

**GENOA CHARTER TOWNSHIP BOARD**  
**Regular Meeting**  
**October 18, 2021**  
**6:30 p.m.**

**AGENDA**

Call to Order:

Pledge of Allegiance:

Call to the Public (Public comment will be limited to two minutes per person)\*:

**Consent Agenda:**

1. Payment of Bills: October 18, 2021
2. Request to Approve Minutes: October 4, 2021
3. Request for approval of a change order in the amount of \$5,890.00 from Vantage Construction for the construction of the pavilion at the basketball courts making the total costs \$45,780.00.

**Regular Agenda:**

4. Consideration of a request for approval of an amendment to the Final PUD site plan in regards to landscaping for the previously approved Birkenstock Planned Industrial Development agreement for a climate control self-storage building located at 2600 Harte Drive, Brighton. The request is petitioned by James Harte.
5. Request to accept Jill Rickard's resignation from the Planning Commission.
6. Request to appoint Tim Chouinard to the Planning Commission for the remainder of Jill Rickard's term as recommended by the Township Supervisor.
7. Request to approve Resolution Number 211018 Approving Administrative Fee Pursuant to the Genoa Charter Township Zoning Ordinance for Caregiver Cultivation of Medical Marihuana. (roll call vote)
8. Discussion regarding customer communication and resident email notification.

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: October 18, 2021

TOWNSHIP GENERAL EXPENSES: Thru October 13, 2021	\$160,823.51
October 15, 2021 Bi Weekly Payroll	\$95,287.90
OPERATING EXPENSES: Thru October 13, 2021	\$73,780.91
TOTAL:	<u>\$329,892.32</u>

Check Date	Check	Vendor Name	Amount
Bank FNBCK CHECKING ACCOUNT			
09/29/2021	37039	ADAMS WELL REPAIR INC.	150.00
09/29/2021	37040	BRIGHTON ANALYTICAL LLC	62.00
09/29/2021	37041	CAPITAL ONE	31.93
09/29/2021	37042	DTE ENERGY	26.62
09/29/2021	37043	HURON RIVER WATERSHED COUNCIL	1,120.45
09/29/2021	37044	LEO'S CUSTOM SPRINKLER SERVICE INC	95.00
09/29/2021	37045	MASTER MEDIA SUPPLY	277.76
10/04/2021	37046	ALLSTAR ALARM LLC	345.00
10/04/2021	37047	COOPER'S TURF MANAGEMENT LLC	1,317.00
10/04/2021	37048	DTE ENERGY	829.53
10/04/2021	37049	MEI TOTAL ELEVATOR SOLUTIONS	133.23
10/04/2021	37050	MICHIGAN OFFICE SOLUTIONS	202.23
10/04/2021	37051	MMRMA	12,277.91
10/04/2021	37052	NETWORK SERVICES GROUP, L.L.C.	50.00
10/04/2021	37053	PERFECT MAINTENANCE CLEANING	565.00
10/06/2021	37054	ACCIDENT FUND COMPANY	23,900.00
10/06/2021	37055	DTE ENERGY	76.50
10/08/2021	37056	EHIM, INC	6,612.66
10/08/2021	37057	FEDERAL EXPRESS CORP	43.52
10/08/2021	37058	GORDON FOOD SERVICE	250.80
10/08/2021	37059	GREATLAND CORPORATION	325.25
10/08/2021	37060	MICHIGAN.COM	269.02
10/08/2021	37061	WASTE MANAGEMENT CORP SERVICES, INC	110,716.50
10/13/2021	37062	COMCAST	710.68
10/13/2021	37063	CONTINENTAL LINEN SERVICE	164.66
10/13/2021	37064	DTE ENERGY	210.26
10/13/2021	37065	PACKERLAND RECORDS MANAGEMENT	60.00
FNBCK TOTALS:			
Total of 27 Checks:			160,823.51
Less 0 Void Checks:			0.00
Total of 27 Disbursements:			160,823.51

Check Register Report For Genoa Charter Township  
For Check Dates 10/15/2021 to 10/15/2021

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
10/15/2021	FNBCK	EFT609	FLEX SPENDING (TASC)	856.53	856.53	0.00	Open
10/15/2021	FNBCK	EFT610	INTERNAL REVENUE SERVICE	22,595.05	22,595.05	0.00	Open
10/15/2021	FNBCK	EFT611	PRINCIPAL FINANCIAL	3,656.00	3,656.00	0.00	Open
10/15/2021	FNBCK	EFT612	PRINCIPAL FINANCIAL	2,227.26	2,227.26	0.00	Open

Totals: Number of Checks: 004 29,334.84 29,334.84 0.00

Total Physical Checks:

Total Check Stubs: 4

+ 65,953.06

.....+P  
29,334.84+  
65,953.06+  
95,287.90+

Check Date	Check	Vendor Name	Amount
Bank 503FN DPW-UTILITIES #503			
10/04/2021	5383	MMRMA	10,139.84
10/13/2021	5384	PORT CITY COMMUNICATIONS, INC.	274.88
10/13/2021	5385	TRACTOR SUPPLY CO.	237.98
10/13/2021	5386	WINDSTREAM	50.14
503FN TOTALS:			
Total of 4 Checks:			10,702.84
Less 0 Void Checks:			0.00
Total of 4 Disbursements:			10,702.84

Check Date	Check	Vendor Name	Amount
Bank 592FN OAK POINTE OPERATING FUND #592			
09/29/2021	5358	BRIGHTON ANALYTICAL LLC	739.50
09/29/2021	5359	DUBOIS-COOPER	1,520.00
10/04/2021	5360	DTE ENERGY	2,625.44
10/04/2021	5361	MMRMA	2,361.89
10/06/2021	5362	DTE ENERGY	1,069.30
10/06/2021	5363	DTE ENERGY	1,464.65
10/06/2021	5364	DTE ENERGY	177.89
10/13/2021	5365	AT&T LONG DISTANCE	56.51
10/13/2021	5366	BRIGHTON ANALYTICAL LLC	440.00
592FN TOTALS:			
Total of 9 Checks:			10,455.18
Less 0 Void Checks:			0.00
Total of 9 Disbursements:			10,455.18

Check Date	Check	Vendor Name	Amount
Bank 593FN LAKE EDGEWOOD OPERATING FUND #593			
09/29/2021	4018	BRIGHTON ANALYTICAL LLC	321.50
09/29/2021	4019	GENOA TOWNSHIP D.P.W. FUND	1,017.96
09/29/2021	4020	GENOA TWP DPW FUND	1,017.96
10/04/2021	4021	BRIGHTON ANALYTICAL LLC	67.00
10/04/2021	4022	MMRMA	722.86
10/05/2021	4023	DTE ENERGY	3,005.54
10/13/2021	4024	BRIGHTON ANALYTICAL LLC	67.00
10/13/2021	4025	CHARTER TOWNSHIP OF BRIGHTON	1,065.00
10/13/2021	4026	CITY OF BRIGHTON	11,084.20
10/13/2021	4027	CITY OF BRIGHTON	34,160.84
10/13/2021	4028	CONSUMERS ENERGY	93.03
593FN TOTALS:			
Total of 11 Checks:			52,622.89
Less 0 Void Checks:			0.00
Total of 11 Disbursements:			52,622.89

10,702.84 +

10,455.18 +

52,622.89 +

73,780.91 \*\*

Draft

GENOA CHARTER TOWNSHIP BOARD  
Regular Meeting  
October 4, 2021

MINUTES

Supervisor Rogers called the Regular Meeting of the Genoa Charter Township Board to order at 6:30 p.m. at the Township Hall with the Pledge of Allegiance. The following members were present constituting a quorum for the transaction of business: Bill Rogers, Paulette Skolarus, Robin Hunt, Jean Ledford, Terry Croft, Jim Mortensen and Diana Lowe. Also present were Township Manager Michael Archinal; Township Attorney Joe Seward; Planner Kelly VanMarter and 13 persons in the audience.

A Call to the Public was made with no response.

Consent Agenda:

Moved by Mortensen and supported by Lowe to approve the payment of bills and move the Minutes to the Regular Agenda for approval. The motion carried unanimously.

**1. Payment of Bills: October 4, 2021**

Regular Agenda:

Moved by Lowe and supported by Ledford to approve for action all items listed under the Regular Agenda with the addition of the Minutes from Sept. 20, 2021. The motion carried unanimously.

**2. Request to Approve Minutes: September 20, 2021**

Moved by Mortensen and supported by Hunt to correct the spelling of his name and that it was his granddaughter that he introduced as U.S. Army Judge Advocate. The motion carried unanimously.

**3. Presentation regarding the Big Red Barrel and the impact on our community with Don Root, Judge Daniel Bain, and Undersheriff Jeff Warder.**

Don Root addressed the board and thanked them for their partnership with the Big Red Barrel. He introduced Judge Daniel Bain who gave a personal encounter with a neighbor who started on prescription drugs. The young woman was a valedictorian of her class and a very good young lady. She was on a full ride academic scholarship and she started out on prescription drugs and then turned to heroin. Prescription drugs and Heroin are a big problem in Livingston County.

Don Root introduced Joe Carney who first brought the Big Red Barrel program to Livingston County in conjunction with Undersheriff Murphy in May of 2011. Since then 40,000 pounds of pills have been collected and taken off the street as a result of Mr. Carney's effort. Heroin is now less expensive than prescription drugs so kids are turning to heroin. There are 75 locations around the state where prescription drugs can be returned for destruction. Education is vital to the community. In January 2019 the Genoa Township office collected 64# of drugs and in April of that

same year the Genoa Township office collected 86# of pills and 90# of sharps. This was our biggest collection ever. The last collection on Sept. 28, we collected 1# of pills and 5# of sharps. We need to do better. We need to keep educating the community. The Township newsletter is more important than ever. The Big Red Barrel will help with this expense. We can provide a permanent barrel during business hours at the township if you choose. It would be bolted to the ground and no one could remove anything from this barrel. We would like to permanently get that Big Red Barrel here.

Undersheriff Jeff Warder was then introduced. Warder – Thank you for your partnership of many years. 5,500# to 6,000# are collected on a yearly basis with your help. I applaud this board. Please continue the program. In 2019 there were 52 overdoses of prescription drugs and 22 opioid overdoses. In 2020 there were 318 overdoses and 21 fatalities. As of August 2021 there were 206 overdoses and 15 fatalities. The problem is getting worse and is very serious. This is an awesome program and we can't do this alone. We need your partnership.

Bill Rogers – I apologize for all of you having to take the time out though I appreciate it. This conversation and just like things start to move down the road was a simple question on my part to reach out to Don, find out if after the last couple rounds, is it worth it. It was not to close anything down but to make sure that you were still comfortable. I wanted clarity with you that it was a viable option for you. Don Root – On behalf of the Big Red Barrel, just being here and educating the public is worth our time. Rogers - getting the word out there on our website and contacting WHMI to put it on their calendar is important. I appreciate that people say use your tax bills. We find that the newsletters are still folded up inside so residents are not using it. Don - Even if no pills are brought in we are educating our residents and making them aware by coming here this evening and asking to continue with using your office.

Hunt – On that note, I questioned it too – that the numbers were down. I do appreciate the program and you guys are doing a wonderful job and I think the key is getting the word out there. We have some very high traffic days here and I am wondering if you guys have signs to put out for those dates. Tax-day is Sept. 14<sup>th</sup> in addition there are soccer games, we can use our face book page, and twitter feed. There are thousands of people here at the township and those times would be perfect. We can get that information out for you and your signs would be great.

#### **4. Presentation of the Audit Report for the fiscal year ending March 31, 2021 by Ken Palka of Pfeffer, Hanniford and Palka Certified Public Accountants.**

Palka – The Township is in good financial condition. If there are no question I would like a motion of the board to receive the report. *Note – Mr. Palka reviewed the audit with each member of the board prior to this meeting.*

Moved by Hunt and supported by Mortensen to receive the audit report dated Sept. 9, 2021. The motion carried unanimously.

**5. Consideration of request for approval and adoption of Ordinance Number Z-21-01 regarding Zoning Ordinance Text Amendments to Article 11 entitled “General Provisions” and Article 25 entitled “Definitions” as provided by Kelly VanMarter.**

Kelly VanMarter provided an overview of the changes to the Ordinance number Z-21-01. (*Note: The amendments and changes to the Zoning Ordinance may be seen on line under the Oct. 4, 2021 regular meeting of the board.*)

Moved by Hunt and supported by Skolarus to approve and adopt Ordinance Number Z-21-01 amending Articles 11 and 25 of the Zoning Ordinance in regard to General Provisions and Definitions. The motion carried by roll call vote as follows: Ayes – Ledford, Croft, Hunt, Lowe, Mortensen, Skolarus and Rogers. Nays – None.

**6. Consideration of an approval recommendation for a proposed amendment to the Lorentzen Planned Unit Development (PUD) agreement with corresponding environmental impact assessment dated June 11, 2021 and site plan dated August 24, 2021 for a proposed drive-through Lefty’s Cheesesteak restaurant located at 4173 E. Grand River, Howell. The request is petitioned by Howell Grand Plaza LLC. (Reference is made to Kelly VanMarter’s memorandum of Sept. 29, 2021.)**

Moved by Hunt and supported by Lowe to approve the amendment to the **Planned Unit Development Agreement** with the following conditions:

1. The comments provided by Kelly VanMarter in the marked-up version of the agreement included in this evenings packet shall be incorporated and the agreement shall be reviewed and approved by the Township attorney prior to issuance of any land use permits for the use.
2. The deviation waiving the requirement for two (2) longer RV parking spaces shall be added to the agreement.
3. Once fully approved and executed, the petitioner will record the document with the Livingston County Register of Deeds and a copy of the recorded Agreement shall be provided to the Township prior to issuance of a Certificate of Occupancy.

And, to approve the **Environmental Impact Assessment** with the following conditions:

1. A narrative shall be added to Item E. about the “fast casual” nature of the proposed use with a description of the percentage of drive-through customers. A justification for the reduction in the amount of required stacking spaces shall be provided in addition to a description of how drive-through stacking will be managed operationally by the tenant.
2. The corporate brochure that was presented to the Planning Commission showing the mixture of indoor sales vs. drive-through sales shall be included as an attachment to the assessment.
3. The revised assessment shall be provided to Township staff prior to issuance of a land use permit.

And, to approve the **Site Plan** with the following conditions:



1. Any landscaping that is missing or in poor condition shall be replaced to ensure compliance with the approved landscaping plan for the site.
2. Additional signage should be used near the entrance and at the east end of the parking lot to direct people around the building and to the drive-through.
3. The applicant shall work with Township staff to determine if any additional REU capacity fees will be necessary for this new use. Any required fees must be paid at the time of land use permit issuance.
4. The requirements contained within the Fire Department letter dated September 2, 2021 shall be complied with.

The motion carried unanimously.

**7. Consideration of an approval recommendation for a proposed amendment to the Grand River/Lawson Planned Unit Development (PUD) agreement with corresponding environmental impact assessment dated August 25, 2021 and site plan dated August 24, 2021 to allow for a drive-through car wash. The proposed project is located on the vacant northeast corner of Grand River and Lawson Drive including parcels 4711-09-200-039, 040, and 041. The request is petitioned by ROC Wash Holdings, LLC. (Reference is made to Kelly VanMarter's memorandum of Sept. 29, 2021.)**

Moved by Lowe and supported by Croft to approve the amendment to the **Planned Unit Development Agreement** with the following conditions:

1. The revisions suggested by the Township Attorney shall be incorporated and the agreement shall be reviewed and approved by the Township attorney prior to issuance of any land use permits for the use.
2. Once fully approved and executed, the petitioner will record the document with the Livingston County Register of Deeds and a copy of the recorded Agreement shall be provided to the Township prior to issuance of a Certificate of Occupancy.

And, to approve the **Environmental Impact Assessment** as submitted.

And, to approve the **Site Plan** with the following conditions:

1. The drive-through bypass lane shall be defined with concrete curb or the entire lane between the curb dub down and parking lot shall be constructed of asphalt to eliminate confusion regarding what is sidewalk and what is drive aisle.
2. The Township engineer shall review the revised plans to determine compliance with the requirements of their letter dated September 2, 2021 before issuance of a land use permit.

The motion carried unanimously.

**8. Request to authorize the Township Manager to execute a contract with Dunnigan Brothers in the amount of \$26,128.00 for the paving of State Street between Dillon and Seventh.**

Moved by Hunt and supported by Lowe to authorize the paving of State Street between Dillon and Seventh in the amount of \$26,128.00. The motion carried unanimously.

**9. Request to enter into closed session to discuss Attorney Client communication pursuant to 15.268(h). Further, to discuss trial strategy in the case of CHI vs. Genoa Township (Case No. 21-cv-11303) and Genoa Township vs CHI (Case No. 21-31255-CZ) pursuant to ACL 15.268(e).**

Moved by Lowe and supported by Skolarus to enter into closed session at 7:42 p.m. as requested. The motion carried by roll call vote as follows: Ayes – Ledford, Croft, Hunt, Lowe, Mortensen, Skolarus and Rogers. Nays – None.

The regular Meeting of the Board was resumed at 8:24 p.m.

Moved by Skolarus and supported by Lowe to continue negotiations with MiSignal to get broadband to unserved and under-served areas of the township. The motion carried unanimously.

Correspondence: There was no correspondence.

Member Discussion:

Skolarus – About Don Root being here, I had a meeting with Robin and Bill on Sept 13<sup>th</sup> and I understood that they decided to discontinue the Big Red Barrel after the fall collection dates. Hunt said I wanted to discontinue it but Bill said let’s see how the next one goes. Skolarus – I again mentioned the Meeting of Sept. 13, 2021 where we discussed the poor turnout and told Don Root about the possible cancellation after the next collection.

Archinal – The access lane to the township is now complete. The paving of State Street was a good deal for the Township. The City of Brighton was redoing their roads and damage was done to State Street. 1 ½” of asphalt will be added to correct the problem. The cost may be a little more than what was approved.

Moved by Ledford and supported by Croft to adjourn the Regular Meeting of the Genoa Charter Township Board at 8:28 p.m. The motion carried unanimously.



Paulette A. Skolarus, Clerk  
Genoa Charter Township Board

Bill Rogers, Supervisor  
Genoa Charter Township Board

# Vantage Construction Company

Custom Builders and Residential Remodelers

P.O. Box 179  
Brighton, Michigan 48116  
Phone 810-220-8060

## Change Order

Page No. 1 of 1 Pages

To: Genoa Charter Township/ Mike Archinal Twp mgr.  
2911 Dorr Road  
Brighton, MI 48116

Job Name/	
Number:	<u>Pavillion number 2</u>
Location:	<u>Brighton, MI</u>
Email:	
Phone:	
Date:	<u>8-Oct-21</u>
Fax:	<u>n/a</u>

We hereby submit scope of work and estimate for:

The change in project costs have added \$5,890.

The adjusted contract is now:

Fouty Five Thousand Seven Hundred Eighty

| \$ 45,780 |

Payable as follows:

Full payment after project is completed.

All material is guaranteed to be as specified. All materials and workmanship is guaranteed for a period of 1 year. All work to be completed in a workmanlike manner according to standard industry practices. Any alterations or deviation from above proposal involving extra costs will be executed only upon written orders and will become a change order over and above the estimated price quoted herein. All agreements contingent upon strikes, accidents or other delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized

Signature

BRIAN K. PARSONS

Title: President

Note: This Proposal may be withdrawn by us if not accepted within 14 days.

ACCEPTANCE OF PROPOSAL - The Price, scope and conditions as outlined herein are satisfactory and are hereby accepted.

You are authorized to do the work as outlined herein. Payment will be made as outlined above.

Signature Mr. \_\_\_\_\_ Date \_\_\_\_\_

Position \_\_\_\_\_



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

## MEMORANDUM

**TO:** Honorable Board of Trustees  
**FROM:** Kelly VanMarter, Assistant Manager/Community Development Director  
**DATE:** October 13, 2021  
**RE:** Birkenstock Climate Controlled Storage – Amended Landscape Plan

**MANAGER’S REVIEW:** 

Attached please find the project case file requesting approval of an amendment to the approved Final PUD Site Plan (Landscape Plan) for the indoor climate-controlled storage building project within the Birkenstock Planned Industrial Development. The site is located at 2600 Harte Drive on the south side of Grand River, east of Euler Road. The original approval was granted by this Board on November 18, 2019.

The changes requested to the approved plan include shrub species changes, removal of shrub plantings, and size changes for canopy trees. The areas impacted are the east, west, and south buffer zones, as well as both detention ponds. Procedurally, as an amendment to an approved final PUD site plan, the Planning Commission is to make a recommendation to the Township Board who has the final review/approval authority over the proposal.

At the September 13, 2021 meeting the Planning Commission recommended partial approval of the request to allow the size reduction of the canopy trees from 2.5” caliper to 1.75” caliper based on the applicants claim that there is a lack of available inventory. The Planning Commission chose to defer the determination regarding reducing or replacing the shrubs until after the rest of the landscaping is installed. The consensus of the Commission was to require installation of all the trees and those shrubs not requested to be revised or eliminated to allow staff and the Commission to re-review the request.

Based on the action of the Planning Commission I suggest Board consideration of the following action:

AMENDED FINAL PUD LANDSCAPE PLAN

**Moved by \_\_\_\_\_, Supported by \_\_\_\_\_, to PARTIALLY APPROVE the amendments to the Final PUD Landscaping Plan for the Birkenstock Climate Controlled Indoor Storage Project with the following conditions:**

**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Jean W. Ledford  
 H. James Mortensen  
 Terry Croft  
 Diana Lowe

**MANAGER**

Michael C. Archinal

October 13, 2021

**Birkenstock PID Climate Controlled Indoor Storage – Landscaping Amendments**

Page 2 of 2

1. The required minimum caliper size of the canopy trees on the approved plan can be reduced to not less than 1.75 inches in response to inventory shortages.
2. The remaining revisions to the number and type of shrubs is deferred until after the rest of the landscape plan has been completed. Once the partial landscape plan is implemented, Township staff and the Planning Commission shall make a recommendation whether the modified landscape plan meets the goals and intent of the ordinance for final consideration by the Township Board.

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

Sincerely,



Kelly VanMarter

Assistant Township Manager/Community Development Director



**GENOA CHARTER TOWNSHIP**  
**Application for Site Plan Review**

**TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:**

**APPLICANT NAME & ADDRESS:** James Harte 11704 Weiman Dr., Pinckney, MI 48169  
*If applicant is not the owner, a letter of Authorization from Property Owner is needed.*

**OWNER'S NAME & ADDRESS:**

**SITE ADDRESS: PARCEL #(s):** 2600 Harte Dr. / Parcel # 4711-13-300-058

**APPLICANT PHONE:** (810) 499-7144

**OWNER PHONE:** (810) 499 7144

**OWNER EMAIL:** birkenstockconstructionllc@gmail.com

**LOCATION AND BRIEF DESCRIPTION OF SITE:** 2600 Harte Dr.

Approximately 5 acres surrounding the new building: Harte Storage.

**BRIEF STATEMENT OF PROPOSED USE:**

70,000 sq.ft. of Climate Controlled Self Storage Building ( one building)

**Waiver Requested:**

\*\*\*Regarding Landscaping- Section 12.02.13 in site development regulations.- A) Existing natural vegetation. B) Topography.

As building continues and working onsite daily, it has become apparent, anything between our outside curb line and a 7-10ft slope between the properties will be very hard if not impossible to maintain decorative foliage. The slope itself will act as a noise buffer for our neighbors. Planting grass, smaller trees and plants will not only increase the aesthetics of the slope for our neighbors, but also allow the birds to move back in.

**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:** James Harte


**ADDRESS:** \_\_\_ 11704 Weiman Dr. Pinckney, MI. 48169

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

1.) \_\_\_\_\_ of \_\_\_\_\_ at \_\_\_\_\_  
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:  DATE: 8/25/21  
PRINT NAME: JAMES HANTZ PHONE: 810 499 7144  
ADDRESS: 11704 WEINMAN AVENUE MI 48169

trash that is generated by the business. She advised she can provide the Township with the specifications for the compactor. This will significantly decrease their amount of trash truck traffic.

The call to the public was made at 8:58 pm with no response.

**Moved** by Commissioner McCreary, seconded by Commissioner Dhaenens, to approve the sketch plan for The Salvation Army located at 7000 Grand River Avenue for the installation of a new trash compactor and removal of the existing waste receptacle enclosure, conditioned upon the following:

- The parking space located at the door will remain available for use
- The overhead door shall remain closed when the compactor is not being serviced.
- The requirements of the Brighton Area Fire Authority's letter dated September 2, 2021 shall be met.

**The motion carried unanimously.**

**OPEN PUBLIC HEARING #3...Review of an amendment to a site plan in regard to landscaping for the previously approved Birkenstock Planned Industrial Development agreement for a climate control self-storage building located at 2600 Harte Drive, Brighton. The request is petitioned by James Harte.**

**A. Recommendation of Site Plan Amendment.**

Mr. James Harte stated that landscaping supplies are difficult to obtain right now because of COVID and he is not going to be able to get those required by the approval. He is requesting that the number and size of the plantings be reduced so that they can be installed this season. He noted that the trees on the adjacent property are overgrown and block their view of his property.

Mr. Borden reviewed his letter dated September 8, 2021.

- The proposed landscape plan reduces the quantity and size of plantings required for the east, west, and south buffer zones, as well as both detention ponds.
- The proposed plan entails an overall reduction of 402 shrubs from the approved plan.
- All of the required canopy/deciduous trees are to be reduced in size from 2.5" (required) to 1.75"-2".
- The Planning Commission has the authority to waive or modify landscaping requirements, per Ordinance Section 12.02.13.

Mr. Borden noted that 290 of the 402 shrubs are around the detention ponds.

Commissioner Mortensen noted that the landscaping around the detention ponds are only able to be seen by people accessing the site and not the abutting neighbors. Commissioner McCreary agrees.



Ms. Byrne stated they have no issues related to this proposal.

Commissioner Dhaenens can compromise, but he is not in agreement with removing 402 plantings.

Chairman Grajek is in favor of allowing the reduction of the area around the ponds as long as grass is planted and is maintained. There is plenty of foliage around the perimeter of the site.

It was discussed to change the site's requirement from Buffer Zone B to Buffer Zone C as it is more similar to an office use than an industrial use. Additionally, after the site is developed and the requirements of Buffer Zone C are planted, Staff can review the site to determine what the final requirements would be.

The call to the public was made at 9:35 pm with no response.

**Moved** by Commissioner Mortensen, seconded by Commission McCreary, to recommend to the Township Board approval of the revised landscape plan for Birkenstock Enterprises as follows:

- Reduction in size of canopy and deciduous trees size from 2.5" to 1.75"-2"
- The Planning Commission recommends to the Board that approval for the remaining landscape plan for shrubs be deferred until Township Staff has had a chance to review and potentially change the quantity and location of shrubs depicted on the original plan.

**The motion carried all yes, but Jeff.**

The Planning Commission took a five-minutes recess from 9:38 to 9:43 pm.

**OPEN PUBLIC HEARING #4...**Review of an amendment to the previously approved Lorentzen Planned Unit Development, site plan and impact assessment for a proposed drive-through restaurant located at 4207 E. Grand River, Howell. The request is petitioned by Howell Grand Plaza LLC.

- A. Recommendation of PUD Amendment.
- B. Recommendation of Environmental Impact Assessment. (6-11-21)
- C. Recommendation of Site Plan. (8-24-21)

Mr. Eric Williams of Stonefield Engineer and Design Matt Burke, the property manager, were present.

Mr. Williams stated they are proposing to fill one of the vacant units with a drive through restaurant, Lefty's Cheesesteak. They are asking for relief for two items; one is for the drive through and the other is for the parking requirements. He explained the process of determining parking requirements for this use, in this location, and the needs of the other uses in the building and why they are requesting the deviation.

**GENOA CHARTER TOWNSHIP BOARD**  
**Regular Meeting and Public Hearing**  
**November 18, 2019**

**MINUTES**

Supervisor Rogers called the Regular Meeting of the Genoa Charter Township Board to order at 6:30 p.m. at the Township Hall with the Pledge of Allegiance. The following members were present constituting a quorum for the transaction of business: Bill Rogers, Paulette Skolarus, Robin Hunt, Terry Croft, Jim Mortensen and Diana Lowe. Also present were Township Manager Michael Archinal and six persons in the audience.

A Call to the Public was made with no response.

**Approval of Consent Agenda:**

Moved by Skolarus and supported by Lowe to approve all items listed under the Consent Agenda, correcting the Minutes of Nov. 4<sup>th</sup> page 1 the last paragraph - deleting "Skolarus" and inserting "Rogers". The motion carried unanimously.

**1. Payment of Bills.**

**2. Request to Approve Minutes: November 4, 2019**

**3. Request Board approval to adjust the Refuse Special Assessment Roll, #X0012, and to adjust the 2019 winter tax roll accordingly for parcel #4711-02-301-062 & parcel #4711-34-402-005.**

**Approval of Regular Agenda:**

Moved by Lowe and supported by Mortensen to approve for action all items listed under the Regular Agenda. The motion carried unanimously.

**4. Consideration of a recommendation for approval of a final PUD agreement, environmental impact assessment, and final PUD site plan for a proposed planned industrial development (PID) with a new 67,000 sq. ft. indoor climate controlled storage building. The proposed project is located at 2528 Harte Drive, Brighton consisting of 10.62 acres on parcel 4711-13-300-009. The request is petitioned by James Pappas of Fusco, Shaffer and Pappas, Inc.**

**A. Disposition of PUD Agreement**

Moved by Lowe and supported by Hunt to approve the Final PUD Agreement for the Planned Industrial Development (PID) and new climate controlled storage on parcel 4711-13-300-009 provided the Township Attorney review and approve the agreement prior to execution and that the final executed document be recorded with the Register of Deeds office. This approval is granted because the Board has found that the project complies with the standards of Section 10.08 of the Township Ordinance. The motion carried unanimously.

**B. Disposition of Impact Assessment (10-01-19)**

Moved by Hunt and supported by Lowe to approve the Impact Assessment dated October 1, 2019 for the Planned Industrial Development (PID) and the new indoor climate controlled storage on parcel 4711-13-300-009. The motion carried unanimously.

**C. Disposition of Final PUD Site Plan (10-25-19)**

Moved by Skolarus and supported by Lowe to approve the Final PUD Site Plan dated October 25, 2019 for the Planned Industrial Development (PID) and new indoor climate controlled storage on parcel 4711-13-300-009 with the following conditions:

- 1.) The water main and sanitary sewer improvements will be public infrastructure and will require construction plan review and EGLE permitting through MHOG. The construction plans should include the proposed utilities in profile view and all structures, such as proposed hydrants, valves, and manholes should be clearly labeled with unique IDs.
- 2.) Utility Easements for the public infrastructure shall be provided prior to Certificate of Occupancy. The motion carried unanimously.

**5. Presentation and request for approval of 2020 Benefit Solutions from Human Resources Director Kim Lane.**

Lane – Health care will increase by 11.3% beginning Dec. 1, 2019. A copy of the benefit package is attached to the Minutes from this date for review. Moved by Mortensen and supported by Croft to approve the 2020 benefit package as requested. The motion carried unanimously.

**6. Request for approval of Resolution No. 191118A asking that the State of Michigan amend Election Law relative to a written request for absent voter ballots to a single request in a calendar year as requested by Skolarus.**

Ms. VanMarter stated that when she communicated with Home Depot she advised them that what they were proposing was not well received by the Planning Commission and suggested a more permanent delineated area be developed for these items.

Commissioner Grajek stated that the discussion being held this evening is the same that was had when the applicant was last before the Planning Commission. Mr. LaVanway stated the plans have changed, but perhaps they did not change enough. Commissioner Grajek appreciates the attempt made by Home Depot.

Commissioner Mortensen also appreciates the work done by Home Depot.

Chairman Brown would have liked the applicant to have met with staff and attended tonight's meeting.

Commissioner Grajek agrees that the storage next to the building on the sidewalk could be permitted; however, he is not in favor of the areas that are proposed to be in the middle of the parking lot nor the location of the sheds.

Commissioner Rauch suggested installing a greenbelt area that could screen the seasonal and shed displays and possibly even the equipment.

The call to the public was made at 7:28 pm with no response.

**Moved** by Commissioner Mortensen, seconded by Commissioner Rauch, to table the request for a special use application, environmental impact assessment, and site plan for outdoor sales, storage and display for Home Depot until the December 9, 2019 Planning Commission meeting. **The motion carried unanimously.**

NEW BUSINESS:

**OPEN PUBLIC HEARING #2...**Review of a site plan application, PUD application, PUD agreement, environmental impact assessment, and final site plan for a proposed planned industrial development with a new 67,000 sq. ft. indoor climate controlled storage building. The proposed project is located at 2528 Harte Drive, Brighton consisting of 10.62 acres on parcel 4711-13-300-009. The request is petitioned by James Pappas of Fusco, Shaffer and Pappas, Inc.

- A. Recommendation of PUD Agreement
- B. Recommendation of Impact Assessment (10-1-2019)
- C. Recommendation of Final Site Plan (10-25-19)

Mr. Jim Hart, the owner, and Mr. Jim Pappas, the architect, were present.

Mr. Pappas stated that they have addressed the concerns from the Township consultants.

Mr. Borden stated they have addressed all of his previous concerns.

Mr. Markstrom's letter of November 4 states that all of his previous concerns have been addressed.

The Brighton Area Fire Authority's letter dated October 30 states that all of their previous concerns have been addressed.

Commissioner Rauch commended the applicant for their work on this project. He appreciates the high-quality architecture that was done for this type of use, despite the fact that it is in a location far from a major roadway. Ms. VanMarter agrees.. She stated this is the most well-prepared project that she has seen come before the Township in a very long time.

The call to the public was made at 7:42 pm with no response.

**Moved** by Commissioner Mortensen, seconded by Commissioner Rauch, to recommend to the Township Board approval of the PUD Agreement for an indoor climate-controlled storage building on the Birkenstock property, subject to the following:

- Final review of the PUD Agreement by the Township attorney.
- In making this recommendation, the Planning Commission finds that this Agreement is an appropriate use of this piece of property and will lead to a high-quality development compatible with neighboring properties.

**The motion carried unanimously.**

**Moved** by Commissioner Mortensen, seconded by Commissioner Grajek, to recommend to the Township Board approval of the Impact Assessment dated October 1, 2019 for an indoor climate-controlled storage building on the Birkenstock property. **The motion carried unanimously.**

**Moved** by Commissioner Mortensen, seconded by Commissioner McCreary, to recommend to the Township Board, approval of the Final Site Plan dated October 25, 2019 for an indoor climate-controlled storage building on the Birkenstock property, subject to the following:

- The requirements spelled out in the Township Engineer's letter dated November 4, 2019 and the Brighton Area Fire Authority's letter dated October 30, 2019 will be met.

**The motion carried unanimously.**

**OPEN PUBLIC HEARING #3...**Review of a special use, sketch plan, and environmental impact assessment for a proposed indoor recreation use for the addition of golf simulators in the former Burrough's Roadhouse restaurant located on the north side of Brighton Road at 5311 Brighton Road, Brighton. This request is petitioned by Andrew Lerch and Kevin Johnson.

- A. Recommendation of Special Use Application
  1. Recommendation of Special Use Setback Variance to the ZBA
- B. Recommendation of Environmental Impact Assessment (10-21-19)

September 8, 2021

Planning Commission  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

<b>Attention:</b>	Kelly Van Marter, AICP Planning Director and Assistant Township Manager
<b>Subject:</b>	Birkenstock Enterprises – Amended landscape plan (Review #1)
<b>Location:</b>	2528 Harte Drive – south side of Grand River, between Euler Road and Genoa Business Park Drive
<b>Zoning:</b>	PID Planned Industrial District

Dear Commissioners:

At the Township’s request, we have reviewed the amended landscape plan for the Birkenstock PID project.

**A. Summary**

1. The proposed landscape plan reduces the quantity and size of plantings required for the east, west, and south buffer zones, as well as both detention ponds.
2. The proposed plan entails an overall reduction of 402 shrubs from the approved plan.
3. All of the required canopy/deciduous trees are to be reduced in size from 2.5” (required) to 1.75”-2”.
4. Planning Commission has the authority to waive or modify landscaping requirements, per 12.02.13.

**B. Proposal/Process**

The applicant seeks to amend the landscape for their PID project, which was approved in 2019.

The project includes the removal of several plantings, and species or size changes for others. The areas impacted are the east, west, and south buffer zones, as well both detention ponds.

As an amendment to an approved final PUD site plan, the Planning Commission is to review the request and put forth a recommendation to the Township Board, who has the final approval authority.



*Aerial view of site and surroundings (looking east)*

**C. Landscape Plan Review**

The following table is a summary of the landscape changes proposed:

Location	Planting Requirement	Approved Plan	Proposal	Summary
Buffer Zone B (E)	40 canopy trees 40 evergreen trees 160 shrubs	40 canopy trees 40 evergreen trees 160 shrubs	40 canopy trees 40 evergreen trees 121 shrubs	Removal of 39 shrubs Reduction in size of deciduous trees
Buffer Zone B (W)	44 canopy trees 44 evergreen trees 176 shrubs	44 canopy trees 44 evergreen trees 176 shrubs	44 canopy trees 44 evergreen trees 92 shrubs	Removal of 84 shrubs Reduction in size of canopy trees Replacement species for 2 types of shrubs
Buffer Zone B (S)	20 canopy trees 20 evergreen trees 80 shrubs	20 canopy trees 20 canopy trees 80 shrubs	20 canopy trees 20 evergreen trees 91 shrubs	Removal of 47 shrubs Inclusion of 58 shrubs Reduction in size of canopy trees Replacement species for 2 types of shrubs
Detention Pond #1	18 trees 180 shrubs	18 trees 180 shrubs	18 trees	Removal of 180 shrubs Reduction in size of deciduous trees
Detention Pond #2	11 trees 110 shrubs	11 trees 110 shrubs	11 trees	Removal of 110 shrubs Reduction in size of deciduous trees

The proposed plan entails an overall reduction of 402 shrubs from the approved landscape plan.

Additionally, all of the deciduous trees are to be reduced in size to 1.75"-2", whereas 2.5" minimum is required for canopy trees.

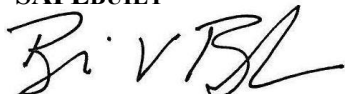
The applicant's rationale for the proposed reduction in plantings (as well as tree sizes) is that they will be difficult to maintain.

Section 12.02.13 gives the Planning Commission the authority to waive or modify landscaping requirements in the presence of certain site conditions (outlined in the Ordinance).

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

Respectfully,

**SAFE BUILT**



Brian V. Borden, AICP  
Michigan Planning Manager

September 2, 2021

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

**Re: Birkenstock Landscaping Amendment  
Site Plan Review No. 1**

Dear Mrs. Van Marter:


Tetra Tech conducted a review of the proposed Birkenstock Landscaping Amendment received August 26, 2021. The Landscaping plan was submitted by James Harte and proposed to amend the original landscaping plan that was previously approved. The site is still in construction and the Petitioner is proposing to remove some of the proposed plants and change others to a smaller variety. No other site improvements are proposed.

After reviewing the amended landscaping plan and application we have no engineering related concerns to the proposed changes. Please call or email if you have any questions.

Sincerely,

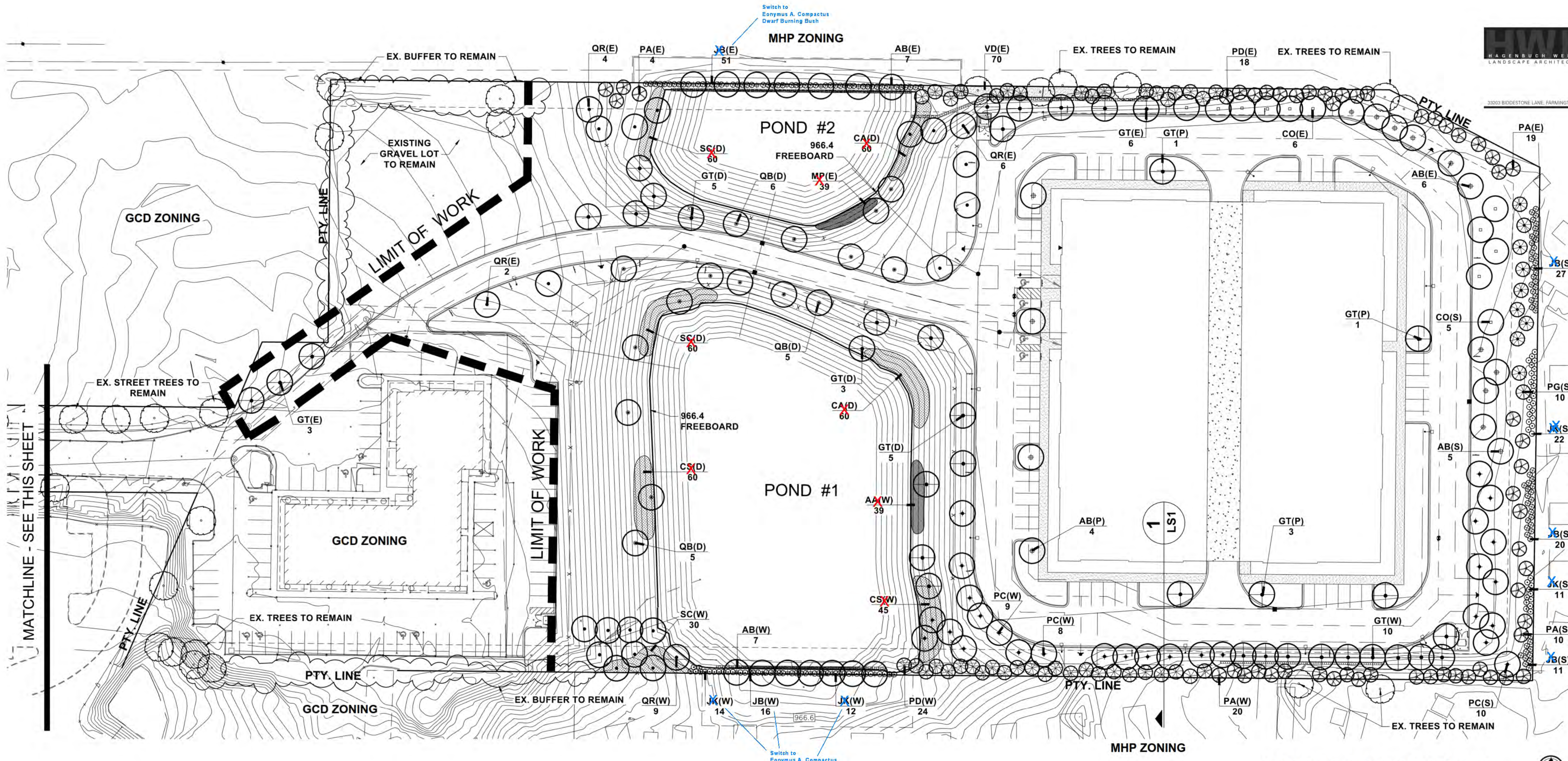
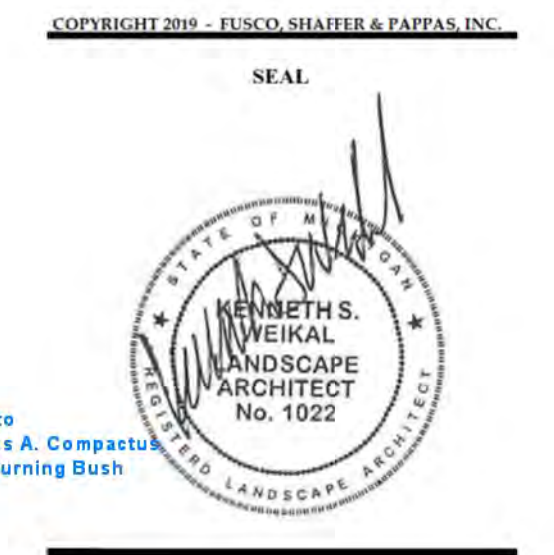


Gary J. Markstrom, P.E.  
Vice President



Shelby Byrne  
Project Engineer

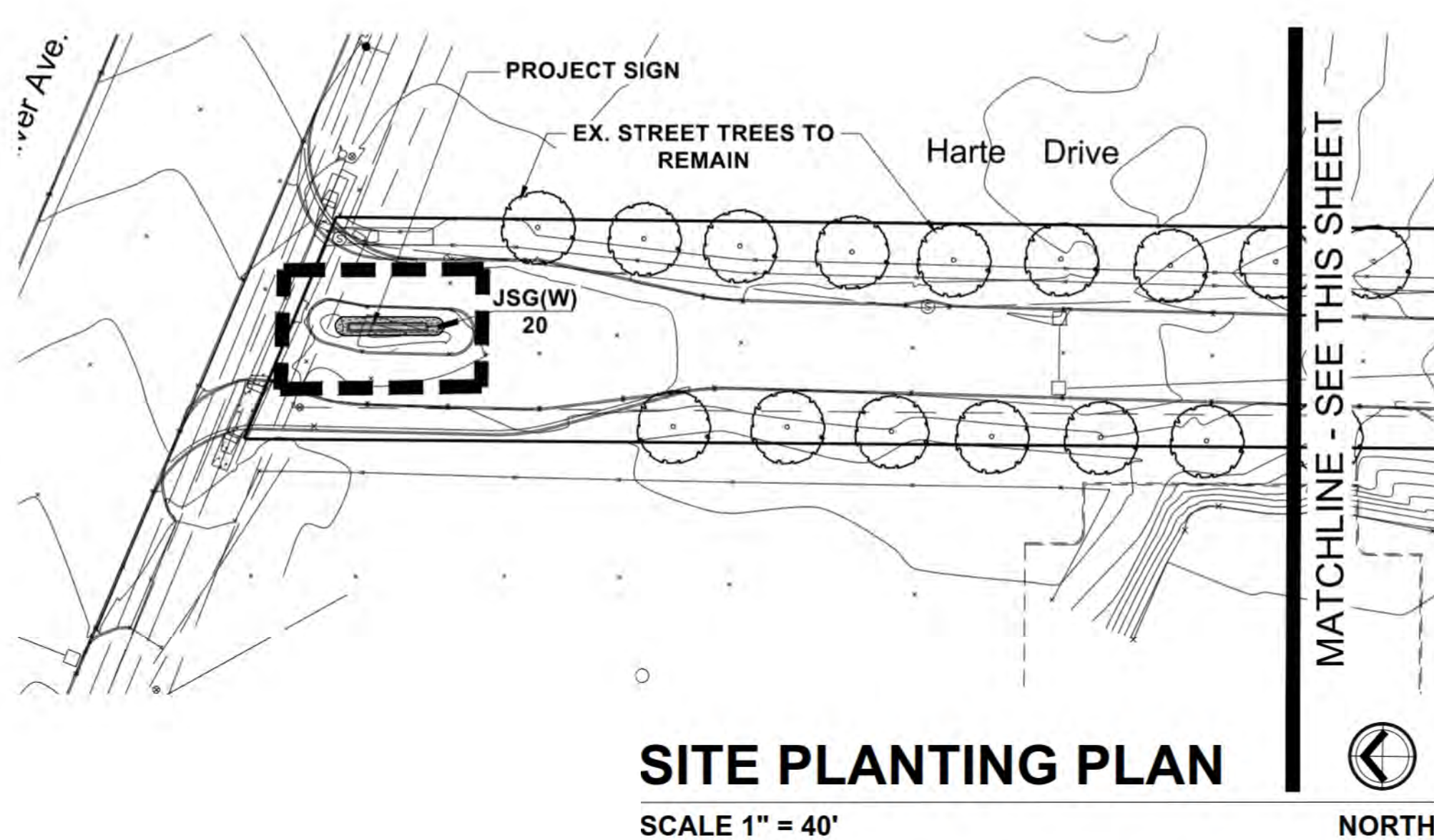




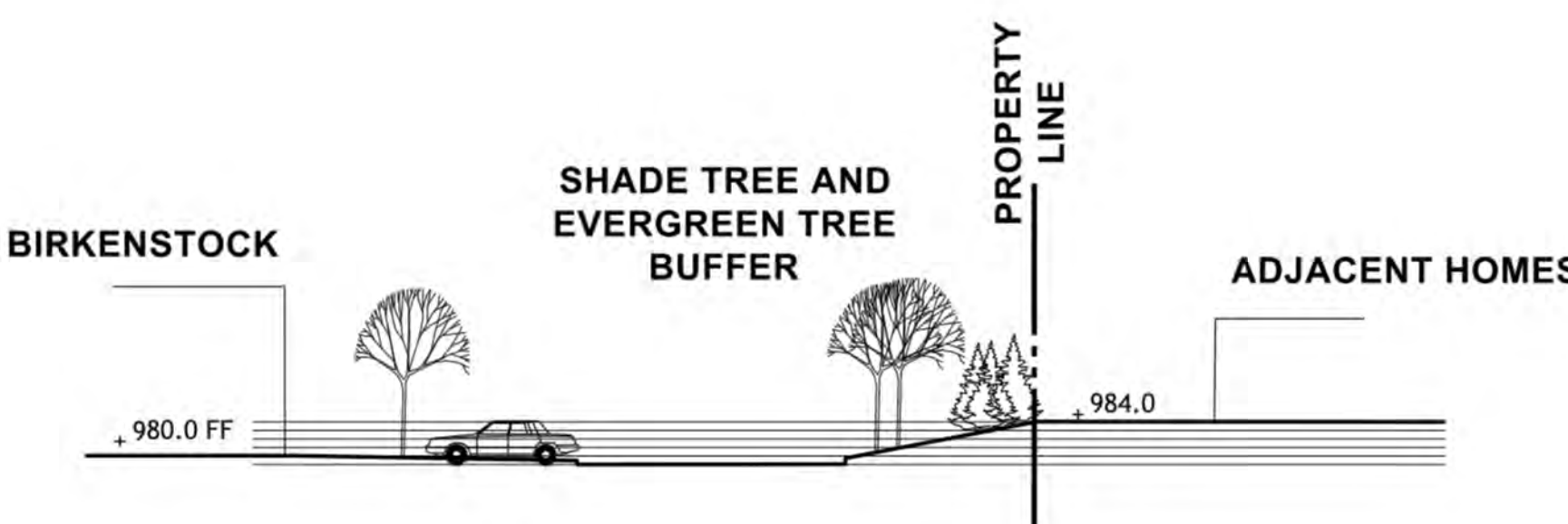
**SITE PLANTING PLAN**  
SCALE 1" = 40'  
NORTH

**X = Remove from Plan / No Replacement**  
**Beds will be eliminated and turf grass installed**

**X = Sub for Plants Variety Same Qty**



**SITE PLANTING PLAN**  
SCALE 1" = 40'  
NORTH



**1 WEST PROPERTY LINE BUFFER - SECTION 1**  
SCALE 1" = 20'-0"

- PLANT MIX**
- ALL PLANTING/ PERENNIAL BEDS TO RECEIVE:
- (1) 6 CU FT. ORGANIC COMPOST
  - (1) 40LB BAG COMPOSTED POULTRY MANURE "CHICK MAGIC" 5-3-2 WWW.CHICKMAGIC.NET (267)495-6220
  - (1) 5 LB BAG SHERMANS 13-13-13 MULTI PURPOSE FERTILIZER
- PER 150 SQ FT BED AREA.
- HAND TILL INTO SOIL TO A DEPTH OF 12" MINIMUM
- LAWNS**  
NON-IRRIGATED SEED LAWN - ALL DISTURBED AREAS
- MULCH**  
MULCH IS DOUBLE SHREDDED HARDWOOD BARK MULCH  
NO GROUND WOOD PALLETT MULCH PERMITTED
- PLANTING KEY:**
- TREE SYMBOL
  - TREE TYPE KEY
  - PLANT LIST-SEE SHEET LS-002
  - PLANTING DETAILS-SEE SHEET LS-002
  - QUANTITY

- GENERAL PLANTING NOTES:**
- ALL TREES TO HAVE CLAY OR LOAM BALLS, TREES WITH SAND BALLS **WILL BE REJECTED**
  - ALL SINGLE STEM SHADE TREES TO HAVE STRAIGHT TRUNKS AND SYMMETRICAL CROWNS.
  - ALL SINGLE TRUNK SHADE TREES TO HAVE A CENTRAL LEADER, TREES WITH FORKED OR IRREGULAR TRUNKS **WILL NOT BE ACCEPTED**.
  - ALL MULTI-STEM TREES SHALL BE HEAVILY BRANCHED AND HAVE SYMMETRICAL CROWNS. ONE SIDED TREES OR THOSE WITH THIN OR OPEN CROWNS SHALL **NOT BE ACCEPTED**.
  - ALL EVERGREEN TREES SHALL BE HEAVILY BRANCHED AND FULL TO THE GROUND, SYMMETRICAL IN SHAPE AND NOT SHEARED FOR THE LAST FIVE GROWING SEASONS.
  - NO MACHINERY IS TO BE USED WITHIN THE DRIPLINE OF EXISTING TREES. HAND GRADE ALL LAWN AREAS WITHIN DRIPLINE OF EXISTING TREES.
  - ALL TREE LOCATIONS SHALL BE STAKED BY LANDSCAPE CONTRACTOR AND ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF THE PLANT MATERIAL.
  - IT IS MANDATORY THAT POSITIVE DRAINAGE IS PROVIDED AWAY FROM ALL BUILDINGS, WALKS AND PAVED AREAS.
  - ALL PLANTING BEDS SHALL RECEIVE SHREDDED BARK MULCH. SEE PLANTING DETAILS FOR DEPTH.
  - SEE SPECIFICATIONS FOR ADDITIONAL COMMENTS, REQUIREMENTS, PLANTING PROCEDURES AND WARRANTY STANDARDS.
- PLANT BED PREPARATION**
- EXCAVATE PLANT BEDS TO DEPTH SHOWN ON DETAILS - DISPOSE OF SPOILS OFF SITE.
- ALL PLANT BEDS TO RECEIVE **CONTINUOUS** PLANT MIX AS SPECIFIED (NOT INDIVIDUAL PLANT PITS)
- PLANTING BEDS AND PLANT PITS TO RECEIVE:**  
A MIXTURE OF 70% LOAM TOPSOIL, 10% COMPOST, 20% SAND

11-15-2019	PERMIT
10-25-2019	FINAL PID RE-SUBMISSION
10-01-2019	FINAL PID SUBMISSION
02-22-2019	PID SITE RE-SUBMISSION
01-29-2019	PID SITE SUBMISSION
DATE	ISSUE

KEY PLAN

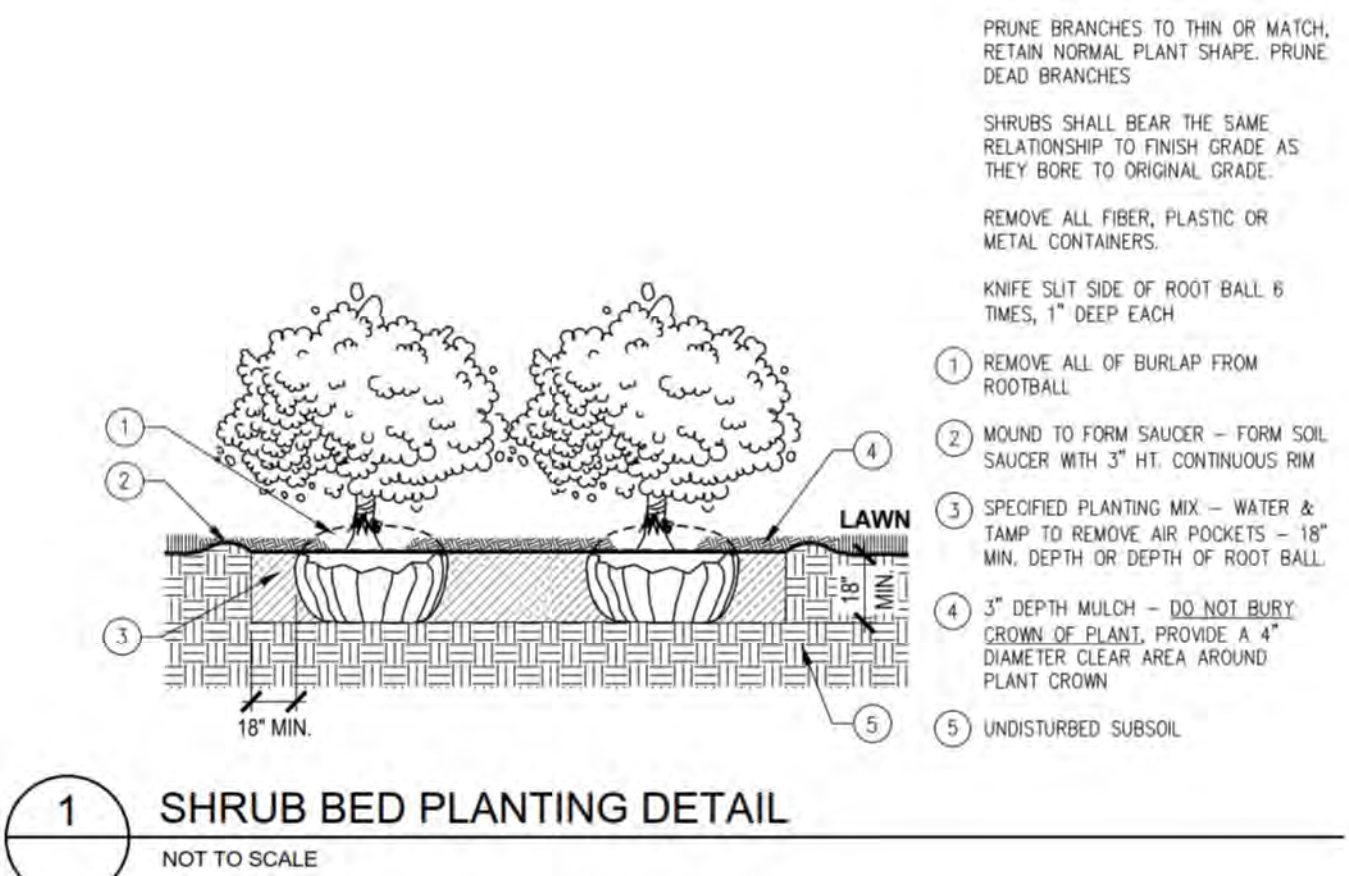
FSP PROJECT NO.  
HAR17.032

DRAWING TITLE  
SITE LANDSCAPE PLAN

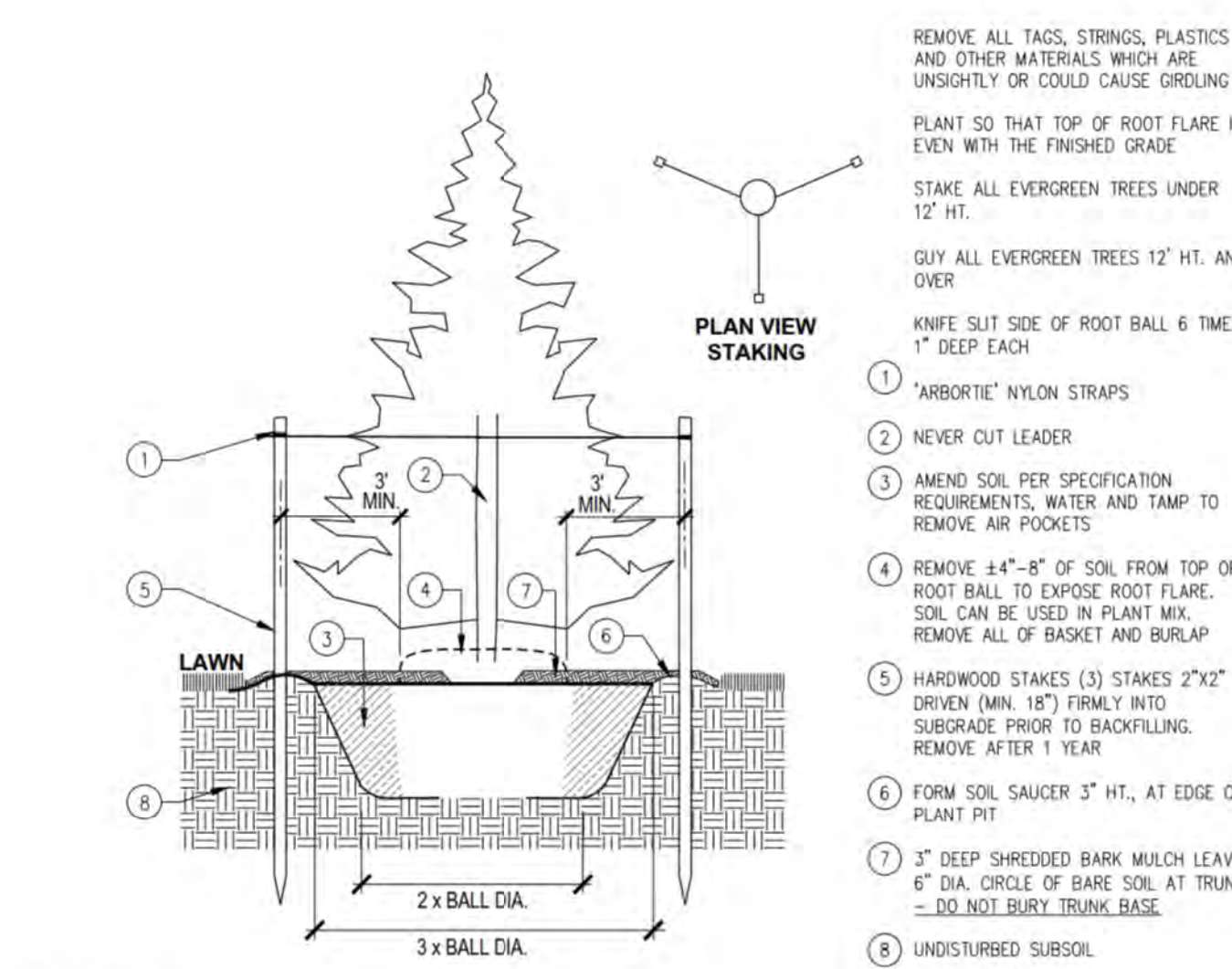
DRAWING NUMBER  
LS-001

**BIRKENSTOCK OFFICE / STORAGE BUILDING**

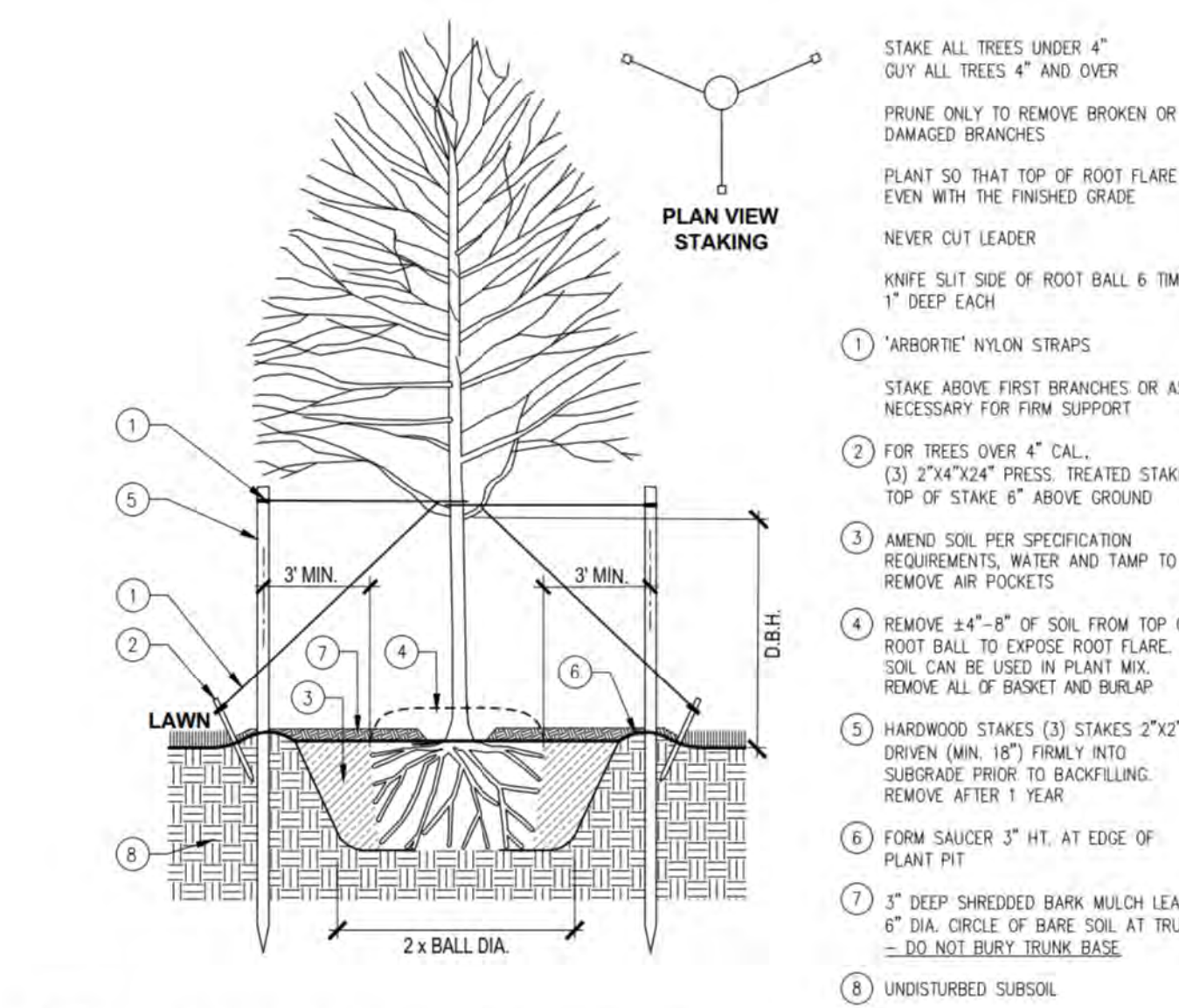
GENOA TOWNSHIP MICHIGAN



1 SHRUB BED PLANTING DETAIL  
NOT TO SCALE



2 EVERGREEN TREE PLANTING  
NOT TO SCALE



3 DECIDUOUS TREE PLANTING  
NOT TO SCALE

LANDSCAPE REQUIREMENTS

A. BUFFERS  
BUFFER TYPE B -  
GRC ZONING ADJACENT TO RESIDENTIAL MHP

EAST BUFFER (E) - 800 LF

	REQUIRED	PROVIDED
DECIDUOUS TREES	40	40
EVERGREEN TREES	40	40
SHRUBS	160	160

SOUTH BUFFER (S) - 388 LF

	REQUIRED	PROVIDED
DECIDUOUS TREES	20	20
EVERGREEN TREES	20	20
SHRUBS	80	80

*Eonymus A. Compactus*  
*Dwarf Burning Bush*

WEST BUFFER (W) - 870 LF

	REQUIRED	PROVIDED
DECIDUOUS TREES	44	44
EVERGREEN TREES	44	44
SHRUBS	176	176

B. PARKING (P) - 49 SPACES

	REQUIRED	PROVIDED
DECIDUOUS TREES	5	9

C. DETENTION (D) - POND #1 - 870 LF PERIMETER

	REQUIRED	PROVIDED
DECIDUOUS TREES	18	18
SHRUBS	180	180

DETENTION (D) - POND #2 - 520 LF PERIMETER

	REQUIRED	PROVIDED
DECIDUOUS TREES	11	11
SHRUBS	110	110

*Arrowood Viburnum*  
*Viburnum dentatum*  
*Eonymus A. Compactus*  
*Dwarf Burning Bush*

PLANT LIST - EAST BUFFER (E)

QUAN.	KEY	COMMON/ BOTANICAL NAME	SIZE	SPEC.
13	AB	Autumn Blaze Maple <i>Acer x. fremanii 'Autumn Blaze'</i>	1.75-2"	<del>2.5" Cal.</del> B&B
6	CO	Hackberry <i>Celtis occidentalis</i>	1.75-2"	<del>2.5" Cal.</del> B&B
9	GT	Thornless Honeylocust <i>Gleditsia 'Skyline'</i>	1.75-2"	<del>2.5" Cal.</del> B&B
12	QR	Northern Red Oak <i>Quercus rubra</i>	1.75-2"	<del>2.5" Cal.</del> B&B
22	PA	Norway Spruce <i>Picea Abies</i>		6' Ht. B&B
18	PD	Black Hills Spruce <i>Picea g. 'Densata'</i>		6' Ht. B&B
51	JD	<del>Brodie Red Cedar <i>J. virginiana 'Brodie'</i></del>	<del>4" Ht.</del>	<del>B&amp;B</del>
20	MD	<del>Bayberry <i>Myrica pensylvanica</i></del>	<del>24" Ht.</del>	<del>Cont.</del>
70	VD3	Arrowood Viburnum <i>Viburnum dentatum</i>	24" Ht.	Cont.

PLANT LIST - SOUTH BUFFER (S)

QUAN.	KEY	COMMON/ BOTANICAL NAME	SIZE	SPEC.
5	AB	Autumn Blaze Maple <i>Acer x. fremanii 'Autumn Blaze'</i>	1.75-2"	<del>2.5" Cal.</del> B&B
5	CO	Hackberry <i>Celtis occidentalis</i>	1.75-2"	<del>2.5" Cal.</del> B&B
0	GT	Thornless Honeylocust <i>Gleditsia 'Skyline'</i>	1.75-2"	<del>2.5" Cal.</del> B&B
10	PC	Columbia London Plane Tree <i>Platanus x. acerifolia 'Columbia'</i>	1.75-2"	<del>2.5" Cal.</del> B&B
10	PA	Norway Spruce <i>Picea Abies</i>		6' Ht. B&B
10	PG	White Spruce <i>Picea glauca</i>		6' Ht. B&B
33	JK	<del>Ketter Juniper <i>J. 'Ketterli'</i></del>	<del>4" Ht.</del>	<del>B&amp;B</del>
58	JD	<del>Brodie Red Cedar <i>J. virginiana 'Brodie'</i></del>	<del>4" Ht.</del>	<del>B&amp;B</del>

PLANT LIST - WEST BUFFER (W)

QUAN.	KEY	COMMON/ BOTANICAL NAME	SIZE	SPEC.
7	AB2	Autumn Blaze Maple <i>Acer x. fremanii 'Autumn Blaze'</i>	1.75-2"	<del>2.5" Cal.</del> B&B
10	GT	Thornless Honeylocust <i>Gleditsia 'Skyline'</i>	1.75-2"	<del>2.5" Cal.</del> B&B
18	PC	Columbia London Plane Tree <i>Platanus x. acerifolia 'Columbia'</i>	1.75-2"	<del>2.5" Cal.</del> B&B
9	QR	Northern Red Oak <i>Quercus rubra</i>	1.75-2"	<del>2.5" Cal.</del> B&B
20	PA	Norway Spruce <i>Picea Abies</i>		6' Ht. B&B
24	PD	Black Hills Spruce <i>Picea g. 'Densata'</i>		6' Ht. B&B
00	AA	<del>Red Chokeberry <i>Aronia arbutifolia 'Brilliantissima'</i></del>	<del>24" Ht.</del>	<del>Cont.</del>
40	CC	<del>Redtwig Dogwood <i>Cornus sericea</i></del>	<del>24" Ht.</del>	<del>Cont.</del>
26	JK	<del>Ketter Juniper <i>J. 'Ketterli'</i></del>	<del>4" Ht.</del>	<del>B&amp;B</del>
16	JD	<del>Brodie Red Cedar <i>J. virginiana 'Brodie'</i></del>	<del>4" Ht.</del>	<del>B&amp;B</del>
30	SC	Common Elderberry <i>Sambucus canadensis</i>	24" Ht.	Cont.
20	JSG	Sea Green Juniper <i>J. 'Sea Green'</i>	24" Spr.	Cont.

*Eonymus A. Compactus*  
*Dwarf Burning Bush*  
*Arrowood Viburnum*  
*Viburnum dentatum*

PLANT LIST - PARKING (P)

QUAN.	KEY	COMMON/ BOTANICAL NAME	SIZE	SPEC.
4	AB	Autumn Blaze Maple <i>Acer x. fremanii 'Autumn Blaze'</i>	1.75-2"	<del>2.5" Cal.</del> B&B
5	GT	Thornless Honeylocust <i>Gleditsia 'Skyline'</i>	1.75-2"	<del>2.5" Cal.</del> B&B

PLANT LIST - DETENTION POND #1 (D)

QUAN.	KEY	COMMON/ BOTANICAL NAME	SIZE	SPEC.
8	GT	Thornless Honeylocust <i>Gleditsia 'Skyline'</i>	1.75-2"	<del>2.5" Cal.</del> B&B
10	QB	Swamp White Oak <i>Quercus bicolor</i>	1.75-2"	<del>2.5" Cal.</del> B&B
00	CA	<del>Butternut <i>Cephalanthus occidentalis</i></del>	<del>24" Ht.</del>	<del>Cont.</del>
00	CC	<del>Redtwig Dogwood <i>Cornus sericea</i></del>	<del>24" Ht.</del>	<del>Cont.</del>
00	CC	<del>Common Elderberry <i>Sambucus canadensis</i></del>	<del>24" Ht.</del>	<del>Cont.</del>

PLANT LIST - DETENTION POND #2 (D)

QUAN.	KEY	COMMON/ BOTANICAL NAME	SIZE	SPEC.
5	GT	Thornless Honeylocust <i>Gleditsia 'Skyline'</i>	1.75-2"	<del>2.5" Cal.</del> B&B
6	QB	Swamp White Oak <i>Quercus bicolor</i>	1.75-2"	<del>2.5" Cal.</del> B&B
00	CA	<del>Butternut <i>Cephalanthus occidentalis</i></del>	<del>24" Ht.</del>	<del>Cont.</del>
50	CC	<del>Common Elderberry <i>Sambucus canadensis</i></del>	<del>24" Ht.</del>	<del>Cont.</del>

TOPSOIL

CONTRACTOR TO TILL OR DISK SUBGRADE TO 6" DEPTH AND INSTALL 4" COMPACTED DEPTH TOPSOIL IN ALL LAWN AREAS FROM ONSITE STOCKPILE OR PROVIDED TO COMPLETE PROJECT

LANDSCAPE EDGING

ALL LANDSCAPE EDGES ARE SHOVEL CUT

PLANT SPACING

FILL BED WITH PLANTS SPECIFIED. KEEP PLANTS AWAY FROM BUILDING 12" FROM MATURE SIZE.

IRRIGATION SYSTEM

UNDERGROUND AUTOMATIC IRRIGATION PLANS ARE PROVIDED - SEE SHEETS LS-501 TO LS-505

WATERING

CONTRACTOR RESPONSIBLE FOR MONITORING THE IRRIGATION SYSTEM AND WATERING OF ALL PLANTINGS AND NEWLY PLANTED LAWN AREAS FOR ONE YEAR FROM THE START OF THE WARRANTY PERIOD.

ANY PLANTING THAT PERISHES DUE TO LACK OF WATER, OR OVERWATERING, DOES NOT QUALIFY AS THE REQUIRED REPLACEMENT PLANTING AS STATED IN THE SPECIFICATION, AND SHALL BE REPLACED AT NO COST TO THE OWNER.

NEWLY PLANTED LAWN AREAS THAT PERISH DUE TO LACK OF WATER, OR OVERWATERING, DO NOT QUALIFY AS THE REQUIRED REPLACEMENT TO ESTABLISH A HEALTHY FULL DENSE LAWN AS STATED IN THE SPECIFICATION, AND SHALL BE REPLACED AT NO COST TO THE OWNER.

DATE	ISSUE
11-15-2019	PERMIT
10-25-2019	FINAL PID RE-SUBMISSION
10-01-2019	FINAL PID SUBMISSION
02-23-2019	PID SITE RE-SUBMISSION
01-29-2019	PID SITE SUBMISSION

KEY PLAN

FSP PROJECT NO.  
HAR17032

DRAWING TITLE  
PLANTING DETAIL

DRAWING NUMBER  
LS-002



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

## MEMORANDUM

**TO:** Honorable Board of Trustees  
**FROM:** Kelly VanMarter, Assistant Township Manager  
**DATE:** October 13, 2021  
**RE:** Resolution (211018) to establish fee for Zoning Certificate for Caregiver Cultivation of Medical Marihuana

**MANAGER'S REVIEW:** 

Attached please find Resolution number 211018 which proposes to set a fee structure for the newly adopted Zoning Ordinance provisions related to caregiver cultivation of marihuana. The recently adopted regulations require a Zoning Certificate to Cultivate Medical Marihuana as a patient caregiver within the Agricultural and Industrial Zoning Districts. Also required is a Board resolution to establish the initial and annual renewal fees for this certificate which is the purpose of this requested action.

Upon analysis of the regulations and requirements associated with the Certificate and an estimate of staff time and resources likely necessary to complete the certificate, I recommend the fees be established at \$500 for the initial application with \$100 for renewal. I believe this fee structure represents the minimum amount necessary to cover costs.

In regard of the aforementioned, I request your consideration of the following action:

**(Resolution requires Roll Call Vote)**

**Moved by \_\_\_\_\_, supported by \_\_\_\_\_, to approve Resolution Number 211018 Approving Administrative Fee Pursuant to the Genoa Charter Township Zoning Ordinance for Caregiver Cultivation of Medical Marihuana.**

Sincerely,



**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

**MANAGER**

Michael C. Archinal

**GENOA CHARTER TOWNSHIP  
LIVINGSTON COUNTY, MICHIGAN**

**RESOLUTION NO. 211018**

**RESOLUTION APPROVING ADMINISTRATIVE FEE PURSUANT TO THE GENOA CHARTER  
TOWNSHIP ZONING ORDINANCE FOR PATIENT CAREGIVER CULTIVATION**

Resolution made and adopted at a Regular Meeting of the Board of Trustees of Genoa Charter Township, Livingston County, Michigan, (the "Township") held at the Township Hall on Monday, October 18, 2021 at 6:30 p.m. there were:

PRESENT:

ABSENT:

WHEREAS, Genoa Charter Township passed a Zoning Ordinance Amendment to allow Patient Caregiver Cultivation within the Agricultural (AG) and Industrial (IND) zoning districts. The Ordinance Amendment provides that prior to such a use an applicant must obtain a Zoning Certificate to Cultivate Medical Marihuana as a registered primary caregiver and that the Board of Trustees shall set an administrative fee and renewal fee for same by Resolution.

NOW, THEREFORE, upon motion by \_\_\_\_\_, supported by \_\_\_\_\_,

IT IS RESOLVED THAT, pursuant to Section 11.02.09c(2)(p.)(i.) of the Genoa Township Zoning Ordinance as amended on October 4, 2021 by Ordinance Number Z-21-01, an administrative fee of five hundred dollars (\$500) shall be charged to and paid by an applicant who applies for an initial Zoning Certificate to Cultivate Marihuana. A renewal fee in the amount of one hundred dollars (\$100) shall be assessed each year thereafter.

Any and all resolutions in conflict herewith are repealed only to the extent necessary to give full force and effect to the foregoing provisions.

A vote on the foregoing resolution was taken and was as follows:

AYES:

NAYS:

ABSENT:

RESOLUTION DECLARED ADOPTED.


## **CERTIFICATION OF CLERK**

The undersigned, being duly qualified and acting Clerk of the Township, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a meeting of the Township Board, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended); and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

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Paulette A. Skolarus, Genoa Charter Township Clerk

# MEMORANDUM

TO: Township Board  
FROM: Michael Archinal   
DATE: 12/14/2021  
RE: Customer Communication

At our last meeting the issue of how we communicate with our residents was discussed. Earlier this week one of our residents contacted me and asked if we could do a monthly email notification for residents who wish to sign up for such a service. Residents would be added to the list through a portal on our website or via email request. Even though we have an excellent website with lots of information, I believe providing a monthly email blast would be a useful service to our customers and would be an effective tool for communication.

Kathleen and Adam do a very good job of maintaining the website and social media. My advice would be to keep the information specific to Township business such as meeting dates, yard waste drop off dates, Big Red Barrel events, construction notices and holiday refuse dates.

I look forward to discussing this matter with you at Monday's meeting.

# **Board Correspondence**

**Polly**

---

**From:** VictorDianne Watson <vlwdjw@ameritech.net>  
**Sent:** Thursday, October 14, 2021 9:14 AM  
**To:** Polly  
**Subject:** Fwd: Letter to DNR and Genoa Twp

Thanks, Polly. See you Monday  
Dianne

Sent from my iPhone

Begin forwarded message:

**From:** VictorDianne Watson <vlwdjw@ameritech.net>  
**Date:** October 13, 2021 at 6:02:31 PM EDT  
**To:** info@stopthegravelpit.co  
**Subject:** Fwd: Letter to DNR and Genoa Twp

Sent from my iPhone

Begin forwarded message:

**From:** VictorDianne Watson <vlwdjw@ameritech.net>  
**Date:** October 13, 2021 at 5:42:20 PM EDT  
**To:** info@stopthegravelpit.co  
**Cc:** Dianne Watson <vlwdjw@ameritech.net>  
**Subject:** Letter to DNR and Genoa Twp

To Whom it May Concern:

Concerned citizens of Genoa Twp met with representatives of the DNR on 10/12/2021 to discuss our concerns regarding a gravel pit being placed in our neighborhood. The prepared presentation by the DNR was a disappointment and the threat that, if this project falls apart, the state will auction off the property and we'd have to live with what the private owner did with the land, was unacceptable. There are many reasons for the Genoa Township council to reject this project.

History:

Our neighborhood first learned something was amiss was when Parcel A was clear cut. We were told that the DNR was going to sell the resulting logs to raise money for a seedling farm. Neighbors were not concerned because this would be a green space, part of the reason many of us located to this area. The lakes, recreation areas, biking trails and abundant wild life were all reasons to live here. We were out of the city and had room to breathe. Therefore, we were stunned when we learned the next step was a gravel pit to offset the cost of the seedling farm as well.

There are multiple reasons for denying this project to move forward. Mr. Mike Wilczynski, a certified professional geologist, pointed out many concerns with the proposed nonmetallic mineral mining project including:

- the area was already mined over 100 years ago(how much is left?)
- there is a dump at the north parcel(groundwater contamination could affect our wells if



disturbed)

-the groundwater beneath the north parcel is contaminated with NaCl from the Oak Point WWTP effluent( another potential contaminant of our wells)

-fugitive silica dust would be released into the air in highly populated areas(silica is a respiratory carcinogen and causes silicosis)

- property devaluation(for most of us the largest expenditure is our home and this would reduce the value of our investment).

I have added a couple more:

-damaged roadways(large hauling trucks carrying sand and gravel over months and years)

-noise pollution(residential areas surround the site and constant noise from mining would create an inhospitable environment).

The DNR states that they"are committed to the conservation, protection, management, use and enjoyment of the state's natural and cultural resources for current and future generations." This operation does not support any of those commitments. The beauty of the wild area has already been destroyed and wild life disrupted. Further destroying the topography of the land by mining is adding insult to injury. The Genoa Township council must deny this operation to move forward and the DNR must abandon it.

Respectfully submitted

Dianne Watson

5487 Mystic Lake Dr

Brighton

Sent from my iPhone

To Board 10/18/21



October 8, 2021

Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

Re: Charter Communications – Upcoming Changes

Dear Franchise Official:

This letter will serve as notice that on or around November 8, 2021, Spectrum Mid-America, LLC (“Spectrum”), will launch **WADL (HD)** on channel 744 on the Livingston, MI channel line-up serving your community. To view a current Spectrum channel lineup visit [www.spectrum.com/channels](http://www.spectrum.com/channels).

If you have any questions about this change, please feel free to contact me at (810) 652-1422.

Sincerely,

*Karen Coronado*

Karen Coronado  
Manager – State Government Affairs, Michigan  
Charter Communications

7372 Davison Road  
Davison, MI 48423

To Board 10/18/21



**Pangea Environmental, LLC**

**Mike Wilczynski**  
Certified Professional Geologist  
Pangea52@yahoo.com  
248.318.4792

October 12, 2021

Kirk Lapham  
Director, Mineral Management Section  
Michigan Department of Natural Resources  
Lansing, MI

**RE: Mineral Leases at Brighton State Recreation Area, Genoa Twp, Livingston County**

Pangea Environmental, LLC has done a cursory review of the site conditions at the two proposed mineral lease locations. The mineral leases are for the mining of sand and gravel.

The review included an investigation of potential environmental concerns and the economic viability of an aggregate mine. I have years of experience in the extractive industries that include mining and petroleum exploration and production and retired as a Senior Geologist with the Michigan Department of Environmental Quality (DEQ).

I have developed, permitted and managed industrial mineral mines in my career and I am not against mining. I have been a member of the Society of Mining Engineers, American Association of Petroleum Geologists and was an active member of the Michigan Oil and Gas Association, where I served on their environmental committee.

If these leases are granted the leasee will need to comply with the Michigan Zoning Enabling Act (MZEA) at the local level for a Special Use Permit and/or rezoning. The MZEA requires a demonstration of the need for the additional aggregate in the market and a demonstration that the deposit can be mined at a profit.

After these are demonstrated, the local government then considers the "Very Serious Consequences" that could occur. These leases fail on all three. Why lease minerals if the permitting will be problematic and most likely not be allowed by the local government?

Chilson is an historical location for sand and gravel mining. The parcels offered for lease have been mined, previously.

A 1907 topographic map shows rail sidings into what was at one time H & H Gravel. Field observations appear to confirm extensive mining has occurred on both parcels. How much is left? Much of the relief appears to be the result of this mining and the left over tailings piles.



**Pangea Environmental, LLC**

**Mike Wilczynski**  
Certified Professional Geologist  
Pangea52@yahoo.com  
248.318.4732

The larger parcel along Brighton Road was used as a dump for years. Aerial photos from 1967 show the extent of the dump. This will remove a large area from possible mining unless the dump is removed!

Aggregate processing needs water to wash the sand and gravel and control dust during crushing and sizing. The groundwater beneath the northern parcel is contaminated with sodium and chloride from the Oak Point WWTP effluent.

Both the dump and WWTP effluent are potential sources of PFAS. I do not believe any testing has been done for PFAS. We will be contacting EGLE RRD about sampling select residential wells and any remaining monitoring wells on site. We have discovered PFAS at a very similar location in Holly, MI.

Not only is there a potential problem with the groundwater extracted for use in the mine, but that groundwater has to be returned to the subsurface. (A closed loop system may be employed but fugitive water will be present). This can cause additional contamination and changes in the shallow hydrogeological conditions.

Fugitive silica dust is a serious problem around aggregate mines. Silica causes silicosis and lung cancer. The smallest and most dangerous particles travel the furthest. The leases are surrounded by homes, schools, campgrounds, lakes, wetlands and trails used by the public. This are not appropriate locations for an industrial operation.

The General Permit issued by EGLE Air Quality Division (AQD) exempts gravel mining and crushing from monitoring for airborne silica leaving the site (fugitive dust). The workers are protected under the Mine Safety and Health Administration (MSHA), but not the residents across the property line! We have convinced the Michigan Department of Health and Human Services (MDHHS) to start a study into the apparent cluster of illnesses around a sand and gravel mine in Jackson Co. That setting is less populated than the area included in the mineral leases.

Property devaluation can be as high as 30% next to a mine. This is another "Very Serious Consequence" the local government must consider in the local permitting process under the MZEA.

As you can see there are serious hurdles any mine applicant must go through at the local level. From my experience these two locations will not be mined due to Genoa Twp not granting a permit/rezoning due to the conditions of the MZEA not being met.

Why waste time on leases that have questionable reserves due to past mining going back over 100 years and there are so many "Very Serious Consequences" that will have to be overcome.



**Pangea Environmental, LLC**

**Mike Wilczynski  
Certified Professional Geologist  
Pangea52@yahoo.com  
248.318.4732**

There are other issues we will be bringing up if the leases are granted that include traffic safety, noise, and more. All allowed under the MZEA. The property devaluation alone should kill these mines.

Removing aggregate prior to development can be a good practice in places. But not near campgrounds on state land and in residential areas. Fitting into the character of the area is another "Very Serious Consequence" that can be considered under the MZEA for denial!

Prior to the clear cutting, was a habitat study performed? How about a wetland delineation? Hydric soils are indicated on EGLE's Wetland viewer and shallow groundwater is present on the proposed leases.

In summary, the parcels appear to have been mined over 100 years ago and questionable quantities of usable sand and gravel remain. The permitting process under the MZEA offers multiple valid reasons for denying any permit. There are serious potential human health concerns and environmental hazards involved with mining in this area. The DNR should be setting a better example for the public.

We are all busy, so why waste time and more taxpayers' dollars on this fiasco?

Thank you.

Pangea Environmental, LLC  
Mike Wilczynski  
Certified Professional Geologist-Emeritus  
Mining and Hydrogeology  
248-318-4732

Cc: Ron Olson  
Pete Rose