

GENOA CHARTER TOWNSHIP BOARD

Regular Meeting

Feb. 16, 2015

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: Feb. 4, 2015

Approval of Regular Agenda:

3. Consideration of a request to the local governing body of a resolution for a charitable gaming license as requested by the Lucas Foundation to be located at 3555 E. Grand River.
4. Second review of budget for the General Fund 101 for the Fiscal Year ending March 31, 2016.
5. Review of environmental impact assessment (2/10/15) for a proposed 4,661 sq. ft. storage addition located at 1275 Grand Oaks Drive, Howell, Michigan 48843 (parcel # 4711-08-101-015). The request is petitioned by DeWitt Radiator.
6. Adoption of an amendment to the Official Zoning Map of Genoa Charter Township as ordered by the Court of Appeals. The property in question involves parcels 4711-33-400-003 and 4711-34-300-005 and is located at 5885 Chilson Road, Howell, Michigan 48843. The property is owned by Chestnut Development, LLC. The map amendment will change the zoning from Residential Planned Unit Development (RPUD) to Agricultural (AG).

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: February 16, 2015

TOWNSHIP GENERAL EXPENSES: Thru February 16, 2015	\$99,390.91
February 13, 2015 Bi Weekly Payroll	\$74,193.93
OPERATING EXPENSES: February 16, 2015	\$46,420.67
TOTAL:	<u>\$220,005.51</u>

<u>Check Number</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Check Date</u>	<u>Check Amount</u>
31500	AMWAY1	Amway Grand Plaza Hotel	01/26/2015	470.80
31501	MORTENSE	H.J. Mortensen	01/26/2015	410.80
31502	Amer	American Video Transfer Inc	01/30/2015	1,232.50
31503	ARCHINAL	Michael Archinal	01/30/2015	500.00
31504	DTE EN	DTE Energy	01/30/2015	138.20
31505	EHIM	EHIM, INC	01/30/2015	2,320.91
31506	Ham	Hamburg Township	01/30/2015	90.00
31507	MASTER M	Master Media Supply	01/30/2015	691.65
31508	Americ G	American General Life Insuranc	02/04/2015	290.00
31509	AMER PLA	American Planning Association	02/04/2015	725.00
31510	Duncan	Duncan Disposal Systems	02/04/2015	79,256.10
31511	J & P	J & P Carpentry, LLC	02/04/2015	256.50
31512	LSL	LSL Planning, Inc.	02/04/2015	2,887.12
31513	MASTER M	Master Media Supply	02/04/2015	161.97
31514	METRON	Metron-Farnier, LLC	02/04/2015	600.56
31515	Perfect	Perfect Maintenance Cleaning	02/04/2015	1,340.00
31516	USBANK	U. S. Bank Equipment Finance	02/04/2015	1,233.97
31517	Clearwat	Clearwater Systems	02/09/2015	58.50
31518	COMC	Comcast	02/09/2015	323.60
31519	CONTINEN	Continental Linen Service	02/09/2015	205.80
31520	VANMART	Kelly VanMarter	02/09/2015	300.00
31521	OEX	Office Express Inc.	02/09/2015	181.75
31522	PFEFFER	Pfeffer, Hanniford, Palka	02/09/2015	3,250.00
31523	Poppy	Kathryn Poppy	02/09/2015	13.92
31524	RBS M	RBS METALS	02/09/2015	2,162.50
31525	Signs by	Signs By Tomorrow	02/09/2015	125.00
31526	SPIRIT L	Spirit Of Livingston	02/09/2015	163.76

Report Total: 99,390.91

Accounts Payable
Computer Check Register

Genoa Township

2911 Dorr Road
Brighton, MI 48116

(810) 227-5225

User: cindy

Printed: 02/05/2015 - 13:37

Bank Account: 101CH

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
13264	EFT-FED	EFT- Federal Payroll Tax	02/13/2015		7,528.86 4,334.49 4,334.49 1,013.72 1,013.72
				Check 13264 Total:	18,225.28
13265	EFT-PENS	EFT- Payroll Pens Ln Pyts	02/13/2015		2,066.51
				Check 13265 Total:	2,066.51
13266	EFT-TASC	EFT-Flex Spending	02/13/2015		1,133.04
				Check 13266 Total:	1,133.04
13267	EFT-PRIN	EFT-Principal Retirement 457	02/13/2015		945.00
				Check 13267 Total:	945.00
13268	EFT-ROTH	EFT-Principal Roth	02/13/2015		1,015.00
				Check 13268 Total:	1,015.00
13269	FIRST NA	First National Bank	02/13/2015		3,340.00 47,469.10

Check 13269 Total:

50,809.30

Report Total:

74,193.93

4:27 PM

#595 PINE CREEK W/S FUND
Payment of Bills
 January 26 through February 9, 2015

Type	Date	Num	Name	Memo	Amount
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no checks issued

4:25 PM

#592 OAK POINTE WATER/SEWER FUND
Payment of Bills
 January 26 through February 9, 2015

Type	Date	Num	Name	Memo	Amount
Bill Pmt -Check	01/26/2015	3226	Genoa Twp Oak Pointe Sewer Bond	VOID: Advance Funds	0.00
Bill Pmt -Check	01/26/2015	3227	Genoa Twp Oak Pointe Sewer Bond	VOID: Advance Funds	0.00
Bill Pmt -Check	01/26/2015	3229	Genoa Twp Oak Pointe Sewer Bond	Advance Funds	-24,000.00
Bill Pmt -Check	01/30/2015	3230	BRIGHTON ANALYTICAL, LLC		-201.00
Bill Pmt -Check	02/04/2015	3231	AT & T	Telephone Service 11-12-14 TO 12-11-	-65.00
Bill Pmt -Check	02/04/2015	3232	BRIGHTON ANALYTICAL, LLC	supplies	-67.00
Bill Pmt -Check	02/04/2015	3233	GENOA TWP DPW FUND		-2,358.86
Bill Pmt -Check	02/04/2015	3234	STANDARD ELECTRIC	Repair and maintenance	-100.33
Bill Pmt -Check	02/04/2015	3235	STATE OF MICHIGAN	Oak Pointe-Groundwater Annual Perm	-3,650.00
Bill Pmt -Check	02/04/2015	3236	U.S. POSTMASTER	Utility Brochures-Postage	-356.21
Bill Pmt -Check	02/04/2015	3237	USA Bluebook	Invoice #539798	-122.25
Bill Pmt -Check	02/04/2015	3238	Utilities Instrumentation Service		-1,353.00
Bill Pmt -Check	02/04/2015	3239	VIC BOND SALES		-221.39
Bill Pmt -Check	02/04/2015	3240	WIN-911 Software	Annual Renewal of Software Maintenan	-395.00
Bill Pmt -Check	02/06/2015	3241	CONSUMERS ENERGY		-1,337.87
Bill Pmt -Check	02/06/2015	3242	DTE ENERGY	Electric bills	-576.65
Bill Pmt -Check	02/06/2015	3243	Jenifer Kern	Reimburse-Permit fee Post Office	-220.00
Total					-35,024.56

4:22 PM

#593 LAKE EDGEWOOD W/S FUND
Payment of Bills
 January 26 through February 9, 2015

Type	Date	Num	Name	Memo	Amount
Bill Pmt -Check	01/30/2015	2683	Brighton Analytical L.L.C.		-154.00
Bill Pmt -Check	01/30/2015	2684	BullsEye Telecom	01/10-02/09/2015	-383.00
Bill Pmt -Check	02/04/2015	2685	Brighton Analytical L.L.C.	SUPPLIES	-77.00
Bill Pmt -Check	02/04/2015	2686	GENOA TWP DPW FUND		-1,364.71
Bill Pmt -Check	02/04/2015	2687	KENNEDY INDUSTRIES, INC.	900 Chilson Rd	-385.00
Bill Pmt -Check	02/04/2015	2688	Precision Climate Services Inc	2740 Breckenridge Dr.	-199.00
Bill Pmt -Check	02/04/2015	2689	STATE OF MICHIGAN	Lake Edgewood Groundwater Annual Pe	-3,650.00
Bill Pmt -Check	02/04/2015	2690	USA BLUE BOOK	Odor Knocker manhole insert	-947.12
Total					-7,159.83

#503 DPW UTILITY FUND
Payment of Bills
January 26 through February 9, 2015

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Bill Pmt -Check	01/30/2015	3111	Brighton Urgent Care	Visit ID 222128 Zachery Thurston	-55.00
Bill Pmt -Check	01/30/2015	3112	Greg Tatara	February Car Allowance	-500.00
Bill Pmt -Check	01/30/2015	3113	HUMPHRISS	Car Allowance February 2015	-250.00
Bill Pmt -Check	02/04/2015	3114	Business Imaging Group	Business Cards-Ryan McMahon	-49.00
Bill Pmt -Check	02/04/2015	3115	Master Media	Office supplies	-128.14
Bill Pmt -Check	02/04/2015	3116	Roys Autoworks		-1,422.29
Bill Pmt -Check	02/04/2015	3117	SWANN'S CLOTHING STORE		-300.98
Bill Pmt -Check	02/09/2015	3118	PAETEC	Customer Line	-30.87
Bill Pmt -Check	02/09/2015	3119	Pfeffer-Hanniford-Palka	Services provided Dec 11-14 to Jan 3	-1,500.00
Total					-4,236.28

DRAFT

GENOA CHARTER TOWNSHIP BOARD

Regular Meeting

Feb. 4, 2015

MINUTES

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

A Call to the Public was made with no response.

Approval of Consent Agenda:

Moved by Ledford and supported by Rowell to approve all items listed under the Consent Agenda moving Item 3 to the Regular Agenda for discussion. The motion carried unanimously.

1. Payment of Bills.

2. Request to Approve Minutes: Jan. 20, 2015

Approval of Regular Agenda:

Moved by Rowell and supported by Mortensen to approve for action all items listed under the regular Agenda as requested. The motion carried unanimously.

3. Consider approval of the purchase of bleachers and benches for the Township athletic fields at a cost not to exceed \$10,324.00.

It was the consensus of the board to invite the vendor to the next regular meeting. No formal action was taken by the board.

4. Consider approval of a request to re-appropriate a \$3,000.00 commitment for the Filmore Park property from an MDNR Trust Fund grant application to a Community Foundation grant application.

Moved by Smith and supported by Skolarus to re-appropriate a \$3,000.00 commitment to Filmore Park. The motion carried unanimously.

5. Consider approval of Genoa Charter Township Freedom of Information Act policies pursuant to MCL 15.234.

Moved by Ledford and supported by Mortensen to approve the Freedom of Information Procedures and guidelines as approved by Mancuso with an effective date of 02/19/2015. The motion carried unanimously.

6. Consider approval of a Notice of Award to Fonson Company for a Lake Edgewood Sanitary Sewer Re-Route Project with a bid amount of \$102,845.00.

Moved by Skolarus and supported by Hunt to award the Lake Edgewood Townhomes Sanitary Re-Route to Fonson Company Inc. with a bid amount of \$102,845.00 as requested by Dr. Tatara. The motion carried unanimously.

7. Consider approval of a Notice of Award to Seven Brothers Painting for the Oak Pointe Elevated Storage Tank Painting Project with a base contract amount of \$263,050.00.

Moved by Smith and supported by Rowell to award the oak Pointe Elevated Storage Tank Paining Project to Seven Brother’s Paining with a base contract amount of \$248,250.00 with the following conditions on the Contractor:

- Install insulation and a frost jacket
- Repaint the Dry Interior
- Repaint the Wet Interior
- Repaint the Exterior and Fluoropolymer in Color Gray Tweed using the bid alternate
- Install Cathodic Protection

Note: The logo is not a part of this approval. Dr. Tatara will discuss the logo alternatives with Oak Pointe should they choose to go forward. The motion carried unanimously.

8. Consider approval of a Design Phase Proposal for the installation of 12,500 linear feet of sidewalk from Sunrise Park to Hacker in the amount of \$37,000.00.

Moved by Mortensen and supported by Skolarus to approve the expenditure for the design phase as requested. The motion carried unanimously.

9. Discussion on the cost of publication and announcements in local papers as requested by Trustee Smith.

A synopsis of the minutes will be published the last Friday of every month. This action will be reviewed in six months after receiving any public comment or request for hard copies of the minutes.

The regular meeting of the Genoa Charter Township board was adjourned at 7:55 p.m.



Paulette A. Skolarus, Clerk
(Liv. Daily Synopsis 02/27/2015)

Kevin Borg
Lucas Foundation – Secretary
28715 Hovey Lane
New Hudson, Mi
48165

To: Genoa Township Board of Trustees

In order to facilitate our request, for your support of a Charitable Gaming License to Lucas Foundation in Genoa Township, I have compiled the following information

Where: Knights of Columbus Hall, 3555 E. Grand River, Howell, Mi 48843. Bingo's are currently conducted at this location on Tuesdays and Thursdays, under the authority of a Bingo License issued to the Knights of Columbus - Howell

What: The Knights of Columbus- Howell have been working with our Foundation to assuming operations of the Bingo's. They have operated at this location for several years and have decided to discontinue Bingo's effective February 28, 2015. The Bingo's provide employment opportunities for 7-10 residents during each event (food service and Bingo workers).

Who: Lucas Foundation: We are a private foundation incorporated in the State of Michigan and classified as a tax exempt Charity under section 501 (C) (3) of the Federal IRS code. Our priorities for giving, focus on helping woman and children in South East Michigan

Lucas Foundation Board of Directors:


Luigi Lucaj - President
Paska Gjonaj – Treasure
Kevin Borg - Secretary
Victor Vulaj – Director and Bingo Chairperson

When: As soon as, or after March 3, 2015

How: We have a Bingo License application pending with the Charitable Gaming Department. Genoa Township Board of Trustees approval is a required prerequisite for a Bingo License.

