

**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION PUBLIC HEARING  
JANUARY 13, 2025  
MONDAY  
6:30 P.M.  
AGENDA**

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ELECTION OF OFFICERS:**

**APPROVAL OF AGENDA:**

**DECLARATION OF CONFLICT OF INTEREST:**

**CALL TO THE PUBLIC:** *(Note: The Board reserves the right to not begin new business after 10:00 p.m.)*

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

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

**OPEN PUBLIC HEARING #2...** Discussion of an ordinance amendment to Article 7 “Commercial and Service Districts” in regards to drive through restaurants.

**ADMINISTRATIVE BUSINESS:**

- Staff Report
- Annual Report
- Approval of the December 4<sup>th</sup>, 2024 and December 9, 2024 Planning Commission meeting minutes
- 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. Anyone speaking on an agenda item will be limited to 2 minutes.

**GENOA CHARTER TOWNSHIP**

**Application for Re-Zoning**



APPLICANT NAME: PULTE HOMES OF MICHIGAN, LLC ADDRESS: 2800 LIVERNOIS ROAD, BLDG D

OWNER NAME: SEE ATTACHED ADDRESS: SUITE 320, TROY MI 48083

PARCEL #(s): SEE ATTACHED PRIMARY PHONE: ( 248 ) 820-7306

EMAIL 1: paul.schyck@pultegroup.com EMAIL 2: joe.skore@pultegroup.com

We, the undersigned, do hereby respectfully make application to and petition the Township Board to amend the Township Zoning Ordinance and change the zoning map of the township of Genoa as hereinafter requested, and in support of this application, the following facts are shown:

**A. REQUIRED SUBMITTAL INFORMATION**

1. A legal description and street address of the subject property, together with a map identifying the subject property in relation to surrounding properties;
2. The name, signature and address of the owner of the subject property, a statement of the applicant's interest in the subject property if not the owner in fee simple title, and proof of consent from the property owner;
3. It is desired and requested that the foregoing property be rezoned from:

AG to LDR/RPUD

4. A site plan illustrating existing conditions on the site and adjacent properties; such as woodlands, wetlands, soil conditions, steep slope, drainage patterns, views, existing buildings, sight distance limitations, relationship to other developed sites, and access points in the vicinity;
5. A conceptual plan demonstrating that the site could be developed with representative uses permitted in the requested zoning district meeting requirements for setbacks, wetland buffers access spacing, any requested service drives and other site design factors;
6. A written environmental impact assessment, a map of existing site features as described in Article 18 describing site features and anticipated impacts created by the host of uses permitted in the requested zoning district;
7. A written description of how the requested rezoning meets Sec. 22.04 "Criteria for Amendment of the Official Zoning Map."
8. The property in question shall be staked prior to the Planning Commission Public Hearing.

**B. DESCRIBE HOW YOUR REQUESTED RE-ZONING MEETS THE ZONING ORDINANCE CRITERIA FOR AMENDING THE OFFICIAL ZONING MAP:**

1. How is the rezoning consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subareas or corridor studies. If not consistent, describe how conditions have changed since the Master Plan was adopted?

WE ARE REQUESTING THE PROPERTY BE REZONED LOW DENSITY (RPUD)

RESIDENTIAL WHICH IS CONSISTANT WITH THE MASTER PLAN

2. Are the site's physical, geological, hydrological and other environmental features suitable for the host of uses permitted in the proposed zoning district?

THE PROPERTY IS PARTIALY WOODED WITH INTERSPERSED WETLANDS AND ROLLING UPLAND AREAS THAT CONSIST OF MAINLY COARSE SANDS AND GRAVELS. GROUNDWATER IS GENERALLY DOZENS OF FEET BELOW THE UPLAND AREAS AND THE WETLAND INUNDATION IS ONLY PERIODIC.

3. Do you have any evidence that a reasonable return on investment cannot be received by developing the property with one (1) of the uses permitted under the current zoning?

THE CURRENT AG ZONING REQUIRES 10 AC MIN NON-FARM DWELLINGS WHICH IS NOT CONSISTENT WITH ADJACENT PROPERTIES OR THE MASTER PLAN. 10 AC MIN LOT SIZES WOULD ONLY YEILD 12 A LOT DENSITY VS. 58 LOTS AS PROPOSED

4. How would all the potential uses allowed in the proposed zoning district be compatible with surrounding uses and zoning in terms of views, noise, air quality, the environment, density, traffic impacts, drainage and potential influence on property values?

LDR WOULD BE COMPATIBLE WITH ADJACENT RESIDENTIAL PROPERTIES AND NOT ADVERSELY EFFECT THE ENVIRONMENTAL QUALITY OF THE AREA. AT LESS THAN 0.5 UNITS PER ACRE TRAFFIC WOULD NOT BE ADVERSLY EFFECTED & NEW BUILD COMPARABLE HOUSING WOULD ENHANCE PROPERTY VALUES

5. Are infrastructure capacity (streets, sanitary sewer, water, and drainage) and services (police and fire protection, etc.) sufficient to accommodate the uses permitted in the requested district?

THE LOW DENSITY RESIDENTIAL PROPOSAL WILL NOT ADVERSELY EFFECT EMERGENCY SERVES AS IT CONSISTENT WITH THE MASTER PLAN AND THE TOWNSHIPS GOALS. ALSO, SEPTIC AND WELLS ARE PROPOSED WITH NO IMPACT ON WATER AND SEWER CAPACITY

6. Is there a demonstrated demand in Genoa Township or the surrounding area for the types of uses permitted in the requested zoning district? If yes, explain how this site is better suited for the zoning than others which may be planned or zoned to accommodate the demand.

SUPPLY IS DEFICIENT FOR SINGLE FAMILY HOUSING IN MICHIGAN IN GENERAL AND THIS PROPOSAL WILL INCREASE SINGLE FAMILY HOMES WHILE PRESERVING OVER HALF OF THE SITE AS OPEN SPACE.

7. If you have a particular use in mind, is another zoning district more appropriate? Why should the Township re-zone the land rather than amend the list of uses allowed in another zoning district to accommodate your intended use?

LDR IS CONSISTENT WITH THE MASTER PLAN AND A REZONING WILL FULFILL A TOWNSHIP GOAL.

8. Describe any deed restrictions which could potentially affect the use of the property.

WE ARE NOT AWARE OF ANY SUCH DEED RESTIRCTIONS.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C. AFFIDAVIT**

The undersigned says that they are the DEVELOPER (owner, lessee, or other specified interest) involved in this petition and that the foregoing answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his/her knowledge and belief.

BY: PULTE HOMES OF MICHIGAN LLC

ADDRESS: 2800 LIVERNOIS ROAD, TROY MI 48083, BLDG D, SUITE 320

  
SIGNATURE

The following contact should also receive review letters and correspondence:

Name: STEVE ALLEN Email: sallen@umlorgroup.com

Business Affiliation: UMLOR GROUP

**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.

PROJECT NAME: Legacy Hills

PROJECT LOCATON & DESCRIPTION: North of Challis between Bauer Rd and grand Circle Drive

SIGNATURE: 

DATE: 8/24

PRINT NAME: Paul Schyck

PHONE: 248-820-7306

COMPANY NAME & ADDRESS: Pulte Homes of MI LLC

2800 Livernois Troy MI 48083 Bldg D Suite 320





**GENOA CHARTER TOWNSHIP APPLICATION  
Planned Unit Development (PUD)**

APPLICANT NAME: Pulte Homes of Michigan, LLC

APPLICANT EMAIL: paul.schyck@pultegroup.com

APPLICANT ADDRESS & PHONE: 2800 Livernois Road Bld D Suit 320 Troy MI 48083

OWNER'S NAME: See Attached

OWNER ADDRESS & PHONE: See Attached . ( )

TAX CODE(S): See Attached

**QUALIFYING CONDITIONS (To be filled out by applicant)**

1. A PUD zoning classification may be initiated only by a petition.
2. It is desired and requested that the foregoing property be rezoned to the following type of PUD designation:
  - Planned Unit Development (RPUD)
  - Planned Industrial District (PID)
  - Mixed Use Planned Unit Development (MUPUD)
  - Redevelopment Planned Unit Development (RDPUD)
  - Non-residential Planned Unit Development (NRPUD)
  - Town Center Planned Unit Development (TCPUD)
3. The planned unit development site shall be under the control of one owner or group of owners and shall be capable of being planned and developed as one integral unit.

EXPLAIN Pulte Homes of Michigan, LLC will be the sole owner and is capable of developing the site as one integral unit.

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4. The site shall have a minimum area of twenty (20) acres of contiguous land, provided such minimum may be reduced by the Township Board as follows:
  - A. The minimum area requirement may be reduced to five (5) acres for sites served by both public water and public sewer.
  - B. The minimum lot area may be waived for sites zoned for commercial use (NSD, GCD or RCD) where the site is occupied by a nonconforming commercial, office or industrial building, all buildings on such site are proposed to be removed and a new use permitted within the underlying zoning district is to be established. The Township Board shall only permit the PUD on the smaller site where it finds that the flexibility in dimensional standards is necessary to allow for innovative design in redeveloping the site and an existing blighted situation will be eliminated. A parallel plan shall be provided showing how the site could be redeveloped without the use of the PUD to allow the Planning Commission to evaluate whether the modifications to dimensional standards are the

minimum necessary to allow redevelopment of the site, while still meeting the spirit and intent of the ordinance.

C. The PUD site plan shall provide one or more of the following benefits not possible under the standards of another zoning district, as determined by the Planning Commission:

- preservation of significant natural or historic features
- a complementary mixture of uses or a variety of housing types
- common open space for passive or active recreational use
- mitigation to offset impacts
- redevelopment of a nonconforming site where creative design can address unique site constraints.

D. The site shall be served by public sewer and water. The Township may approve a residential PUD that is not served by public sewer or water, provided all lots shall be at least one (1) acre in area and the requirements of the County Health Department shall be met.

Size of property is 127.57 acres.

DESCRIBE BELOW HOW THE REQUESTED PUD DESIGNATION COMPLIES WITH AFOREMENTIONED MINIMUM LOT SIZE REQUIREMENTS.

The units will use on-site wastewater and individual wells that will meet or exceed Livingston County Health Department standards. Unit size will meet or exceed the revised ordinance amendment.

**STANDARDS FOR REZONING TO PLANNED UNIT DEVELOPMENT (RESPOND HERE OR WITHIN THE IMPACT STATEMENT)**

1. How would the PUD be consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subarea or corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area;

The Low Density Residential (RPUD) is consistent with the Master Plan.  
\_\_\_\_\_  
\_\_\_\_\_

2. The compatibility of all the potential uses in the PUD with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;

The Low Density Residential (RPUD) would be compatible with adjacent residential properties and not adversely effect the environmental quality of the area. At less than 0.5 units per acre the traffic would not be adversely effected and new build comparable housing would enhance property values.  
\_\_\_\_\_

3. The capacity of infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the Township;

The Low Density Residential (RPUD) proposal will not adversely effect emergency services as it is consistent with the Master Plan and Township goals. Also, septic and wells are proposed with no impact on water and sanitary sewer capacity.  
\_\_\_\_\_

4. The apparent demand for the types of uses permitted in the PUD;  
Supply is deficient for single family housing in Michigan in general and the proposal will  
increase single family homes while preserving over half of the site as open space.

**AFFIDAVIT**

The undersigned says that they are the Developer (owner, lessee, or other specified interest) involved in this petition and that the foregoing answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his/her knowledge and belief.

BY: Pulte Homes of Michigan LLC *Paul Schyck*  
ADDRESS: 2800 Livernois Road, Troy MI 48083 Bldg D, Suite 320

*Contact Information - Review Letters and Correspondence shall be forwarded to the following:*  
Steve Allen of Umlor Group at sallen@umlorgroup.com  
*Name Business Affiliation E-mail*



**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.  
PROJECT NAME: Legacy Hills  
PROJECT LOCATON & DESCRIPTION: North of Challis between Bauer and Grand Circle Drive  
SIGNATURE: *Paul Schyck* DATE: 8/2/21  
PRINT NAME: Paul Schyck PHONE: 248-890-7306  
COMPANY NAME & ADDRESS: Pulte Home of Michigan LLC  
2800 Livernois T Troy MI 48083 Bldg D Suite 320



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

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

APPLICANT NAME & ADDRESS: PULTE HOMES OF MICHIGAN LLC  
*If applicant is not the owner, a letter of Authorization from Property Owner is needed.*

OWNER'S NAME & ADDRESS: see attached

SITE ADDRESS: \_\_\_\_\_ PARCEL #(s): \_\_\_\_\_

APPLICANT PHONE: ( ) \_\_\_\_\_ OWNER PHONE: ( ) \_\_\_\_\_

OWNER EMAIL: \_\_\_\_\_

LOCATION AND BRIEF DESCRIPTION OF SITE: Property is located on the north side of Challis Road between Dore & Bauer Roads

BRIEF STATEMENT OF PROPOSED USE: Single Family Residential Site Condominium

THE FOLLOWING BUILDINGS ARE PROPOSED: Single Family Housing Units

**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: PULTE HOMES OF MI LLC 

ADDRESS: 2800 Livernois Road, Troy MI 48083 Bldg D Suite 320

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

1.) Steve Allen of Umlor Group at sallen@umlorgroup.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: Paul Schyck DATE: 5/21/24  
PRINT NAME: Paul Schyck PHONE: 248-820-7306  
ADDRESS: Pulte Homes of MI LLC 2800 Livernois Rd, Troy MI 48083 Bldg D Suite 320

**GENOA CHARTER TOWNSHIP  
SPECIAL PLANNING COMMISSION  
PUBLIC HEARING  
December 4, 2024**

**MINUTES**

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:30 p.m. Present were Chris Grajek, and Tim Chouinard, Marianne McCreary, Greg Rassel, and Eric Rauch. Absent were Glynis McBain, and Bill Reiber. Also present were Planning Director Amy Ruthig, Brian Borden of Safebuilt and Shelby Byrne of Tetra Tech.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

**Moved** by Commissioner McCreary, supported by Commissioner Rauch, to approve the agenda as presented. **The motion carried unanimously.**

DECLARATION OF CONFLICT OF INTEREST:

None

CALL TO THE PUBLIC:

The call to the public was made at 6:31 pm.

Ms. Debra Beattie is suspicious and upset about scheduling two special meetings back to back for the busiest month of the year. It benefits the applicants.

Ms. Ruthig stated that she scheduled the meeting. The December 9 meeting is a regular meeting, with a location change. Tonight's meeting will address a zoning ordinance that needed to be addressed as soon as possible. The applicant for tonight submitted in time for the 12/9 meeting, but because of what is on that agenda, he was put on this agenda. She has to ensure that her board members, consultants, applicants, and recording secretary when she is scheduling a meeting.

Mr. Jeff Dhaenens of 5494 Sharp Drive knows that Mr. Reiber has another commitment this evening. Next week's meeting is at Parker Middle School, and he wants everyone to know it is a hostile environment. He suggested a quick refresher on what is a PUD tonight.

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

**OPEN PUBLIC HEARING #1... Consideration for a rezoning application, PUD agreement, environmental impact assessment, PUD conceptual and preliminary site condo plan to rezone 127.57 acres from Agriculture (AG) to Low-Density Residential (LDR) with a RPUD**

**overlay to allow for a proposed 58-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road. The proposed rezoning is for the following parcels: 4711-23-400-008, 4711-23-400-007, 4711-23-400-001 and 4711-23-300-003. The request is submitted by Pulte Homes of Michigan.**

**A. Recommendation of Rezoning to LDR and PUD application for RPUD**

**B. Recommendation of PUD agreement**

**C. Recommendation of Environmental Impact Assessment (9-27-24)**

**D. Recommendation of Conceptual PUD (11-1-24)**

**E. Recommendation of Preliminary Site Plan (11-1-24)**

Mr. Borden provided a review of Planned Unit Development (PUD). It is a tool allowed under Michigan's law to allow for a developer to bring a project to a community that maybe doesn't comply with all conventional requirements, but in exchange for some flexibility on the design side, they would provide other public benefits. The cluster option is an old zoning tool that has been in the ordinance for almost 20 years. This is another tool that allows a developer to develop a certain amount of land based on the full property but allows a reduction in lot sizes in exchange for preservation or protection of open spaces. He showed the site plan for tonight's item as an example. It is the same number of homes, but with a higher density, but preservation of open spaces.

The petitioner was before the Planning Commission previously and based on comments from him and the township engineer and the commissioners, they revised the plan. He noted that the items are recommended by the Planning Commission to the Township Board, who makes the final approval. Because there is a rezoning, the Livingston County Planning Commission would review the proposal and also make a recommendation to the Township Board.

Mr. Mike Noles of the Umlor Group, the engineering firm representing Pulte Homes, was present. They have addressed the comments and provided the additional information that was requested at the previous meeting. They would like to develop 58 homes on 127 acres, with 78 acres of open space. The site could be built with 58 homes as it is currently zoned; however, they believe that preserving the 78 acres of open space is a better plan. They are compliant with the Master Plan, the Future Land Use Plan, and the RPUD. They are proposing to build beautiful homes.

He showed the plan of what could be built on this site if the straight zoning was to be followed, including the wells and septics, building envelopes, wetland crossings, roadways that would be able to tie into the public streets adjacent to this property, and the landscape plan of 33 trees, and 360 bushes.

They have done a traffic impact assessment, which was done on October 15, when the Dorr Road bridge was closed; however, the engineer used the historical data from 2023 when the bridge was open and found that the difference was negligible. He reviewed the findings, noting the different amounts of traffic at different times of day and night. The level of service grades



were A and B, which does not require any additional treatment, and will have no effect on the neighboring street system.

He reviewed the PUD Agreement and Master Deed that address the questions and concerns of members of the public. Also, they have tested for the well and septic and concluded that the tested aquifers at the site would be able to furnish a reliable amount of water for the proposed development. These tests also included the wells in the adjacent neighborhood. The Livingston County Health Department has provided preliminary approval of the wells and septic.

He showed the four different home styles and their multiple elevations being proposed for this development. He noted that the materials that are used on the front of the home are wrapped around the entire home, such as the brick, siding, masonry Wainscott, etc.

Based on the questions and comments at the previous meeting, they have revised the site plan. Some of these changes include that now the cul-de-sacs have the correct radii, the storm outlets are shown with changes to the proposed storm sewer system, and the increase in the landscape buffers. They have researched installing a sidewalk connecting their development to the sidewalk on Brighton Road at the roundabout and would like to discuss this issue in detail with the Planning Commission.

He stated that the trees will be removed on the interior of the site where they will be installing the roads and underground pipes, homes, etc. In a wooded area, there are typically 100 trees per acre above 6" in caliper, and 70 trees per acre above 8" in caliper. In the 70 acres that they are leaving as open space, there are approximately 5,000 trees that are being preserved.

Ms. Ruthig stated that Mr. Borden has not seen the revised parallel plan, but the applicant is still within the 58 homes that are able to be built.

Mr. Borden reviewed his letter dated November 27, 2024.

1. PUD Qualifying Conditions (Section 10.02):

- a. The proposal requires approval by the Township in accordance with Section 10.03.01(d) for residential units of less than one acre that are not served by public sewer or water.
- b. The applicant must address any technical comments provided by the Township Engineer, Brighton Area Fire Authority and Utilities Director.

2. Rezoning Criteria (Section 22.04):

- a. The proposed zoning designation of LDR/RPUD is consistent with the Future Land Use Plan and goals/objectives of the Township Master Plan.

He noted that there are two zoning designations on this property. They are Large Lot and Low Density, noting the large lot doesn't need to be rezoned because that is where the open space is being proposed. Commissioner Rauch asked if it changes the dimensional



standards that have been used to develop the parallel plan. Mr. Borden stated, "yes". That plan has been presented this evening.

- b. The RPUD overlay results in greater open space/natural feature protection than would otherwise be required. They are providing 57.2 percent open space where 25 percent is the minimum for RPUD and 50 percent is the minimum for cluster option.
  - c. The only use identified in the RPUD is detached single-family residential, which is generally reasonable and compatible with the area.
  - f. The applicant must address any technical comments provided by the Township's engineering consultant, Utilities Director and Brighton Area Fire Authority.
3. Conceptual PUD Plan and PUD Agreement (Section 10.03.01), noting some of the items have been met:
- a. Dimensional deviations are sought for lot area, lot width, and 1 side yard minimum setback/combination of side yard setbacks.
  - b. Cluster option:
    - i. The Township may wish to request additional information demonstrating that the applicant will complete the project in its entirety.
    - ii. The road connection to Units 13-19 encroaches into the Township's natural feature setback area and the wetland itself, which requires State and Township approval. The applicant has added the encroachment to the list of dimensional deviations sought via the RPUD.
    - iii. The applicant must include a preservation and maintenance plan with the final PUD site plan submittal.
    - iv. Pending further discussion on pathways, the active recreation requirement may, or may not, be satisfied. If the pathway is installed off site, it may not meet the requirement.
    - v. The Township may include reasonable conditions to ensure protection of public facilities and services, protection of the natural environment, compatibility with adjacent land uses, use of the land in a socially and economically desirable manner, and to implement the Master Plan.
  - c. The applicant must address any comments provided by the Township's engineering consultant, Utilities Director and Brighton Area Fire Authority.
  - d. The applicant must address staff and Township Attorney comments.
  - e. He would like the landscaping adjacent to the detention pond and residences be increased to more than the minimum required
  - f. The applicant should identify the Challis and Bauer Road frontages of Units 35-48 as the rear yards since they will be double-fronted lots, which could affect the placement of other items, such as fencing, outbuildings, etc.
  - g. Signage identifying areas not to be disturbed, such as the natural feature setback and landscape easement, should be included.

He noted that this is a preliminary site plan, so a final site plan must be provided and approved by the Township.

Ms. Byrne reviewed her letter dated February 5, 2024.

#### DRAINAGE AND GRADING

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

#### WATER AND SANITARY SERVICE

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

#### TRAFFIC AND ROADWAYS

1. The proposed PUD would be served by a private road off Challis Road. Future road design should be in accordance with Genoa Township Engineering Standards and a Private Road Construction plan review will be required after final site plan approval. Additionally, the private road intersection should be reviewed and approved by the Livingston County Road Commission (LCRC).
2. Dimensioning of the proposed cul-de-sacs will need to be revised to match Genoa Township Engineering Standards. Cul-de-sacs are required to have a radius of 60 feet with a 75-foot right of way (ROW) radius. The cul-de-sacs meet the ROW requirement but fail to have a road radius of 60 ft. The ROW width for the private road should also be dimensioned, but it appears to match the 66-foot standard width requirement.
3. The private road includes a dead-end cul-de-sac on the north end of the development. The road terminating in a dead-end is proposed to be over 1,200 feet long, which exceeds the maximum length of 1,000 feet for a dead-end street. Given the natural features contained on the site, it would be impossible to loop this dead end road back to the rest of the development. The road will also only have seven lots being served, which generates a

minimal amount of traffic. Subject to review by the Brighton Area Fire Authority, we would support a variance for the length of the street.

Commissioner McCreary questioned how the shared driveway will be built and maintained.

Mr. Brian Biskine of the Umlor Group stated the shared driveway will be designed as a narrow road that will be curbed. There are two private roads and they both have T-turn arounds that meet the fire code to allow their vehicles to turn around. For maintenance and snow removal, etc., they will be handled the same as the other roadways. Mr. Borden stated this would be addressed in the condominium documents.

The Brighton Area Fire Authority Fire Marshal's letter dated November 20, 2024 states that all of his previous concerns have been addressed.

Commissioner Rauch asked how many lots are allowed on a shared driveway? Ms. Ruthig stated there are a maximum of four allowed.

Commissioner Rauch suggested that only part of the property be rezoned to LDR. The boundary could be just to the east of the seven lots in the northwest of the site. Since they are accessed by a private driveway, it would have to be decreased to four homes, which would preserve more of the wetland.

Mr. Noles noted that they used the Master Plan to determine the 58 lots. The location of the lots match the zoning designations in the Master Plan. Commission Rauch asked if the petitioner would be willing to reduce the seven lots to four lots, which would preserve more of the wetland, reduce the amount of the detention pond, and save more mature trees. Mr. Nole stated saving three lots will not save significant wetland nor require less of a detention pond or save more trees.

Commissioner Rassel asked who would maintain the off-site sidewalk. Mr. Noles stated the HOA will maintain it.

Commissioner McCreary asked about color restrictions on the homes. Mr. Noles stated there are no restrictions to homes next to each other being the same color.

Chairman Grajek called a 10-minute break from 8:05 to 8:15 pm.

The call to the public was opened at 8:15 pm.

Mr. Colin Hebert of 6899 Lyle Lane stated the traffic study that was shown at the previous meeting was for 129 units. Mr. Noles stated a previous one was done for the land owner's plan, not Pulte's plan. They are building 58 units. He asked if the landowner has plans to build more homes. Mr. Nole stated Pulte Homes only has a contract for these homes.

Mr. Jim Rector of Challis Road asked if the Livingston County Drain Commissioner is overseeing the review of the stormwater and retention pond. Mr. Nole stated that LCDC must review and approve the storm water management plan as it flows into Crooked Lake. He added that the township attorney is asking for lawn chemical restrictions in the PUD Agreement.

Mr. Jim Rowell of 5240 Mountain Road spoke to Mr. Rauch's comments regarding density. The residents want less density and the developer should consider it.

Ms. Deb Beattie of Pineview Trail stated the traffic study didn't speak to the 200 unit apartment complex at Dorr Road and Grand River. She assumes  $\frac{1}{3}$  of them will be coming this way. A 100 foot natural growth buffer is already there on Challis and Bauer and she suggests leaving the natural buffer and not removing it and putting in new trees. She agrees with Commissioner Rauch's comments.

Ms. Debbie Netsel 5801 Ramblewood Court spoke to the large size of the homes being built on an acre lot with no buffers between them. Due to the cost of the homes, she does not see this as a benefit to the community.

Ms. Christine Cross of 6984 Challis is concerned about the fire entrance. How will there be assurance that the cul-de-sac won't be opened up and used by the residents. She would like the 100-foot buffer so that they do not cut down those trees. There will be an increase in traffic. She had to sit at the light at Grand River for five cycles today.

Ms. Kelly Rector of 6299 Challis Road stated estate size homes should not be put on  $\frac{3}{4}$  acre lots. There are no  $\frac{3}{4}$  acre lots that have wells and septic. They have loved the nature and the wetland and the trees on this property.

Mr. Evan Meffert of 6541 Grand Circle Drive spoke about the path last time and he likes what is being proposed. Access to that public pathway would be a priority. Traffic is an issue. He would like another traffic study. The main entrance to the proposed development is still too close to the Grand Circle entrance.

Ms. Michelle Vancleve of 6573 Grand Circle Drive asked if all of the 100-buffers are shown in yellow on the plan. Mr. Nole showed there is a 100 foot buffer where existing trees will be saved and additional trees are added. The rear setback is 75 feet so there will be a total of 235 feet from the back of the existing house to the back of the proposed house and 100 feet of it is preserved open space.

Ms. Jennifer Swint of 6518 Catalpa Drive asked if the Township Attorney had done a litigation search on Pulte Homes. They have an extensive history.

Ms. Bonnie Spicher of 5606 Mountain Road stated Pulte bought this land as two acres to put houses on. People do not move here for  $\frac{3}{4}$  acre lots. She has sold a lot of real estate in this town.

Sheila who lives on Grand Circle Drive asked about lighting for the development. Will there be streetlights and will there be restrictions on house lighting?

Ms. Deb Beattie stated that since two members of the Planning Commission are not present this evening, this should be tabled since they should be able to hear all that was said and they should be part of the decision.

The call to the public was closed at 8:35 pm.

Commissioner Rauch asked about the 100-foot buffers. Mr. Nole stated it is a requirement of the ordinance in the RPUD, cluster overlay. When abutting a public road or existing road, a 100 foot landscape buffer is required. There are no physical improvements above grade, after they clear the development area, such as where the roads, utilities, and house pad will be, they save as many trees as they can. Saving trees is what Pulte wants to do. It increases the cost of the lot and reduces their development costs. It will also include new landscaping plantings.

Commissioner McCreary asked if the petitioner would be able to tag trees that would remain. Mr. Nole stated they can do that and it would come with the final engineering. She is concerned with a road being built through the wetlands. She agrees with Commissioner Rauch in protecting them. She knows that homes need to be built, but they need to be the right fit. She noted that none of the homes have first-floor master bedrooms. Mr. Nole stated the plan they have developed is fully compliant with the Township's Master Plan. With regard to the wetland crossing, EGLE must approve a permit for this and they do in order to access an upland. She understands that, but the residents are very cognizant of wetlands.

Commissioner Rauch requested that the petitioner look at the seven lots and see if a private drive could be built with four lots or none at all. He is not in favor of these seven lots. He thanked the applicant for doing all of their work and having provided all of the information requested by the Township. He would also request that a new traffic study be done to include the 200 apartments that will be built on Dorr Road and Grand River. Mr. Nole stated that the traffic study includes future proposed development and it is still rated as an A.

Commissioner Rauch would like to see the sidewalk extend along the new route of Challis Road. He is not opposed to allowing wells and septic on these properties. If the Health Department approves them, then they would be appropriate. He would like to table this item and request the petitioner look at the seven lots.

Chairman Grajek appreciates the work that the petitioner has done. He is not in favor of private drives. He does not agree with Commissioner Rauch in removing the lots.

Commissioner Chouinard believes that any reduction in wetland impact is beneficial. He does not want to see the path built inside the 100-foot buffer along Challis Road.

Commissioner Rauch would like to eliminate the active recreational aspects, such as paths and boardwalks, in the open space in favor of expanding the pathway connection off site and

suggests adding 50 percent more landscaping around the detention pond and weighting them towards the adjacent properties.

**Moved** by Commissioner Rauch, supported by Commissioner McCreary, to postpone Public Hearing # 1 for a proposed 58-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road, to allow the petitioner to review the following items:

- The detention pond plantings to be increased by 50 percent and specific attention is paid to the plantings along the common property boundaries to the neighbors to the south.
- This commission would prefer to move forward with a plan that installs a sidewalk outside of the project boundary down to Bauer and Challis Road and work with the Livingston County Road Commission as to its location.
- The requirement for the active activity areas would be waived by this commission for protection of the wetlands on the west side of the property.
- The petitioner shall review the density of the currently designed properties numbered 13-19 to reduce that density so it meets the requirements of a private drive or to not develop at all.
- The petitioner shall, with their traffic engineer, ensure that the project on Dorr and GRA is included in the traffic study.

**The motion carried unanimously.**

## **OPEN PUBLIC HEARING #2... Consideration of Zoning Ordinance Text amendments to Article 11” General Provisions” of the Zoning Ordinance.**

### **A. Recommendation of Zoning Ordinance Amendment to Article 11 “General Provisions”**

Ms. Ruthig reviewed the proposed ordinance amendments. The State approved taking away control from local governments with regard to determining setbacks, heights, use requirements, etc. for solar and wind energy. The township is only allowed to determine where they can be placed.

The Planning Commission and staff discussed the proposed changes. Some typographical errors were noted and will be amended by staff.

The call to the public was opened at 9:26 pm with no response.

**Moved** by Commissioner Rassel, supported by Commissioner Chouinard, to recommend to the Township Board approval of the Zoning Ordinance Amendment to Article 11 “General Provisions” as it relates to Public Act 233. **The motion carried unanimously.**

**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
October 15, 2024**

**MINUTES**

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:30 p.m. Present were Chris Grajek, Marianne McCreary, Eric Rauch, Jeff Dhaenens, Greg Rassel, and Tim Chouinard. Absent was Glynis McBain. Also present were Planning Director Amy Ruthig, Brian Borden of Safebuilt, and Shelby Byrne of Tetra Tech.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

DECLARATION OF CONFLICT OF INTEREST:

None

APPROVAL OF AGENDA:

**Moved** by Commissioner Rassel, supported by Commissioner Rauch, to approve the agenda as presented. **The motion carried unanimously.**

CALL TO THE PUBLIC:

The call to the public was made at 6:31 pm with no response.

**OPEN PUBLIC HEARING #1...** Consideration for a rezoning application, PUD agreement, Environmental impact assessment, PUD conceptual and preliminary site condo plan to rezone 127.57 acres from Agriculture (AG) to Low-Density Residential (LDR) with a RPUD overlay to allow for a proposed 58-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road. The proposed rezoning is for the following parcels: 4711-23-400-008, 4711-23-400-007, 4711-23-400-001 and 4711-23-300-003. The request is submitted by Pulte Homes of Michigan.

A. Recommendation of Rezoning to LDR with a RPUD Overlay B. Recommendation of PUD agreement

C. Recommendation of Environmental Impact Assessment (9-27-24)

D. Recommendation of Conceptual PUD (9-27-24)

E. Recommendation of Preliminary Site Plan (9-27-24)

Mr. Mike Noles of the Umlor Group is representing Pulte Homes. He reviewed a presentation showing the parcels' location; their natural features; a comparison of the current zoning, the Future Land Use Plan, and the RPUD ordinance; the proposed site plan details, including the

area that will be preserved as open space; the proposed home floor plans, elevations, and estimated selling prices; and the proposed buffers for the adjacent properties.

They have addressed some of the Fire Marshal's comments. Although it is not required but requested by the Township Planner, they have started the traffic study and will submit it when completed. They have worked with the Health Department for the well and septic systems.

Commissioner McCreary questioned who owns the parcels. There seems to be more than one owner. Mr. Noles stated that there is one owner who owns multiple companies and they own different properties. She also thanked the developer for speaking with the adjacent neighbors.

Mr. Borden reviewed his letter dated October 9, 2024, which included the process of approval for this project.

1. PUD Qualifying Conditions (Section 10.02):
  - a. The proposal requires approval by the Township in accordance with Section 10.03.01(d) for residential units of less than one-acre that are not served by public sewer or water.
  - b. The applicant must address any technical comments provided by the Township Engineer, Brighton Area Fire Authority and/or Utilities Director.
2. Rezoning Criteria (Section 22.04):
  - a. The proposed zoning designation of LDR/ RPUD from AG is consistent with the Future Land Use Plan and the goals/objectives of the Township Master Plan.
  - b. Use of the RPUD overlay will result in greater open space/natural feature protection than would otherwise be required.
  - c. The only use identified in the RPUD is detached single-family residences, which is generally reasonable and compatible with the area.
  - d. There is a lesser scope traffic study required for this project. It is being prepared but has not yet been provided. Recommended changes as a result of that study may be required to be made.
  - e. The applicant must address any technical comments provided by the Township's engineering consultant, Utilities Director and/or Brighton Area Fire Authority.
3. Conceptual PUD Plan and PUD Agreement (Section 10.03.01):
  - a. The applicant must provide architectural design detailed information to the Township's satisfaction.
  - b. The parallel plan includes a roadway that crosses two regulated wetlands, which will require approval and permits from EGLE.
  - c. The Township may wish to require sidewalks as part of the project.
  - d. Dimensional deviations are sought for lot area, lot width, and one side yard minimum setback/combination of side yard setbacks.
  - e. The applicant must include the dimensional deviations sought in the PUD Agreement.
  - f. The project includes more open space than is otherwise required; however, the Challis Road buffer is deficient in depth in one location. The plan lacks active recreational areas; however, the applicant has advised they will provide this on a revised plan.



- g. Cluster option:
  - i. The Township may wish to request additional information demonstrating that the applicant will complete the project in its entirety.
  - ii. The road connection to access Units 13-19 encroaches into the natural feature setback area and the wetland itself, which requires State and Township approval.
  - iii. Unless waived by the Township, the applicant must incorporate active recreational areas within the open space.
  - iv. The applicant must include a preservation and maintenance plan with the final PUD site plan submittal.
  - v. The Township may include reasonable conditions to ensure protection of public facilities and services, protection of the natural environment, compatibility with adjacent land uses, use of the land in a socially and economically desirable manner, and to implement the Master Plan.
- h. The applicant must address any comments provided by the Township's engineering consultant, Utilities Director and/or Brighton Area Fire Authority.
- i. The applicant must address staff and/or Township Attorney comments.
- j. Exhibits and incorrect information in the draft PUD Agreement must be provided and/or corrected.
- k. The Township may wish to require additional landscape screening between the detention pond and adjacent residences.
- l. The applicant should identify the Challis Road frontage of Units 40-48 as the rear yard, since they will be double-fronted lots.

Ms. Byrne reviewed her letter dated October 7, 2024. She stated that many of her comments are applicable to final site plan approval and not required at this point of the process.

#### DRAINAGE AND GRADING

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

#### WATER AND SANITARY SERVICE

1. The proposed PUD does not have access to municipal water and sanitary sewer service and the cover sheet of the conceptual site plan notes that onsite septic and individual wells are proposed to serve the development and conceptual approval from the Livingston County Health Department (LCHD) has been obtained. Final approval from the LCHD should be provided prior to final site plan approval.

2. The Brighton Area Fire Authority has reviewed the proposed PUD and noted that fire protection water supply will be discussed during the final site plan process. The petitioner will need to work with the Fire Authority to meet any fire suppression requirements they have as part of site plan approval.
3. The revised concept plan shows two fire suppression wells per Fire Authority requirements. In future submittals additional detail should be provided on the plans for the proposed wells and more detail should be provided on how they will operate.

#### TRAFFIC AND ROADWAYS

1. The proposed PUD would be served by a private road off Challis Road. Future road design should be in accordance with Genoa Township Engineering Standards and a Private Road Construction plan review will be required after final site plan approval. Additionally, the private road intersection should be reviewed and approved by the Livingston County Road Commission (LCRC).
2. Dimensioning of the proposed cul-de-sacs will need to be revised to match Genoa Township Engineering Standards. Cul-de-sacs are required to have a radius of 60 feet with a 75-foot right of way (ROW) radius. The ROW width for the private road should also be dimensioned, but it appears to match the 66-foot standard width requirement.
3. The private road includes a dead-end cul-de-sac on the north end of the development. The road terminating in a dead-end is proposed to be over 1,200 feet long, which exceeds the maximum length of 1,000 feet for a dead-end street. Given the natural features contained on the site, it would be impossible to loop this dead-end road back to the rest of the development. The road will also only have seven lots being served, which generates a minimal amount of traffic. Subject to review by the Brighton Area Fire Authority, she would support a variance for the length of the street.

The Brighton Area Fire Authority Fire Marshal's letter dated September 11, states the following:

1. Fire protection water supply will be discussed further once the final site plan has been completed.
2. Access around the building shall provide emergency vehicles with a turning radius of 50 feet outside and 30 feet inside. Vehicle circulation shall account for non-emergency traffic and maintain the vehicle within the boundary of lanes of travel. Provide an emergency vehicle circulation plan. The cul-de sacs shall meet Appendix D of the International Fire Code.
3. A minimum vertical clearance of 13 1/2 feet shall be maintained along the length of all apparatus access drives. This includes but is not limited to porte-cocheres, lighting, and large canopy trees. The landscape plan indicates numerous large canopy trees that encroach the roadway. The trees must be setback or the species revised to prevent overhanging the roadways.
4. Two-way emergency vehicle access roads shall be a minimum of 26 feet wide, it is recommended that the road width be increased to 32 feet to allow parking on both sides of the road. With a width of 26 feet, one side of the road shall be marked as a fire lane. The secondary access road shall be a minimum of 20 feet wide. With a width of 20 feet, both

- sides of the drive shall be marked as a fire lane. Include the location of the proposed fire lane signage and details of the fire lane sign in the submittal. Access roads to the site shall be provided and maintained during construction. Access roads shall be constructed to be capable of supporting the imposed load of fire apparatus weighing at least 84,000 pounds.
5. The building shall include the building address on the building. The address shall be a minimum of 4" high letters of contrasting colors and be clearly visible from the street. The location and size shall be verified prior to installation.
  6. Provide additional details on the secondary access. Initial conversations stated that the access would be gated on both ends. The details shall be submitted and approved. The gates shall be secured with a Knox padlock in conjunction with the maintenance lock so the access is maintained year-round.

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). The applicant is reminded that the fire authority must review the fire protection systems submittals (sprinkler & alarm) prior to permit issuance by the Building Department and that the authority will also review the building plans for life safety requirements in conjunction with the Building Department.

Commissioner Rauch thanked the applicant for meeting with the neighbors. He is concerned that the plan has as minimum of three lots that should not be considered, specifically Lot #'s 10, 11 and 12. Also, there are 13 additional lots that should not be included due to the wetland crossing that leads to them. He is not confident that EGLE would approve that road to cross the wetland. He would also like to see the preservation of the natural features that abut the adjacent properties. Additional details should be provided for the detention basin. He would like to see the completed traffic study, which will include the new roundabout. He is not in favor of moving this forward this evening.

Mr. Noles stated that EGLE will allow a road to cross a wetland to access an upland developable space. There is a lot of information they need to provide and steps they need to take to receive approval. There is nothing that precludes them from building a home on a lot with a wetland, but they need to show the buildable area on that lot. They will provide the details of the detention basin during final site plan approval and will meet all of the Livingston County Drain Commissioner's requirements. Tonight they are requesting the Planning Commission to review and vote on the density of the site. That can include conditions for them to address.

Mr. Rauch would like to see evidence that Lots #10, 11 and 12 are buildable lots, the distance of the cul-de-sac and some details of the retention basin and storm management plan.

Commissioner Dhaenens asked Mr. Noles if they would consider sidewalks. Mr. Noles noted that the detail of the plan shows that they are proposing sidewalks. They will include sidewalks, but they are deciding if they will put them on both sides or just one side of the road.

Commissioner Dhaenens agrees with the density because they are bigger lots. He does not think the traffic study would be accurate due to the construction that is occurring in the area now, and the construction of the I-96 overpass at Grand River planned for next year. Mr. Noles noted that any rating over an F is acceptable and this development would not bring the rating to or below an F.

Commissioner Dhaenens would like to see additional landscaping around the detention pond. Mr. Noles stated they will comply with that request.

Commissioner McCreary would like to see the traffic study. She questioned the wetland delineations shown on the plan and those that encroach onto some of the lots. Mr. Noles reviewed how those were determined and then the process they will follow with EGLE for them. She asked if they have determined if their wells will affect the neighboring residents' wells. Mr. Noles stated their proposal has met all of the requirements of The Livingston County Health Department for the wells.

Commissioner Chouinard questioned the results of the perk tests. Mr. Noles stated the east side of the site perked very well; however, some sites on the other side may need to have mitigated fields. Mr. Brian Biskner, the engineer, stated they performed 130 perk tests and there were no problems. He agreed that some on the other side will need to be mitigated with grading and additional sand.

Commissioner McCreary questioned what the site will look like when it begins to be developed. Will it be clear cut? Mr. Noles stated they do not keep the existing trees on the interior and include them on new lots because they do not survive. They save as many trees as they can along the perimeter, but there will not be any trees remaining on the interior of the project within the development area.

Commissioner Dhaenens asked if they will be able to sell the lots that abut the railroad tracks. Mr. Noles said they do. There are people who have different thresholds for their property.

The call to the public was opened at 8:01 pm

Ms. Christine Cross of 6984 Challis is one of the residents on the new cul-de-sac by the roundabout. This is a poor time to do a traffic study due to the new roundabout and the bridge closed at Dorr. While 58 homes on this site will not cause a problem, it will be added to the apartments being built in the City of Brighton and what is planned for Latson Road. She thinks that these homes are going to affect her well.

Mr. Carl Mauch of 6503 Catalpa has lived there for 42 years. He likes the roundabout. He agrees with Ms. Cross that the traffic will be impacted by this and other development in a 10-mile radius. There is traffic on Challis Road due to the factory and the U of M facility. When

Genoa Township Planning Commission  
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Approved Minutes

there is a train, the traffic backs up to Target. He is also concerned about this development having one entrance and exit and how that will affect the roundabout traffic. What impact will this have on the schools, the police and fire department?

Mr. Jim Carpenter of 4715 Stillmeadow Drive liked the presentation. He questioned who is going to do a traffic study for the entire area, not only the individual developments.

Mr. Evan Meffert of 6541 Grand Circle Drive is concerned with all of the trees that are going to be removed. He does not think the traffic study will show how difficult it is to pull out of Grand Circle Drive. The one exit and entrance for this development will make that more difficult and dangerous. He noted there is a paved path near the new roundabout and he would like to have that extended to allow people to walk to downtown Brighton.

Mr. Dan Kashian of 6385 Grand Circle has lived here 18 years. There has been a lot of discussion about this specific development, but if there are residential developments being built, there should be safe pedestrian, stroller, and bicycle access.

Ms. Debra Beattie of Pineview Trail stated the property has a lot of issues, such as traffic, a large wetland that is going to be affected, and the impact on people's wells. This project should be on city water and sewer.

Ms. Mary Jane Hebert of 6899 Lyle Lane stated there is a Master Plan but it is not being followed. There are so many exceptions. It should have city water and sewer. There should not be 58 wells. The wetlands are going to be affected.

Ms. Melanie Johnson of 3990 Chilson Road is concerned about the runoff from driveways. Will there be a drainage plan so that it does not drain into the wetlands.

Mr. Mike Wilbanks stated this development is outstanding. This is what this township needs instead of an Amazon warehouse or apartments on Dorr Road and Grand River. These will be high end homes that will be good for the schools and the tax base. The developer and the board are caring about the community.

The call to the public was closed at 8:26 pm.

The Commission discussed the outstanding items that are needed from the applicant.

**Moved** by Commissioner Rauch, supported by Commissioner Rassel to table all items for Public Hearing #1 to give the petitioner an opportunity to work on the feedback from this evening and to work on the traffic study, acknowledging that the background information on that study may be challenging at this time. **The motion carried (Dhaenens - no; Rassel - yes; Grajek - yes; McCreary - yes; Rauch - yes).**



January 7, 2025

Planning Commission  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

<b>Attention:</b>	Amy Ruthig, Planning Director
<b>Subject:</b>	Legacy Hills – Residential Planned Unit Development (Review #4)
<b>Location:</b>	Northwest corner of Challis and Bauer Roads
<b>Zoning:</b>	AG Agricultural District

Dear Commissioners:

At the Township’s request, we have reviewed the most recently revised submittal from Pulte Homes of Michigan for the proposed Legacy Hills development.

The applicant seeks a Residential PUD for a 55-unit single-family site condominium development on 127.57 acres of undeveloped land situated at the northwest corner of Challis and Bauer Roads (cover sheet dated 12/16/24).

**A. Summary**

**1. PUD Qualifying Conditions (Section 10.02):**

- a. The proposal requires approval by the Township in accordance with the cluster development option of Section 10.03.01(d) for residential units of less than 1 acre that are not served by public sewer or water.
- b. The applicant must address any technical comments provided by the Township Engineer, Brighton Area Fire Authority and/or Utilities Director.

**2. Rezoning Criteria (Section 22.04):**

- a. The proposed zoning designation of LDR/RPUD is consistent with the Future Land Use Plan and goals/objectives of the Township Master Plan.
- b. Use of the cluster development option under the RPUD overlay results in greater open space/natural feature protection than would otherwise be required (58.1%).
- c. The only use identified in the RPUD is detached single-family, which is generally reasonable and compatible with the area.
- f. The applicant must address any technical comments provided by the Township’s engineering consultant, Utilities Director and/or Brighton Area Fire Authority.

**3. Conceptual PUD Plan and PUD Agreement (Section 10.03.01):**

- a. The pathway options provided warrant additional discussion.
- b. Dimensional deviations are sought for lot area, lot width, and 1 side yard minimum setback/combination of side yard setbacks.
- c. Cluster option:
  - i. Unit 30 does not provide the minimum lot area required and must be increased to at least 32,670 square feet.
  - ii. The road connection to Units 13-16 encroaches into the natural feature setback area and the wetland itself (thus requiring State and Township approval). The applicant has added the encroachment to the list of dimensional deviations sought via the RPUD.
  - iii. The applicant must include a preservation and maintenance plan with the final PUD site plan submittal.
  - iv. The Township may include reasonable conditions to ensure protection of public facilities and services, protection of the natural environment, compatibility with adjacent land uses, use of the land in a socially and economically desirable manner, and to implement the Master Plan.

- d. The applicant must address any comments provided by the Township’s engineering consultant, Utilities Director and/or Brighton Area Fire Authority.
- e. The applicant must address staff and/or Township Attorney comments on the PUD Agreement.
- f. The applicant should identify the Challis and Bauer Road frontages of Units 32-45 as the rear yard (since they will be double-fronted lots).
- g. Signage identifying areas not to be disturbed (natural feature setback and landscape easement) should be included.



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

## **B. Proposal/Process**

The request is to create a Residential Planned Unit Development (RPUD) for 127.57 acres of land generally located at the northwest corner of Challis and Bauer Roads.

Because the RPUD is an overlay zoning district, the request includes rezoning to LDR Low Density Residential in conjunction with use of the RPUD.

At this time, the applicant seeks Planning Commission consideration of LDR/RPUD rezoning for 127.57 acres of land, the conceptual PUD plan, Environmental Impact Statement and draft PUD Agreement.

Following a public hearing, the Commission may put forth recommendations to the Township Board on each component of the request. The Township Board has final approval authority.

Given the nature of the project as a site condominium under a RPUD, the conceptual PUD site plan serves as the preliminary condominium plan. If approved, the final PUD site plan will serve as the final condominium plan.

For the applicant’s information, condominium documents and agency approvals (Road Commission, Health Department, EGLE, etc.) will be required as part of the final PUD site plan submittal.

## **C. Qualifying Conditions**

We have reviewed the request for compliance with Section 10.02 (PUD Qualifying Conditions), as follows:

1. **Single Ownership.** The PUD application form states that “Pulte Homes of Michigan, LLC will be the sole owner and is capable of developing the site as one integral unit.”

2. **Initiated by Petition.** The request has been properly initiated by submittal of the required materials, including applications for PUD, rezoning, and site plan review.
3. **Minimum Site Area.** Section 10.02.03 requires a minimum of 20 acres for the establishment of a PUD, while the site contains 127.57 acres of land.
4. **Benefits.** Use of the PUD will result in greater open space preservation that would otherwise be required (58.1%, including upland and wetland areas, as well as natural feature setbacks, and buffers along both public roadways and the abutting residential development to the west).
5. **Sewer and Water.** The site is not currently served by public sewer and water, nor are extensions proposed.

Section 10.02.05 states that “the Township may approve a residential PUD that is not served by public sewer or water, provided all lots shall be at least one (1) acre in area unless approved by the Township in accordance with the requirements provided in Section 10.03.01(d).”

The proposal entails a total of 55 detached single-family units, 8 of which exceed 1-acre in area.

The project includes a total of 74.14 acres of protected open space area and it is the applicant’s intent to seek use of the cluster option, per Section 10.03.01(d). These requirements are reviewed in greater detail in Paragraph E of this letter below.

The Commission should also consider any comments provided by the Township engineering consultant, Utilities Director, and/or Brighton Area Fire Authority with respect to this criterion.

#### **D. Rezoning Criteria**

We have reviewed the request for compliance with Section 22.04 (Criteria for Amendment of the Official Zoning Map), as follows:

1. ***Consistency with the goals, policies and future land use map of the Genoa Township Master Plan, including any subarea or corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area.***

The Township Master Plan and Future Land Use map identify the subject site as Low Density Residential and Large Lot Rural Residential. These classifications are consistent with LDR and RR zoning, respectively.

The proposed residential development is within the area planned as LDR, while the area planned as RR is to be protected and preserved as part of the RPUD. As such, the proposed underlying rezoning to LDR is consistent with the Future Land Use Plan.

Inclusion of the RPUD overlay ensures further protection of sensitive environmental areas and additional open space beyond what would otherwise be required, which is consistent with the goals and objectives of the Master Plan.

2. ***Compatibility of the site's physical, geological, hydrological and other environmental features with the host of uses permitted in the proposed zoning district.***

The site contains 3 regulated wetland areas comprising a total of 32.35 acres. The vast majority of these wetlands will not be disturbed; however, the project does include an encroachment into the 0.74-acre wetland for the roadway connection to Units 13-16.



This encroachment requires a permit from the State and approval from the Township as part of this project.

The protected upland areas (26.46 acres/20.7% of the property) also contain a significant amount of mature wooded areas that will not be disturbed given use of the RPUD overlay. It is important to note that this area will be protected in perpetuity as part of the cluster development.

The Environmental Impact Assessment includes correspondence from the County Health Department noting that the property is generally suitable for on-site sewage disposal and drinking water.

**3. *The ability of the site to be reasonably developed with one (1) of the uses permitted under the current zoning.***

Based on gross acreage, current zoning (AG) would allow for development of approximately 12 detached single-family units.

The current AG zoning is a departure from the planned Low Density Residential. Given the discrepancy between current zoning and the Master Plan for this area, the Commission could find that development under AG standards is not reasonable.

**4. *The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.***

Per Section 3.03, the host of permissible land uses between AG and LDR zoning are nearly identical, save for the agricultural uses allowed in AG.

For this particular request, use of the RPUD overlay identifies the only allowable use as detached single-family units.

The proposed use and resulting density are similar in nature to the adjacent residential development.

The project does not meet the for a full traffic impact statement, but does require a traffic impact assessment, per Section 18.07.09. The previous submittal included the assessment (dated October 30, 2024), as required.

The assessment concludes that “the proposed development is expected to have minimal impact on the adjacent roadway network and the existing infrastructure can adequately accommodate the projected trips generated by the proposed development plan.”

Additionally, the current submittal includes a memo from the applicant’s traffic engineer (dated December 17, 2024) addressing comments provided at the recent Planning Commission meeting.

**5. *The capacity of Township infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the Township.***

The applicant must address any comments provided by the Township engineering consultant, Utilities Director and/or Brighton Area Fire Authority related to this criterion.

**6. *The apparent demand for the types of uses permitted in the requested zoning district in the Township in relation to the amount of land in the Township currently zoned to accommodate the demand.***

The rezoning application form states that “supply is deficient for single family housing in Michigan in general and this proposal will increase single family homes while preserving over half of the site as open space.”

The second submittal included additional information regarding the demand for new single-family residences that has generally been deemed sufficient to address this criterion.

**7. *Where a rezoning is reasonable given the above criteria, a determination the requested zoning district is more appropriate than another district or amending the list of permitted or Special Land Uses within a district.***

In our opinion, since the request is tied to lot size/density and not necessarily a different land use, rezoning to LDR and use of the RPUD overlay is more appropriate than another zoning district or amending host of allowable uses and the corresponding density of the AG District.

**8. *The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.***

No rezoning requests have been submitted in the past year for the subject property.

**E. Conceptual PUD Plan**

We have reviewed the request for compliance with the Residential PUD standards (Section 10.03.01), as follows:

- 1. Submittal Materials.** The multiple submittals and presentations by the applicant have included the information required by Section 10.05.
- 2. Land Use.** As previously noted, the only use proposed is detached single-family residential.

As previously discussed, the project also includes internal sidewalks and a sidewalk connection to the adjacent neighborhood.

The off-site pathway connection presented at the previous meeting is not identified on the plan; however, a note is included on the cover sheet indicating the option of a path/boardwalk in the open space preservation area or a pathway connection to the roundabout in the public right-of-way with details to be finalized during final engineering.

It was our understanding that the Commission preferred the public pathway option. As such, this items warrants further discussion at the upcoming meeting.

- 3. Density.** Per this criterion, since a different designation is noted in the Master Plan, the request for RPPUD zoning concurrently includes rezoning from AG to LDR.

Per discussion at the previous meeting, this submittal includes a revised parallel plan depicting a total of 55 units based on conventional RR (units 13-23) and LDR (remainder of the development) requirements.

It is also important to reiterate that the parallel plan includes a roadway connection that crosses 2 regulated wetlands, which would require approval from the State as a conventional development. 30

- 4. Dimensional Standards.** Except where dimensional deviations are sought and granted as part of the PUD, the project must comply with LDR dimensional standards.

As previously noted, the majority of the proposed units do not meet the 1-acre minimum lot area; however, the proposal includes more open space than required to offset the total reduction in lot area for all 55 units.

Additionally, LDR requires a minimum lot width of 150 feet, though only a few units meet this standard.

The typical unit detail on Sheet C3 depicts compliant setbacks for the front, rear and 1 side yard; however, the 2<sup>nd</sup> side yard and combination of side yards are deficient by 10 feet (20' one side and 50' combination proposed).

These dimensional deviations have been included in both the conceptual PUD site plan and draft PUD Agreement, as previously requested.

- 5. Open Space.** Use of the RPUD overlay requires a minimum open space area of 25% (though the cluster option requires a minimum of 50%). As previously noted, the proposal entails an open space ratio of 58.1% (74.14 acres).

The open space area includes a 100-foot buffer along both main roadways and from the adjacent residential development to the west, as required.

The draft PUD Agreement included with the previous submittal included language noting that the open space areas will be preserved in perpetuity, as required.

- 6. Cluster Option.** The request has been reviewed for compliance with the standards of Section 10.03.01(d), as follows:

- 54 of the 55 units exceed the minimum allowable area of 32,670 square feet; however, Unit 30 provides only 31,584 square feet of lot area. Additionally, the table on Sheet C3 includes a typo for the area of Unit 24. These items must be corrected.
- The overall density is 0.43 dwelling units per acre, which is less than the maximum allowable density of 1-acre.
- Previous submittals included correspondence from the County Health Department that soils can accommodate on-site sewage disposal.
- The proposal includes extensive landscaping, buffering, and screening, as well as open space preservation beyond what would otherwise be required.
- As previously noted, the proposal protects more open space (58.1%) than would be required under conventional zoning. This includes areas of wooded uplands that could otherwise be developed.
- The common open space areas are primarily in the center and northwesterly portions of the property, though a smaller area is proposed in the southeast corner of the property.
- The site is under single ownership and it is the applicant's intent to complete the project in 1 phase.
- Protected open space accounts for 58.1% of the total property area (exceeding the 50% minimum).
- The current plan provides a 100-foot buffer along both roadways (Challis and Bauer), as well as along the adjacent residential development to the west. The landscape screening between the detention pond and adjacent neighborhood has also been increased, as previously requested.
- With one exception, the development provides 50 feet of natural feature setback around the wetland areas. The road connection to Units 13-16 encroaches into the setback area and the

wetland itself (thus requiring State approval). This encroachment has been incorporated into the request for dimensional deviations.

- The upland preservation in the northwest portion of the property and the buffers (noted above) will protect mature wooded areas that could otherwise be developed.
- The plan includes picnic tables in 2 of the open space areas and an off-site public pathway was discussed at the previous meeting. As previously noted, the pathway must be depicted on the conceptual PUD site plan.
- The draft PUD Agreement included with the previous submittal has a provision stating that the open space areas will be preserved in perpetuity via the recorded Master Deed, as required.
- If rezoning and conceptual PUD site plan approval are granted, the applicant must include a preservation and maintenance plan with the final PUD site plan submittal.
- As previously discussed, the Township may include reasonable conditions “ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, protecting the natural environment and conserving natural resources, ensuring compatibility with adjacent uses of land, promoting the use of land in a socially and economically desirable manner, and further the implementation of the Township Master Plan.”

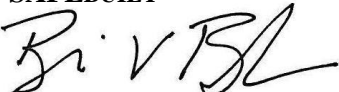
**7. Additional Considerations/PUD Agreement.** The applicant must address any comments provided by Township staff and the Township Attorney.

The most recent draft of the PUD Agreement addressed the majority of the comments provided in our previous review letters. However, we suggest the Commission require the following:

- The applicant should identify the main road frontage (Challis and Bauer Roads) of Units 32-45 as the rear yard since they will be double-fronted lots; and
- Signage should be incorporated along the edge of the natural feature setback and buffer easement to ensure that residents do not disturb these areas. Such signage and the applicable restrictions should be included in the PUD Agreement and Condominium Documents.

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



December 23, 2024

Ms. Amy Ruthig  
Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

**Re: Legacy Hills  
Conceptual Site Plan Review No. 4**

Dear Ms. Ruthig:

Tetra Tech conducted a fourth review of the conceptual site plan submittal for Legacy Hills last dated December 16, 2024. The site plan was prepared by The UMLOR Group for Pulte Homes. The site is located on the north side of Challis Road, just north of the new Challis Road and Bauer Road roundabout. The proposed PUD includes the addition of 55 single family homes. Improvements include a proposed private road with storm sewer and stormwater detention.

We offer the following comments:

#### **DRAINAGE AND GRADING**

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

#### **WATER AND SANITARY SERVICE**

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

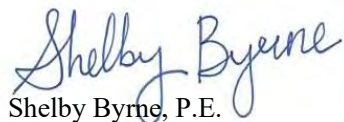
3. The concept plan shows two fire suppression wells per Fire Authority Requirements. In future submittals additional detail should be provided on the plans for the proposed wells and more detail should be provided on how they will operate.

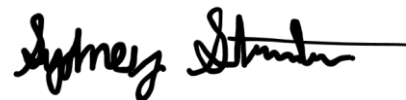
**TRAFFIC AND ROADWAYS**

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

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

Sincerely,

  
Shelby Byrne, P.E.  
Project Engineer

  
Sydney Streveler, EIT  
Civil Engineering Group



# BRIGHTON AREA FIRE AUTHORITY

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

January 7, 2025

Sharon Stone-Francis  
Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

RE: Legacy Hills RPUD Site Plan  
Challis & Bauer  
Genoa Twp., MI

Dear Sharon,

The Brighton Area Fire Department has reviewed the above-mentioned site plan. The plans were received for review on December 17, 2024 and the drawings are dated December 16, 2024 with the latest revisions dated December 16, 2024. The project is based on the proposed rezoning of approximately 127.57 acres from Agriculture to RPUD. The plan proposes 55 residential units and associated access and open space. The plan review is based on the requirements of the International Fire Code (IFC) 2021 edition.

**All previous review comments have been addressed in the recent submittal.**

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). The applicant is reminded that the fire authority must review the fire protection systems submittals (sprinkler & alarm) prior to permit issuance by the Building Department and that the authority will also review the building plans for life safety requirements in conjunction with the Building Department.

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 "R. Boisvert".

Rick Boisvert, CFPS  
Fire Marshal

cc: Amy Ruthig [amy@genoa.org](mailto:amy@genoa.org)

**From:** [matthew betz](#)  
**To:** [Amy Ruthig](#)  
**Subject:** Pulse proposal  
**Date:** Thursday, December 5, 2024 2:44:49 PM

---

Amy

I am a resident of Genoa Township, but am out of town and can't attend the meeting. Still, I would like to have my voice heard.

Every time any development is proposed, there is a small but very vocal minority of citizens that oppose it. They seem to think that Genoa Township can remain a great community by keeping it like it was in 1950. I believe that the majority of citizens believe in responsible growth to keep our community healthy and a great place to live.

Pleas do not be swayed just because the opposition can get a couple hundred people to show up for a meeting. That leaves 20,000 others who are not complaining.

In the Pulse case, as long as wetlands are protected, they should be allowed to build.

Thanks for listening

Matthew Betz  
Pine Eagles Dr  
Oak Pointe



**From:** [Michael Britt](#)  
**To:** [Amy Ruthig](#)  
**Subject:** objection to Pulte proposal  
**Date:** Wednesday, December 4, 2024 9:32:28 PM

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STOP PAVING OVER LIVINGSTON COUNTY1111

**From:** [JOHN GORECKI](#)  
**To:** [Amy Ruthig](#)  
**Subject:** building..... Pultz homes  
**Date:** Sunday, December 8, 2024 11:11:57 AM

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Please don't let our beautiful community turn into a Taylor, Mi..... we do not need section 8 housing, low-income apartments, or track homes in this area!..... please keep our area pristine and keep the building to a higher scale!..... thank you!.....john gorecki

**From:** [karyn.stetz](mailto:karyn.stetz)  
**To:** [Amy.Ruthig](mailto:Amy.Ruthig)  
**Subject:** Pulte Petition  
**Date:** Thursday, December 5, 2024 10:31:17 AM

---

Hi Amy,

I just wanted to write to say that our family does not want to see Pulte destroy the wetlands at Challis & Bauer Roads to build a subdivision and urge a vote against their petition. They are known as a destructive company throughout the country and Brighton deserves better.

--

Warmly,

*Karyn*

[karyn.stetz@gmail.com](mailto:karyn.stetz@gmail.com)

[734.476.1772](tel:734.476.1772)

**Staff recommends that tree protection of a certain caliper and clearing limits could be included in the PUD agreement.**

**PLANNED DEVELOPMENT AGREEMENT**

**for**

**LEGACY HILLS**

**Entered into between:**

**Charter Township of Genoa, a Michigan Municipal Corporation**

**and**

**Pulte Homes of Michigan LLC, a Michigan limited liability company**

**Dated: \_\_\_\_\_, 2024**

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see signature page  
comment

**LEGACY HILLS PLANNED UNIT DEVELOPMENT AGREEMENT**

THIS AGREEMENT (“Agreement”) is made and entered into this \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2024 (“Effective Date”), by and between the CHARTER TOWNSHIP OF GENOA (“Township”) a Michigan municipal corporation, with offices located at 2911 Dorr Road, Brighton, Michigan 48116, and Pulte Homes of Michigan LLC (“Developer”), a Michigan limited liability company, with offices located at 2800 Livernois Road, Building D, Suite 320, Troy, Michigan 48083.

Project Developer: Pulte Homes of Michigan LLC, a Michigan limited liability company

Township Planning Director: Genoa Township Planning Services  
Amy Ruthig

Project Engineer: The Umlor Group

**RECITALS**

A. Developer is, or is under contract to become the owner of certain property more particularly described on **Exhibit A** attached hereto and incorporated herein (“Property”), which is currently zoned AG, Agricultural Zoning District.

B. Developer intends to develop the Property into a single-family site condominium project (the “Project”) consisting of fifty-eight (58) units (“Units”) and consisting of approximately one- hundred-twenty-eight (128) acres.

C. In relation to development of the Project, Developer applied for approval of an amendment to the Township’s Zoning Ordinance to amend the Township Zoning Map and rezone the property to Residential Planned Unit Development (“RPUD”).

D. In accordance with the PUD zoning requirements as set forth in the Township Zoning Ordinance and Master Plan, the Project will have less than one (1) dwelling unit per net acre, and otherwise comply with required width, lot coverage, and setbacks requirements for RPUD zoning under the Zoning Ordinance, except as set forth in the Schedule of Regulations and Modifications attached as **Exhibit D** to this Agreement (the “Zoning Ordinance”).

E. The Project will provide definite benefits to the Township including the preservation of significant natural features and pedestrian connectivity via an internal sidewalk system throughout the Project,

NOW, THEREFORE, it is hereby agreed as follows:

**1. SUMMARY DESCRIPTION OF THE PROJECT**

The Project covers an area comprising approximately one-hundred-twenty-eight (128) acres, located generally at Challis Road and Bauer Road in the ~~{Charter }Township{of Genoa}.~~

Developer is proposing to develop a single family residential condominium project that generally meets the requirements of the Zoning Ordinance and that is consistent with the conditions imposed in the recommendation of approval by the Planning Commission. The proposed use(s) are as follows: Single family residential homes, provided, however, that Developer may erect and maintain model homes on the Property and temporary promotional signage in furtherance of the sales activities of the Developer in relation to the condominium. Notwithstanding anything to the contrary contained elsewhere in this Agreement, until all Units in the entire Project are sold by Developer, Developer shall have the right to maintain a sales office, a business office, a construction office, models units, promotional signage, storage areas and reasonable parking incident to the foregoing, and such access to, from and over the Project as may be reasonable to enable development and sale of Units or the entire Project by the Developer, as permitted by the Zoning Ordinance.

## 2. ADHERENCE TO REQUIREMENTS FOR DEVELOPMENT

The Property shall be developed and improved in full compliance with the following (collectively referred to as the “Development Documents”):

- a. Appendix A to the Code of Ordinances for Genoa Township, the Zoning Ordinance. The Project is being developed in accordance with the provisions of Article 10, Planned Unit Development (PUD), in the form and on the terms existing on the Effective Date, except as otherwise provided in this Agreement (the “Zoning Ordinance”) including but not limited all other modifications as set forth on **Exhibit D**, permitting the uses as shown on the Final Conceptual Development Plan for Legacy Hills attached as **Exhibit B**.
- b. The “Conceptual Development Plan for “Legacy Hills” was recommended for approval by the Planning Commission on \_\_\_\_\_ and approved by the Township Board on \_\_\_\_\_. The Final PUD Conceptual Plan for “Legacy Hills” prepared by The Umlor Group, Job No. \_\_\_\_\_, with revision date of \_\_\_\_\_, attached as **Exhibit B** hereto, and which consists of the following pages:
  - Sheet no. 1 [identify each]
  - Sheet no. 2
  - Sheet no. 3
  - Sheet no. 4
  - Sheet no. 5
- c. Conditions imposed on the Project by the Planning Commission in its recommendation for approval for the PUD Conceptual Development Plan for Legacy Hills on \_\_\_\_\_, 20\_\_\_\_, and the conditions imposed by the Township Board on the Legacy Hills PUD when it was approved on \_\_\_\_\_, 20\_\_\_\_, which may include the conditions recommended by the Township’s Planning Consultant and Engineer, and any other reasonable conditions which

may be subsequently imposed by the Township Board with respect to the Legacy Hills PUD approval, and the Planning Commission as part of the Final Conceptual Development Plan approval with respect to the Site Plan or other required approvals, all of which are set forth in **Exhibit C** attached hereto:

- d. This Agreement and any conditions imposed herein.
- e. Any and all conditions of the Final PUD Conceptual Development Plan Approval recommended by the Planning Commission and adopted by the Township Board pertaining to the Project are reflected in the official minutes of such meetings. The Final Conceptual Development Plan for Legacy Hills is attached as **Exhibit B** to this Agreement (together the official minutes described in this Section, conditions imposed in Section 2(c) above, and the Conceptual Development Plan for Legacy Hills shall be referred to as the “Final Site Plan”). The Final Site Plan shall be designed in conformance with the requirements of this Agreement. The Final Conceptual Development Plan for Legacy Hills is attached as Exhibit B to this Agreement.
- f. Conditions of approval of the Genoa Township Engineering Design Standards and any other reasonable conditions which might be required by the Township Engineer.

Furthermore, all development and improvement of the Property by Developer and all use of the Property shall be subject to and in accordance with all applicable Township Ordinances, and shall also be subject to and in accordance with all other approvals and permits required under applicable Township Ordinances, the Development Documents and state laws for the respective components of the Project. To the extent that there are conflicts or discrepancies between respective provisions of the Development Documents, or between provisions of the Development Documents and Township Ordinances, this Agreement shall control. In the event the PUD Agreement is silent on matters otherwise covered by the PUD, Final Conceptual Development Plan or Township Ordinances and regulations, the PUD and Final Conceptual Development Plan shall control.

All future owner(s) of the Property shall be bound by the terms of this Agreement and the Developer’s authority and responsibilities stated herein. It shall be the responsibility of the Developer to transmit notice to all future owner(s) of the Property of the requirements contained within this Agreement. The Township shall require that all developers, present or future, of any portion of the PUD, ~~as the same may be expanded by the Township,~~ and their respective successors in title, comply with the Township Ordinances and the Development Documents.

### 3. ADHERENCE TO ORDINANCES

Developer shall comply with all applicable Township ordinances, including the Zoning Ordinance, Condominium Ordinance, and/or the Subdivision Control Ordinance, in effect at the Effective Date of this Agreement, except where modified by this Agreement. Future phases, if applicable of development shall comply with the Zoning Ordinance of the Township in effect at



the Effective Date of this Agreement, except where modified by this Agreement, including, but not limited to, the following dimensional deviations:

**DIMENSIONAL DEVIATIONS**

<b>DESCRIPTION</b>	<b>REQUIRE D</b>	<b>PUD PROVIDED</b>
AREA FOR SEPTIC & WELL	43,560 S.F.	32,670 S.F.
CUL-DE-SAC LENGTH	1200 FT.	1000 FT.
WETLAND SETBACK	50 FT.	50 FT. (including on lot easements)*
MINIMUM LOT AREA-LDR	43,560 S.F.	32,670 S.F.
MINIMUM LOT WIDTH-LDR	150 FT.	115 FT.
MINIMUM SIDE YARD-LDR	30 FT.	20 FT.
SIDE YARD TOTAL-LDR	60 FT.	50 FT.

\* except where there is approved wetland impact, in those cases the proposed wetland setback is less than 50 FT. as noted on the construction documents.

Developer acknowledges that certain provisions of this Agreement may exceed the requirements of the Zoning Ordinance, and the Township acknowledges that items shown in the Final Site Plan may be less than the requirements of the Zoning Ordinance. Developer shall fully comply with all engineering and other local, state and federal codes and regulations in effect at the time of this Agreement, ~~unless~~ except as and to the extent superseded or otherwise covered in this Agreement and the Final Site Plan. The Final Conceptual Development Plan for Legacy Hills is attached as Exhibit B and minutes of the Planning Commission and Township Board meetings are attached as Exhibit E.

**4. PERMITS AND AUTHORIZATIONS**

The Township shall grant to Developer and its contractors and subcontractors all Township permits and authorizations necessary to bring all utilities including electricity, telephone, gas, cable television, water and storm to the Property and to otherwise develop and improve the Property in accordance with the Final Site Plan, provided the Developer has first made all requisite applications for permits, complied with the requirements for said permits, and paid all required fees. Any applications for permits from the Township will be processed in the customary manner. The Township will cooperate with Developer in connection with Developer’s applications for any necessary county, state, federal or utility company approvals, permits or authorizations to the extent that such applications and/or discussions are consistent with the Final Site Plan, and this Agreement.

**5. EXPIRATION AND PHASING**

## A. EXPIRATION

Developer shall commence construction of the Improvements (defined below) within ~~two~~ thirty (~~2~~30) ~~years~~ months from the later of (i) the Effective Date of this Agreement, or (ii) ~~upon~~ issuance of ~~all necessary permits and approvals from all required governmental and municipal agencies, including~~ final site plan approval by the Township (the “Expiration Date”).

The Developer has a right to request an extension for commencement of the Improvements for good cause from the Township Board not less than 90 days prior to the Expiration Date of this Agreement.

## B. PHASING

~~{The Project will be developed in one phase. If the Project does not have site plan approval, for which the improvements have not been financially secured with the Township, which has not been recorded, and for which construction of the site improvements has not commenced on or before \_\_\_\_\_, 20\_\_ is not vested, unless the Township Board has approved an extension.}~~

Once construction has commenced on the Project as set forth in Section ~~5(a)~~ 5A, the Developer will be deemed to have obtained vested rights to complete construction of the planned development.

The Project is planned as a one phase development, which shall include the associated infrastructure improvements within, or necessary to serve, the phase.

Construction is scheduled to commence upon final PUD and Final Site Plan approval and receipt by Developer of all permits from outside agencies necessary to permit construction and satisfaction of the conditions established by the Planning Commission during PUD and Site Plan approvals, as well as any additional conditions which may be imposed during Final PUD and Final Site Plan review and approvals prior to the issuance of any permits by the Township.

Upon completion of the Project, it shall be capable of standing on its own in terms of the presence of services, facilities and infrastructure to serve the Project, and open space to be located within the Project, and shall contain the necessary components to insure the protection of natural resources, and the health, safety and welfare of the users of the Project and the residents of the surrounding area. For purposes of this section, “infrastructure” shall mean the Improvements to serve the Project as set forth in the Final Site Plan. In addition, for the Project to be considered complete, all easements required by the Township in relation to the provision of utilities by the Township pursuant to this Agreement must be approved and provided to the Township in recordable form. Developer shall pay all recording fees.

~~{To the extent construction has commenced, Developer shall be deemed to have obtained vested rights, and shall be permitted to complete the Project in accordance with the Development Documents and this Agreement.}~~

## 7. ROADS, DRIVES AND PARKING LOTS

- a. All roads for the Project, shall be designed, situated and constructed in accordance with the Township Engineering approvals and applicable Township Ordinances, the Development Documents, the Final Site Plan. The roads in the Project will be private roads.
- b. Except as may result from the unavailability of asphalt due to winter weather conditions, all roads, drives and parking lots depicted on the Final Site Plan, and which are necessary to serve any component of the Project then under construction shall be completed and approved (except top coat) prior to issuance of a final Certificate of Occupancy for any building or structure to be served thereby within the component of the Project. In the event that Developer fails to complete the roads, drives and parking lots by the time required by this Agreement, the Township may, at its option, after first giving written notice to Developer of the deficiency and an opportunity to cure the same in the manner and within the time for cure provided in Section 6 above, elect to pursue its remedies as set forth in Section 17. However, in the event the Livingston County Building Department elects to issue building permits, the paving of all areas referenced in this paragraph shall be completed and approved (excluding top coat) prior to issuance of a final Certificate of Occupancy. An extension of the time required to complete the paving of all areas may be granted by the Township administration, in its sole discretion, in the event of circumstances beyond the control of Developer, such as but not limited to adverse weather conditions.
- c. The Township agrees to the proposed road hierarchy, geometrics, utility locations and amended rights-of-way as depicted on the Final Site Plan.
- d. No building or land use permits shall be issued for a construction phase or, if none, the Project, until the infrastructure to serve such construction phase is installed. This shall include, at a minimum, internal roads (except top coat), and storm water drainage and detention. **Developer shall be entitled to the issuance of building permits<sup>1</sup>** for model homes and Units for sale, provided that (i) all underground utilities for each respective construction phase wherein such model home or Unit is located are complete; and (ii) the access and service roads serving such model home or Unit are complete (except for topcoat).

**8. LANDSCAPING, LIGHTING, AND ARCHITECTURAL STANDARDS**

Developer shall construct the Project in full compliance with the Development Documents, which shall govern the landscaping, lighting, signs, architectural and other standards applicable to the Project.

**9. STORM WATER DETENTION/RETENTION SYSTEM**

my comment stands, the Township issues Land Use Permits, Livingston County building Department issues building permits

<sup>1</sup> Genoa comment is to change “building permits” to “land use permits” claiming that the County, not the Township, issues building permits. No change has been made pending confirmation of this.

If you want to keep the 50 foot buffer than the language "required by the Zoning Ordinance" needs to be deleted. Otherwise 25 should be substituted for 50

Developer, at its sole expense, shall construct and maintain storm water detention/retention system ("System") (except to the extent that the System is accepted by Livingston County Drain Commissioner under a so-called 433 Agreement pursuant to Section 433 of Act No. 40 of the Public Acts of 1956, the Township will not require further maintenance), which System may include both on-site and off-site improvements, in accordance with the Development Documents, the Final Site Plan, and all applicable ordinances, laws, codes, standards and regulations. The System shall be constructed and made to operate using best management practices. At a minimum, the System shall be designed in accordance with Livingston County standards. The System shall provide storm water detention/retention for all the Property.

**10. OPEN SPACE AND NATURAL FEATURES**

Developer shall dedicate a minimum of 50%, or such other amount as agreed upon by the Township and Developer, of the Property as open space. The open spaces shall be designed and landscaped to create natural areas that add to the overall aesthetics of the Project. For the purpose of insuring long term preservation of open space and natural features within the Project, all open space and storm water drainage and detention areas and facilities, shall be perpetually preserved as unimproved areas (other than Project Improvements installed in accordance with the Final Site Plan) by way of provisions contained in the master deed ("Master Deed") recorded to establish the Project as a Condominium under the Michigan Condominium Act, Act 59 of 1978 (the "Act"), and in accordance with Township and EGLE requirements as to any wetlands regulated by the Township EGLE and the terms of any conservation easements granted to the EGLE. The Master Deed shall contain language that Co-Owners are prohibited from altering ~~for~~ the wetlands or Open Space Areas contained within the condominium, including within the ~~50-foot~~ 50-foot natural features buffer required by the Zoning Ordinance, and will address measures to minimize the impacts of lawn fertilizers on wetlands. Demarcation signs will be added in the Open Space Areas of the Condominium to ensure that there is no encroachment into the 50-foot natural features buffer required by the Zoning Ordinance.

**11. MAINTENANCE OBLIGATIONS**

Provision for the continued maintenance of all roads, drives, parking lots, sidewalks, parks, open spaces, natural features, landscape materials, lighting, System, utility improvements and other improvements as described in the Final Site Plan (all collectively "Improvements") are of major importance to the continued success of the Project. To ensure the proper installation and continued repair/maintenance of the Improvements, the following standards are imposed, which shall be incorporated into all contract documents relative to the Project, including, but not limited to, the Master Deed as provided below:

**a. Developer Obligation to Construct and Repair/Maintain Improvements for the Project.**

Developer shall be responsible for the construction of all Improvements as shown on the Final Site Plan in the Project, including the installation of Utility Improvements, at no cost to the Township.

**b. Maintenance Obligations**

An association shall be established by Developer for maintenance of the common areas after the completion of the Project to control and be responsible for the repair/maintenance of the Improvements for the Project, at no cost to the Township, and to levy and collect assessments as necessary to pay the cost of such repair/maintenance. For purposes of this Agreement, the term “Association” shall refer to the association which will be created at a point designated by Developer in the Master Deed, or other similar documents to administer and operate the condominium for the Project established under the Act.

**c. Additional Obligations**

- i. Except as provided in herein, Developer shall be responsible for the repair/maintenance of the all Improvements (except to the extent of dedication to the Township) within the Project, at no cost to the Township, until such time as the Association is formed and the appropriate Master Deed has been recorded, which sets forth the rights, powers, privileges, responsibilities and duties so assigned and conveyed, and which makes the Association responsible for the repair/maintenance of the Improvements, except to the extent that such Improvements have been dedicated to the public. At that time the Association shall become responsible for the same and Developer shall no longer be so responsible.
- ii. The Improvements as constructed shall not be altered in any material way. The repair and maintenance of the Improvements shall not be deemed a material alteration.
- iii. Easements for the benefit of the Developer for repair/maintenance of the Improvements are acknowledged and reserved as shown in the approved final engineering plan. No structure, landscaping, planting, fill or other material shall be placed which may interfere with, impede, obstruct or change the direction of the water flow within the easements for the System, Project drainage areas, and utility easement areas, or which otherwise interferes with the use and maintenance of the Improvements. The repair/maintenance of all of the aforementioned easement areas shall be the responsibility of and enforced by Developer until the Transitional Control Date as defined in the Act, at which time the Association shall be responsible for the same and the Developer shall no longer be so responsible.
- iv. In the event the Township determines that the Improvements are not being properly repaired/maintained, the Township shall serve written notice upon the Developer and/or the Associations, as appropriate, setting forth the manner in which they have failed to repair/maintain the Improvements, in reasonable condition and order. Written notice required in this

Agreement may be provided by mail, or by electronic means or facsimile with a hard copy by mail. The notice shall include a demand that deficiencies in the repair/maintenance, in no event less than thirty (30) days (the "Improvement Notice and Cure Period").

should be 17 so there is no confusion what remedies the Township can pursue

**12. CONDOMINIUM DOCUMENTS**

The developer shall submit to the Township a proposed Master Deed and Bylaws, including the Exhibit B condominium plan (collectively the "Condominium Documents"), for the Project. The proposed documents shall be subject to review and approval by the Township Attorney and Township staff prior to recording. The Condominium Documents shall be fully executed and recorded prior to the issuance of any certificate of occupancy by the Township. As part of the Condominium Documents, there shall be provisions obligating Developer or the Association, if after the Transitional Control Date, to maintain and preserve all the Improvements, the private roads, drives, entranceways, parking, walkways, screening walls, landscaping, lighting, signage, greenbelts, open areas, pedestrian walkways and open area amenities, setbacks, the System and related easements and any other private common elements and Improvements described in the Final Site Plan in good working order and appearance at all times and in accordance with the Development Documents and Section 11 of this Agreement. The Condominium Documents shall also contain reference to the actions which may be taken by the Township pursuant to Section 11 in the event that the Improvements are not preserved, maintained or repaired. Additionally, the Condominium Documents shall identify and make reference to the Development Documents and the regulations of the Property therein, including a reference to this Agreement.

The Condominium Documents shall contain provisions providing for the continued maintenance/repair of the Improvements, at no cost to the Township, and provisions requiring the levying and collection of assessments as necessary to pay the cost of such repair/maintenance and to ensure the ability to pay the cost of future repairs and maintenance of the Improvements.

**13. OMIT.**

**14. OMIT.**

**15. REIMBURSABLE COSTS**

- a. The Developer shall reimburse the Township for the following costs:
  - i. All reasonable planning, engineering, legal and any consultant fees incurred in connection with the review and approval of the Project, in accordance with the Township's Planning and Engineering Services Fee Schedules.
  - ii. All reasonable planning, engineering, legal and any consultant fees, along with applicable permit and inspection fees, which may be incurred throughout the construction of the Project as a result of any required inspections or actions taken to ensure compliance with the Development Documents.

- b. In addition, Developer shall be responsible for all costs associated with the submission to the Township and consideration of all plans and documents associated with the Project, including, but not limited to, site plans, landscaping plans, engineering plans, as-built plans, permits, inspections, etc. Further, Developer shall be responsible for all costs related to variance requests, special use requests, and review and approval of any other agreements associated with the Project, including but not limited to, the Condominium Documents, petitions for any special assessments district, and other similar documents, plans and costs.

**16. OMIT.**

**17. ENFORCEMENT AND REMEDIES**

In the event there is a failure to timely perform any obligation or undertaking required by this Agreement, the Township shall serve written notice upon the Developer setting forth such deficiency and a demand that the deficiency be cured within thirty (30) days following the notice (with the exception of a deficiency determined by the Township to constitute an impending and immediate danger to the health safety, and welfare of the public). If the deficiency set forth in the notice is not cured within said thirty (30) day period, the Township may pursue any and all remedies available to it under the Zoning Ordinance [or applicable law](#).

**18. DEVELOPER ACKNOWLEDGMENT**

By execution of this Agreement, Developer agrees that the conditions contained herein are fair, reasonable and equitable requirements and conditions; agrees that this Agreement does not constitute a taking of property for any purpose or a violation of any constitutional rights; and agrees to be bound by each and every provision of this Agreement. Furthermore, it is agreed that the Improvements and undertakings described herein are necessary and roughly proportional to the burden imposed, and are necessary in order to ensure that public services and facilities will be capable of accommodating the Project, and the increased service and facility loads caused by the Project; to protect the natural environment and conserve natural resources; to ensure compatibility with adjacent uses of land; to promote use of the Property in a socially and economically desirable manner; and to achieve other legitimate objectives authorized by law. It is further agreed and acknowledged that all the required Improvements, both on-site and off-site, are clearly related to the burdens to be created by the Project, and all such improvements are clearly and substantially related to the Township's legitimate interests in protecting the public health, safety and welfare.

**19. MISCELLANEOUS**

**a. Binding Effect**

This Agreement shall be binding upon and inure to the benefit of the parties and their heirs, successors and assigns, including the condominium association established to operate and manage the affairs of the Condominium ("Association"). The Condominium Documents shall include a provision stating



that the Association shall be bound by the terms and conditions of this Agreement and that any amendment to the Condominium Documents which impacts the Township's rights under such provision as it relates to this Agreement must be reviewed by the Township. The rights and obligations contained in this Agreement shall run with the Property. Developer shall be required, at its sole cost, to record this Agreement within thirty (30) days of execution with the Livingston County Register of Deeds, and provide a recorded copy to the Township as soon as a recorded copy is returned to Developer by the Livingston County Register of Deeds. Once Developer, or its successors or its assigns has completed the Project Improvements and turned over the Property to the Association, Developer shall have no further obligation or liability under this Agreement with respect to the obligations or liability first arising under this Agreement after the effective date of such assignment.

**b. Authority**

This Agreement has been duly authorized by Developer and the Township, through the approval of the Township Board at a meeting in accordance with the laws of the State of Michigan and the Ordinances of the Township. By the execution of this Agreement, the parties each warrant that they have the authority to execute this Agreement and bind the Property in its respective entities to its terms and conditions.

**c. Final Site Plan Approval**

Developer acknowledges that, at the time of the execution of this Agreement, Developer has not yet obtained ~~Preliminary~~ Conceptual or Final Site Plan Approval, as required. Developer acknowledges that the Planning Commission may impose additional conditions other than those contained in this Agreement during Site Plan review and approval so long as those conditions are consistent with the approvals previously given and the intent of this Agreement. Developer agrees that any additional conditions which may be attached to the Final Site Plan Approval by the Planning Commission shall be incorporated into and made a part of this Agreement, and shall be enforceable against Developer, in the event Developer proceeds with the Project and executes this Agreement. To the extent that Developer requires minor modifications to the PUD Documents, the Township Zoning Administrator shall be permitted to approve such minor modifications administratively. Minor modifications may include without limitations: (a) a reduction in the size of any building; (b) an increase in the size of any building, provided that the size of other buildings is decreased so that all buildings within the Project do not exceed the density limitation set forth in this Agreement; (c) landscaping materials identified in the attached plan may be replaced by similar types of landscaping materials of better or like quality; (d) changes in floor plans and elevations which do not alter the character of the use; (e) correcting non-material errors; (f) changes requested by the Township, County, or State for safety reasons and (g) those matters defined as Minor changes in Section 10.11.03 of the Zoning Ordinance.



**d. Other Governmental Approvals**

It is understood that construction of some of the Improvements included in the Project may require the approval of other governmental agencies.

**e. Amendment**

This Agreement may only be amended pursuant to an instrument executed by the Township and the Developer, or their successors and assigns, after mutual consent of the parties.

**f. Partial Invalidity**

Invalidation of any of the provisions contained in this Agreement, or of the application thereof to any person by judgment or court order shall in no way affect any of the other provisions hereof or the application thereof to any other person and the same shall remain in full force and effect.

**g. No Partnership**

None of the terms or provisions of this Agreement shall be deemed to create a partnership or joint venture between Developer and the Township.

**h. Incorporation of Documents**

The recitals contained in this Agreement, the introductory paragraph, and all exhibits attached to this Agreement and referred to herein shall for all purposes be deemed to be incorporated in this Agreement by this reference and made a part of this Agreement.

**i. Cooperation**

In the event that any third-party brings an action against either party regarding the validity or operation of this Agreement, the parties shall cooperate with the other in good faith in any such litigation.

**j. Integration Clause**

This Agreement is intended as the complete integration of all understandings between the parties related to the subject matter herein. No prior contemporaneous addition, deletion or other amendment shall have any force or effect whatsoever, unless embodied herein in writing. No subsequent notation, renewal, addition, deletion or other amendment shall have any force or effect unless embodied in a written amendatory or other agreement executed by the parties required herein, other than additional conditions which may be attached to

final site plan approval by the Planning Commission as stated in subsection (c) above.

**k. No Third-Party Relationship**

The parties intend that this Agreement shall create no third-party beneficiary interest except for an assignment pursuant to this Agreement. The parties are not presently aware of any actions by them or any of their authorized representatives which would form the basis for interpretation construing a different intent and in any event expressly disclaim any such acts or actions, particularly in view of the integration of this Agreement.

**l. Agreement Jointly Drafted**

This Agreement represents the product of joint efforts and mutual understanding of Developer and the Township, and should be construed accordingly. Each party has had the opportunity to have this Agreement reviewed by legal counsel.

**m. Governing Law**

This Agreement shall be interpreted and construed in accordance with the laws of the State of Michigan, and shall be subject to enforcement only in Michigan courts. The parties agree that this Agreement is consistent with the intent and provisions of the Michigan and U.S. constitutions and applicable law.

**n. Survival of Terms.**

Any easement rights conveyed in this Agreement along with the following provisions will survive the expiration of this Agreement, along with any and all approvals related to deviations and modifications from the Zoning Ordinance as set forth herein so that any improvements constructed by Developer in accordance with the Development Documents and this Agreement shall be deemed to be in accordance with the Zoning Ordinance and any future zoning ordinances, including upon expiration of this Agreement.

**o. Signed Counterparts.**

This Agreement may be executed in one or more counterparts by the different parties in separate counterparts, each of which, when executed, shall be deemed to be an original but all of which, when taken together, shall constitute one and the same Agreement. This Agreement may be transmitted by facsimile or electronic mail, and said facsimile or electronic signature shall be deemed as an original.

**p. Easements.**

Any easements granted or conveyed in this Agreement are non-exclusive easements.

**q. Notice.**

Unless later information is provided, notices under this Agreement will be provided to:

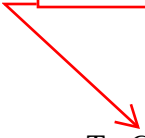
To Developer:

Pulte Homes of Michigan LLC  
Attn: Joe Skore  
2800 Livernois Road, Building D, Suite 320, Troy, Michigan 48083  
Joe.skore@pultegroup.com

With a required copy to:

Alexandra E. Dieck  
Bodman PLC  
201 S. Division Street, Suite 400  
Ann Arbor, Michigan 48104  
adieck@bodmanlaw.com

Should be Township (see first paragraph)



To Genoa Township:

Charter Township of Genoa

Attention: \_\_\_\_\_

2911 Dorr Road

Brighton, MI 48116

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email to \_\_\_\_\_

With a copy to the Township Attorney at the same address.

r. **Zoning Ordinance.**

All references in this Agreement to Zoning Ordinance or any Township ordinance and code shall be deemed to refer to the Township zoning ordinances and code in effect as of the Effective Date, subject to any deviation or waiver in respect thereof set forth in this Agreement, or any other provision hereof.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the day and year recited above.

CHARTER TOWNSHIP OF GENOA  
a Michigan municipal corporation

\_\_\_\_\_  
By:  
Its:

\_\_\_\_\_  
By:  
Its:

**ACKNOWLEDGEMENT**

STATE OF MICHIGAN    )  
  ) ss  
COUNTY OF                )

The foregoing Agreement was acknowledged before me by \_\_\_\_\_, the duly elected \_\_\_\_\_, and \_\_\_\_\_ the duly elected \_\_\_\_\_ of the Charter Township of Genoa, on the \_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_ County, Michigan  
My Commission Expires: \_\_\_\_\_  
Acting in \_\_\_\_\_ County

PULTE HOMES OF MICHIGAN LLC, a Michigan limited liability company

\_\_\_\_\_  
By:    Joe Skore  
Its:    Vice President of Land Acquisition

**ACKNOWLEDGEMENT**

STATE OF                        )  
  ) ss  
COUNTY OF                )

The foregoing Agreement was acknowledged before me by Joe Skore, the Vice President of Land Acquisition of Pulte Homes of Michigan LLC, a Michigan limited liability company on the \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_ County, Michigan  
My Commission expires: \_\_\_\_\_  
Acting in \_\_\_\_\_ County

### Table of Exhibits

- Exhibit A:** Property Legal Description.
- Exhibit B:** Final Conceptual Development Plan for Legacy Hills.
- Exhibit C:** Conditions of Approval
- Exhibit D:** Schedule of Regulations and Modifications
- Exhibit E:** Planning Commission and Township Board Minutes.

## Exhibit A

### Legal Description

THE LAND IS DESCRIBED AS FOLLOWS: SITUATED IN THE TOWNSHIP OF GENOA, COUNTY OF LIVINGSTON, STATE OF MICHIGAN

#### PARCEL 1

PART OF THE SOUTHWEST 1/4 OF SECTION 24, TOWN 2 NORTH, RANGE 5 EAST, TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE CENTERLINE OF BAUER ROAD AND THE SECTION LINE, SAID POINT BEING NORTH 00 DEGREES 04 MINUTES 33 SECONDS WEST 863.80 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 24; THENCE NORTH 00 DEGREES 04 MINUTES 33 SECONDS WEST 1461.36 FEET ALONG THE CENTERLINE OF BAUER ROAD AND THE SECTION LINE; THENCE NORTH 86 DEGREES 35 MINUTES 45 SECONDS EAST 1342.09 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 36 SECONDS WEST 1213.73 FEET; THENCE NORTH 89 DEGREES 08 MINUTES 40 SECONDS WEST 550.68 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE OLD RAILWAY RIGHT OF WAY, AS VACATED, AND TO A POINT ON A CURVE; THENCE SOUTHEASTERLY 299.50 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 10 DEGREES 10 MINUTES 30 SECONDS, A RADIUS OF 1686.52 FEET AND A LONG CHORD BEARING SOUTH 48 DEGREES 02 MINUTES 55 SECONDS EAST 299.11 FEET TO THE P.T. OF THE CURVE; THENCE SOUTH 42 DEGREES 57 MINUTES 40 SECONDS EAST 1393.08 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE TO THE SECTION LINE AND CENTERLINE OF CHALLIS ROAD; THENCE NORTH 89 DEGREES 23 MINUTES 35 SECONDS WEST 663.70 FEET ALONG SAID SECTION LINE AND CENTERLINE OF CHALLIS ROAD TO THE NORTHERLY RIGHT OF WAY LINE OF THE EXISTING C & O RAILWAY; THENCE NORTH 54 DEGREES 56 MINUTES 45 SECONDS WEST 104.89 FEET TO THE P.C. OF A CURVE; THENCE NORTHWESTERLY 608.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03 DEGREES 01 MINUTES 45 SECONDS, A RADIUS OF 11,509.20 FEET AND A LONG CHORD BEARING NORTH 56 DEGREES 27 MINUTES 37 SECONDS WEST 608.41 FEET TO A POINT ON THE CURVE; THENCE NORTH 32 DEGREES 01 MINUTES 30 SECONDS EAST 50.00 FEET TO A POINT ON A CURVE; THENCE NORTHWESTERLY 201.75 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 01 DEGREES 00 MINUTES 00 SECONDS, A RADIUS OF 11,559.20 FEET AND A LONG CHORD BEARING NORTH 58 DEGREES 28 MINUTES 30 SECONDS WEST 201.74 FEET TO THE P.T. OF THE CURVE; THENCE NORTH 58 DEGREES 58 MINUTES 30 SECONDS WEST 645.66 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE OF THE EXISTING C & O RAILWAY TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: PART OF THE SOUTHWEST 1/4 OF SECTION 24, TOWN 2 NORTH, RANGE 5 EAST, TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 24; THENCE NORTH 00 DEGREES 04 MINUTES 33 SECONDS WEST 863.80 FEET ALONG THE CENTERLINE OF BAUER ROAD AND THE WEST SECTION LINE; THENCE SOUTH 58 DEGREES 58 MINUTES 30 SECONDS EAST 645.66 FEET TO THE POINT OF BEGINNING; THENCE NORTH 44 DEGREES 02 MINUTES 15 SECONDS EAST 651.25 FEET; THENCE SOUTH 42 DEGREES 57 MINUTES 40 SECONDS EAST 1393.08 FEET; THENCE NORTH 89 DEGREES 23 MINUTES 35 SECONDS WEST 663.70 FEET ALONG THE SECTION LINE; THENCE NORTH 54 DEGREES 56 MINUTES 45 SECONDS WEST 104.89 FEET TO THE P.C. OF A CURVE; THENCE NORTHWESTERLY 608.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03 DEGREES 01 MINUTES 45 SECONDS, A RADIUS OF 11,509.20 FEET AND A LONG CHORD BEARING NORTH 56 DEGREES 27 MINUTES 37 SECONDS WEST 608.41 FEET TO A POINT ON THE CURVE; THENCE NORTH 32 DEGREES 01 MINUTES 30 SECONDS EAST 50.00 FEET TO A POINT ON A CURVE; THENCE NORTHWESTERLY 201.75 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 01 DEGREES 00 MINUTES 00 SECONDS, A RADIUS OF 11,559.20 FEET AND A LONG CHORD BEARING NORTH 58 DEGREES 28 MINUTES 30 SECONDS WEST 201.74 FEET TO THE P.T. OF A CURVE AND THE POINT OF BEGINNING.

**PARCEL 2**

PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWN 2 NORTH, RANGE 5 EAST, TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH AND SOUTH 1/4 LINE, SAID POINT BEING NORTH 00 DEGREES 03 MINUTES 25 SECONDS WEST 1376.04 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 23; THENCE SOUTH 67 DEGREES 59 MINUTES 40 SECONDS WEST 351.56 FEET; THENCE SOUTH 29 DEGREES 59 MINUTES 40 SECONDS WEST 312.00 FEET; THENCE NORTH 88 DEGREES 15 MINUTES 38 SECONDS WEST 118.40 FEET; THENCE SOUTH 43 DEGREES 22 MINUTES 25 SECONDS WEST 158.00 FEET; THENCE NORTH 46 DEGREES 37 MINUTES 35 SECONDS WEST 150.00 FEET; THENCE SOUTH 68 DEGREES 32 MINUTES 25 SECONDS WEST 555.00 FEET; THENCE NORTH 00 DEGREES 02 MINUTES 25 SECONDS EAST 1933.58 FEET; THENCE SOUTH 89 DEGREES 37 MINUTES 35 SECONDS EAST 1331.64 FEET ALONG THE EAST AND WEST 1/4 LINE TO THE CENTER OF SAID SECTION 23; THENCE SOUTH 00 DEGREES 03 MINUTES 25 SECONDS EAST 1311.69 FEET ALONG THE NORTH AND SOUTH 1/4 LINE TO THE POINT OF BEGINNING.

**PARCEL 3**

PART OF THE SOUTHEAST 1/4 OF SECTION 23, TOWN 2 NORTH, RANGE 5 EAST, TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 23; THENCE NORTH 89 DEGREES 01 MINUTES 54 SECONDS EAST 781.00 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 58 MINUTES 05 SECONDS WEST 918.05 FEET; THENCE NORTH 52 DEGREES 50 MINUTES 20 SECONDS WEST 815.00 FEET; THENCE SOUTH 67 DEGREES 59 MINUTES 40 SECONDS WEST 126.44 FEET TO THE NORTH AND SOUTH 1/4 LINE; THENCE ALONG SAID NORTH AND SOUTH 1/4 LINE NORTH 00 DEGREES 03 MINUTES 25 SECONDS WEST 1311.69 FEET TO THE CENTER OF SAID SECTION 23; THENCE NORTH 89 DEGREES 00 MINUTES 15 SECONDS EAST 47.54 FEET ALONG THE EAST AND WEST 1/4 LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF THE C & O RAILROAD; THENCE SOUTH 48 DEGREES 42 MINUTES 30 SECONDS EAST 823.14 FEET ALONG SAID RIGHT OF WAY LINE; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE 741.63 FEET ON A CURVE TO THE LEFT HAVING A RADIUS OF 11,509.16 FEET AND A CHORD BEARING SOUTH 50 DEGREES 33 MINUTES 16 SECONDS EAST 741.50 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 47 SECONDS WEST 1653.80 FEET TO THE SOUTH LINE OF SAID SECTION 23; THENCE SOUTH 89 DEGREES 01 MINUTES 54 SECONDS WEST 454.95 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

**PARCEL 4**

PART OF THE SOUTHEAST 1/4 OF SECTION 23, TOWN 2 NORTH, RANGE 5 EAST, TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE CENTERLINE OF CHALLIS ROAD AND THE SECTION LINE, SAID POINT BEING NORTH 89 DEGREES 01 MINUTES 54 SECONDS EAST 1235.95 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 23; THENCE NORTH 89 DEGREES 01 MINUTES 54 SECONDS EAST 309.65 FEET ALONG THE SECTION LINE; THENCE NORTH 00 DEGREES 15 MINUTES 11 SECONDS EAST 1414.45 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF THE C & O RAILROAD; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTHWESTERLY 392.48 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01 DEGREES 57 MINUTES 14 SECONDS, A RADIUS OF 11,509.16 FEET AND A LONG CHORD BEARING NORTH 53 DEGREES 22 MINUTES 38 SECONDS WEST 392.46 FEET;



THENCE SOUTH 00 DEGREES 01 MINUTES 47 SECONDS WEST 1653.80 FEET TO THE SOUTH SECTION LINE AND THE POINT OF BEGINNING.

**PARCEL 5**

PART OF THE SOUTHEAST 1/4 OF SECTION 23, TOWN 2 NORTH, RANGE 5 EAST, TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE CENTERLINE OF CHALLIS ROAD AND THE SECTION, SAID POINT BEING NORTH 89 DEGREES 01 MINUTES 54 SECONDS EAST 1545.60 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 23; THENCE NORTH 89 DEGREES 01 MINUTES 54 SECONDS EAST 1110.30 FEET ALONG THE SECTION LINE TO THE SOUTHEAST CORNER OF SAID SECTION 23; THENCE NORTH 00 DEGREES 04 MINUTES 33 SECONDS WEST 630.24 FEET ALONG THE CENTERLINE OF BAUER ROAD AND THE SECTION LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF THE C & O RAILROAD; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH 58 DEGREES 58 MINUTES 30 SECONDS WEST 412.63 FEET TO THE P.C. OF A CURVE; THENCE NORTHWESTERLY 881.35 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 04 DEGREES 22 MINUTES 07 SECONDS, A RADIUS OF 11,559.16 FEET AND A LONG CHORD BEARING NORTH 56 DEGREES 47 MINUTES 27 SECONDS WEST 881.08 FEET TO THE P.T. OF THE CURVE; THENCE NORTH 89 DEGREES 01 MINUTES 15 SECONDS EAST 84.65 FEET TO THE P.C. OF A CURVE; THENCE NORTHWESTERLY 118.83 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 00 DEGREES 35 MINUTES 30 SECONDS, A RADIUS OF 11,509.16 FEET AND A LONG CHORD BEARING NORTH 54 DEGREES 39 MINUTES 00 SECONDS WEST 118.83 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 11 SECONDS WEST 1414.45 FEET TO THE SOUTH SECTION LINE AND THE POINT OF BEGINNING.

**EASEMENT PARCEL**

TOGETHER WITH THE RIGHTS AND EASEMENTS AS CREATED, LIMITED AND DEFINED IN ACCESS AND UTILITY EASEMENT AGREEMENT RECORDED IN LIBER 4330, PAGE 940, LIVINGSTON COUNTY RECORDS.

**Exhibit B**

**Final Conceptual Development Plan for Legacy Hills**

[Following]

**Exhibit C**  
**Conditions for Approval**

**Exhibit D**

**Planning Commission and Township Board Minutes**

**EXHIBIT E**

**Final Conceptual Development Plan for Legacy Hills**

# ENVIRONMENTAL IMPACT ASSESSMENT

## LEGACY HILLS - PULTE HOMES OF MICHIGAN LLC

September 27, 2024 (Rev:09-27-24)

Mr. Steve Allen  
Director of Design Services  
The Umlor Group  
49287 West Road  
Wixom MI, 48393

**PROPERTY IDENTIFICATION:** Pulte Homes intends to develop the combined properties located on the north side of Challis Road between Dorr Road and Bauer Road in Section 23. The proposed development includes four tax parcels 4711-23-300-003, 4711-23-400-001, 4711-23-400-007 & 4711-23-400-008. The property is currently zoned AG.



LEGACY HILLS OVERLL PROPERTY - GENOA TOWNSHIP – NO SCALE



**DESCRIPTION OF PROJECT SITE:** The combined property measures **127.57 gross acres**. The site is hilly and partially wooded separating potentially developable upland area at the westerly reaches of the property from the rest of the development. The property is bounded by a Railroad R/W to the North, Bauer Road to the East, Challis Road and an existing subdivision to the South, and residential parcels to the West. There are no defined water features, and the wetland is hydraulically connected to adjacent wetland as part of a larger system. There are no known sources of contamination and ruins of a former living structure was witnessed in the Southeast corner of the property.

**IMPACT ON NATURAL FEATURES:** The pre-development site is hilly and partially wooded with 32.25 acres of wetlands interspersed throughout the property. All wetlands except for approximately 2000 sf impacted for road construction will be preserved. Of the 127.57 gross acres 72.73 is proposed to remain as open Space as shown below in green, blue and yellow (see site plan for details). The Proposed Cluster PUD option allows for 57% of the property to remain as open space including over 26 acres of upland (see site plan). The preservation of vast, contiguous open space is a benefit to not only the future residents of Legacy Hills, but also the Township at large. Open spaces viewsheds, wildlife habitat, and the preserved natural environment benefits all Twonship residents. This is the principal benefit of the Cluster Residential PUD.



LEGACY HILLS CLUSTER PUD PLAN - GENOA TOWNSHIP – NO SCALE

**IMPACT ON WETLANDS:** The proposed road serving Units 13 thru 18 will cause approximately 0.04 ac of the 0.74 ac wetland to be filled for road construction. A permit from EGLE will be obtained for the fill and the amount filled will be mitigated.

All development storm water that will discharge to the wetlands will be filtered of sediment and impurities by sediment basins or mechanical treatment units prior to discharge. The stormwater discharge rate will be maintained at the historic agricultural rate to minimize downstream erosion and large flow fluctuations during storm events. All required EGLE wetland storm water discharge or fill permits will be obtained.

**IMPACT ON STORM WATER MANAGEMENT:** The pre-development site primarily drains to the Northwest into the existing wetland. We propose to collect runoff into a stormwater collection system and store in a sediment/detention basin prior to restricted releases into the existing wetland. Sediment and impurities will be removed from the storm water through the use of one or more of the following measures: sediment basins, storm water treatment chambers, infiltration, or other acceptable BMP per the Livingston County Drain Commission and Genoa Township Engineering Standards.

**IMPACT ON SURROUNDING LAND USES:** The Township envisions this property to be Low Density Residential, in harmony with the existing surrounding land uses through its Master Plan. In keeping with the Mater Plan we are proposing a Cluster PUD that results in overall approximately 0.5 Units/acre. The low proposed density will preserve the rural residential nature of this area of the township. A parallel plan has been provided to demonstrate that the cluster plan does not constitute an increase in density.

**IMPACT ON PUBLIC FACILITIES AND SERVICES:** We have received input from the Fire Marshall on the type of fire suppression and access that will be required. An emergency access drive is shown and fire suppression hydrants and/or drywells will be included in the final plans. We have received site distance approvals for both entrances from Livingston County Road Commission. In keeping with the Township Master Plan we do not foresee any adverse impact on city services

**IMPACT ON PUBLIC UTILITIES:** Potable Water and Wastewater services will be supplied via on-site septic systems and individual wells installed to Livingston County Health Department standards for the anticipated 58 Units. Therefore, there will be no impact on city sewers and water capacity. We conducted more than 120 test holes and have received preliminary approval from LCHD on-site septic systems. A Hydrogeologic study has been conducted including test wells by MacDowell and Associates and there was adequate quantity and quality of water for individual potable water wells. Also, MacDowell found adequate flow for fire suppression wells.

**STORAGE AND HANDLING OF ANY HAZARDOUS MATERIALS:** There are no known hazardous materials.

**IMPACT ON TRAFFIC AND PEDISTRIANS:** A Low-Density Residential Development by its nature should not have any adverse impact on traffic and pedestrians in a rural setting. After a conceptual review by the traffic engineer it would appear that we do not meet the threshold for a traffic study. However, a traffic study according to Section 18.07.09 will be prepared and submitted when completed. The LCRC has reviewed our entrances for site distance and traffic safety issues and approved our locations.



Land Use	ITE Code	Size	Unit	Weekday Average Daily Traffic (vpd)	AM Peak Hour (vph)			PM Peak Hour (vph)		
					In	Out	Total	In	Out	Total
Single-Family Detached	210	58	DU	611	11	34	45	38	22	60

Attached:

LCHD Preliminary Septic Approval

LCHD Preliminary Well Approval

LCRC Site Distance Approval

The Umlor Group

Stephen C. Allen - Design Services Director

# MEMO

VIA EMAIL Joe.Skore@PulteGroup.com

**To:** Pulte Group

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**From:** Julie M. Kroll, PE, PTOE  
Fleis & VandenBrink

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**Date:** December 17, 2024

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**Re:** Legacy Hills Development  
Genoa Township, Michigan  
Traffic Impact Assessment - Addendum

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This memorandum is an addendum to the Legacy Hills Traffic Impact Assessment (TIA) prepared by Fleis & VandenBrink (F&V) dated October 30, 2024. This addendum addresses questions from the Township raised at the Planning Commission meeting held on December 4, 2024. The additional items included in this addendum are summarized below:

***Township Comment 1: Determine if impact of the trips generated by the proposed multi-family residential development at Dorr Road & Grand River Avenue are included in the TIA. Identify any changes to the results of recommendation with this additional traffic volume.***

The Livingston County Road Commission (LCRC) provided an annual background growth rate of 1.5% to utilize in projecting background traffic growth through the study area. This background growth provides an implicate background growth for area developments. The additional background traffic considered for this evaluation is summarized in **Table 1**. