuant to the Governing Documents for Timber Green. This Agreement shall be recorded with the Livingston County Register of Deeds and the benefits and burdens set forth herein shall run with the Property described in Exhibit A.

C. This Agreement may be amended only by a written instrument executed and recorded by the parties hereto and their successors and assigns; provided, however, that the Association shall have the power and authority to execute any such amendment on behalf of any and all Unit owners and, provided further, that the joinder by the owners of the Property (or any of them) shall not be required to effectuate any amendment which does not have an adverse impact upon such owners (or any of them).

D. This Agreement may be executed in counterparts, each and all of which together shall constitute one and the same document.


[Signatures and acknowledgments appear on the following two pages]

IN WITNESS WHEREOF, the parties hereto have set their hands as of the date set forth at the outset of this Agreement.

TOWNSHIP OF GENOA,
a Michigan municipal corporation



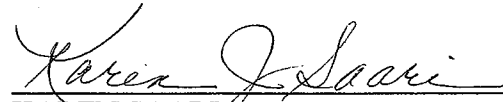
Gary McCririe, Supervisor



Paulette Skolarus, Clerk


STATE OF MICHIGAN)
) SS.
COUNTY OF LIVINGSTON)

The foregoing Planned Unit Development Agreement was acknowledged before me in Livingston County, Michigan this 19th day of December, 2005, by Gary McCririe and Paulette Skolarus, the Supervisor and Clerk respectively of the Township of Genoa, a Michigan municipal corporation, on behalf of the corporation.



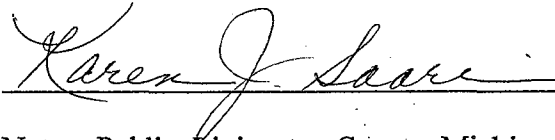
KAREN SAARI
Notary Public, Livingston County, Michigan
My commission expires: 10-4-2012
Acting in Livingston County

CHESTNUT DEVELOPMENT, L.L.C.,
a Michigan limited liability company

By: 
Steven J. Gronow, Managing Member

STATE OF MICHIGAN)
) SS.
COUNTY OF LIVINGSTON)

The foregoing Planned Unit Development Agreement was acknowledged before me in Livingston County, Michigan this 20th day of December, 2005, by Steven J. Gronow, Managing Member of Chestnut Development, L.L.C., a Michigan limited liability company, on behalf of the limited liability company.



Notary Public, Livingston County, Michigan
My commission expires: 10-4-2012
Acting in Livingston County

This Instrument Drafted By:

William T. Myers
MYERS NELSON DILLON & SHIERK, PLLC
40701 Woodward Avenue, Suite 235
Bloomfield Hills, Michigan 48304

When recorded return to Drafter

EXHIBIT A TO
PLANNED UNIT DEVELOPMENT AGREEMENT
FOR
TIMBER GREEN
(First of three pages)

Part of the Northeast $\frac{1}{4}$ of Section 29, T.2 N., R.5 E., Genoa Township, Livingston County, Michigan, described as follows: Commencing at the Northeast Corner of said Section 29: thence along the North line of Section 29, S $86^{\circ}39'11''$ W 212.30 feet; thence along the Westerly right-of-way line of Chilson Road, on the arc of a curve right 192.33 feet, radius 785.51, central angle of $14^{\circ}01'43''$ and a chord bearing S $36^{\circ}41'12''$ E 191.85 feet to the point of beginning; thence continuing along said Westerly right-of-way line of Chilson Road on the arc of a curve right 373.97 feet, radius of 785.51 feet, central angle of $27^{\circ}16'36''$, and a chord bearing S $16^{\circ}02'05''$ E 370.45 feet; thence N $87^{\circ}36'15''$ E 23.53 feet; thence along the East line of said Section 29, S $03^{\circ}07'47''$ E 600.81 feet; thence S $87^{\circ}15'19''$ W 203.60 feet, (previously described as West 200.00 feet); thence S $03^{\circ}07'47''$ E 216.00 feet, (previously described as South); thence along the South line of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of said Section 29, as previously surveyed and monumented, S $87^{\circ}15'19''$ W 1114.10 feet; thence continuing along the South line of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$, S $87^{\circ}47'04''$ W 97.81 feet; thence along the Northeasterly line of the Ann Arbor Railroad right-of-way Northwest on an arc of a curve right 1801.45 feet, radius of 4612.69 feet, a central angle of $22^{\circ}22'35''$ and a chord bearing N $45^{\circ}41'17''$ W 1790.02 feet to a point lying N $86^{\circ}39'11''$ E 0.83 feet from the North $\frac{1}{4}$ corner of said Section 29; thence along the North line of Section 29, N $86^{\circ}39'11''$ E 1322.22 feet; thence S $51^{\circ}16'41''$ E 227.88 feet; thence S $39^{\circ}22'13''$ E 135.32 feet; thence S $80^{\circ}02'51''$ E 136.23 feet; thence S $18^{\circ}05'59''$ W 376.96 feet; thence S $65^{\circ}40'53''$ E 283.84 feet; thence S $85^{\circ}10'57''$ E 176.26 feet; thence S $69^{\circ}06'00''$ E 53.15 feet; thence N $06^{\circ}46'52''$ E 541.54 feet; thence N $67^{\circ}42'55''$ E 347.08 feet; thence N $69^{\circ}43'33''$ E 58.24 feet to the point of beginning. Containing 50.85 acres and subject to easements and right-of-ways of record. Also subject to and including the use of a 40 foot wide private driveway easement for Ingress and Egress and Public Utilities, described below.

Also

That part of the Southeast $\frac{1}{4}$ of Section 20, T2N, R5E, Genoa Township, Livingston County, Michigan, being described as: Commencing at the Southeast corner of Section 20; thence S $86^{\circ}39'11''$ W, 169.61 feet along the South line of Section 20 to the centerline of Chilson Road; thence Northwesterly, 153.04 feet along the arc of a curve to the left, said arc having a radius of 818.51 feet, a delta angle of $10^{\circ}42'47''$, and a chord bearing N $47^{\circ}07'20''$ W, 152.82 feet along said centerline; thence N $52^{\circ}28'44''$ W, 525.76 feet along said centerline; thence Northwesterly, 195.16 feet along the arc of a curve to the right, said curve having a radius

**EXHIBIT A TO PLANNED UNIT DEVELOPMENT AGREEMENT
FOR TIMBER GREEN**

(second of three pages)

of 1719.04 feet, a delta angle of 06°30'17", and a chord bearing N 49°13'29" W, 195.06 feet along said centerline to the point of beginning of the following described parcel; thence S 44°01'39" W, 263.33 feet; thence S 86°39'11" W, 620.32 feet; thence N 12°37'50" E, 351.21 feet; thence N 86°54'58" E, 589.44 feet to the centerline of Chilson Road; thence Southeasterly, 202.34 feet along the arc of a curve to the left, said curve having a radius of 1719.04 feet, a delta angle of 06°44'3", and a chord bearing of S 42°36'01"E, 202.23 feet to the point of beginning. Containing 5.27 acres, more or less. Subject to rights of the public over the Northeast 33 feet for Chilson Road right-of-way. Together with and subject to an easement for Ingress-Egress being described as: Commencing at the Southeast corner of Section 20; thence S 86°39'11" W, 169.61 feet along the South line of Section 20 to the centerline of Chilson Road; thence Northwesterly, 153.04 feet along a curve to the left, having a radius of 818.51 feet, a delta angle of 10°42'47", and a chord bearing N 47°07'20" W, 152.82 feet along said centerline; thence N 52°28'44" W, 525.76 feet along said centerline; thence Northwesterly, 297.46 feet along a curve to the right, having a radius of 1719.04 feet, a delta angle of 09°54'53", and a chord bearing N 47°31'12" W, 297.10 feet along said centerline to the point of beginning of the following described easement; thence S 47°51'10" W, 145.91 feet; thence N 42°10'34" W, 177.87 feet; thence S 86°54'58" W, 434.58 feet; thence N 12°37'50" E, 34.21 feet; thence N 86°54'58" E, 589.44 feet to the centerline of Chilson Road; thence Southeasterly, 100.04 feet along a curve to the left, having a radius of 1719.04 feet, a delta angle of 03°20'04", and a chord bearing of S 40°53'43" E, 100.02 feet along said centerline to the point of beginning.

Also

That part of the Southeast ¼ of Section 20, T2N, R5E, Genoa Township, Livingston County, Michigan, being described as: Commencing at the Southeast corner of Section 20; thence S 86°39'11" W, 169.61 feet along the South line of Section 20 to the centerline of Chilson Road; thence S 86°39'11" W, 42.69 feet continuing along said South line to the southwesterly right-of-way for Chilson Road; thence Southeasterly, 192.33 feet along the arc of a curve to the right, said curve having a radius of 785.51 feet, a delta angle of 14°01'43", and a chord bearing of S 36°41'12" E, 191.85 feet along said Southwesterly right-of-way line; thence S 69°43'33" W, 58.24 feet; thence S 67°42'55" W, 347.08 feet; thence S 86°10'33" W, 431.74 feet; thence N 80°02'51" W, 136.23 feet; thence N 39°22'13" W, 135.32 feet; thence N 51°16'41" W, 227.88 feet to the South line of Section 20; thence S 86°39'11" W, 441.01 feet along said South line to the point of beginning of the following described parcel; thence S 86°39'11" W, 881.21 feet continuing along said South line to the Northeasterly right-of-way line of Ann Arbor Railroad; thence Northwesterly, 1.56 feet along the arc of a curve to the right, said curve having a radius of 4612.69 feet, a delta angle of 00°01'10", and a chord bearing of N 34°29'25" W, 1.56 feet along s said Northeasterly right-of-way line to the North-South ¼ line of Section 20; thence N 02°25'52"

**EXHIBIT A TO PLANNED UNIT DEVELOPMENT AGREEMENT
FOR TIMBER GREEN**

(Third of three pages)

W, 753.20 feet along said North-South $\frac{1}{4}$ lie; thence N $86^{\circ}54'58''$ E, 1084.57 feet; thence S $12^{\circ}37'50''$ W, 779.58 feet to the point of beginning. Containing 16.98 acres, more or less. Together with an easement for Ingress-Egress being described as: Commencing at the Southeast corner of Section 20; thence S $86^{\circ}39'11''$ W, 169.91 feet along the South line of Section 20 to the centerline of Chilson Road; thence Northwesterly, 153.04 feet along a curve to the left, having a radius of 818.51 feet, a delta angle of $10^{\circ}42'47''$, and a chord bearing N $47^{\circ}07'20''$ W, 152.82 feet along said centerline; thence N $52^{\circ}28'44''$ W, 525.76 feet along said centerline; thence Northwesterly, 297.47 feet along a curve to the right, having a radius of 1/19.04 feet, a delta angle of $09^{\circ}54'53''$, and a chord bearing N $47^{\circ}31'12''$ W, 297.10 feet along said centerline to the point of beginning of the following described easement; thence S $47^{\circ}49'26''$ W, 145.94 feet; thence N $42^{\circ}10'34''$ W, 177.87 feet; thence S $86^{\circ}54'58''$ W, 434.63 feet; thence N $12^{\circ}37'50''$ E, 34.28 feet; thence N $86^{\circ}54'58''$ E, 589.44 feet to the centerline of Chilson Road; thence Southeasterly, 100.04 feet along a curve to the left, having a radius of 1719.04 feet, a delta angle of $03^{\circ}20'04''$, and a chord bearing of S $40^{\circ}53'43''$ E, 100.02 feet along said centerline to the point of beginning.

LIVINGSTON COUNTY CONDOMINIUM
SUBDIVISION PLAN NO. _____

EXHIBIT "B" TO THE MASTER DEED OF

TIMBER GREEN

GENOA TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN

ATTENTION: COUNTY REGISTER OF DEEDS
CONDOMINIUM SUBDIVISION PLANS SHALL BE NUMBERED
CONSECUTIVELY WHEN RECORDED BY THE REGISTER
OF DEEDS. WHEN A NUMBER HAS BEEN ASSIGNED TO
THIS PROJECT IT MUST BE PROPERLY SHOWN ON THIS
SHEET AND IN THE SURVEYOR'S CERTIFICATE ON SHEET 2.

DEVELOPER

CHESTNUT DEVELOPMENT, L.L.C.
3800 CHILSON ROAD
HOWELL, MI 48843

SURVEYOR

PROFESSIONAL ENGINEERING ASSOCIATES, INC.
2900 E. GRAND RIVER AVENUE
HOWELL, MICHIGAN 48843

INDEX OF DRAWINGS:


DWG. NO.	DWG. TITLE
1	COVER SHEET
2	SURVEY PLAN 1
3	SURVEY PLAN 2
4	SITE PLAN 1
5	SITE PLAN 2
6	UTILITY PLAN 1
7	UTILITY PLAN 2

DESCRIPTION

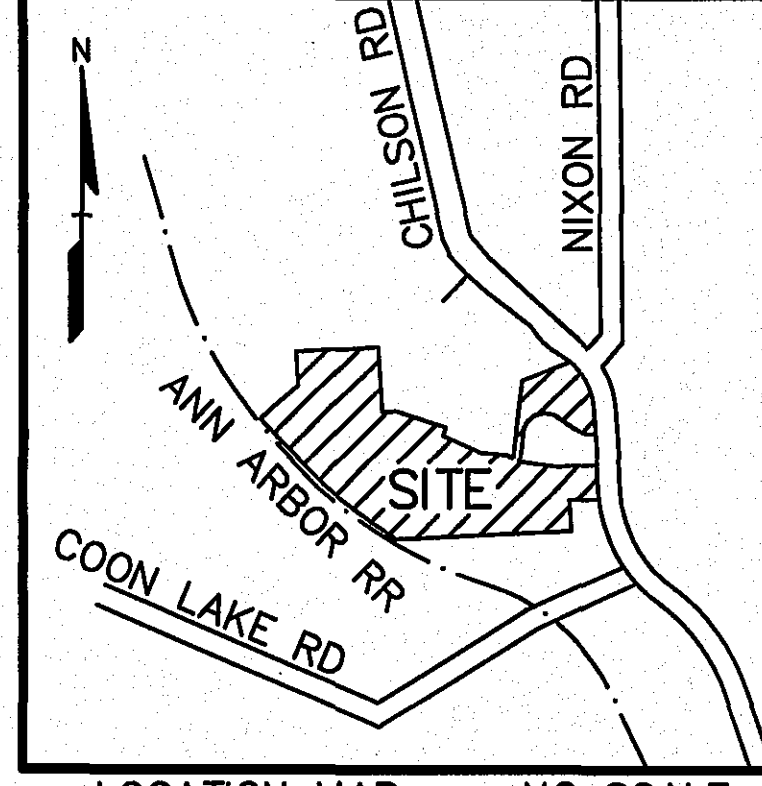
PART OF THE NORTHEAST 1/4 OF SECTION 29, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 29; THENCE ALONG THE NORTH LINE OF SECTION 29, S 86°39'11" W, 212.30 FEET; THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CHILSON ROAD, ON THE ARC OF A CURVE TO THE RIGHT 192.33 FEET, RADIUS 785.51 FEET, CENTRAL ANGLE OF 14°01'43" AND A CHORD BEARING S 36°41'12" E, 191.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF CHILSON ROAD ON THE ARC OF A CURVE RIGHT 373.97 FEET, RADIUS OF 785.51 FEET, CENTRAL ANGLE OF 27°16'36", AND A CHORD BEARING S 16°02'05" E, 370.45 FEET; THENCE N 87°36'15" E, 23.53 FEET; THENCE ALONG THE EAST LINE OF SAID SECTION 29; S 03°07'47" E, 164.32 FEET; THENCE S 86°52'15" W, 23.00 FEET; THENCE 147.68 FEET ALONG A CURVE TO THE LEFT RADIUS 225.00 FEET, CENTRAL ANGLE 37°36'25", CHORD BEARING N 74°19'18" W, 145.04 FEET, THENCE N 55°31'06" W, 126.43 FEET; THENCE 280.73 FEET ALONG A CURVE TO THE RIGHT, RADIUS 155.00 FEET, CENTRAL ANGLE 103°46'25", CHORD BEARING S 72°35'42" W, 243.91 FEET; THENCE S 06°46'52" W, 224.84 FEET; THENCE S 11°59'06" W, 7.87 FEET; THENCE S 82°59'42" E, 266.05 FEET; THENCE N 86°52'13" E, 275.69 FEET TO A POINT ON THE EAST LINE OF SAID SECTION; THENCE ALONG SAID LINE S 03°07'47" E, 224.37 FEET; THENCE S 87°15'19" W, 203.60 FEET; THENCE S 03°07'47" E, 216.00 FEET; THENCE ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 29, AS PREVIOUSLY SURVEYED AND MONUMENTED, S 87°15'19" W, 1114.10 FEET; THENCE CONTINUING ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4, S 87°47'04" W, 97.81 FEET; THENCE ALONG THE NORTHEASTERLY LINE OF THE ANN ARBOR RAILROAD RIGHT-OF-WAY NORTHWEST ON AN ARC OF A CURVE TO THE RIGHT 1249.10 FEET, RADIUS OF 4612.69 FEET, CENTRAL ANGLE 15°30'56" CHORD BEARING N 49°07'07" W, 1245.29 FEET; THENCE N 48°38'23" E, 351.95 FEET; THENCE N 03°20'47" W, 237.73 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION; THENCE ALONG SAID LINE N 86°39'11" E, 567.45 FEET; THENCE S 03°20'47" E, 456.28 FEET; THENCE N 86°39'11" E, 94.57 FEET; THENCE S 71°53'59" E, 360.17 FEET; THENCE S 18°05'59" W, 60.55 FEET; THENCE S 65°40'53" E, 283.84 FEET; THENCE S 85°10'57" E, 176.26 FEET; THENCE S 69°06'00" E, 53.15 FEET; THENCE N 06°46'52" E, 541.54 FEET; THENCE N 67°42'55" E, 347.08 FEET; THENCE N 69°43'33" E, 58.24 FEET TO THE POINT OF BEGINNING. CONTAINING 38.87 ACRES AND SUBJECT TO EASEMENTS OR RESTRICTIONS OF RECORD.

GENOA TOWNSHIP
FEB 11 REC'D
RECEIVED

PROPOSED - DATED DECEMBER 23, 2003

TIMBER GREEN	 PROFESSIONAL ENGINEERING ASSOCIATES 2900 E. Grand River Avenue Howell, MI 48843 (517) 546-8583
COVER SHEET	

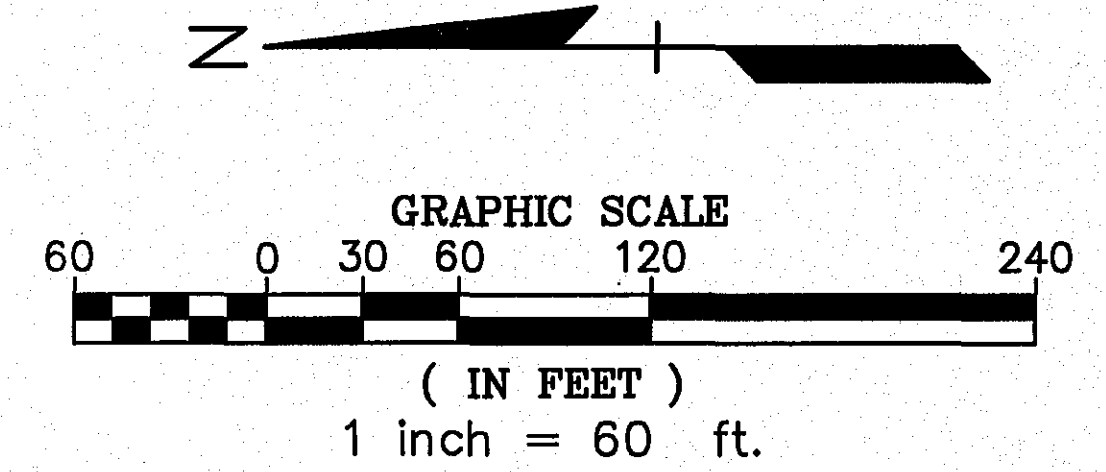
E 1/4 CORNER
SECTION 29
T2N, R5E



SITE BENCHMARKS (NAVD 88 DATUM)

BM1 (REFERENCE): NGS POINT 'NE0810' (STAMPED MI05 1934). BENCH MARK DISC ON TOP OF A CONCRETE MONUMENT AT THE NW CORNER OF COON LAKE ROAD AND ANN ARBOR RAILROAD - ELEVATION 939.63

BM2 (SITE): SET GEAR SPIKE IN POWER POLE IN THE SW FACE AT THE NE CORNER OF SITE ±50' WEST OF THE CENTERLINE OF CHILSON ROAD, ±125' NW OF INTERSECTION OF NIXON AND CHILSON ROADS. 119'± NORTHWEST OF THE NORTHEAST PROPERTY CORNER - ELEVATION 948.47



LEGEND

- = SECTION CORNER
- = LIMITS OF OWNERSHIP/UNIT LIMIT
- 1 = UNIT NUMBER
- = IRON FOUND
- ⊙ = SET MONUMENT CONSISTING OF A 1/2" DIAMETER STEEL ROD ENCASED IN A 4" DIAMETER CONCRETE CYLINDER
- = SET UNIT CORNERS ARE 1/2" DIAMETER STEEL RODS, 18" LONG
- ▨ = PRESERVATION AREA
- = WETLAND LIMITS
- R/W = EXISTING RIGHT-OF-WAY

NOTES:

1. THE BASIS OF BEARING ORIGINATES FROM THE NORTH LINE OF SECTION 29, AS DEFINED BY A SURVEY FROM TRI-COUNTY SURVEYS CO. DATED: JUNE 28, 2002 JOB No. 02-47A.
2. GENOA TOWNSHIP DOES NOT PARTICIPATE IN THE FEMA FLOOD HAZARD STUDY PROGRAM AND IT IS UNDETERMINED IF ANY PORTION OF THE SITE LIES WITHIN THE 100 YEAR FLOODPLAIN.
3. REMOVE ALL TREES WITHIN THE CLEAR VISION EASEMENT. EASEMENT SHALL BE GRADED FLAT AND GRASS SHALL BE PROPERLY MAINTAINED IN PERPETUITY SO AS NOT TO OBSCURE CLEAR VISION AREA.

PROPOSED - MUST BE BUILT

No. By Ck.		Revisions (Description)		Date
CHESTNUT DEVELOPMENT, L.L.C.				
3800 CHILSON ROAD HOWELL, MI 48843				
SURVEY PLAN TIMBER GREEN				
PROPERTY IS LOCATED IN THE NE 1/4 OF SECTION 29 & IN THE SE 1/4 OF SECTION 28, T2N, R5E, E., LIVINGSTON COUNTY, MICHIGAN				
DES.	SUR.	JDH	SCALE 1" = 60'	JOB NO. EQ03-006
DN.	RMS	P.M.	DATE 12-23-03	DWG. NO. 2

PEA

PROFESSIONAL ENGINEERING ASSOCIATES

2900 E. Grand River Avenue
Howell, MI 48843
(517) 646-8583

CHILSON ROAD (VARIABLE WIDTH)(PUBLIC)

NE CORNER
SECTION 29
T2N, R5E

EAST LINE SECTION 29

△=14°01'43"
R = 785.51'
AL = 192.33'
CH = 191.85'
CHB = S36°41'12"E

POINT OF BEGINNING

CLEAR VISION EASEMENT

PARCEL "A"

1
3.40 AC
40' WIDE DRIVEWAY EASEMENT FOR THE BENEFIT OF PARCEL "B" AND "B-2" (PARCEL B-2 IS TAX ID# 11-29-200-028)

2
3.10 AC

3
3.04 AC

PARCEL "B-2"
11-29-200-028

1.66 AC

4
1.35 AC

1.85 AC

5
1.30 AC

PARCEL "B"

MATCH LINE SEE SHEET 3

MATCH LINE SEE SHEET 3

SURVEYOR'S CERTIFICATE

I, JOHN D. HEIKKINEN, A REGISTERED LAND SURVEYOR OR REGISTERED CIVIL ENGINEER OF THE STATE OF MICHIGAN, HEREBY CERTIFY:

THAT THE SUBDIVISION PLAN KNOWN AS TIMBER GREEN, LIVINGSTON COUNTY CONDOMINIUM SUBDIVISION PLAN NO. _____ AS SHOWN ON THE ACCOMPANYING DRAWINGS, REPRESENTS A SURVEY ON THE GROUND MADE UNDER MY DIRECTION, AND THAT THERE ARE NO EXISTING ENCROACHMENTS UPON THE LANDS AND PROPERTY HEREIN DESCRIBED. THAT THE REQUIRED MONUMENTS AND IRON MARKERS HAVE BEEN LOCATED IN THE GROUND AS REQUIRED BY RULES PROMULGATED UNDER SECTION 142 OF ACT 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED. THAT THE ACCURACY OF THIS SURVEY IS WITHIN THE LIMITS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED. THAT THE BEARINGS, AS SHOWN, ARE NOTED ON THE SURVEY PLAN AS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED.

JOHN D HEIKKINEN, DATE _____
PROFESSIONAL SURVEYOR NO. 47952
PROFESSIONAL ENGINEERING ASSOCIATES, INC.
2900 EAST GRAND RIVER AVENUE
HOWELL, MICHIGAN 48843

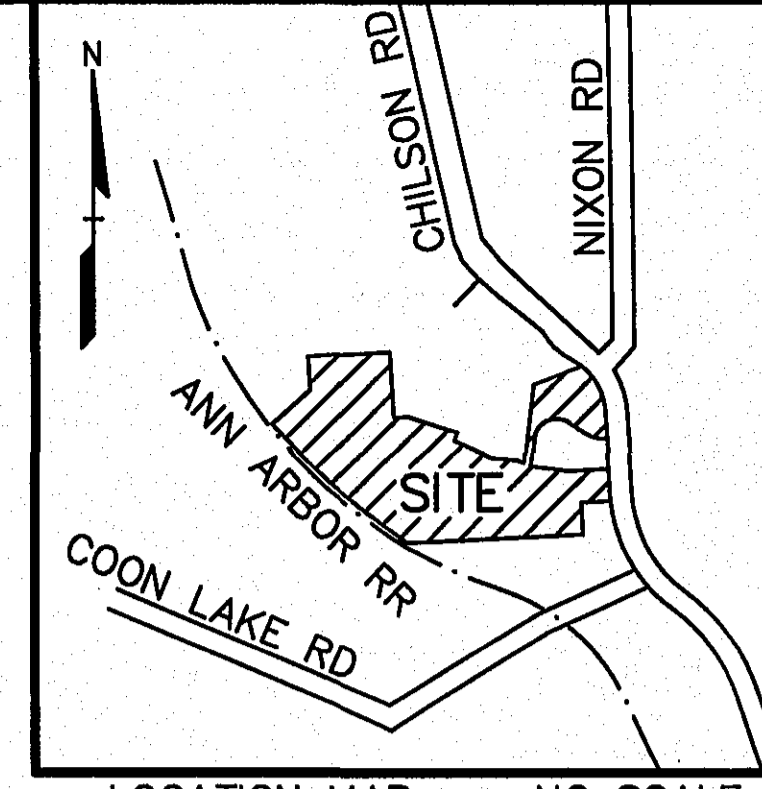
CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHD. BEARING
A	785.51'	373.97'	27°16'36"	370.45'	S16°02'05"E
C	225.00'	147.68'	37°36'25"	145.04'	N74°19'18"W
D	155.00'	280.73'	103°46'25"	243.91'	S72°35'42"W
E	220.00'	278.95'	72°38'58"	260.64'	S43°06'19"W
F	250.00'	124.35'	28°29'56"	123.07'	N86°19'14"W
M	250.00'	199.98'	45°49'59"	194.70'	S86°55'11"E
N	210.00'	134.02'	36°34'00"	131.76'	S82°17'12"E
O	210.00'	245.77'	67°03'21"	231.98'	N40°18'30"E
P	205.00'	377.82'	105°35'53"	326.57'	N71°40'58"E
Q	175.00'	114.86'	37°36'25"	112.81'	S74°19'18"E

MATCH LINE SEE SHEET 2

PARCEL "B"

MATCH LINE SEE SHEET 2

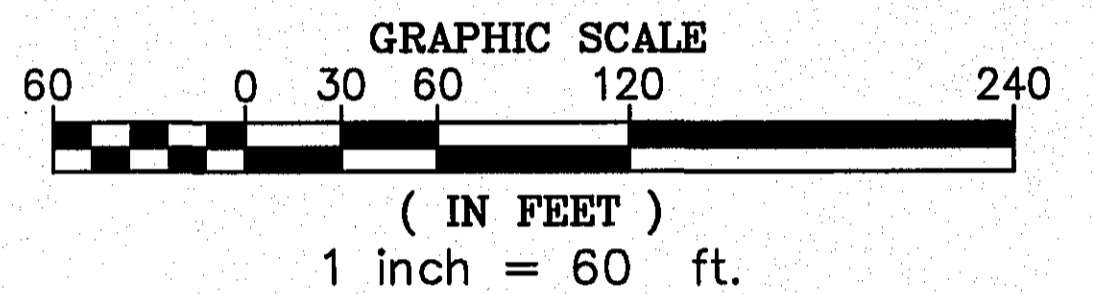
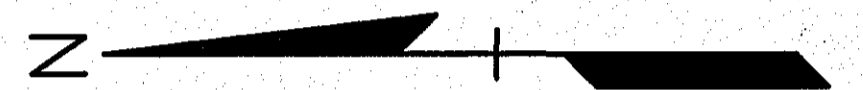


LOCATION MAP NO SCALE

SITE BENCHMARKS (NAVD 88 DATUM)

BM1 (REFERENCE): NGS POINT 'NE0810' (STAMPED M105 1934). BENCH MARK DISC ON TOP OF A CONCRETE MONUMENT AT THE NW CORNER OF COON LAKE ROAD AND ANN ARBOR RAILROAD - ELEVATION 939.63

BM2 (SITE): SET GEAR SPIKE IN POWER POLE IN THE SW FACE AT THE NE CORNER OF SITE ±50' WEST OF THE CENTERLINE OF CHILSON ROAD, ±125' NW OF INTERSECTION OF NIXON AND CHILSON ROADS. - ELEVATION 948.47



LEGEND

- ⊙ = SECTION CORNER
- = LIMITS OF OWNERSHIP/UNIT LIMIT
- 1 = UNIT NUMBER
- = IRON FOUND
- ⊙ = SET MONUMENT CONSISTING OF A 1/2" DIAMETER STEEL ROD ENCASED IN A 4" DIAMETER CONCRETE CYLINDER
- = SET UNIT CORNERS ARE 1/2" DIAMETER STEEL RODS, 18" LONG
- = PRESERVATION AREA
- = WETLAND LIMITS

NOTES:

1. THE BASIS OF BEARING ORIGINATES FROM THE NORTH LINE OF SECTION 29, AS DEFINED BY A SURVEY FROM TRI-COUNTY SURVEYS CO. DATED: JUNE 28, 2002 JOB NO. 02-47A.
2. GENOA TOWNSHIP DOES NOT PARTICIPATE IN THE FEMA FLOOD HAZARD STUDY PROGRAM AND IT IS UNDETERMINED IF ANY PORTION OF THE SITE LIES WITHIN THE 100 YEAR FLOODPLAIN.
3. RESTRICTED PRESERVATION AREA INCLUDES ALL AREAS NOT DESIGNATED AS PRESERVATION AREA, GENERAL COMMON ELEMENT OR BUILDING ENVELOPE.

SURVEYOR'S CERTIFICATE

I, JOHN D. HEIKKINEN, A REGISTERED LAND SURVEYOR OR REGISTERED CIVIL ENGINEER OF THE STATE OF MICHIGAN, HEREBY CERTIFY:

THAT THE SUBDIVISION PLAN KNOWN AS TIMBER GREEN, LIVINGSTON COUNTY CONDOMINIUM SUBDIVISION PLAN NO. _____ AS SHOWN ON THE ACCOMPANYING DRAWINGS, REPRESENTS A SURVEY ON THE GROUND MADE UNDER MY DIRECTION, AND THAT THERE ARE NO EXISTING ENCROACHMENTS UPON THE LANDS AND PROPERTY HEREIN DESCRIBED. THAT THE REQUIRED MONUMENTS AND IRON MARKERS HAVE BEEN LOCATED IN THE GROUND AS REQUIRED BY RULES PROMULGATED UNDER SECTION 142 OF ACT 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED. THAT THE ACCURACY OF THIS SURVEY IS WITHIN THE LIMITS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED. THAT THE BEARINGS, AS SHOWN, ARE NOTED ON THE SURVEY PLAN AS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED.

JOHN D HEIKKINEN,
PROFESSIONAL SURVEYOR NO. 47952
PROFESSIONAL ENGINEERING ASSOCIATES, INC.
2900 EAST GRAND RIVER AVENUE
HOWELL, MICHIGAN 48843

DATE

PROPOSED - MUST BE BUILT

No. 1 by CK		Revisions (Description)		Date
CHESTNUT DEVELOPMENT, L.L.C.				
3800 CHILSON ROAD HOWELL, MI 48843				
SURVEY PLAN TIMBER GREEN				
PROPERTY IS LOCATED IN THE NE 1/4 OF SECTION 29 & IN THE SE 1/4 OF SECTION 29, T.2 N., R.5 E., LIVINGSTON COUNTY, MICHIGAN				
DES.	SUR. J.D.H.	SCALE 1" = 60'	JOB NO. EQ03-006	
DN.	RMS	P.L.M. DS	DATE 12-23-03	DWG. NO. 3

PEA

PROFESSIONAL
ENGINEERING
ASSOCIATES

2900 E. Grand River Avenue
Howell, MI 48843
(517) 546-8583

E00300P\DWG\EXHIBIT 8\03\survey-plan2.dwg
TWS17 ANGLE: 90°00'00" CCW

11-20-400-012

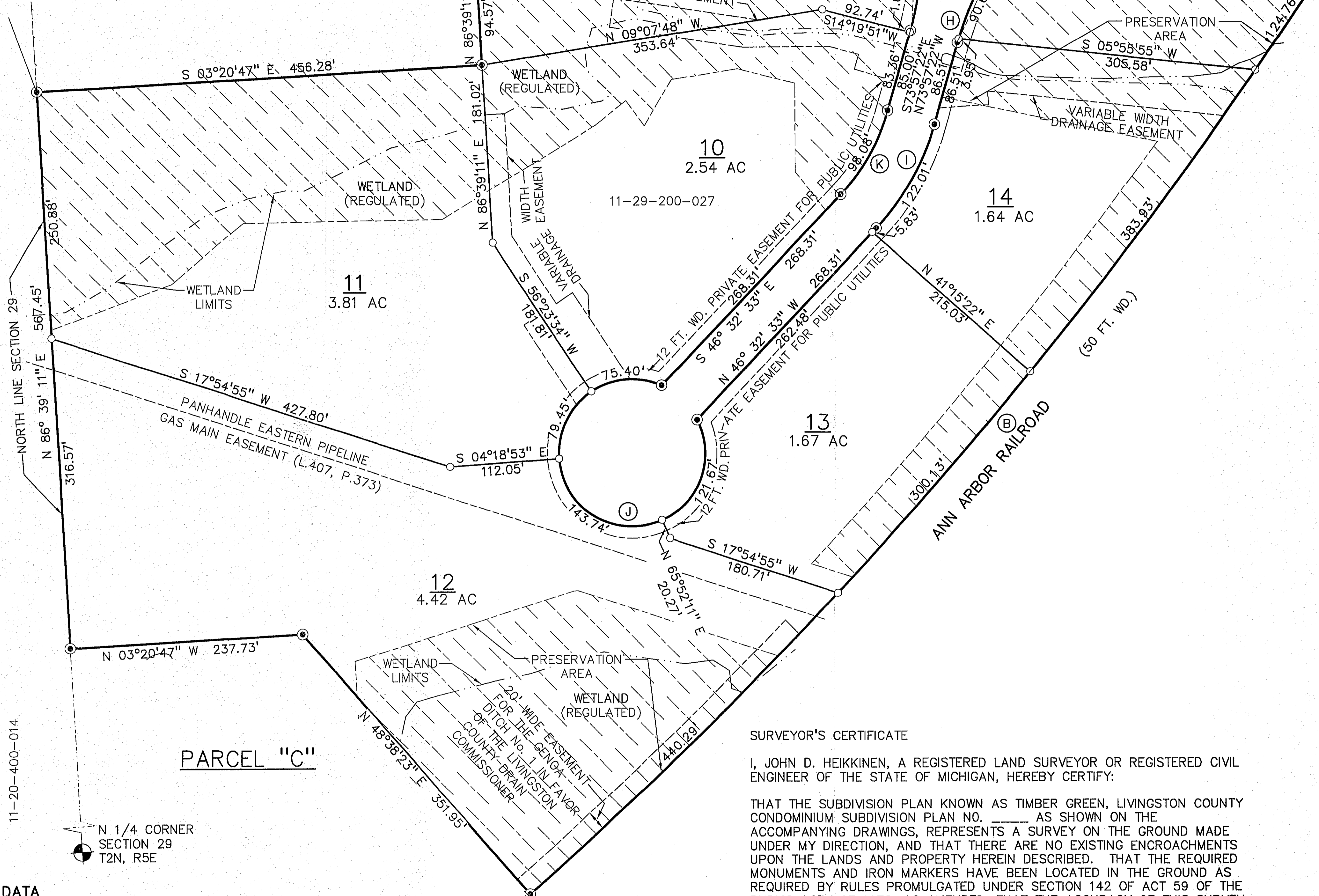
NORTH LINE SECTION 29
N 86° 39' 11" E
567.45'

11-20-400-014

N 1/4 CORNER
SECTION 29
T2N, R5E

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHD. BEARING
B	4612.69'	1249.11'	15°30'56"	1245.29'	N49°07'06"W
G	70.00'	18.26'	14°56'39"	18.21'	N64°35'57"W
H	322.00'	94.58'	16°49'44"	94.24'	N65°32'29"W
I	255.00'	122.01'	27°24'48"	120.85'	N60°14'57"W
J	75.00'	420.26'	321°03'27"	50.00'	N43°27'27"E
K	205.00'	98.08'	27°24'48"	97.15'	S60°14'57"E
L	310.00'	194.14'	35°52'49"	190.98'	N88°06'14"E
M	250.00'	199.98'	45°49'59"	194.70'	S86°55'11"E



PARCEL "C"

20' WIDE EASEMENT
FOR THE GENOA
DITCH OF THE
COUNTY DRAIN
COMMISSIONER

PANHANDLE EASTERN PIPELINE
GAS MAIN EASEMENT (L.407, P.373)

ANN ARBOR RAILROAD
(50 FT. WD.)

PRIVATE EASEMENT FOR PUBLIC UTILITIES
12 FT. WD.

PRIVATE EASEMENT FOR PUBLIC UTILITIES
12 FT. WD.

PRIVATE EASEMENT FOR PUBLIC UTILITIES
12 FT. WD.

PRIVATE EASEMENT FOR PUBLIC UTILITIES
12 FT. WD.

PRIVATE EASEMENT FOR PUBLIC UTILITIES
12 FT. WD.

PRIVATE EASEMENT FOR PUBLIC UTILITIES
12 FT. WD.

CHILSON ROAD (VARIABLE WIDTH)(PUBLIC)

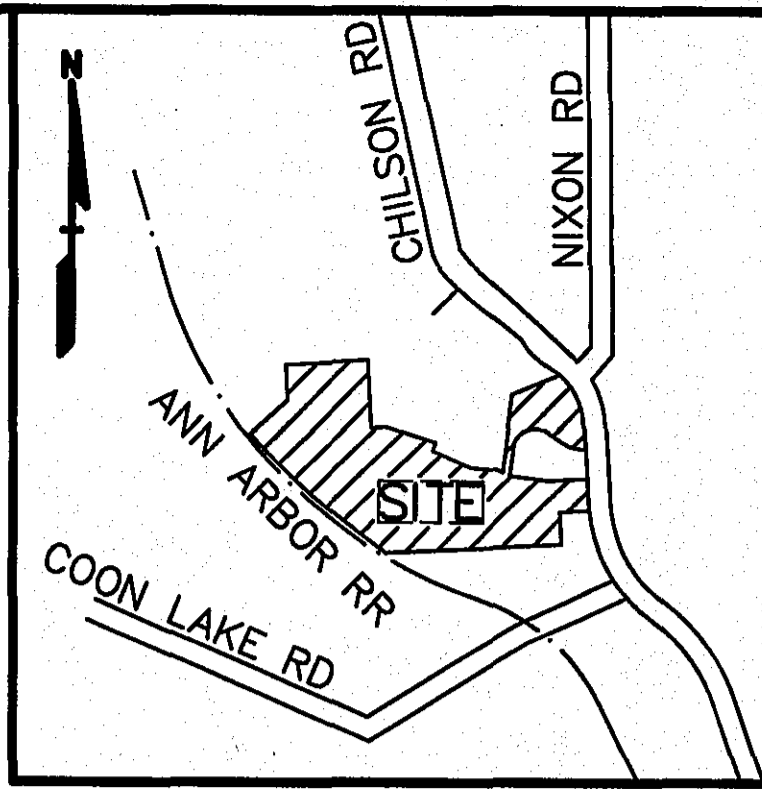
E 1/4 CORNER SECTION 29 T2N, R5E

NE CORNER SECTION 29 T2N, R5E

EAST LINE SECTION 29

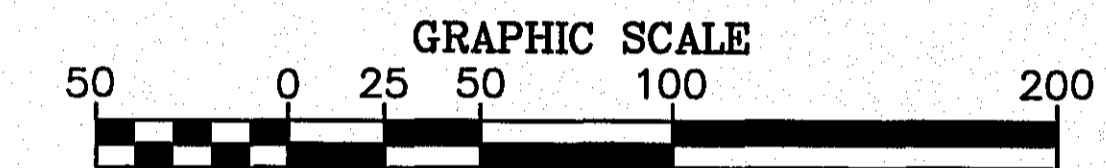
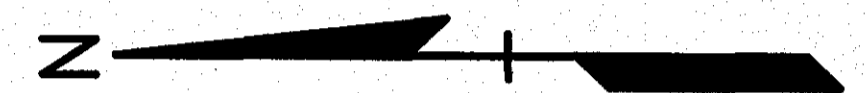
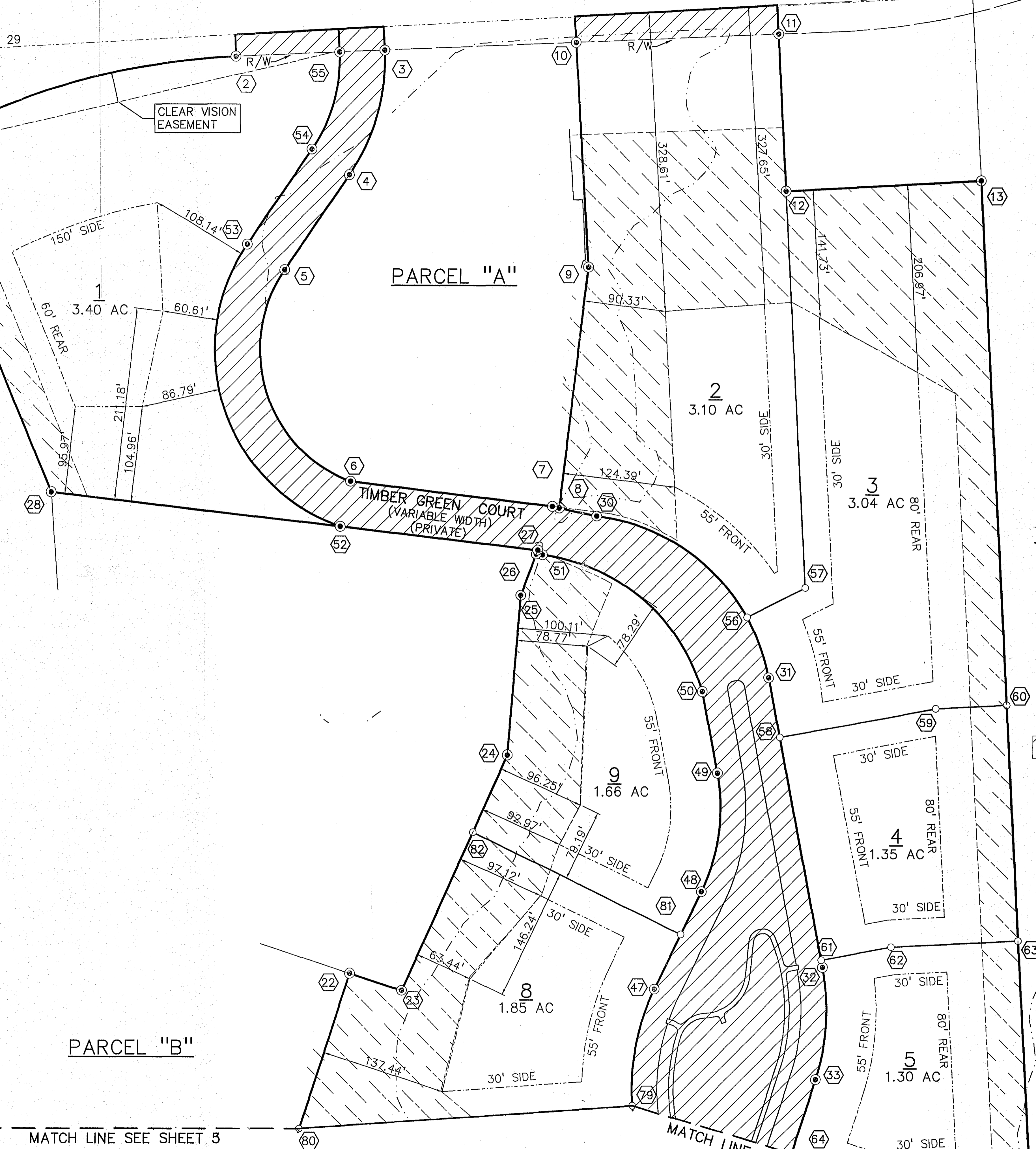
NORTH LINE SECTION 29

N 1/4 CORNER SECTION 29 T2N, R5E



LOCATION MAP NO SCALE

COORD. NO.	NORTHING	EASTING
1	N 9833.76	E 9902.67
2	N 9477.72	E 10004.99
3	N 9313.25	E 10011.84
4	N 9352.57	E 9874.86
5	N 9424.15	E 9770.64
6	N 9351.19	E 9537.90
7	N 9127.92	E 9511.35
8	N 9120.22	E 9509.72
9	N 9087.78	E 9773.78
10	N 9101.28	E 10020.74
11	N 8877.29	E 10030.12
12	N 8869.04	E 9857.94
13	N 8653.36	E 9869.73
22	N 9352.41	E 8997.80
23	N 9294.86	E 8978.99
24	N 9177.97	E 9237.65
25	N 9163.17	E 9413.28
26	N 9145.88	E 9458.55
27	N 9144.21	E 9462.94
28	N 9681.96	E 9526.88
29	N 9813.58	E 9848.04
30	N 9078.81	E 9500.93
31	N 8888.52	E 9322.82
32	N 8829.18	E 9004.85
33	N 8837.08	E 8882.03
47	N 9015.19	E 8981.06
48	N 8963.04	E 9087.99
49	N 8945.36	E 9218.56
50	N 8961.98	E 9307.65
51	N 9138.89	E 9457.72
52	N 9362.73	E 9488.92
53	N 9465.37	E 9798.95
54	N 9393.79	E 9903.16
55	N 9363.20	E 10009.76
56	N 8912.24	E 9388.90
57	N 8848.14	E 9421.92
58	N 8876.23	E 9256.95
59	N 8703.90	E 9289.10
60	N 8625.71	E 9292.85
61	N 8830.64	E 9012.67
62	N 8753.25	E 9027.11
63	N 8613.29	E 9033.82
64	N 8863.52	E 8800.31
65	N 8767.65	E 8769.29
66	N 8600.99	E 8777.28
79	N 9039.84	E 8853.62
80	N 9408.17	E 8827.24
81	N 8985.97	E 9040.98
82	N 9216.12	E 9153.22



(IN FEET)
1 inch = 50 ft.

LEGEND

- = SECTION CORNER
- = LIMITS OF OWNERSHIP/UNIT LIMIT
- = UNIT NUMBER
- = IRON FOUND
- = SET MONUMENT CONSISTING OF A 1/2" DIAMETER STEEL ROD ENCASED IN A 4" DIAMETER CONCRETE CYLINDER (ALL UNIT CORNERS ARE 1/2" DIAMETER STEEL RODS, 18" LONG)
- = GENERAL COMMON ELEMENTS
- = PRESERVATION AREA
- = BUILDING SETBACK
- = COORDINATE POINT
- = WETLAND LIMITS

- NOTES:**
- RESTRICTED PRESERVATION AREAS INCLUDE ALL AREAS NOT DESIGNATED AS PRESERVATION AREAS, GENERAL COMMON ELEMENTS OR BUILDING ENVELOPES.
 - ALL UNITS AND COMMON ELEMENTS ARE CONVERTIBLE AREAS PURSUANT TO ARTICLE VII OF THE MASTER DEED.
 - REMOVE ALL TREES WITHIN THE CLEAR VISION EASEMENT. EASEMENT SHALL BE GRADED FLAT AND GRASS SHALL BE PROPERLY MAINTAINED IN PERPETUITY SO AS NOT TO OBSCURE CLEAR VISION AREA.

PARCEL "B"

MATCH LINE SEE SHEET 5

MATCH LINE SEE SHEET 5

PROPOSED - MUST BE BUILT

No. By Ck.		Revisions (Description)		Date
CHESTNUT DEVELOPMENT, L.L.C.				
3800 CHILSON ROAD HOWELL, MI 48843				
SITE PLAN TIMBER GREEN				
PROPERTY IS LOCATED IN THE NE 1/4 OF SECTION 29 & IN THE SE 1/4 OF SECTION 29, T.2 N., R.5 E., LIVINGSTON COUNTY, MICHIGAN				
DES.	SUR. J.D.H.	SCALE 1" = 60'	JOB NO. EQ03-006	2900 E. Grand River Avenue Howell, MI 48843 (517) 546-8593
DN.	R.M.S.	P.M. DS	DATE 12-23-03 DWG. NO. 4	

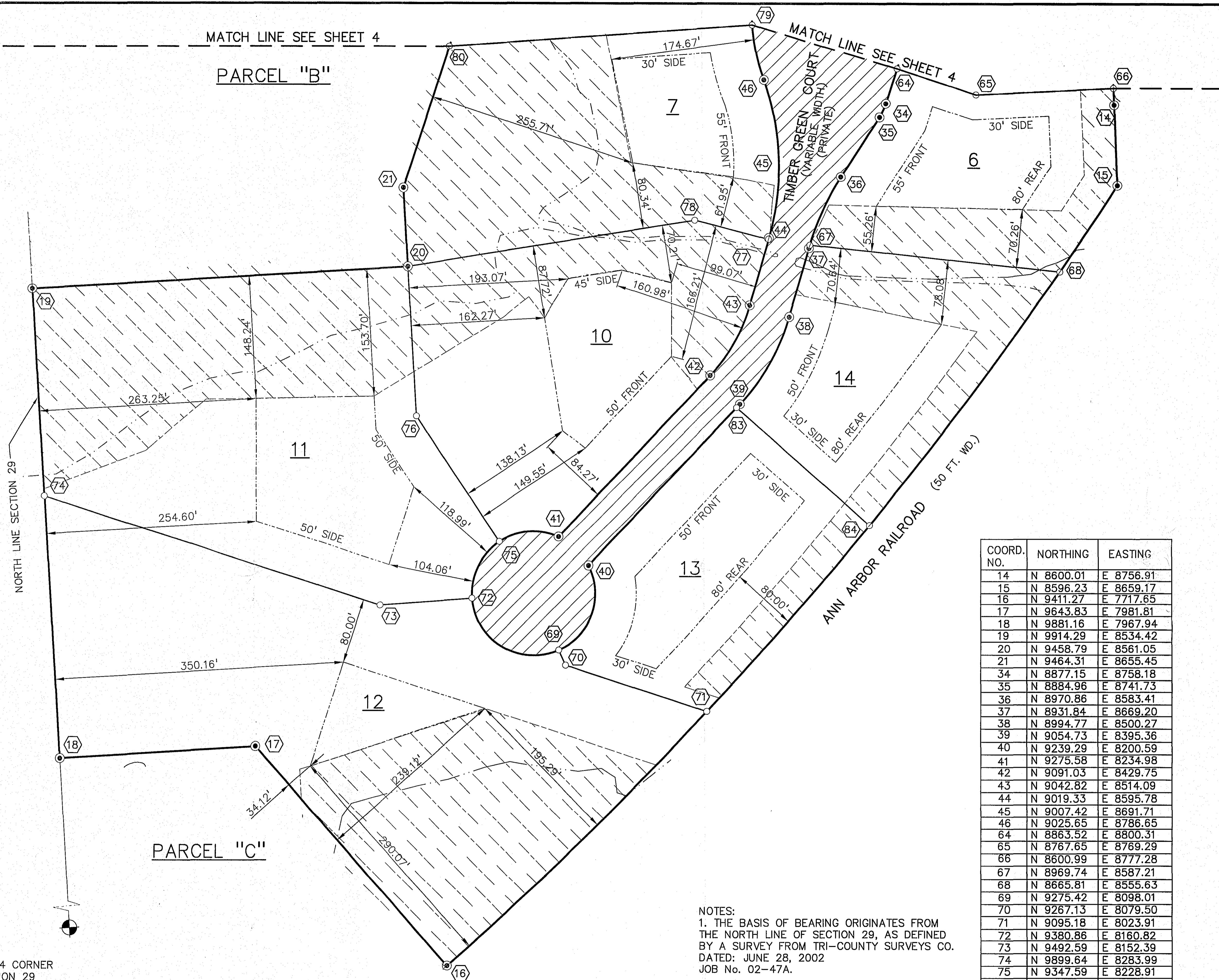
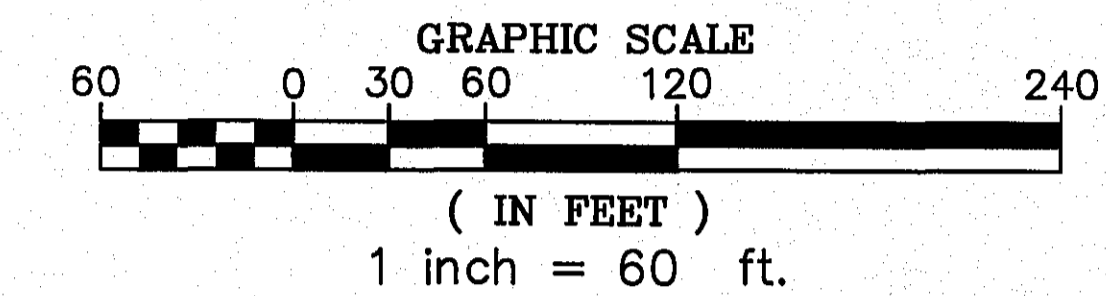
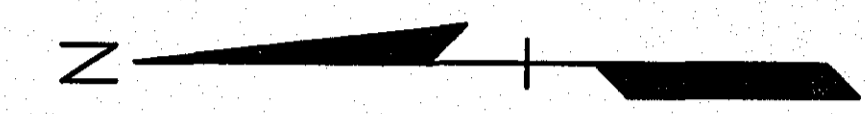
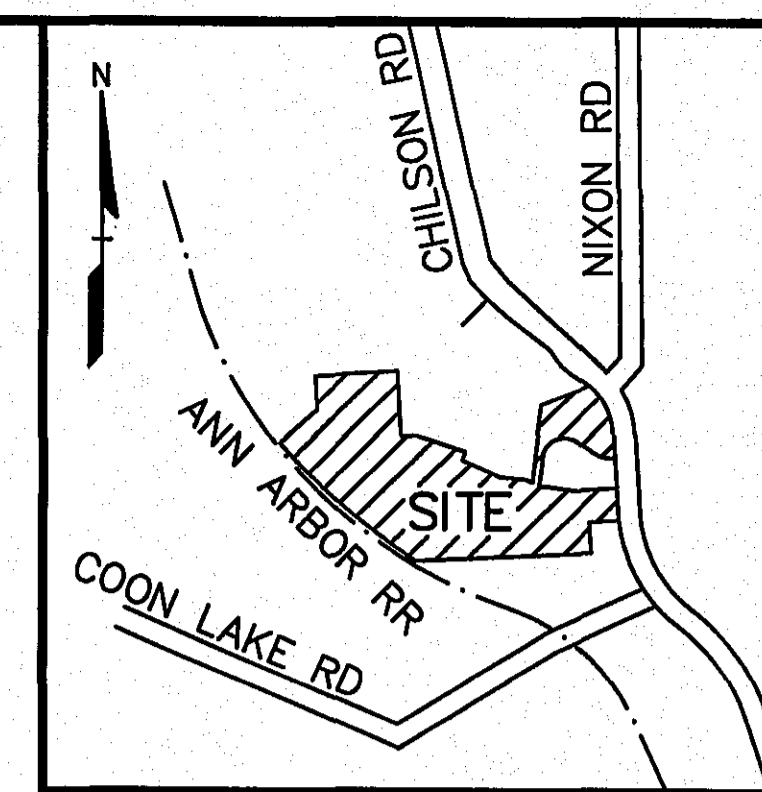


PROFESSIONAL ENGINEERING ASSOCIATES

EQ03006.DWG EXHIBIT BY(04) site-plan.dwg
TWS1 ANGLE: 90°00'00" CCW

MATCH LINE SEE SHEET 4

PARCEL "B"



LEGEND

- = SECTION CORNER
- = PRESERVATION AREA
- = WETLAND LIMITS
- = BUILDING SETBACK
- = GENERAL COMMON ELEMENTS
- = LIMITS OF OWNERSHIP/UNIT LIMIT
- 1** = UNIT NUMBER
- = IRON FOUND
- = SET MONUMENT CONSISTING OF A 1/2" DIAMETER STEEL ROD ENCASED IN A 4" DIAMETER CONCRETE CYLINDER (ALL UNIT CORNERS ARE 1/2" DIAMETER STEEL RODS, 18" LONG)
- = COORDINATE POINT

COORD. NO.	NORTHING	EASTING
14	N 8600.01	E 8756.91
15	N 8596.23	E 8659.17
16	N 9411.27	E 7717.65
17	N 9643.83	E 7981.81
18	N 9881.16	E 7967.94
19	N 9914.29	E 8534.42
20	N 9458.79	E 8561.05
21	N 9464.31	E 8655.45
34	N 8877.15	E 8758.18
35	N 8884.96	E 8741.73
36	N 8970.86	E 8583.41
37	N 8931.84	E 8669.20
38	N 8994.77	E 8500.27
39	N 9054.73	E 8395.36
40	N 9239.29	E 8200.59
41	N 9275.58	E 8234.98
42	N 9091.03	E 8429.75
43	N 9042.82	E 8514.09
44	N 9019.33	E 8595.78
45	N 9007.42	E 8691.71
46	N 9025.65	E 8786.65
64	N 8863.52	E 8800.31
65	N 8767.65	E 8769.29
66	N 8600.99	E 8777.28
67	N 8969.74	E 8587.21
68	N 8665.81	E 8555.63
69	N 9275.42	E 8098.01
70	N 9267.13	E 8079.50
71	N 9095.18	E 8023.91
72	N 9380.86	E 8160.82
73	N 9492.59	E 8152.39
74	N 9899.64	E 8283.99
75	N 9347.59	E 8228.91
76	N 9448.22	E 8380.34
77	N 9019.78	E 8594.21
78	N 9109.63	E 8617.16
79	N 9039.84	E 8853.62
80	N 9408.17	E 8827.24
83	N 9058.76	E 8391.13
84	N 8897.10	E 8249.33

- NOTES:
- THE BASIS OF BEARING ORIGINATES FROM THE NORTH LINE OF SECTION 29, AS DEFINED BY A SURVEY FROM TRI-COUNTY SURVEYS CO. DATED: JUNE 28, 2002 JOB No. 02-47A.
 - GENOA TOWNSHIP DOES NOT PARTICIPATE IN THE FEMA FLOOD HAZARD STUDY PROGRAM AND IT IS UNDETERMINED IF ANY PORTION OF THE SITE LIES WITHIN THE 100 YEAR FLOODPLAIN.
 - RESTRICTED PRESERVATION AREA INCLUDES ALL AREAS NOT DESIGNATED AS PRESERVATION AREA, GENERAL COMMON ELEMENT OR BUILDING ENVELOPE.

N 1/4 CORNER SECTION 29 T2N, R5E

PROPOSED - MUST BE BUILT

No.	By	Chk.	Revisions (Description)	Date

CHESTNUT DEVELOPMENT, L.L.C.
3800 CHILSON ROAD
HOWELL, MI 48843

**SITE PLAN
TIMBER GREEN**
PROPERTY IS LOCATED IN THE NE 1/4 OF SECTION 29 & IN THE SE 1/4 OF SECTION 29, T.2 N., R.5 E., LIVINGSTON COUNTY, MICHIGAN

DES. - SUR. JDH SCALE 1" = 60' JOB NO. EQ03-006
DN. RMS P.M. DS DATE 12-23-03 DWG. NO. 5

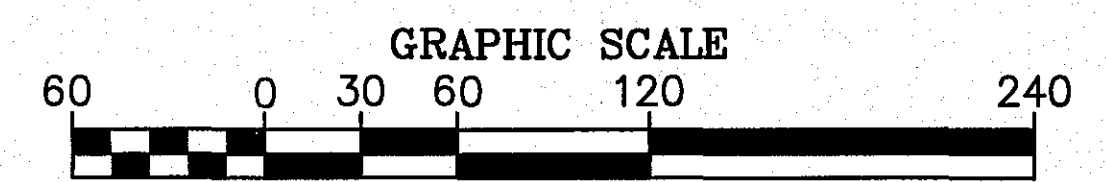
PROFESSIONAL ENGINEERING ASSOCIATES
2900 E. Grand River Avenue
Howell, MI 48843
(517) 546-8583

CHILSON ROAD (VARIABLE WIDTH)(PUBLIC)

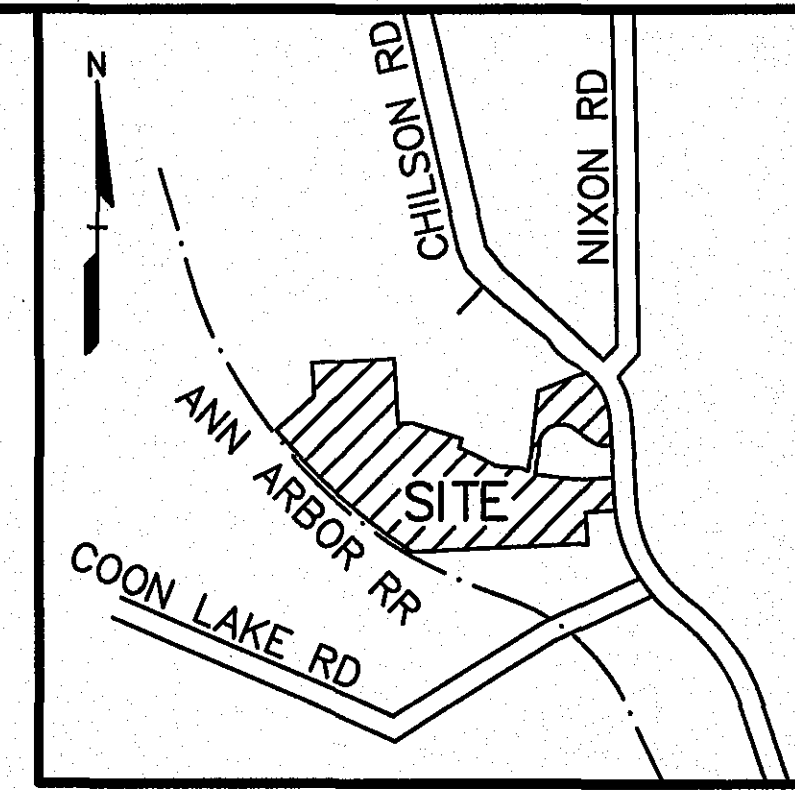
NE CORNER SECTION 29 T2N, R5E

EAST LINE SECTION 29

E 1/4 CORNER SECTION 29 T2N, R5E



(IN FEET)
1 inch = 60 ft.



LOCATION MAP NO SCALE

SITE BENCHMARKS (NAVD 88 DATUM)

BM1 (REFERENCE): NGS POINT 'NE0810' (STAMPED M105 1934). BENCH MARK DISC ON TOP OF A CONCRETE MONUMENT AT THE NW CORNER OF COON LAKE ROAD AND ANN ARBOR RAILROAD - ELEVATION 939.63

BM2 (SITE): SET GEAR SPIKE IN POWER POLE IN THE SW FACE AT THE NE CORNER OF SITE ±50' WEST OF THE CENTERLINE OF CHILSON ROAD, ±125' NW OF INTERSECTION OF NIXON AND CHILSON ROADS. 119'± NORTHWEST OF THE NORTHEAST PROPERTY CORNER ELEVATION 948.47

CLEAR VISION EASEMENT



PRESERVATION AREA 1

PARCEL "A"

VARIABLE WIDTH DRAINAGE EASEMENT

TIMBER GREEN COURT (VARIABLE WIDTH) (PRIVATE)

2

PRESERVATION AREA

3

11-29-200-028

40 FT. WD. DRAINAGE EASEMENT

10

PARCEL "B"

PRESERVATION AREA



PARK

4



18

5



LEGEND

- PROPOSED
- STORM SEWER & MANHOLE
- CATCH BASIN
- INLET
- ELECTRIC, TELEPHONE, CABLE, GAS LINES
- LIMITS OF OWNERSHIP
- BUILDING SETBACK
- ▨ PRESERVATION AREA
- WETLAND LIMITS
- ▨ DRAIN FIELD AND EXPANSION AREA
- ▭ DRAIN FIELD

GENERAL NOTES:

1. THE STORM SEWER SYSTEM & ROADWAY ARE PRIVATE AND MUST BE BUILT.
2. ALL PROPOSED UNITS WILL BE SERVICED WITH:
 - GAS BY CONSUMERS ENERGY
 - ELECTRICITY BY DTE ENERGY
 - TELEPHONE BY SBC
 - CABLE TELEVISION BY COMCAST CABLE TV
3. GAS, ELECTRICITY, TELEPHONE AND CABLE LINES ARE NOT SHOWN ON THE CURRENT PLANS AS THE DESIGN OF THESE FACILITIES IS NOT COMPLETE. THEIR PRECISE LOCATION WILL BE SHOWN ON THE AS-BUILT PLANS.
4. GAS, ELECTRICITY, TELEPHONE AND CABLE LINES WILL BE WITHIN EASEMENTS AS DETERMINED BY THE UTILITY COMPANIES.
5. NO GUARANTEE IS MADE AS TO THE COMPLETENESS OR ACCURACY OF THE UTILITY INFORMATION.
6. ALL UTILITY LATERALS AND LEADS FROM POINTS OF CONNECTION TO MAINS SHALL BE INSTALLED, MAINTAINED, REPAIRED AND REPLACED AT THE EXPENSE OF EACH OWNER WHOSE UNIT THEY RESPECTIVELY SERVICE.
7. REMOVE ALL TREES WITHIN THE CLEAR VISION EASEMENT. EASEMENT SHALL BE GRADED FLAT AND GRASS SHALL BE PROPERLY MAINTAINED IN PERPETUITY SO AS NOT TO OBSCURE CLEAR VISION AREA.

11-29-200-022

MATCH LINE SEE SHEET 7

MATCH LINE SEE SHEET 7

PROPOSED - MUST BE BUILT

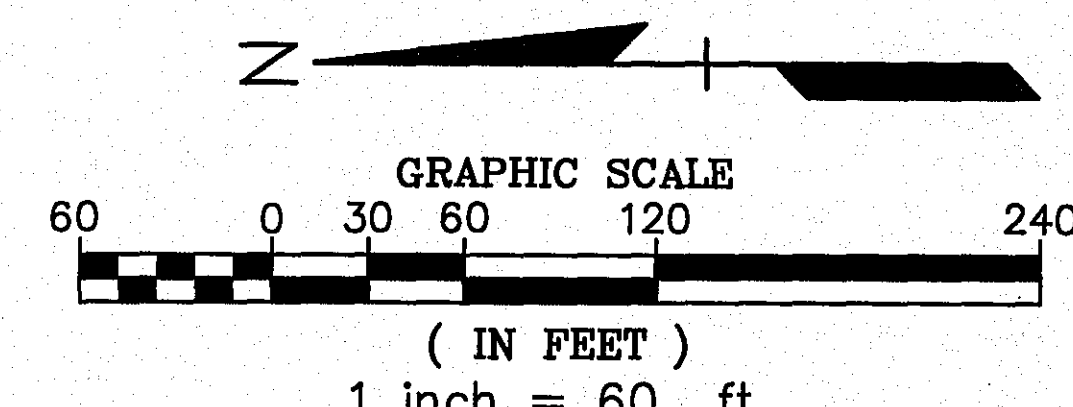
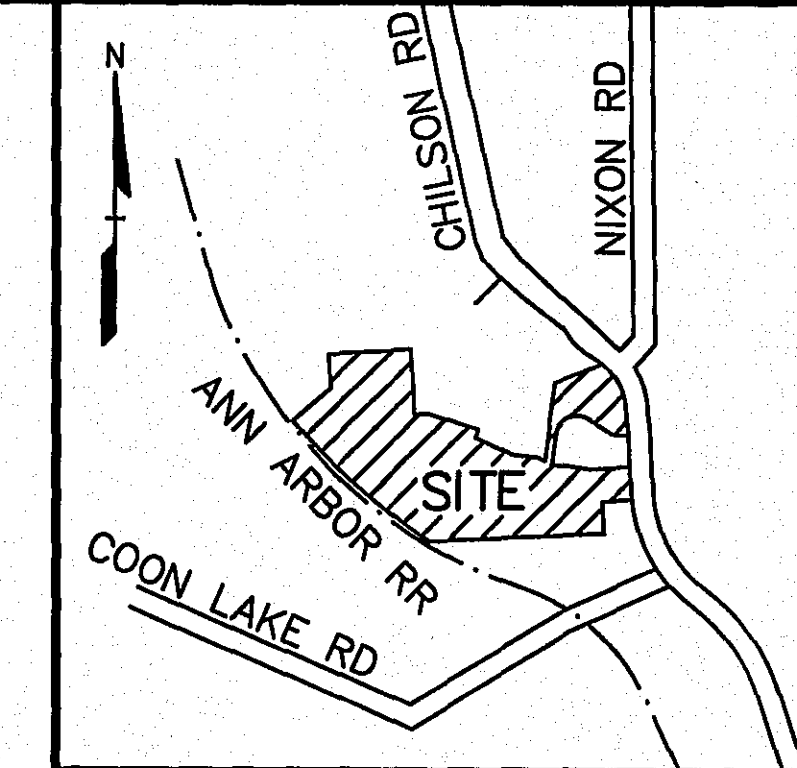
No.	By	Cr.	Revisions (Description)	Date
CHESTNUT DEVELOPMENT, L.L.C.				
3800 CHILSON ROAD HOWELL, MI 48843				
UTILITY PLAN TIMBER GREEN				
PROPERTY IS LOCATED IN THE NE 1/4 OF SECTION 29 & IN THE SE 1/4 OF SECTION 29, T.2 N., R.5 E., LIVINGSTON COUNTY, MICHIGAN				
DES.	RMS	SUR.	SCALE 1" = 60'	JOB NO. EQ03-006
DN.	XXX	P.M.	DATE 12-23-03	DWG. NO. 6

PROFESSIONAL ENGINEERING ASSOCIATES
2900 E. Grand River Avenue
Howell, MI 48843
(517) 546-8583

MATCH LINE SEE SHEET 6

PARCEL "B"

MATCH LINE SEE SHEET 6



LEGEND

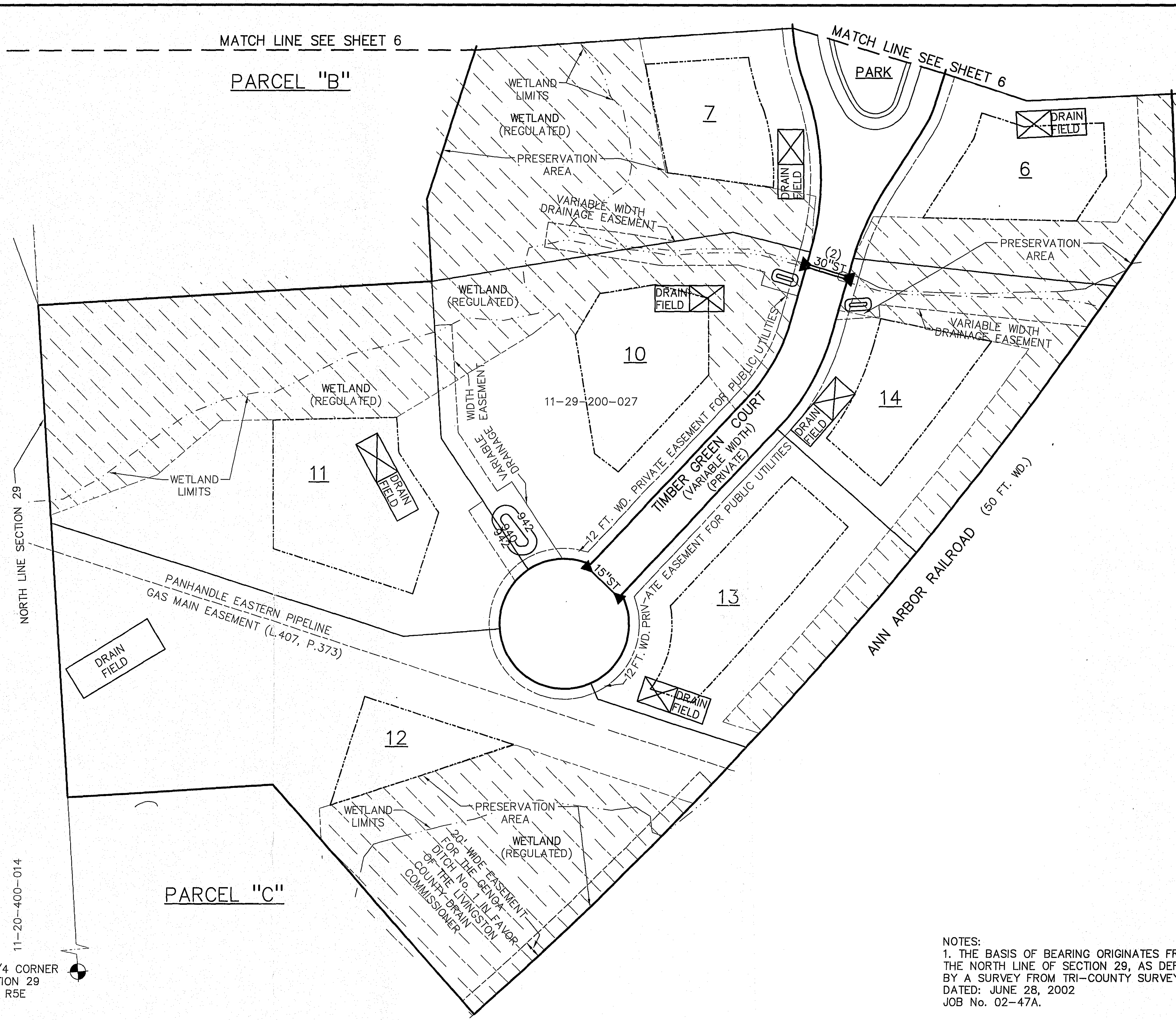
- PROPOSED**
- STORM SEWER & MANHOLE
 - CATCH BASIN
 - INLET
 - ELECTRIC, TELEPHONE, CABLE, GAS LINES
 - PRESERVATION AREA
 - WETLAND LIMITS
 - = SECTION CORNER
 - = LIMITS OF OWNERSHIP/UNIT LIMIT
 - = UNIT NUMBER
 - DRAIN FIELD AND EXPANSION AREA

11-20-400-012

NORTH LINE SECTION 29

11-20-400-014

N 1/4 CORNER SECTION 29 T2N, R5E



PARCEL "C"

NOTES:
 1. THE BASIS OF BEARING ORIGINATES FROM THE NORTH LINE OF SECTION 29, AS DEFINED BY A SURVEY FROM TRI-COUNTY SURVEYS CO. DATED: JUNE 28, 2002 JOB No. 02-47A.

2. GENOA TOWNSHIP DOES NOT PARTICIPATE IN THE FEMA FLOOD HAZARD STUDY PROGRAM AND IT IS UNDETERMINED IF ANY PORTION OF THE SITE LIES WITHIN THE 100 YEAR FLOODPLAIN.

3. RESTRICTED PRESERVATION AREA INCLUDES ALL AREAS NOT DESIGNATED AS PRESERVATION AREA, GENERAL COMMON ELEMENT OR BUILDING ENVELOPE.

GENERAL NOTES:

1. THE STORM SEWER SYSTEM & ROADWAY ARE PRIVATE AND MUST BE BUILT.
2. ALL PROPOSED UNITS WILL BE SERVICED WITH:
 - GAS BY CONSUMERS ENERGY
 - ELECTRICITY BY DTE ENERGY
 - TELEPHONE BY SBC
 - CABLE TELEVISION BY COMCAST CABLE TV
3. GAS, ELECTRICITY, TELEPHONE AND CABLE LINES ARE NOT SHOWN ON THE CURRENT PLANS AS THE DESIGN OF THESE FACILITIES IS NOT COMPLETE.
4. GAS, ELECTRICITY, TELEPHONE AND CABLE LINES WILL BE WITHIN EASEMENTS AS DETERMINED BY THE UTILITY COMPANIES.
5. NO GUARANTEE IS MADE AS TO THE COMPLETENESS OR ACCURACY OF THE UTILITY INFORMATION.

PROPOSED - MUST BE BUILT

No.	By	Cr.	Revisions (Description)	Date
CHESTNUT DEVELOPMENT, L.L.C.				
3800 CHILSON ROAD HOWELL, MI 48843				
UTILITY PLAN TIMBER GREEN				
PROPERTY IS LOCATED IN THE NE 1/4 OF SECTION 29 & IN THE SE 1/4 OF SECTION 29, T.2 N., R.5 E., LIVINGSTON COUNTY, MICHIGAN				
DES.	SUR. J.D.H.	SCALE 1" = 60'	JOB NO. EQ03-006	
DN.	RMS	P.M. DS	DATE 12-23-03	DWG. NO. 7

PROFESSIONAL ENGINEERING ASSOCIATES
 2800 E. Grand River Avenue
 Howell, MI 48843
 (517) 646-8583



MEMORANDUM

TO: Genoa Township Board of Trustees
FROM: Ron Akers, Zoning Official
DATE: 8/14/2014
RE: Proposed Noxious Weeds Ordinance

2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

Township Manager Approval

Based on discussion at the previous Township Board meeting, please find attached the proposed noxious weeds ordinance. The following is a summary of the provisions in the ordinance:

The intent of this Ordinance is to give the Township the ability require certain property owners to maintain their lawns free of noxious weeds and grass which exceeds a specific height. As we know the presence of grass of excess height and noxious weeds creates blight, which has a negative impact on property values, leads to deteriorating housing conditions and adversely affects the public health, safety and welfare.

The following are explanations of specific provisions in the Ordinance:

Section 3: This definition for Noxious Weeds is provided for in Public Act 359 of 1941. It includes these specific species of plants and also gives the Township Board some flexibility to include other plants which are not specifically specified. This could be utilized in the event for invasive species should the board believe it is necessary at a later date.

Section 4: The vegetation height limit for grass varies from community to community. The range is from 6 inches to 12 inches. Based on this we felt 10 inches was an appropriate height.

Section 5: These areas were selected based upon where we have received complaints in the past and where we felt this ordinance would be most appropriate. This can be adjusted if necessary.

Section 6: There are certain areas in the Township where this Ordinance would not be appropriate to enforce. This lists attempts to address those areas.

Section 7, 8, 9 & 10: These sections outline the process for notice, enforcement, penalty and cost recovery for doing this. There are two ways to send notice for noxious weeds. They are via the newspaper and individually. The Ordinance makes the newspaper notice permissive rather than required in order to allow us some flexibility in its use. For individual notice we would send a certified letter to the individual granting them ten

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen
Jean W. Ledford
Todd W. Smith
Linda Rowell

(10) days to comply with the Ordinance. If they do, the Township would have the ability to enter the property, cut the grass or remove the weeds, and charge the owner for doing so.

In addition to the fees for the actual cutting of grass, the Ordinance allows the Township to issue civil infraction for violating this Ordinance.

I look forward to your comments and should anyone have any specific questions please feel free to contact me.

CHARTER TOWNSHIP OF GENOA
LIVINGSTON COUNTY, MICHIGAN
ORDINANCE NO. _____
NOXIOUS WEEDS ORDINANCE

The Charter Township of Genoa ordains:

SECTION 1: Short title

- (1) This ordinance shall be known and may be cited as Genoa Charter Township's Noxious Weeds Ordinance.

SECTION 2: Intent and Purpose

- (1) The Genoa Township Board of Trustees hereby determines that, under certain circumstances as set forth herein, the presence of tall grass and noxious weeds creates blight and constitutes a nuisance. It is recognized that such blight lowers property values, leads to deteriorating housing conditions, undermines the quality of neighborhood life, adversely affects the public health, safety and general welfare of the citizens of the community. This ordinance provides for the cutting and/or removal of grass, noxious weeds and miscellaneous debris, and to provide for the administration and enforcement of this ordinance.

SECTION 3: Definitions

- (1) For the purposes of this Ordinance, certain words and phrases are defined as follows:
 - (a) Noxious Weeds - For the purpose of this article, weeds shall include Canada thistle (*Cirsium arvense*), dodders (any species of *Cuscuta*), mustards (charlock, black mustard and Indian mustard; species of *Brassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), perennial sowthistle (*Sonchus arvensis*), hoary alyssum (*Berteroa incana*), ragweed (*Ambrosia elatior* L), poison ivy (*Rhus toxicodendron*) and poison sumac (*Toxicodendron vernix*).

SECTION 4: Vegetation Height

- (1) Grass, weeds, or undergrowth shall not be permitted to grow to a height greater than ten (10) inches.

SECTION 5: Areas Subject to Ordinance

- (1) The provisions of this ordinance shall apply only to lots or parcels of land within the Township which meet the following:
 - (a) Parcels in residential site condominiums or platted subdivisions in which buildings have been erected upon 60 percent or more of the lots thereof.
 - (b) Any developed metes and bounds residential parcel 1 acre or less in size.
 - (c) Developed Commercial or Industrial Parcels.

SECTION 6: Exceptions

- (1) This ordinance shall not apply to the following:
 - (a) Agricultural Crops.
 - (b) Farms or farm operations as defined in the Michigan Right to Farm Act.

- (c) Vegetation in woodlands or wetlands.
- (d) Areas within the required twenty-five (25) foot undisturbed natural setback from MDEQ determined/regulated wetlands, as specified in section 13.02.04 of the Genoa Township Zoning Ordinance.
- (e) Weeds in fields devoted to growing any small grain crop such as wheat, oats, barley, or rye.
- (f) Parcels owned by public utilities.
- (g) Publicly owned lands.
- (h) Flower or vegetable gardens

SECTION 7: Duties of Owners, Agents or Occupant

- (1) It shall be the duty of all owners, agents and/or occupants of any parcel of land which is subject to this ordinance, to remove or destroy by lawful means all noxious weeds before they reach a seed bearing stage and to prevent such weeds from perpetuating themselves, or to prevent such weeds from becoming a detriment to public health.

SECTION 8: Notice

- (1) The Township shall attempt to notify the owner, agent and/or occupant of any parcel or lot subject to this ordinance, on which either noxious weeds are found growing or other weeds, grass or brush have grown to a height of ten (10) inches from ground level, by certified mail with return receipt requested. The notice shall describe methods of treating and eradicating the noxious weeds, if applicable, and shall contain a summary of the provisions of this Ordinance. Failure of such owner, agent and/or occupant to receive such notice shall not constitute a defense to any action to enforce the payment of any penalty provided for or debt created under this ordinance.
- (2) In addition to or in the alternative to the notice described above, the township may publish a notice in a newspaper of general circulation in the county during the month of March providing that either noxious weeds or other weeds, grass or brush have grown to a height of ten (10) inches from ground level, not cut by May 1 of that year may be cut by the township and the owner of the property may be charged with the cost thereof as provided in this ordinance.

SECTION 9: Enforcement & Cost Recovery

- (1) If, within ten (10) days after notice, as provided in section 8.1, or after publication of the notice as provided in section 8.2, the owner, agent or occupant of any land upon which noxious weeds are growing or other weeds, grass or brush have grown to a height of ten (10) inches from ground level, has failed to destroy the noxious weeds, cause such noxious weeds to be destroyed or has failed to cause such weeds, grass or brush to be cut down, destroyed or removed, the township may enter upon the land and destroy the noxious weeds, cause them to be destroyed by cutting or cut down the weeds, grass or brush. Mechanical equipment which will not damage the property or any adjacent sidewalk may be used to cut the noxious weeds.
- (2) Any expense by the Township incurred in such destruction shall be paid by the owner or owners of such parcel, and the Township shall have a lien against such parcel for such expense, which lien shall be enforced in the manner prescribed by the general laws of this State providing for the enforcement of Tax Liens.

SECTION 10: Penalties

- (1) In addition to the assessment of cost as provided in section 9.2, any person who violates the provisions of this ordinance shall be guilty of a civil infraction, punishable by a fine of up to \$100.00.
- (2) Each day that a violation exists, or continues to exist, shall constitute a separate offense.

SECTION 11: Severability

- (1) This ordinance and various parts, sections and clauses thereof are hereby declared severable. If any part, section, paragraph or clause is adjudged invalid, it is hereby provided that the remainder of the ordinance shall not be affected thereby.



MEMORANDUM

TO: Genoa Township Board of Trustees
FROM: Ron Akers, Zoning Official
DATE: 8/14/2014
RE: Blight/Property Maintenance Ordinance

2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

Township Manager Approval

The Township Manager has asked that I review and provide some information regarding Blight Ordinances and Property Maintenance Ordinances. Both types of ordinances do similar things, but have different scopes. A blight ordinance typically focuses on the storage of junk vehicles, abandoned vehicles, trash, rubbish, refuse, unused appliances or items, the storage of building materials without a valid permit, etc. A blight ordinance may also allow a Township to enter private property and remove blight at the cost of the owner of the property. A property maintenance ordinance can address several issues regarding the interior and exterior of a building including grass and weed maintenance, exterior walls, sidewalks, grading, rodent harborage, exhaust vents, defacement of property, roofs and drainage, handrails and guard rails, stairways, interior surfaces and doors, fire safety, light, ventilation, occupancy, mechanical, electrical, etc. A property maintenance ordinance either has regulations which are drafted by the municipality or adopts the International Property Maintenance Code by reference. Typically the townships in Michigan that have adopted property maintenance ordinances also enforce the state construction code because many of the property maintenance standards are similar to requirements in the state building code. Those townships have licensed building inspectors on staff who can perform those duties.

Genoa Township does have ordinances which address litter and abandoned and dangerous buildings and the Zoning Ordinance addresses issues related to unlicensed and inoperable motor vehicles. The main issues that we have are with properties that are not dangerous buildings, but are still blighted properties. Typically these properties have grass that has not been maintained, exposed particle board and leaking roofs.

The decision as to whether or not we should proceed with the creation/adoption of these ordinances is up to the Township Board. The scope of the problem is more prevalent in some areas of the Township rather than others. Those areas that are within a condominium association or a home owners association typically have similar guidelines in their bylaws. If the Township Board decides to move forward with either ordinance the following are my recommendations:

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen
Jean W. Ledford
Todd W. Smith
Linda Rowell

Blight Ordinance: The blight ordinance could grant us more teeth with regards to residential outdoor storage of building materials or wood. If the Township Board decides to move forward with this, we will further evaluate blight causing factors and the gaps in our existing ordinances to prepare an ordinance for your review.

Property Maintenance Ordinance: This ordinance would give us the ability to address deteriorating buildings which are not yet considered dangerous buildings and take action to hopefully correct these violations and prevent further deterioration. I do not have the expertise of a licensed building inspector and would need that expertise to effectively enforce a property maintenance code. My recommendation is that should the Township Board decide to move forward with this, we should begin discussions with the Livingston County Building Department to perform inspections necessary to enforce the ordinance.