If you need any further information please contact me

Sincerely


Kevin Borg
Lucas Foundation – Secretary
Kborg1000@yahoo.com
(734) 255-4818

January 29, 2014

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL 432.103(K)(ii))

At a _____ meeting of the _____
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from Lucas Foundation of New Hudson
NAME OF ORGANIZATION CITY
 county of Oakland, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable
 gaming licenses, be considered for _____
APPROVAL/DISAPPROVAL

APPROVAL Yeas: _____ Nays: _____ Absent: _____	DISAPPROVAL Yeas: _____ Nays: _____ Absent: _____
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I hereby certify that the foregoing is a true and complete copy of a resolution offered and
 adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL
 meeting held on _____
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

Polly

From: Kevin Borg <kborg1000@yahoo.com>
Sent: Tuesday, February 10, 2015 2:29 PM
To: Polly
Subject: Re: Bingo Request for Lucas Foundaiton

Yes I will be out of Town on the 16th... can you defer me to the next regular meeting

Our Foundation was incorporated in December of 2014. In the short time since, we have been securing fundraising commitments and have not yet donated to a specific charity. Our commitments to date total \$5,000. Our intent is to continue identifying and interviewing charities that benefit Woman and Children as a priority.

sorry for the confusion

Kevin Borg

On Tuesday, February 10, 2015 9:10 AM, Polly <pskolarus@genoa.org> wrote:

This memo said that you would be out of town on the 16th and I received a memo this morning that you want to be on that agenda. Please provide me with information concerning your request for a charitable gaming license. Who would be the recipient of your charity. What are your financials, etc. Your letter does not provide much information. Polly

From: Kevin Borg [<mailto:kborg1000@yahoo.com>]
Sent: Tuesday, February 03, 2015 4:44 PM
To: Polly
Subject: Re: Bingo Request for Lucas Foundaiton

Polly,

I have just received word that I have to be out of town on business on February 16th, Can I have our item deferred to the next available opportunity after February 16th?

Kevin Borg

On Tuesday, February 3, 2015 11:09 AM, Kevin Borg <kborg1000@yahoo.com> wrote:

We do not have a Web link

We we're recently incorporated in December of last year as a Private foundation, Thus we don't currently foresee a need for a Web site

Is there something I can help you with?

Kevin Borg

On Tuesday, February 3, 2015 10:30 AM, Polly <pskolarus@genoa.org> wrote:

Kevin, Thank you for the correspondence. I have tried to find more information about the Lucas Foundation on the internet and have been unable to do so. Please send me a link. Polly

From: Kevin Borg [<mailto:kborg1000@yahoo.com>]
Sent: Thursday, January 29, 2015 3:52 PM
To: Polly
Subject: Bingo Request for Lucas Foundaiton

I have attempted, with the attached PDF file, to answer your question and supply information about us and Bingo at the K of C hall

If you need any more information, I would be happy to help

Kevin Borg
Lucas Foundation - Secretary
(734) 255-4818

FIRST DRAFT OF BUDGET FOR FISCAL YEAR ENDING 03/31/2016
 GENOA TOWNSHIP - GENERAL FUND #101
 BUDGET TO ACTUAL REPORT

Approved 03/17/2014
 1st amendment 05/19/2014
 2nd amendment 01/20/2015

ACCT #	ACCOUNT DESCRIPTION	Actual	Actual	Actual	3/17/2014	1st	Actual	2nd	1st draft
		FOR THE YEAR ENDING 3/31/2012	FOR THE YEAR ENDING 3/31/2013	FOR THE YEAR ENDING 3/31/2014	APPROVED BUDGET FOR THE FISCAL YEAR ENDING 3/31/2015	Amendment 5/19/2014	2/9/2015	Amendment 1/20/2015	BUDGET FOR THE FISCAL YEAR ENDING 3/31/2016
REVENUES									
000-403-000	CURRENT REAL PROP TAXES	821,190.00	834,055	814,616	840,000	840,000	462,990	840,000	845,000
000-423-000	COLLECT FEES/EXCESS OF ROLL/SCHOOLS	318,946.00	315,451	323,767	365,000	365,000	206,871	365,000	350,000
000-476-100	LINCESSES AND PERMITS/CABLE FRANCHISE FEES	318,111.00	338,143	351,874	360,000	360,000	369,035	360,000	365,000
000-477-000	METRO ACT FEES	13,500.00	12,268	11,212	13,500	13,500		13,500	13,000
000-480-000	TRAILER FEES	3,301.00	3,307	3,310	4,000	4,000	2,436	4,000	3,500
000-574-000	STATE SHARED REVENUES	1,630,181.00	1,441,910	1,477,501	1,600,000	1,600,000	1,273,772	1,600,000	1,650,000
000-608-000	CHARGES FOR SERVICES - APPLICA. FEES	28,575.00	34,667	28,732	35,000	35,000	49,727	55,000	50,000
000-631-000	REFUSE COLLECTION FEES	731,289.00	761,543	762,623	800,000	800,000	385,655	800,000	800,000
000-664-000	INTEREST INCOME	17,353.00	10,984	7,083	5,000	5,000	2,058	5,000	6,000
000-676-000	ADMIN FEE/DPW FUND	50,000.00	50,000	50,000	51,500	51,500	77,250	51,500	52,500
000-676-100	ADMIN FEE/LIQUOR LAW FUND	3,500.00	3,500	3,500	3,500	3,500	1,750	3,500	3,500
000-678-300	TAXES ON LAND TRANSFER - BRIGHTON/HOWELL	138,732.00	140,755	122,869	145,000	145,000	127,905	145,000	140,000
000-699-001	CEMETERY, SCHOOLS, ELECTIONS, MISC.	15,251.00	4,221	25,004	15,000	15,000	2,605	15,000	10,000
000-699-002	TRANSFER IN FROM OTHER FUNDS	79,000.00		1,862					
	TOTAL REVENUES	4,168,929	3,950,804	3,983,953	4,237,500	4,237,500	2,962,054	4,257,500	4,288,500
EXPENDITURES & TRANSFERS OUT TO OTHER FUNDS									
101-703-000	TRUSTEES - SALARIES	20,655.00	23,593	27,705	35,000	35,000	23,195	35,000	35,000
171-703-000	SUPERVISOR - SALARY	49,980.00	49,980	51,479	52,500	52,500	48,125	52,500	52,500
191-703-000	ELECTION - SUPPLIES/SALARIES	20,526.00	67,216	25,046	65,000	65,000	50,069	65,000	30,000
209-703-000	CONTRACTUAL - SALARIES	300,696.00	323,366	337,860	346,000	346,000	297,793	346,000	345,000
210-801-000	PROFESSIONAL - LEGAL	88,883.00	128,713	107,757	125,000	100,000	54,415	100,000	100,000
215-703-000	CLERK - SALARY	48,980.00	48,980	50,500	51,500	51,500	47,209	51,500	51,500
223-801-000	PROFESSIONAL - AUDITOR	16,850.00	16,800	17,600	20,000	20,000	21,100	20,000	20,000
241-801-000	PROFESSIONAL - ENGR./PLANNING	48,645.00	43,954	42,272	50,000	25,000	10,862	25,000	80,000
247-703-000	BOARD OF REVIEW - SALARIES	4,877.00	2,875	2,675	12,000	12,000	375	12,000	10,000
247-964-000	TAX CHARGEBACKS	20,848.00	19,023	15,682	20,000	20,000	5,774	20,000	20,000
253-703-000	TREASURER - SALARY	48,980.00	48,980	50,500	51,500	51,500	45,558	51,500	51,500
265-775-000	REPAIRS AND MAINTENANCE	83,665.00	93,676	146,599	125,000	75,000	77,837	100,000	125,000
265-910-000	INSURANCE	236,566.00	219,201	259,377	275,000	275,000	201,924	275,000	280,000
265-920-000	UTILITIES - ELECTRIC/GAS	19,356.00	20,425	22,719	20,000	20,000	12,816	20,000	20,000
284-703-000	SALARIES - OTHER	250,861.00	271,043	308,655	340,000	340,000	278,075	340,000	355,000
284-704-000	RETIREMENT	90,162.00	85,069	95,298	100,000	100,000	64,101	100,000	105,000
284-715-000	PAYROLL TAXES - FICA/MEDICARE	62,557.00	56,806	67,604	75,000	75,000	62,280	75,000	75,000
284-720-000	MESC - UNEMPLOYMENT TAXES				20,000	20,000		20,000	20,000
284-727-000	PRTG., POSTAGE, OFFICE SUPPLIES	72,499.00	74,889	86,219	85,000	85,000	79,612	85,000	85,000
284-728-000	ECONOMIC DEVELOPMENT		20,000	20,000	20,000	20,000	20,000	20,000	21,500
284-850-000	TELEPHONE	20,791.00	23,105	21,775	25,000	25,000	15,435	25,000	25,000

GENOA TOWNSHIP - GENERAL FUND #101
BUDGET TO ACTUAL REPORT

Approved 03/17/2014
1st amendment 05/19/2014
2nd amendment 01/20/2015

ACCT #	ACCOUNT DESCRIPTION	Actual	Actual	Actual	3/17/2014	1st	Actual	2nd	1st draft
		FOR THE YEAR ENDING 3/31/2012	FOR THE YEAR ENDING 3/31/2013	FOR THE YEAR ENDING 3/31/2014	APPROVED BUDGET FOR THE FISCAL YEAR ENDING 3/31/2015	Amendment 5/19/2014	2/9/2015	Amendment 1/20/2015	BUDGET FOR THE FISCAL YEAR ENDING 3/31/2016
284-861-000	MILEAGE & TRAVEL EXPENSES	12,202.00	12,312	17,996	20,000	20,000	13,381	20,000	20,000
284-957-000	DUES	17,726.00	18,855	17,622	25,000	25,000	16,052	25,000	25,000
284-958-000	MTG. FEES & MISC EXPENSES	12,011.00	19,311	13,194	25,000	25,000	14,168	25,000	25,000
284-959-000	APPLICATION FEES EXPENSES	12,275.00	21,227	28,800	25,000	25,000	35,370	32,000	35,000
284-959-001	SALARIES - PLANNING COMMISSION/ZBA	27,344.00	27,491	29,754	32,000	32,000	23,307	32,000	32,000
301-703-000	ORDINANCE OFFICER - SALARY	44,710.00	46,035	44,105	50,000	50,000	42,251	50,000	50,000
336-999-001	FIRE SUB STATION EXPENSES	6,861.00	991	359	2,000	2,000		2,000	2,000
441-801-010	ROAD IMPROVEMENT	226,182.00	116,695	194,572	250,000	250,000	224,361	250,000	50,000
441-803-000	REFUSE COLLECTION	902,699.00	923,332	931,751	940,000	940,000	891,155	940,000	962,000
441-804-000	DUST CONTROL/CHLORIDE	48,806.00	66,307	55,621	70,000	70,000	55,861	70,000	75,000
441-971-000	WHITE PINES ST. LIGHTING	746.00	751						
751-881-000	RECREATION	68,698.00	64,453	128,324	130,000	130,000	131,426	133,000	135,000
916-962-000	DRAINS AT LARGE	28,799.00	23,201	24,908	30,000	30,000		30,000	30,000
929-977-000	CAPITAL OUTLAY	27,515.00	64,210	88,266	95,000	95,000	27,412	95,000	95,000
966-999-010	TRANS - OUT FUTURE RD IMPROVEMENT #261	90,031.00	200,000	250,000	250,000	250,000		250,000	250,000
966-999-011	TRANS - OUT SELCRA REIMB. FUND		10,000						
966-999-013	TRANS - OUT ROAD PROJECTS FUND #264	10,000.00	350,000	500,000	250,000	250,000		250,000	250,000
966-999-027	TRANS - OUT PARKS & RECREATION #270	200,000.00	379,000	250,000	250,000	350,000	100,000	350,000	450,000
966-999-028	TRANS - OUT BLDG. & GR. CEMETERY #271	725,000.00	-	200,000					50,000
966-999-110	CONTINGENCIES	60,000.00			50,000	50,000		50,000	50,000
	TOTAL EXPENDITURES/TRANSFERS OUT	4,027,982	3,981,865	4,532,594	4,407,500	4,407,500	2,991,299	4,442,500	4,493,000
	REVENUES OVER (UNDER) EXPENDITURES & TRANSFERS OUT	140,947	(31,061)	(548,641)	(170,000)	(170,000)	(29,245)	(185,000)	(204,500)
	BEGINNING FUND BALANCE	2,452,516	2,593,463	2,562,402	2,013,761	2,013,761	2,013,761	2,013,761	1,828,761
	ENDING FUND BALANCE	2,593,463	2,562,402	2,013,761	1,843,761	1,843,761	1,984,516	1,828,761	1,624,261

Excel/Budget/2016



MEMORANDUM

TO: Honorable Board of Trustees
FROM: Kelly VanMarter, Assistant Township Manager
DATE: February 12, 2015
RE: Dewitt Radiation Addition

MANAGER'S REVIEW:



I have reviewed the revised environmental impact assessment for a proposed 4,661 square foot storage addition located at 1275 Grand Oaks Drive on parcel # 4711-08-101-015. The impact assessment was recommended for approval and the site plan was approved by the Planning Commission on February 9, 2015. My review of the revised submittal was focused on compliance with the outstanding items discussed at the Planning Commission and my recommendation is as follows:

Environmental Impact Assessment: I recommend approval of the impact assessment revised on February 10, 2015.

The applicant and property owner should be commended for their excellent plan preparation and cooperation throughout the approval process. This project has been flawless.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,



Kelly VanMarter
Assistant Township Manager/Community Development Director

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

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



GENOA CHARTER TOWNSHIP
Application for Site Plan Review

GENOA TOWNSHIP

JAN 13 2015

TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:

APPLICANT NAME & ADDRESS: DeWitts Radiator
If applicant is not the owner, a letter of Authorization from Property Owner is needed.

OWNER'S NAME & ADDRESS: DeWitts Radiator

SITE ADDRESS: 1275 Grand Oaks Drive PARCEL #(s): 11-08-101-015

APPLICANT PHONE: (517) 548-0600 OWNER PHONE: ()

OWNER EMAIL: tom@dewitts.com

LOCATION AND BRIEF DESCRIPTION OF SITE: 1275 Grand Oaks Dr. - 1/2 mile south of Grand River, 1/2 miles of Latson

BRIEF STATEMENT OF PROPOSED USE: Addition to existing DeWitts Radiator - 4661 SF, one story for enclosed storage

THE FOLLOWING BUILDINGS ARE PROPOSED: Addition to existing DeWitts Radiator

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: John Stewart Architect

ADDRESS: 1645 N. Milford Road Milford MI 48381
(248) 685-0778

Contact Information - Review Letters and Correspondence shall be forwarded to the following:

W. John Stewart or J. Stewart Associates at jstew0978@ad.com
Name Business Affiliation E-mail Address

FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

SIGNATURE: [Signature] DATE: 1-15-15

PRINT NAME: Thomas DeWitt PHONE: _____

ADDRESS: 1275 Grand Oaks Howell NJ 08843

property owners might be contacted in the near future regarding that project as the project is being discussed. Ms. VanMarter indicated a meeting occurred about a month ago with the Livingston County Road Commission and there is work being done to bring costs down and to move forward. The property owners will be contacted as soon as the project details are known. Mr. DeWitt indicated that the Grand Oaks community became aware of the possibility of a special assessment some time ago and the delay might cause a negative response from property owners. Ms. VanMarter indicated that she would be happy to talk further with Mr. DeWitt as the Planning Commission does not oversee this function.

No one further was present to address the Commission and the call to the public was closed.

OPEN PUBLIC HEARING #1... Review of site plan and environmental impact assessment for a proposed 4,661 sq. ft. addition for enclosed storage, located at 1275 Grand Oaks Drive, Brighton, Michigan 48116, parcel # 4711-08-101-015. The request is petitioned by DeWitt Radiator.

Mr. John Stewart, project architect from 1645 Milford Rd, Milford, Michigan addressed the Planning Commission on behalf of the petitioner. The petitioner is interested in adding storage with some assembly taking place in the space. An additional barrier-free parking space is being added and an exact match of the current exterior materials is being used. Dumpsters are out of view. No new signage is anticipated. No additional landscape is anticipated at this time. The project is at the rear of the building, not impacting visuals of the property. Mr. Stewart stated that Deputy Chief Mike Evans walked through the building and asked for an additional access drive in the back and that was agreed to along with all other fire related requests.

Mr. Brown indicated that Planner Mr. Borden indicated in his review that additional plantings might benefit the property, along the frontage. Mr. Stewart indicated that trees are already present along the south. Because of the scope of the project, a small addition in the back, updating the entire site with landscaping did not seem to be a necessity. Mr. Brown indicated that the zoning ordinance calls for plantings and that the commission has to be careful about what they approve because they need to be in keeping with the ordinance. Mr. Stewart asked how a small project in the back of the property affects the entire site? Mr. Brown indicated that the ordinance has grown and the interest in a quality community has grown and we are trying to make improvements in that direction for the sake of everyone in the township.

Mr. Brown asked why the project was categorized as site plan review and not sketch plan. Ms. VanMarter indicated that the project falls under the classification of a site plan because the project affects more than 10% of the property. Had the request been for outdoor storage, a special land use permit would have been required. Mr. Mortensen stated that the scope of the project only calls for squaring off an L-shaped building. Mr. McManus indicated that squaring off the building is an improvement of the property. Mr. Stewart indicated the current area is a concrete slab and was used by a previous owner as outdoor storage.

Mr. Mortensen indicated that the request is such a minor change to the property, it seems unnecessary to impose the landscaping requirement. Mr. Rauch indicated that no aesthetic opportunity is being proposed as part of the project. Mr. Stewart indicated that the parking lot is adequately striped. Mr. Mortensen asked about dumpsters. Where is it? Is it enclosed? Mr. Stewart indicated that the dumpster is enclosed on three sides and that it is below the surface of the ground. The dumpster is difficult to see from the north because of a change in elevation and grade.

A call to the public was made with no response.

Planning Commission disposition of petition

- A. Recommendation of Environmental Impact Assessment. (01-09-15)
- B. Disposition of Site Plan. (11-19-14)

Ms. Figurski moved to recommend approval of the environmental impact assessment dated January 9, 2015, saying that a notation about the barrier free parking spot should be added to the impact assessment. Seconded by Mr. McManus. **Motion carried unanimously.**

Mr. Mortensen moved to approve the site plan dated November 19, 2014 for a proposed 4,661 sq. ft. addition for enclosed storage, located at 1275 Grand Oaks Drive, Brighton, Michigan, subject to the following:

1. The building materials of the expansion will match the existing building.
2. One additional barrier free parking space will be provided.
3. The existing dumpster will continue to be in the truck loading dock which is below grade.
4. The requirements of the township engineer as specified in his letter dated January 30, 2015 and the requirements of the fire department in their letter dated February 5, 2015 will be complied with.
5. The landscaping as presently existing will continue, although non-conforming this Commission finds that the changes to the site are minor enough and at the rear of the building thus not requiring a revision to the landscaping.

Supported by Ms. Figurski. **Motion carried unanimously.**

OPEN PUBLIC HEARING #2... Request to table site plan, environmental impact, and PUD amendment for a proposed redevelopment of an existing outparcel to demolish the existing Bennigan's Restaurant and construct a new 12,000 sq. ft. multi-tenant building, located at 3950 E. Grand River Avenue, Howell, Michigan 48443, parcel # 4711-05-400-047. The request is petitioned by RG Properties, Inc.

Planning Commission disposition of petition

- A. Table request to March 9, 2015 meeting.

Mr. McManus moved to table open public hearing item #2 at the request of the petitioner. Supported by Lowe. **Motion carried unanimously.**



February 4, 2015

Planning Commission
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

Attention:	Kelly Van Marter, AICP Assistant Township Manager and Planning Director
Subject:	DeWitt Radiator Addition – Site Plan Review #1
Location:	1275 Grand Oaks Drive – east side of Grand Oaks, south of Grand River Avenue
Zoning:	IND Industrial District

Dear Commissioners:

At the Township’s request, we have reviewed the site plan (cover sheet dated 11/19/14) proposing construction of a 4,661 square foot addition to an existing one-story industrial building. We have reviewed the proposal in accordance with the applicable provisions of the Genoa Township Zoning Ordinance.

A. Summary

1. The Planning Commission has approval authority over the building elevations.
2. The applicant must confirm that proposed materials and colors will match the existing building.
3. The existing parking lot is nonconforming for multiple reasons (deficient side setback, deficient drive aisle widths, deficient number of barrier free spaces and an excessive amount of parking). The Commission may wish to require improvements as part of this project. At a minimum, we recommend the applicant provide the 1 additional barrier free space needed for compliance.
4. We recommend the applicant provide front yard landscaping, particularly the required greenbelt trees and a hedgerow along the front of the parking lot.
5. If one does not already exist, we recommend the applicant be required to provide a waste receptacle and enclosure in accordance with Section 12.04.
6. Any new signage proposed must be in accordance with the requirements and procedures of Article 16 (including the need for a permit prior to installation).

B. Proposal/Process

The applicant requests site plan review and approval for construction of a 4,661 square foot addition to an existing 23,348 square foot industrial building on a 3-acre site.

Because this is a permitted use, Planning Commission has review and approval authority over the site plan; however, the Environmental Impact Assessment will be subject to review and approval by the Township Board (following a recommendation by the Planning Commission).



Aerial view of site and surroundings (looking east)

C. Site Plan Review

1. Dimensional Requirements. The site and project have been reviewed for compliance with the dimensional standards of the IND as follows:

District	Lot Size		Minimum Setbacks (feet)				Max. Height	Max. Coverage
	Lot Area (acres)	Width (feet)	Front Yard	Side Yard	Rear Yard	Parking		
IND	1	150	50	25	40	20 front 10 side/rear	30'	40% building 85% impervious
Proposal	3	330	70	170 (N) 40 (S)	52	70 front 8 side (N) 100 side (S)	21.4'	24.4% building 48.9% impervious

The only dimensional issue is a deficient north side parking lot setback; however, this is an existing nonconformity and does not have any impact on the proposed project.

2. Building Materials and Design. Proposed elevations, including colors and materials, are subject to review and approval by the Planning Commission.

The submittal includes elevation views of the addition, which identify the use of 12” masonry block. There is no indication of existing materials and colors; however, we are under the impression that the intent will be to match existing. The applicant must confirm whether or not this is the case.

3. Parking. In accordance with Section 14.04, light industrial and manufacturing requires 1.5 parking spaces for each 1,000 square feet of gross floor area plus 1 space per corporate vehicle and warehousing requires 1 parking space per 1,500 square feet of gross floor area plus 1 space per corporate vehicle. Based upon the size of the existing building and proposed addition, 39 spaces are required, while the site provides 61 existing spaces.

Section 14.02.06 requires Planning Commission approval for excessive parking (more than 20% above the minimum requirement); however, the amount of parking provided is an existing condition and the proposed addition will bring the ratio closer to compliance.

The parking spaces meet or exceed the dimensional requirements of Article 14; however, the drive aisles near the front of the property are narrower than required.

Lastly, given the amount of parking provided, 3 barrier free spaces are required, but only 2 are provided.

The Commission may wish to require improvements to these nonconforming conditions as part of this site plan review. At a minimum, we recommend the required number of barrier free parking spaces be provided.

4. **Pedestrian Circulation.** Sidewalks are not proposed nor required along Grand Oaks Drive. The plan does identify an existing sidewalk between the parking lot and front building entrance.
5. **Vehicular Circulation.** No changes are proposed to the existing driveway along Grand Oaks or to internal circulation.
6. **Loading.** Given the size of the proposed addition and existing building, Section 14.08.08 requires 1 loading space. Such spaces are to contain 500 square feet of area and be located in a rear or side yard not directly visible to a public street. There is an existing loading/unloading area that meets requirements in the rear yard.
7. **Landscaping.** Sheet A.3 identifies existing landscaping, but does not propose any new plantings. Based on our review, the site is deficient in terms of plantings for the front yard greenbelt, parking lot and detention ponds.

In our opinion, the site and area would benefit greatly from additional plantings in the front yard. Greenbelt requirements call for 9 canopy trees, while there is only 1 existing tree shown on the plan. Additionally, a hedgerow along the front parking spaces would diminish views of parking cars and keep headlights from shining into the building across Grand Oaks.

8. **Waste Receptacle and Enclosure.** The site plan does not identify an existing or proposed waste receptacle/enclosure. Review of aerial photos show a stand-alone dumpster that is not contained within an enclosure. If this condition is still present, we recommend the applicant be required to install a waste receptacle/enclosure in accordance with the provisions of Section 12.04.
9. **Exterior Lighting.** Sheet A.3 identifies 3 new wall mounted fixtures on the proposed building addition. Details show shielded/downward directed fixtures with compliant light intensities.
10. **Signs.** The submittal identifies an existing monument sign in the front yard. If any new signage is proposed, the applicant must comply with the standards and procedures outlined in Article 16, which includes the need to obtain a sign permit from the Township.
11. **Impact Assessment.** The submittal includes an Impact Assessment (dated 1/9/15), which notes that the proposed project is not expected to adversely impact natural features, public services/utilities, surrounding land uses or traffic.

Genoa Township Planning Commission

DeWitt Radiator Addition

Site Plan Review #1

Page 4

Should you have any questions concerning this matter, please do not hesitate to contact our office. We can be reached by phone at (248) 586-0505, or via e-mail at borden@lslplanning.com and foster@lslplanning.com.

Sincerely,

LSL PLANNING, INC.



Brian V. Borden, AICP
Principal Planner



Michelle Foster
Project Planner



January 30, 2015

Ms. Kelly Van Marter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

Re: Dewitt Radiator Addition Site Plan Review

Dear Ms. Van Marter:

We have reviewed the site plan documents for the Dewitt Radiator building addition dated November 11, 2014 and delivered to the Township on January 13, 2015. The site is located at 1275 Grand Oaks Drive, south of Grand River Avenue. The petitioner is planning to construct an approximate 59-foot by 79-foot building addition on the southeast corner of the existing facility. The proposed addition will increase the net impervious area on the site, but the existing on-site detention basins are shown to have adequate capacity. Additional spot elevations near the corner of the building indicating positive drainage towards the existing detention basin should be added to the construction plans.

Our review found no engineering related impacts to the existing site from the proposed addition as illustrated on the site plan. Therefore we have no objections to the proposed renovation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gary J. Markstrom', written over a light gray rectangular background.

Gary J. Markstrom, P.E.
Unit Vice President

A handwritten signature in black ink, appearing to read 'Joseph C. Siwek', written in a cursive style.

Joseph C. Siwek, P.E.
Project Engineer

Copy: John Stewart, Architect, John Stewart Architects

Tetra Tech

401 South Washington Square, Suite 100, Lansing, MI 48933
Tel 517.316.3930 Fax 517.484.8140 www.tetratech.com



BRIGHTON AREA FIRE AUTHORITY

615 W. Grand River Ave.
Brighton, MI 48116
o: 810-229-6640 f: 810-229-1619

February 5, 2015

Kelly VanMarter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Dewitt Radiator
1275 Grand Oaks Drive
Site Plan Review

Dear Kelly:

The Brighton Area Fire Department has reviewed the above mentioned site plan. The plans were received for review on February 4, 2015 and the drawings are dated February 1, 2015. The project is based on an existing 23,348 square foot building used as Factory and Storage occupancy with rated separations.

Project Description:

The applicant is proposing a 4,661 S. F. addition at the southeast corner of the building for the purpose of product warehouse. In addition, they are providing a 20' gravel access drive along the rear of the building for fire apparatus access. A rapid access lock box is being provided on the north side of the building near the main entrance to the building.

The plan review is based on the requirements of the International Fire Code (IFC) 2012 edition. Previous comments appear to be addressed by the applicant in the revised submittal.

With the following General Comments being corrected, this submittal appears to be in general conformity with the adopted fire prevention code.

1. The proposed access road to the rear of the building shall be constructed to be capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds. This shall be confirmed through an engineering analysis.

IFC D 103.6

2. The building shall include the building address on the building. The address shall be a **minimum of 6"** high letters of contrasting colors and be clearly visible from the street. The current address location is only visible from the north of the building. It needs to be visible from Grand Oaks Dr. at the front of the building.

IFC 505.1



The applicants design team is reminded that the building life safety plan are reviewed by the fire department in conjunction with the Building Department. Additional comments will be given during the building plan review process (specific to the building plans and occupancy). If you have any questions about the comments on this plan review please contact me at 810-229-6640.

Cordially,

A handwritten signature in black ink, appearing to read "Michael Evans".

Michael Evans, EFO, CFPS
Deputy Fire Chief

January 9, 2015 (Revised Feb. 10, 2015)

Genoa Township Planning Commission

Dewitt Radiator
1275 Grand Oaks Drive
Howell, Michigan 48843

RECEIVED

By GENOA TOWNSHIP PLANNING DEPT at 10:46 am, Feb 11, 2015

IMPACT ASSESSMENT STUDY

A. Name of person responsible for study

*John Stewart Architect
1645 N. Milford Road
Milford, Mi. 48381*

B. Maps and Written description/analysis of the project site

*Existing One Story Industrial Building 23,348 SF
Proposed Addition to match existing building and fill
in the south east corner. 4661 SF
Existing asphalt parking lot to remain unchanged 61 cars existing
Required parking 39 cars
Aerial maps attached
Removal of an existing concrete pad within the proposed building pad*

C. Impact on Natural Features

*Entire site and topography to remain as is.
No additional site disturbance anticipated.
Existing trees, brush, and landscaped beds to remain unchanged
No trees to be removed.
No wetlands are to be disturbed or impacted.*

D. Stormwater Management Requirements.

*Soil erosion plan will be submitted to Livingston Co. Drain Commission.
Soil erosion fencing will be installed surrounding the new addition per
LCDC Requirements. Parking lot catch basins will have erosion control
silt fabric placed at manhole covers.*

*Stormwater discharge increase due to increase in size of addition vs. existing hard surface imperviousness is within the existing stormwater collection basins capacity.
Existing drainage swale along south side between building and property line will be extended to collect rain water from new addition downspouts*

E. Impact on surrounding land uses

*New addition will have no effect on surrounding land use.
Addition is for inside (enclosed) storage of material used to make aftermarket radiators. Product is aluminum and steel sheets, including storage racks for completed products.
No additional sound or air pollution.*

F. Impact on public facilities and services.

*New addition will have no effect or impact on public facilities or services.
Number of employees will not change due to addition.*

G. Impact on Public Utilities.

*New addition will have no impact on Public Utilities.
Additional storm water is within the existing storm water designed storm waters system collection and flow parameters.
During construction, all erosion control measures to be implemented.
No additional sewer or water requirements*

H. Storage and Handling of Hazardous materials.

No Hazardous substances will be stored in the new addition.

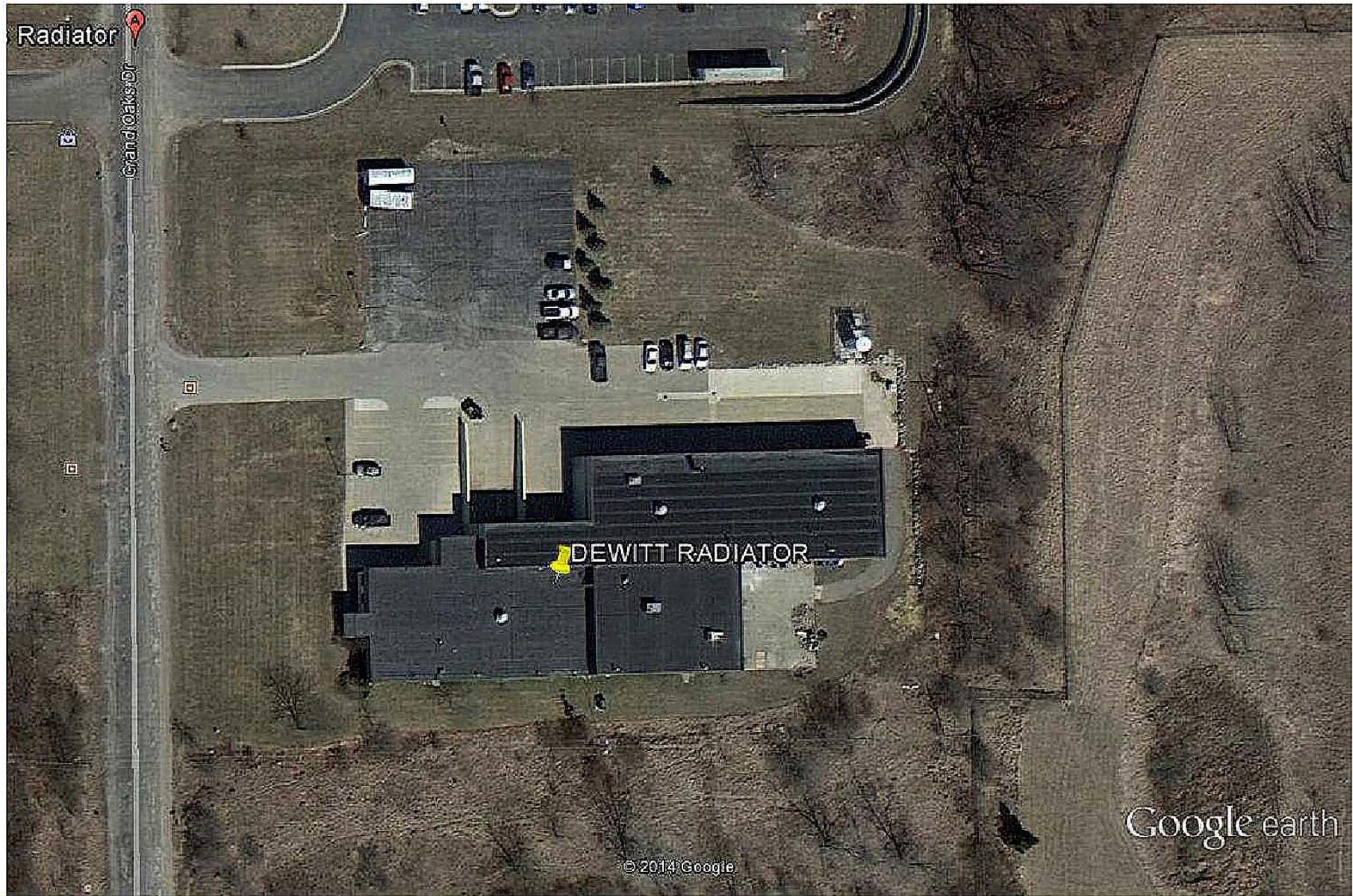
I. Impact on Traffic and Pedestrians

New addition will not impact traffic or pedestrians

One (1) new Barrier Free parking space to be provided making a new total of 3 BF spaces onsite.

J. Special Provisions.

New addition has no special provisions or requirements



Google earth





Victory Dr

E Grand River Ave

Cleary Dr

Toddlem

DEWITT RADIATOR

Fendi Dr

Grand Oaks Dr

Silatson Rd

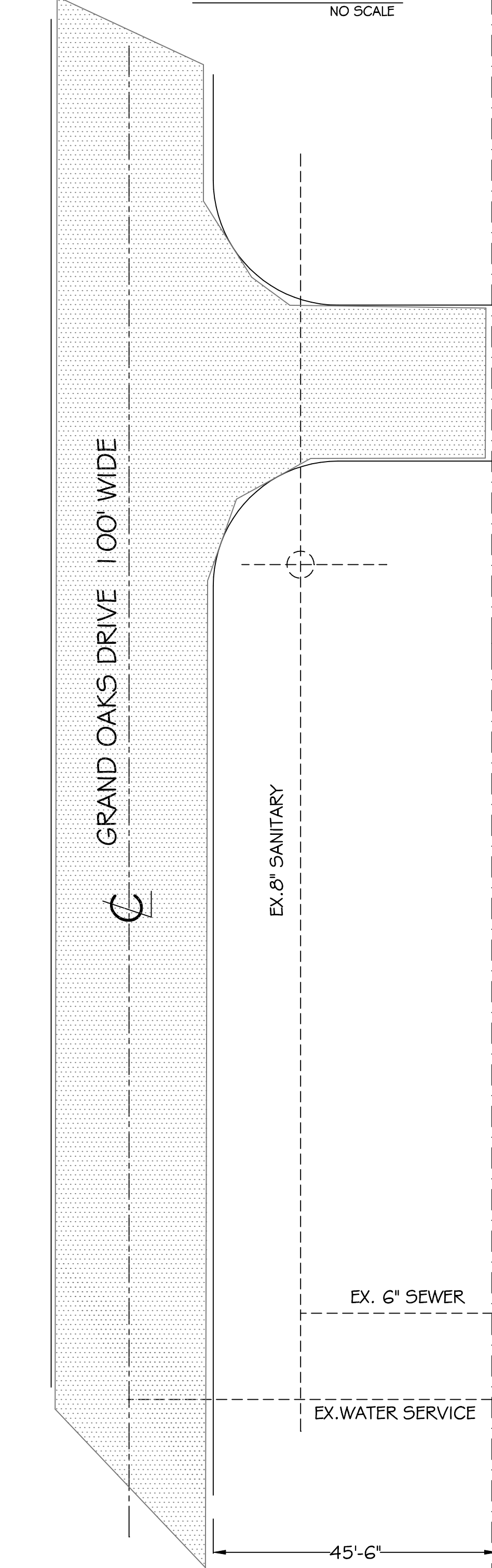
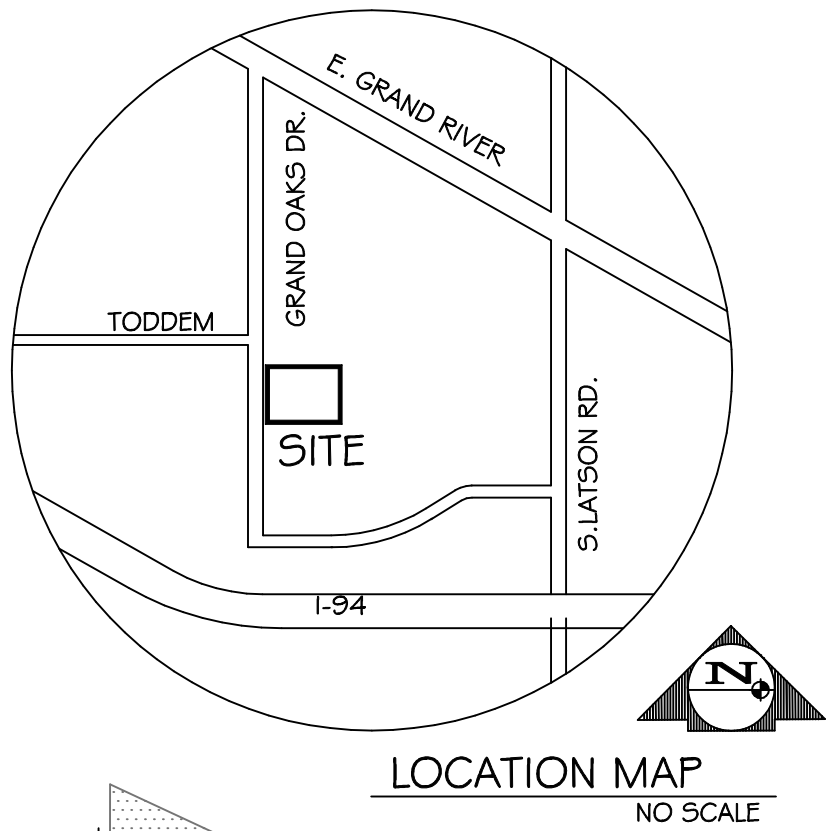
Chilson Rd

© 2014 Google

Google earth

1992

Imagery Date: 4/3/2013 43°35'04.23" N - 83°53'05.17" W elev 981 ft eye alt 7453 ft



ZONING INFORMATION		"IND" INDUSTRIAL ZONING	GENOA TOWNSHIP LIVINGSTON COUNTY
	SQ. FOOTAGE	DESIGN REQUIREMENTS	PARKING REQUIRED
EX. BUILDING	23,348 SF	23,348 SF / 1,000 = 23.35 23.35 X 1.5 = 35	35 CARS
PROPOSED WAREHOUSE ADDITION	4,661 SF	4524 SF / 1500 SF	3.11 CARS
EXISTING PARKING SHOWN ON PLAN			39 CARS
			61 CARS
SETBACKS	REQD	EXISTING	
FRONT	50 FT	70 FT	
SIDE	25 FT	40 FT LEAST	
REAR	40 FT	52 FT	
LOT SIZE	1 ACRE	3 ACRE	

HOURS OF OPERATION: 8 A.M. - 10 P.M.
EXISTING EXTERIOR LIGHTS SHALL BE CONTROLLED BY A TIME CLOCK. PARKING LOT LIGHTS SHALL BE TURNED OFF 1/2 HOUR AFTER CLOSING. AND RE-LIGHT 1/2 HOUR PRIOR TO OPENING

OWNER: DEWITT RADIATOR
C/O MR. TOM DEWITT
1275 GRAND OAKS DRIVE
HOWELL, MICHIGAN 48843

SURVEYOR: ANC ENGINEERING INC.
5111 PONTIAC TRAIL
WIXOM, MICHIGAN 48393



SITE PLAN
SCALE 1/16" = 1'-0"



DATE: 11-19-14

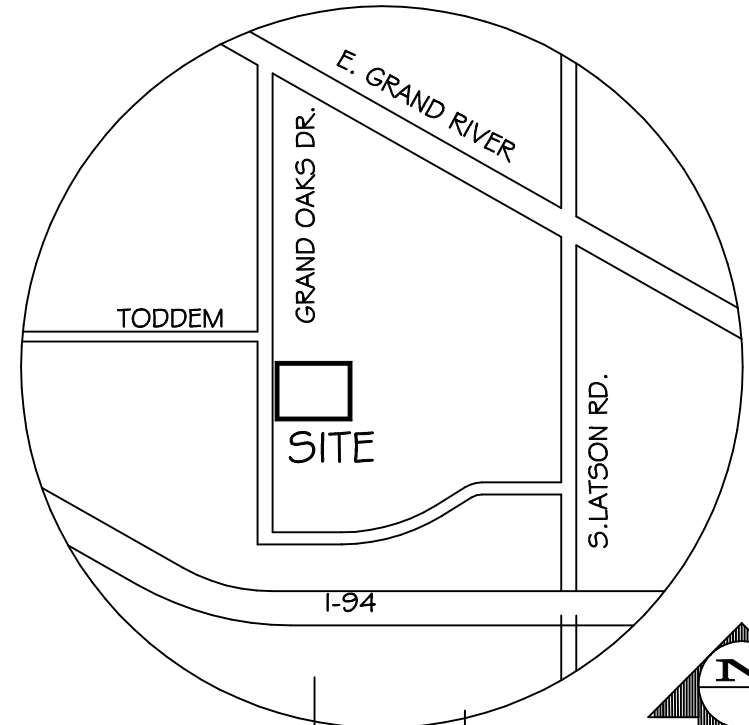
ISSUE/REVISIONS:

DEWITT RADIATOR REMODELING
1275 GRAND OAKS DRIVE
HOWELL, MICHIGAN 48843

John Stewart
ARCHITECTS
1645 N. MILFORD RD. MILFORD MICH. 48361 248-685-0978

JOB NO.:

SHEET: A-1



LOCATION MAP
NO SCALE

STORM WATER DESIGN

SITE AREA	132,254 SF	3.04 ACRES
BUILDING	23,348 SF	
HARD SURFACE - PAVING	35,600 SF	
EXISTING HARD SURFACED TO BE REMOVED (EXISTING SLAB AND DRIVE)	3,266 SF	
TOTAL BUILDING AND PAVING	62,214 SF	1.43 ACRES
PROPOSED ADDITION	4,661 SF	
EXISTING HARD SURFACED TO BE REMOVED (EXISTING SLAB AND DRIVE)	3,266 SF	
INCREASED IMPERVIOUSNESS	1,395 SF	
TOTAL IMPERVIOUSNESS	63,610 SF	1.46 ACRES
GRASS (Pervious)	68,644 S.F.	1.58 ACRES

"C" (bldg+paving)	1.46 A X .9 = 1.31
"C" (grass)	1.58 A X .25 = 0.40
	3.04 ACRES 1.71
"C _d "	1.71
(COEFFICIENT FOR THE DEVELOPED AREA)	3.04 = .56

Q_a = .15 C.F.S. ALLOWABLE RUNOFF / ACRE
OR
3.04 ACRES X .15 CFS (ALLOWABLE) = .46 CFS FOR THE DEVELOPED SITE

Q _d	Q _a
(RUNOFF FOR THE DEVELOPED AREA)	A X C _d
	3.04 A X .56 = .27

NET INCREASE IN IMPERVIOUSNESS = 1395 SF

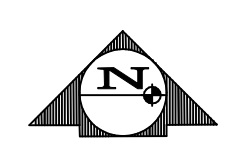
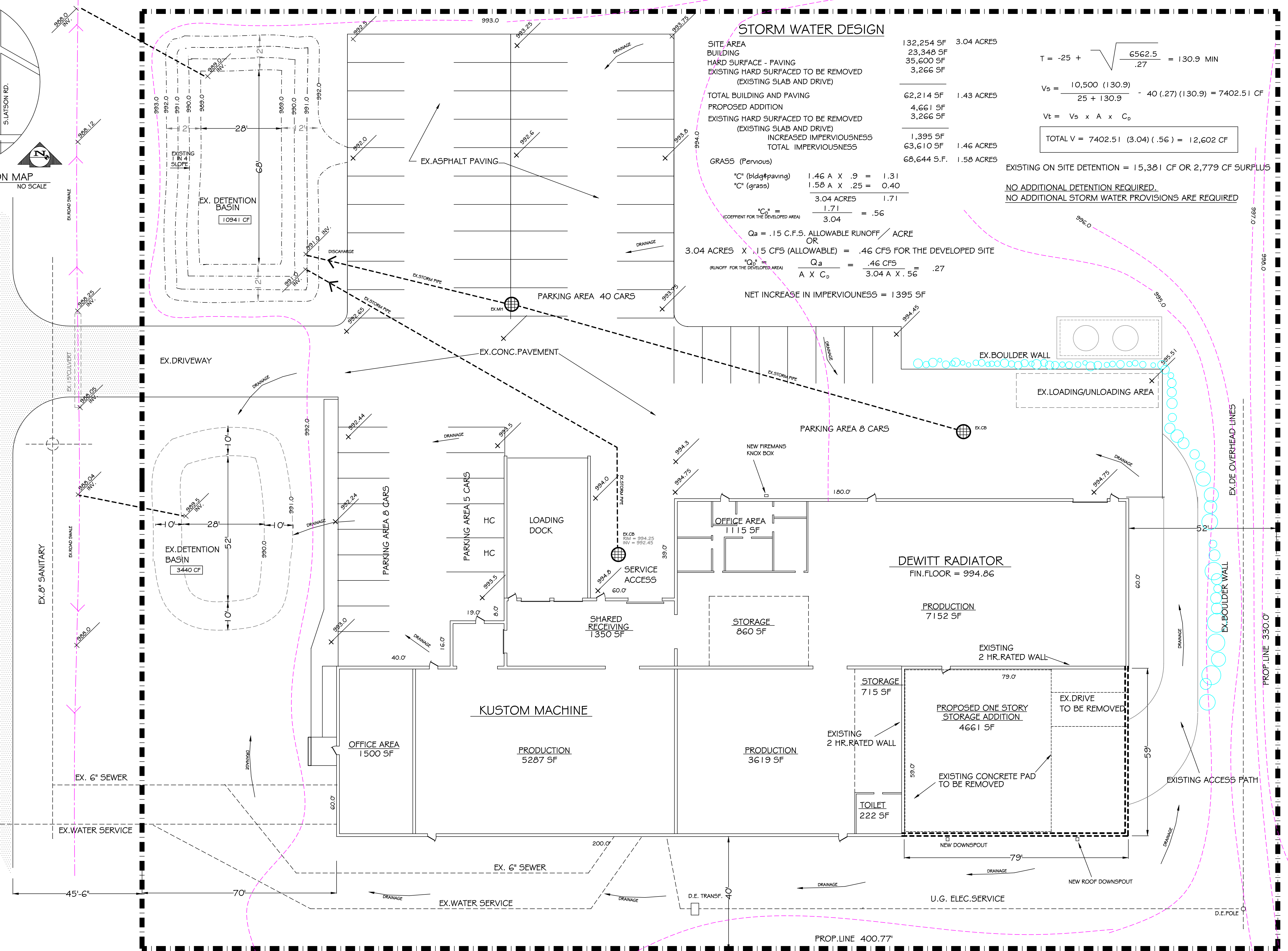
$$T = -25 + \sqrt{\frac{6562.5}{.27}} = 130.9 \text{ MIN}$$

$$V_s = \frac{10,500 (130.9)}{25 + 130.9} - 40 (.27) (130.9) = 7402.51 \text{ CF}$$

$$V_t = V_s \times A \times C_p$$

$$\text{TOTAL V} = 7402.51 (3.04) (.56) = 12,602 \text{ CF}$$

EXISTING ON SITE DETENTION = 15,381 CF OR 2,779 CF SURPLUS
 NO ADDITIONAL DETENTION REQUIRED.
 NO ADDITIONAL STORM WATER PROVISIONS ARE REQUIRED



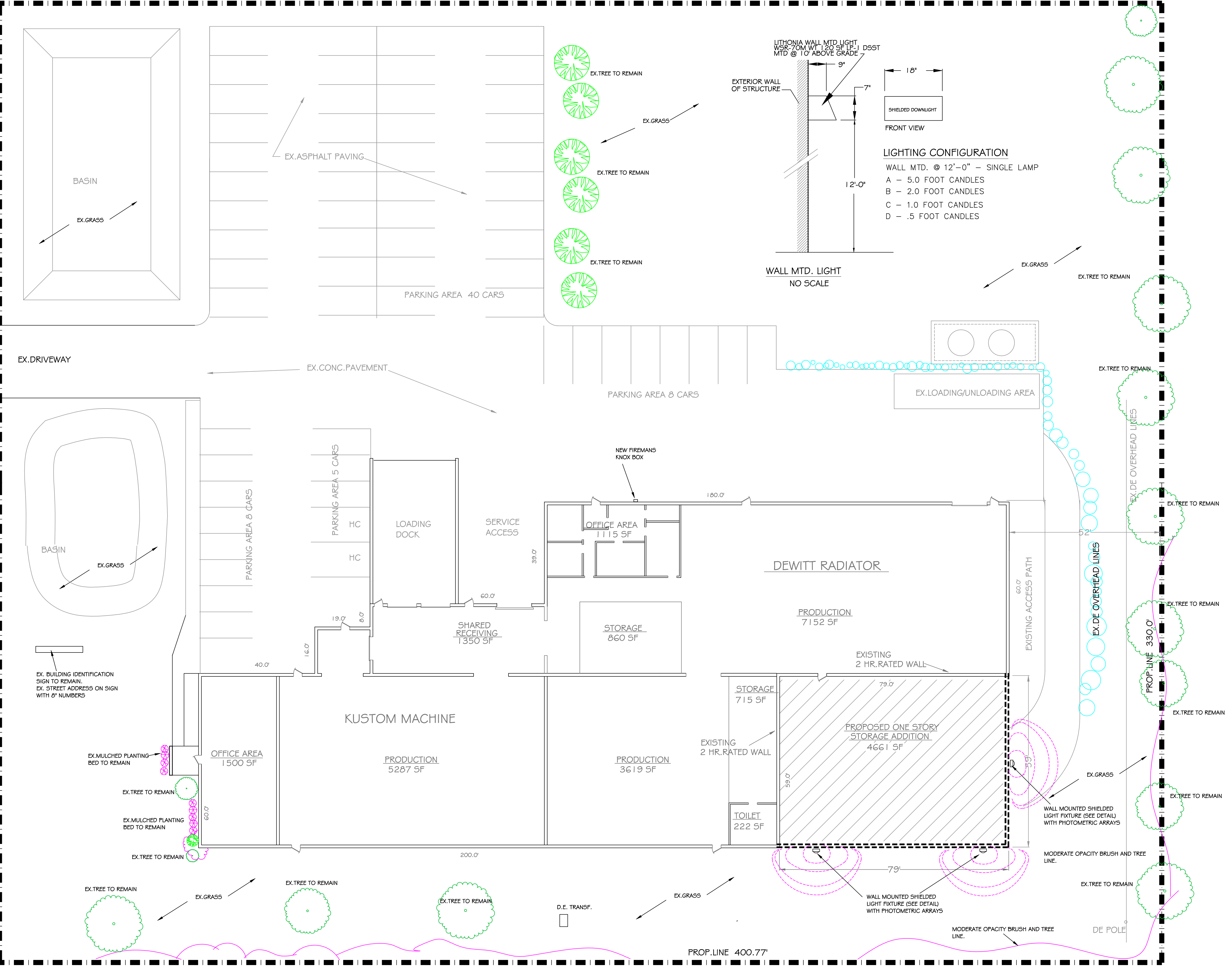
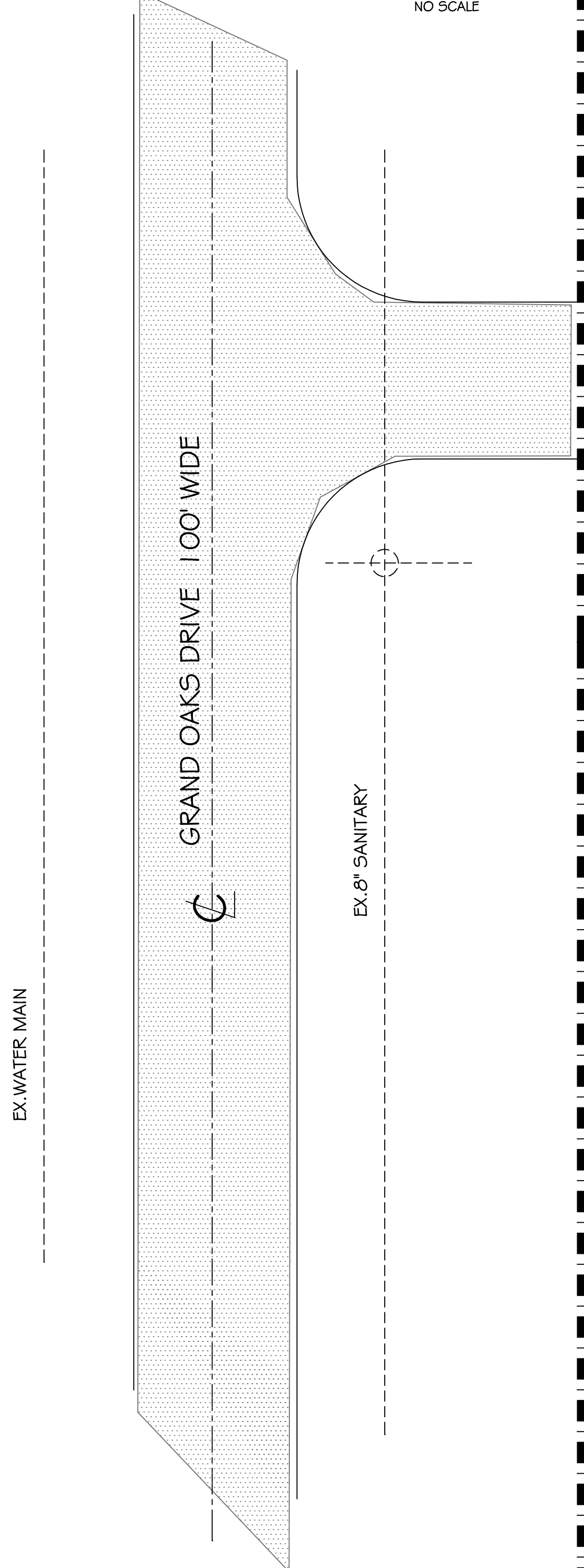
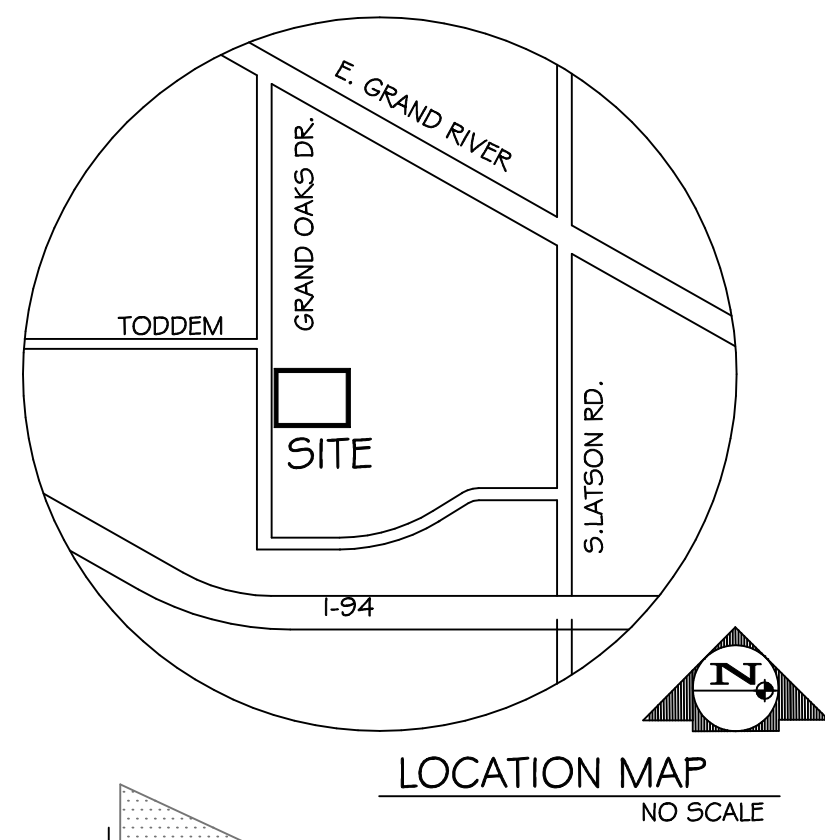
SITE UTILITIES PLAN

SCALE 1/16" = 1'-0"



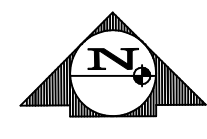
SURVEYOR: ANC ENGINEERING INC.
5111 PONTIAC TRAIL
WIXOM, MICHIGAN 48393

OWNER: DEWITT RADIATOR
C/O MR. TOM DEWITT
1275 GRAND OAKS DRIVE
HOWELL, MICHIGAN 48843



OWNER: DEWITT RADIATOR
 C/O MR. TOM DEWITT
 1275 GRAND OAKS DRIVE
 HOWELL, MICHIGAN 48843

SURVEYOR: ANC ENGINEERING INC.
 5111 PONTIAC TRAIL
 WIXOM, MICHIGAN 48393



LANDSCAPE/LIGHTING PLAN

SCALE 1/16" = 1'-0"



DATE
12-23-14

ISSUE/REVISIONS

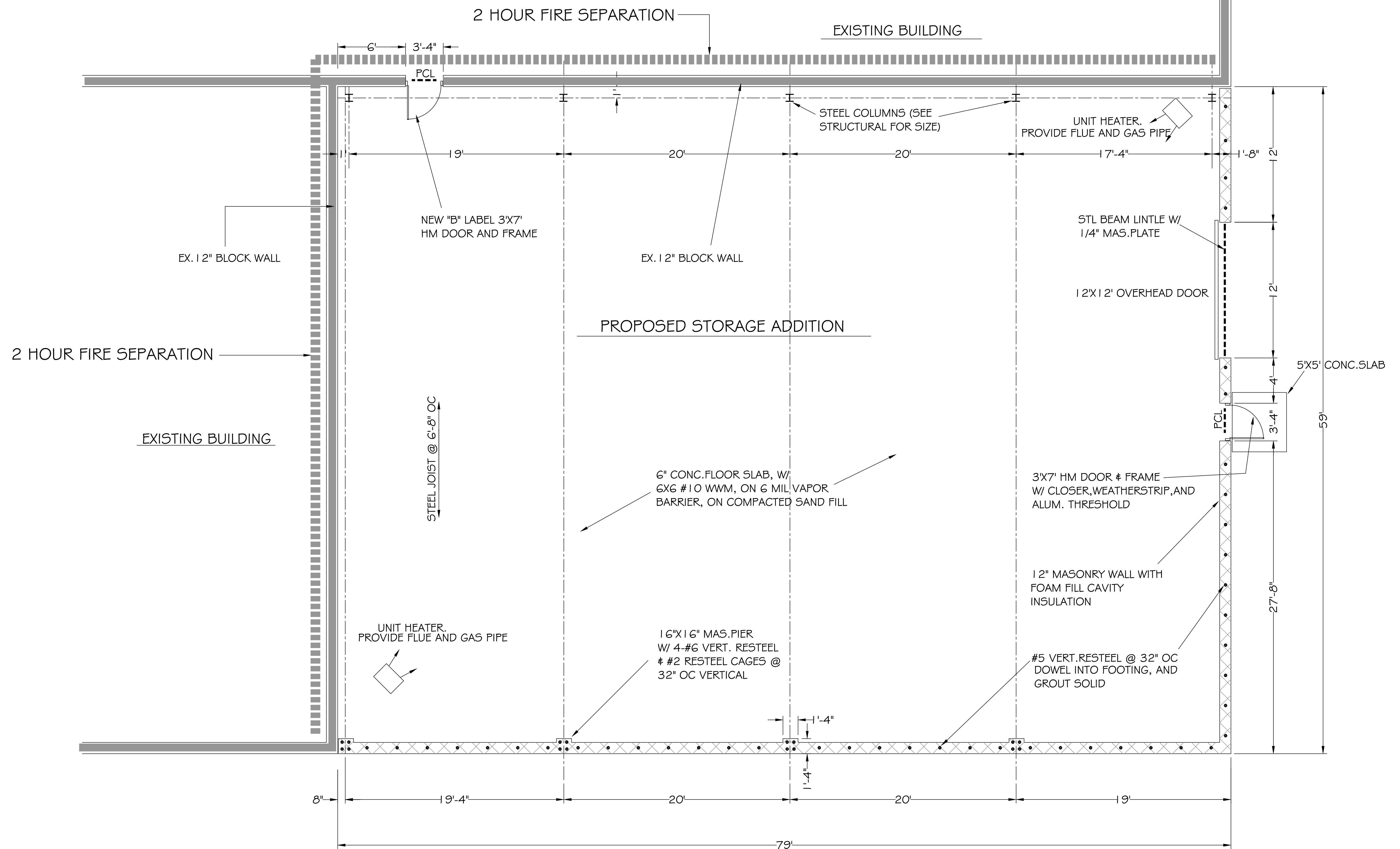
DEWITT RADIATOR REMODELING
 1275 GRAND OAKS DRIVE
 HOWELL, MICHIGAN 48843

248-685-0978

John Stewart
 ARCHITECTS
 1645 N. MILFORD RD., MILFORD MICH. 48361

JOB NO.

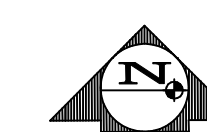
SHEET
A-3



CONSTRUCTION INFORMATION

2012 MICHIGAN BUILDING CODE

BUILDING CLASSIFICATION	F-1	FIRE RESISTANCE RATING REQUIREMENT FOR 2-B	
CONSTRUCTION TYPE	2-B	BEARING WALLS (INTERIOR/EXTERIOR)	0 HR
ALLOWABLE HEIGHT	2 - STORY 55 FT	NON BEARING WALLS	0 HR
PROPOSED HEIGHT	1 - STORY 21 FT	ROOF CONSTRUCTION	0 HR
ALLOWABLE AREA	15,500 SF		
PROPOSED ADDITION AREA	4,661 SF		



FLOOR PLAN

SCALE 1/4" = 1'-0"

DATE
11-19-14

ISSUE/REVISIONS

DEWITT RADIATOR REMODELING

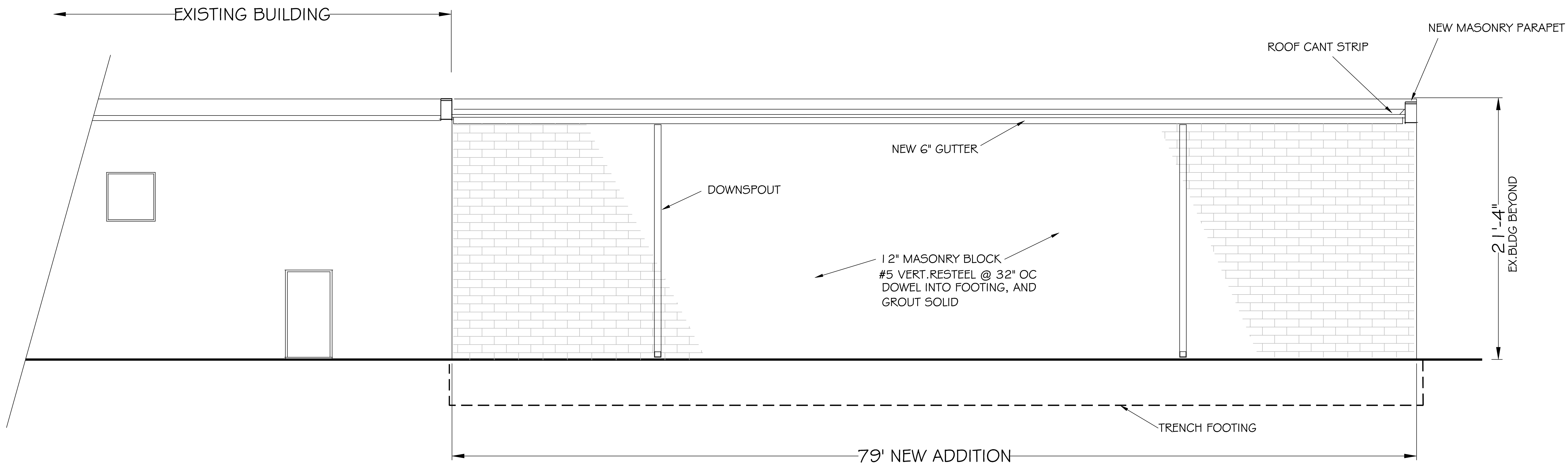
1275 GRAND OAKS DRIVE
HOWELL, MICHIGAN 48843

John Stewart
ARCHITECTS

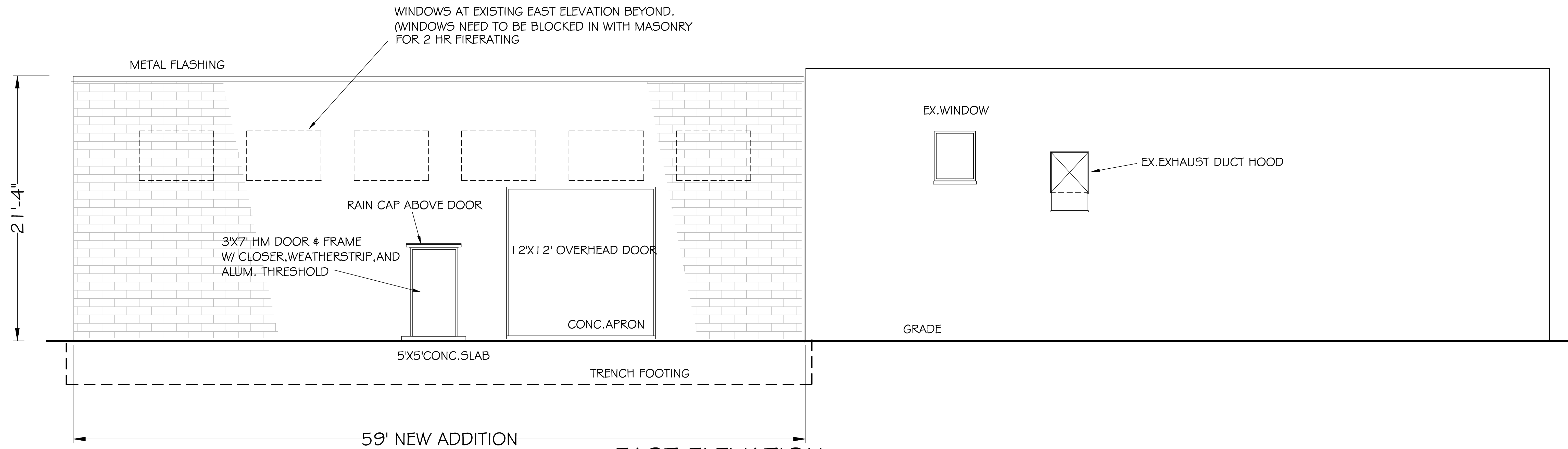
1645 N. MILFORD RD., MILFORD MICH. 48361
248-665-0978

JOB NO.

SHEET **A-4**

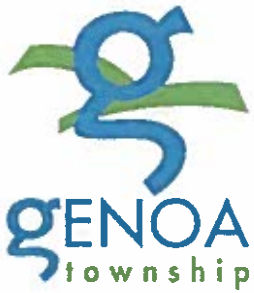


SOUTH ELEVATION
SCALE 1/4" = 1'-0"




EAST ELEVATION
SCALE 1/4" = 1'-0"

DATE 11-19-14
ISSUE/REVISIONS
DEWITT RADIATOR REMODELING 1275 GRAND OAKS DRIVE HOWELL, MICHIGAN 48843
John Stewart ARCHITECTS 1645 N. MILFORD RD., MILFORD MICH. 48381 248-685-0978
JOB NO.
SHEET A-5



MEMORANDUM

TO: Honorable Board of Trustees
FROM: Kelly VanMarter, Assistant Township Manager/Community Development Director
DATE: February 12, 2015
RE: Chestnut Development Court Ordered Zoning Change

MANAGER'S REVIEW: 

As required by Section 22.06 of the Township Zoning Ordinance and MCL 125.3202 (Section 202 of the Michigan Zoning Enabling act) the Township Board shall adopt an amendment to the Zoning Map to conform to the decree of the Court in regard to the Chestnut Development v. Genoa Township lawsuit. The law provides that a public hearing is not required however notice and publication are. Township staff satisfied the notice and publication requirements by mailing notice to the owners of the property and persons who are assessed for property within 300 feet of the subject property on 1/26/15 and by publication in the local paper on 1/30/15.

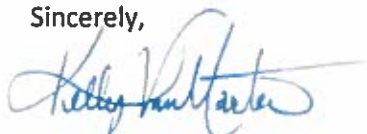
To summarize relevant details, the Court of Appeals affirmed Judge Hatty's decision as to the zoning of Chestnut's property as AG (Agricultural). The Court of Appeals' decision was not appealed to the Michigan Supreme Court within the appeal period (42 days), therefore the Court of Appeals' decision becomes final and binding on this property.

In consideration of the aforementioned, please consider the following action:

Moved by _____, and supported by _____ to adopt an amendment to the Official Zoning Map of Genoa Charter Township as ordered by the Court of Appeals. The property in question involves parcels 4711-33-400-003 and 4711-34-300-005 and is located at 5885 Chilson Road, Howell, Michigan 48843. The property is owned by Chestnut Development, LLC. The map amendment will change the zoning from Residential Planned Unit Development (RPUD) to Agricultural (AG).

Should you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,



Kelly VanMarter
Assistant Township Manager/Community Development Director

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

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

STATE OF MICHIGAN
COURT OF APPEALS

CHESTNUT DEVELOPMENT, LLC,

Plaintiff-Appellee,

v

TOWNSHIP OF GENOA and GENOA
TOWNSHIP ZONING ADMINISTRATOR,

Defendants-Appellants.

UNPUBLISHED
December 18, 2014

No. 317199
Livingston Circuit Court
LC No. 12-027123-CZ

Before: M. J. KELLY, P.J., and CAVANAGH and METER, JJ.

PER CURIAM.

Defendants appeal as of right an order granting plaintiff a writ of mandamus compelling defendants to issue a land use permit. We affirm in part, vacate in part, and remand this matter for proceedings consistent with this opinion.

Plaintiff owns two contiguous parcels of real property in Genoa Township. In 2004, plaintiff's predecessor in interest, Crescendo Homes, sought to develop the subject property as a planned unit development (PUD) under Article 10 of the Township's zoning ordinance.¹ The property was zoned agricultural (AG); thus, rezoning was requested. In that regard, Crescendo Homes submitted its conceptual PUD site plan, a PUD agreement, and its impact statement as required under Section 10.05. The Township board approved the conceptual PUD site plan and, pursuant to Section 10.03, the property was rezoned.² Thereafter, Crescendo Homes abandoned the project and the property. Plaintiff acquired the property from the Department of Treasury through tax foreclosure proceedings.

¹ Our references to an "Article" or a "Section" refer to the Genoa Township Zoning Ordinance.

² While there was some confusion regarding whether the property was rezoned to a residential PUD or a mixed use PUD, we refer to the rezoning classification as "PUD" for purposes of this opinion.

Eventually plaintiff applied for a land use permit to construct a single-family home and to enlarge an existing pond on its property.³ Defendants denied the application on the ground that the property was zoned PUD and plaintiff had to comply with Article 10 or, alternatively, seek rezoning. Plaintiff then filed this action seeking, in relevant part, a writ of mandamus compelling defendants to issue the land use permit.⁴ Plaintiff argued that it was seeking to construct a single family home, not a PUD. And because it was in compliance with the residential zoning requirements, plaintiff was entitled to a land use permit under Section 13.01 to “change the topography of the site” prior to its development.⁵ Defendants responded, arguing that this matter was not ripe for adjudication and, in any case, plaintiff could not merely apply for a land use permit but had to comply with the requirements of Article 10 as a consequence of the property’s PUD zoning or seek rezoning. Further, defendants argued, plaintiff actually sought to mine sand from its property to sell which is only permitted in industrial districts with special land use approval.

Following a hearing, the trial court ordered additional discovery and briefing. In its supplemental brief, plaintiff argued that discovery revealed its property was never validly rezoned to PUD. That is, plaintiff argued, the property was zoned AG because plaintiff’s predecessor in ownership did not complete the rezoning process by complying with the requirements of Article 10. A single-family residence and a pond is allowed on property zoned AG. Further, defendants’ characterization of its sand excavation as a “mining operation” was erroneous. Accordingly, plaintiff requested the trial court to compel defendants to issue the requested land use permit.

Defendants argued in their supplemental brief that plaintiff’s property was zoned PUD so a single-family residence was not allowed and plaintiff’s extraction of sand was a mining operation. Further, defendants argued that plaintiff’s claim was not ripe for adjudication because plaintiff failed to appeal the denial of its application to the Township’s Zoning Board of Appeals (ZBA), which could have determined the type of PUD at issue and the characterization of the sand extraction at issue. Accordingly, defendants argued, plaintiff was not entitled to a writ of mandamus compelling the issuance of a land use permit.

At the conclusion of the continued hearing, the trial court entered an order finding that the matter was not ripe for adjudication because plaintiff had submitted revised site plan drawings in support of its request for a land use permit and defendants had neither reviewed them nor made a decision. Defendants later denied plaintiff’s application. Thereafter the court held an evidentiary hearing over defendants’ objections premised on the arguments that the case was not ripe for review and discretionary issues precluded a writ of mandamus. At the

³ We note that plaintiff’s application for a land use permit, dated October 10, 2012, indicated that the type of improvement sought was a “new single family” structure. The box associated with “Grading/Site Work” was not checked and a “pond expansion” was not noted on the application.

⁴ Plaintiff’s complaint indicated that the subject property was zoned residential PUD as set forth on the Township’s zoning map.

⁵ See footnote 3.

conclusion of the hearing, the court held: (1) the rezoning of the property from AG to PUD was not completed because the requirements set forth in Article 10 were not complied with by plaintiff's predecessor in interest so the property remained zoned AG; (2) AG zoning allows for a residence and a pond expansion; (3) plaintiff's proposed land use did not constitute a sand mining operation; and (4) an appeal to the ZBA would have been futile because the ZBA did not have the authority to alter zoning districts. Accordingly, the trial court granted plaintiff's request for a writ of mandamus and ordered defendants to issue plaintiff a land use permit.

Defendants filed a motion for reconsideration, arguing that the case was not ripe for adjudication because plaintiff did not challenge the denial before the ZBA, where it could have obtained the requested relief or, at least, a final decision before it pursued this matter in court. Further, defendants argued that the court's rulings circumvented the Township's zoning ordinance and included palpable errors. In particular, the court's conclusions that the property reverted to AG zoning from PUD and that plaintiff's proposed use was not sand mining constituted palpable errors. Moreover, mandamus was precluded as a matter of law because the issuance of a land use permit is discretionary.

Subsequently, the court denied defendants' motion for reconsideration. First, the court held that plaintiff's claim was ripe for adjudication. An appeal to the ZBA would have been futile because the issuance of the land use permit hinged on the property's zoning classification and, under Section 23.02.06(a), the ZBA had no "power to alter or change the zoning district classification of any property." Second, the court held that rezoning to PUD never occurred or expired because Section 1.03.04 states "[p]rior to establishing a PUD, all requirements of Article 10 must be complied with" and they were not. Further, to the extent the property was rezoned, the rezoning expired when plaintiff's predecessor in interest failed to seek approval of its final PUD site plan within two years as set forth in Section 10.04.02. That is, "the property's zoning had to have reverted back to Agricultural (AG), its original zoning." Third, the court held that the issuance of the land use permit was ministerial because plaintiff's proposed use did not violate any zoning ordinance and, thus, plaintiff was legally entitled to the permit. And, finally, the court held that plaintiff was not engaged in a commercial sand mining operation; rather, the removal of sand was temporary in nature and for the purpose of expanding a pond. This appeal followed.

Defendants argue that plaintiff's request for a writ of mandamus was not ripe for adjudication because plaintiff did not seek and receive a final decision on its application for a land use permit. We agree, in part. Questions pertaining to justiciability and ripeness are reviewed de novo as constitutional issues. *City of Huntington Woods v City of Detroit*, 279 Mich App 603, 614; 761 NW2d 127 (2008). We review for an abuse of discretion the trial court's decision whether to issue a writ of mandamus. *Carter v Ann Arbor City Attorney*, 271 Mich App 425, 438; 722 NW2d 243 (2006).

Generally, a claim challenging the application of an ordinance to property is not ripe until a final determination has been made by the governmental entity regarding the requested use. See *Lake Angelo Assoc v White Lake Twp*, 198 Mich App 65, 70; 498 NW2d 1 (1993) (citation omitted). The doctrine of ripeness focuses on the timing of an action, assesses "for the presence of an actual or imminent injury in fact," and "prevents the adjudication of hypothetical or contingent claims." *Mich Chiropractic Council v Comm'r of the Office of Fin & Ins Servs*, 475

Mich 363, 371 n 14, 378-379; 716 NW2d 561 (2006), overruled in part on other grounds *Lansing Sch Ed Ass'n v Lansing Bd of Ed*, 487 Mich 349, 371 (2010). That is: "A claim is not ripe if it rests upon contingent future events that may not occur as anticipated, or indeed may not occur at all." *Mich Chiropractic Council*, 475 Mich at 371 n 14 (quotation marks and citation omitted).

The central issue underlying this dispute is whether plaintiff's property is zoned PUD or AG. Plaintiff's predecessor in interest, Crescendo Homes, sought an amendment to the zoning district boundaries, i.e., rezoning, with regard to the subject property. See Article 22⁶; Section 22.01.⁷ The property was zoned AG and Crescendo Homes sought to have the property rezoned to PUD. See Section 10.04.01. The conceptual PUD site plan and PUD agreement, i.e., the conditional zoning agreement, submitted by Crescendo Homes were approved, which resulted in the subject property being conditionally rezoned to PUD. See, e.g., Sections 10.05.04 and 22.03.06. Approval of the conceptual PUD site plan conferred upon Crescendo Homes—the applicant for rezoning—the "right to proceed through the subsequent planning phase for a period not to exceed two (2) years from date of approval." Section 10.04.02. However, the zoning agreement and associated conditional rezoning would expire two years after adoption "unless substantial construction on the approved development of the property" commenced within that two year time period. Section 22.03.06(c). Once the zoning agreement expires, it becomes void. Section 22.03.06(d). If the zoning agreement becomes void, "the conditional rezoning shall be automatically revoked and the land shall revert back to its original zoning classification." Section 22.03.06(g). MCL 125.3405(2) also provides that when conditions for rezoning are not satisfied "the land shall revert to its former zoning classification."

Here, the zoning agreement entered into between the Township and Crescendo Homes became void because Crescendo Homes abandoned the development project and the property. Therefore, the conditional rezoning of the property from AG to PUD was automatically revoked and, at some time before plaintiff purchased the property, the property reverted back to its original zoning classification, AG, by operation of the Township's Ordinance and MCL 125.3405(2), as discussed above. Nevertheless, defendants denied plaintiff's application for a land use permit on the ground that the subject property remained zoned PUD and plaintiff had to comply with the requirements set forth in Article 10, including through the "resubmittal of a new PUD concept plan." See Section 10.04.02. But review of Article 10 makes clear by its numerous references to "the applicant" that it was inapplicable to plaintiff. Plaintiff was not "the applicant." Crescendo Homes sought rezoning of the property from AG to PUD. Thus, plaintiff

⁶ It is unclear whether the lower court was provided a copy of the entire ordinance but, if not, we are entitled to consider the entire ordinance. See MCR 7.216(A)(4).

⁷ The rules of statutory interpretation apply to ordinances. *Goldstone v Bloomfield Twp Pub Library*, 479 Mich 554, 568 n 15; 737 NW2d 476 (2007). Accordingly, sections of the zoning ordinance that relate to the same subject or share a common purpose are in pari materia and must be read together as one law. *Bloomfield Twp v Kane*, 302 Mich App 170, 176; 839 NW2d 505 (2013) (citation omitted). Here, Article 10, entitled Planned Unit Development, and Article 22, entitled Ordinance Amendments, both relate to rezoning; thus, they are in pari materia and must be read together as one law.

never submitted an initial PUD concept plan so “resubmittal of a new PUD concept plan” was not possible. In any case, we agree with the trial court’s conclusion that plaintiff’s property reverted back to an AG zoning classification.

To the extent that plaintiff sought a determination that its property was zoned AG and not PUD, we reject defendants’ argument that the claim was not ripe because plaintiff failed to appeal the denial of its application for a land use permit to the ZBA.⁸ “[T]he zoning and rezoning of property are legislative functions.” *Sun Communities v Leroy Twp*, 241 Mich App 665, 669; 617 NW2d 42 (2000). The ZBA is an administrative body that performs administrative acts, including interpreting the ordinance, hearing appeals, and granting variances. *Id.* at 670. Pursuant to Section 23.02.06(a), the ZBA was not empowered to “alter or change the zoning district classification of any property.” Accordingly, to the extent plaintiff challenged the zoning classification of its property, such claim was not hypothetical or contingent. All of the information necessary to resolve the issue of zoning classification was available and its resolution was not dependent on any determination by the ZBA. Therefore, we reject defendants claim that the matter of zoning classification was not ripe for adjudication by the trial court.

However, the issue whether plaintiff was entitled to a land use permit to construct a single-family home and to enlarge an existing pond on its property that is zoned AG was not ripe for adjudication by the trial court. Defendants never considered plaintiff’s application for a land use permit under the proper AG zoning classification of the subject property. Accordingly, defendants have not determined whether plaintiff’s proposed activity or use conformed to the requirements set forth in the applicable zoning ordinances. See Section 21.02.01. Defendants may conclude that plaintiff is entitled to a land use permit considering the property’s AG zoning classification. And, pursuant to Section 23.02.03, defendants may request the ZBA to “interpret and clarify the meaning of the Ordinance text” as relates to plaintiff’s application. Ultimately, plaintiff’s application for a land use permit may be granted. But if defendants deny the application, plaintiff could appeal that decision to the ZBA and could seek a variance from the strict application of the ordinance if necessary. See Section 23.02. It is well-established that “persons seeking authority from a governmental unit must exhaust their remedies within such governmental unit before seeking relief in court.” *Lake Angelo Assocs*, 198 Mich App at 74, quoting *Trojan v Taylor Twp*, 352 Mich 636, 638; 91 NW2d 9 (1958). Therefore, plaintiff’s claim that it was entitled to a land use permit was not ripe because the municipality did not render a final determination regarding the requested use considering the property’s AG zoning classification and, thus, the claim “rests upon contingent future events that may not occur as anticipated, or may not occur at all.” *Mich Chiropractic Council*, 475 Mich at 371 n 14.

⁸ In its first complaint, plaintiff characterized the zoning of its property as residential PUD in reliance on the Township’s zoning map; however, during discovery it was determined that the rezoning classification was mixed use PUD. By amended complaint, plaintiff characterized its property as AG and thereafter argued that rezoning was not completed which resulted in the property reverting from PUD to AG zoning classifications. This new claim was not raised in plaintiff’s initial complaint seeking a writ of mandamus and presents an issue more properly raised in a declaratory judgment proceeding.

In summary, the trial court properly concluded that the zoning classification of plaintiff's property is AG; however, plaintiff's claim that it was entitled to the issuance of a land use permit because of that AG classification was not ripe and should have been dismissed. Therefore, the trial court abused its discretion when it granted plaintiff a writ of mandamus compelling defendants to issue a land use permit and that order is vacated. See *Carter*, 271 Mich App at 438.

Affirmed in part, vacated in part, and remanded for proceedings consistent with this opinion. We do not retain jurisdiction.

/s/ Michael J. Kelly
/s/ Mark J. Cavanagh
/s/ Patrick M. Meter

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

Chestnut Development, LLC

Plaintiff,

v

Case No. 2012-27123-CZ
Hon. Michael P. Hatty

Genoa Township

Defendant.

ORDER

At a session of said court held in the City of Howell,
State of Michigan on the 3rd day of
February, 2015.

The above matter having come before the court, ~~and~~

upon remand from the Court of Appeals

Now, therefore, IT IS ORDERED

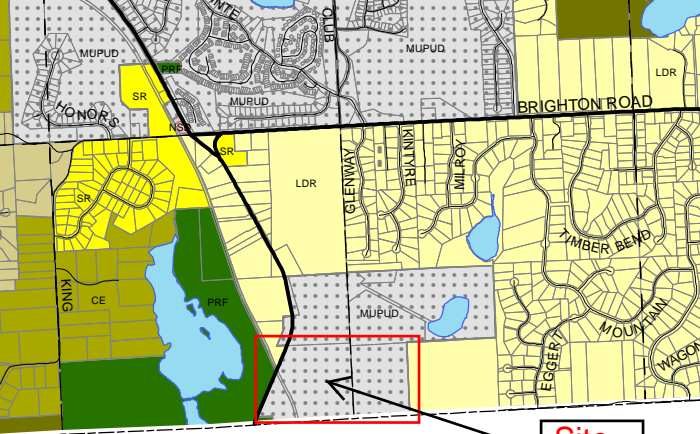
- (1) The Zoning of the Property is AG (Agriculture)
under the Township's Zoning Ordinance
- (2) The writ of Mandamus issued by this
Court on November 13, 2012 is vacated.

Michael P. Hatty
Michael P. Hatty P30990
Circuit Judge

Approved as to form
and Substance:

[Signature] Atty for Defendant
[Signature] Atty for Plaintiff

TRUE COPY
MICHAEL P. HATTY
44th Circuit Court
[Signature]



Hamburg Township

Site

**GENOA CHARTER TOWNSHIP
BOARD OF TRUSTEES
NOTICE OF PUBLIC HEARING
FEBRUARY 16, 2015
6:30 P.M.**

Pursuant to Michigan Public Act 110 of 2006, as amended (the Michigan Zoning Enabling Act), notice is hereby given that the Township Board of Trustees will hold a public hearing at 6:30 p.m. on February 16, 2015. The item to be considered at said public hearing is the adoption of an amendment to the Township Zoning Map to conform with the December 18, 2014 Court of Appeals Decision in the case of Chestnut Development v. Township of Genoa. The property in question involves parcels # 4711-33-400-003 and # 4711-34-300-005 and is located at 5885 Chilson Road, Howell, Michigan 48843. The property is owned by Chestnut Development, LLC. The map amendment will change the zoning from Residential Planned Unit Development (RPUD) to Agricultural (AG).

You are invited to attend this hearing. If you are unable to attend, written comments may be submitted by writing to the Board at the Genoa Township Hall, 2911 Dorr Road, Brighton, MI 48116, up to the date of the hearing and may be further received by the Board at said hearing. In addition, all materials relating to these requests may be examined at the Township Hall during normal business hours.

Genoa Charter Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon seven (7) days' notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township in writing or by calling at (810) 227-5225.

(01-30-2015 DAILY 229015)



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

PUBLIC HEARING MEETING NOTICE

January 26, 2015

To Whom It May Concern:

Pursuant to Michigan Public Act 110 of 2006, as amended (the Michigan Zoning Enabling Act), notice is hereby given that the Township Board of Trustees will hold a public hearing at 6:30 p.m. on February 16, 2015. The item to be considered at said public hearing is the adoption of an amendment to the Township Zoning Map to conform with the December 18, 2014 Court of Appeals Decision in the case of Chestnut Development v. Township of Genoa. The property in question involves parcels # 4711-33-400-003 and # 4711-34-300-005 and is located at 5885 Chilson Road, Howell, Michigan 48843. The property is owned by Chestnut Development, LLC. The map amendment will change the zoning from Residential Planned Unit Development (RPUD) to Agricultural (AG).

You are invited to attend this hearing. If you are unable to attend, written comments may be submitted by writing to the Board at the Genoa Township Hall, 2911 Dorr Road, Brighton, MI 48116, up to the date of the hearing and may be further received by the Board at said hearing. In addition, all materials relating to these requests may be examined at the Township Hall during normal business hours.

Genoa Charter Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon seven (7) days' notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township in writing or by calling at (810) 227-5225.

Sincerely,

Kelly VanMarter
Assistant Township Manager / Community Development Director
KKV/kp

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

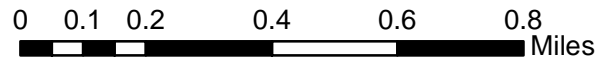
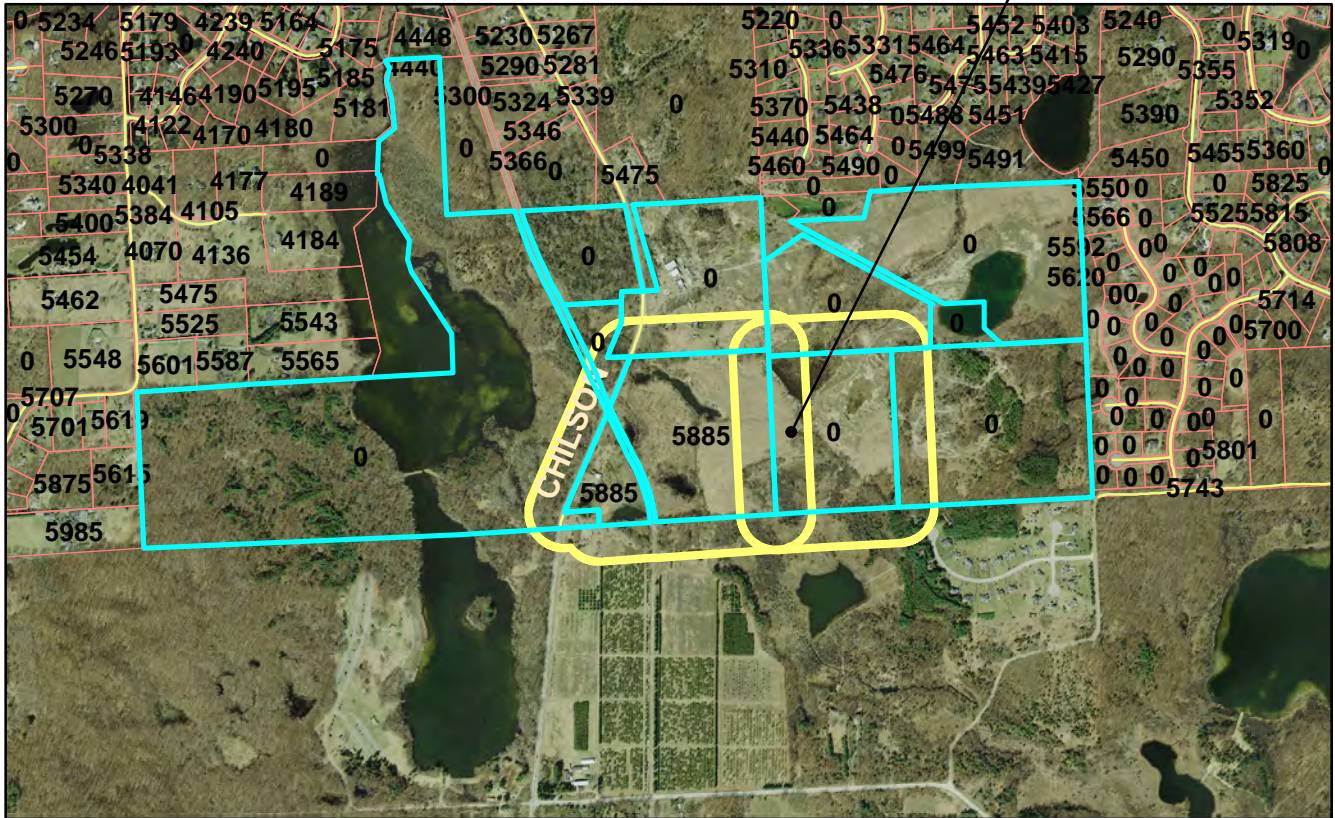
Todd W. Smith

Linda Rowell



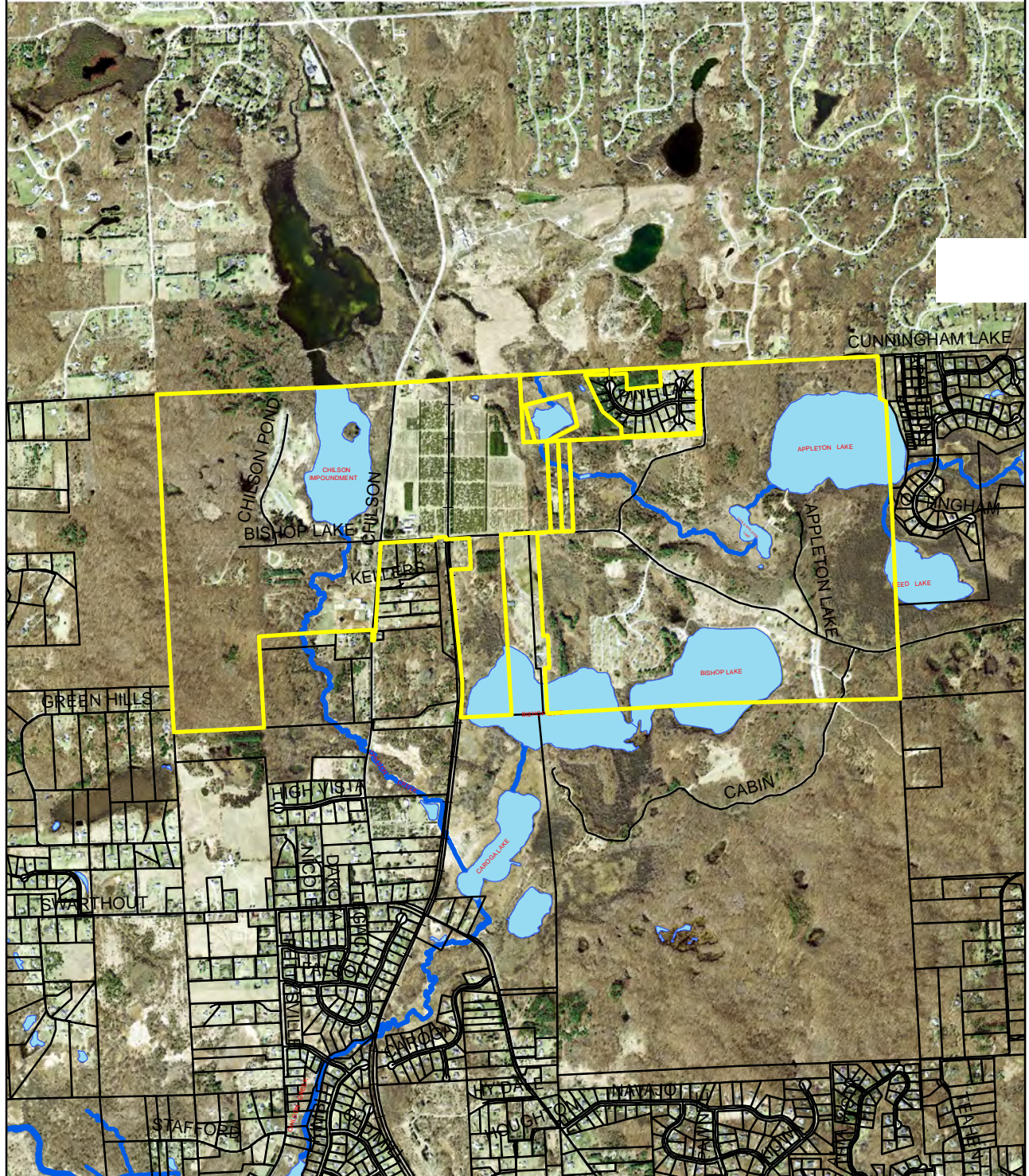
300-foot buffer for noticing

Applicant Sites (in yellow)



Location: 5885 Chilson Rd and east
Parcel: 11-33-400-003 and 11-34-300-005
Meeting Date: February 16, 2015
Area below yellow is located in Hamburg Township.

Hamburg Township Parcels



DNR EXEMPT/MDOT
PO BOX 30050
LANSING, MI 48933

MICHIGAN DNR - FIN & ACCT
PO BOX 30722
LANSING, MI 48909

CHESTNUT DEVELOPMENT LLC
3800 CHILSON RD
HOWELL, MI 48843

OWNER OR OCCUPANT
5885 CHILSON RD
HOWELL, MI 48843

LUCY LLC
3766 NOBLE AVE
BRIGHTON, MI 48116

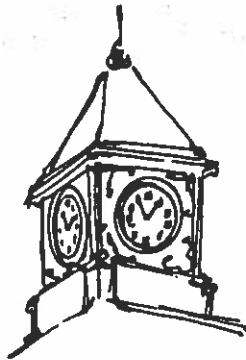
GERASIMOV SERGEY & RUSHANA
5055 BISHOP LAKE RD
BRIGHTON, MI 48116

YAKSIC ANDREW & JESSICA
5087 BISHOP LAKE RD
BRIGHTON, MI 48116

DEPT OF NAT RESOURCES - TAX DEPT
PO BOX 30028
LANSING, MI 48909

PINE LAKE DRAIN DISTRICT
2300 E GRAND RIVER STE 105
HOWELL, MI 48843

13 WREN 21111



Margaret M. Dunleavy
Livingston County Clerk

County Clerk
200 East Grand River
Howell, Michigan 48843-2399
(517) 546-0500

Circuit Court Clerk
204 South Highlander Way, Suite 4
Howell, Michigan 48843-1953
(517) 546-9816

February 6, 2015

Polly Skolarus
Genoa Charter Township Clerk
2911 Dorr Road
Brighton, MI 48116

Dear Polly:

Re: Genoa Charter Township – Creation of New Precinct 13; Modification of
Boundary Lines for Precincts 5 and 10; Correction of Precinct 1 Map
Boundary Line; New Polling Location for Precincts 11 and 13

Thank you for submitting copies of your approved precinct modifications and
polling locations to the Livingston County Election Commission.

The Commission Members reviewed all of the submitted information at their
special meeting yesterday. They acknowledged receipt of the precinct/polling
location changes and authorized the documentation to be placed on file.

Margaret and I appreciate your foresight into making these changes prior to next
year's busy election year and all of your time and energy as well as Sue's, spent
in working with Sandon Lettieri at GIS with the mapping process and with
Nicholas Daum at the Bureau of Elections with the coordination of the QVF street
index changes.

Your newly created Precinct 13 and modification of your other precincts and
polling locations, particularly your new polling location at the 2/42 Church facility,
should greatly benefit your precinct inspectors and voters on Election Day.

Sincerely,

Joan Runyan, CMC
Elections Coordinator



*Original art by Bonnie Heppe Fisher
Courtesy of Legacy Publishing Group*

2015

I've been living &
visiting Genoa
Township since I was
7 yrs. old - now I'm
62 - Love living
here & will never
re-locate.

Thank You!

Lori Bunting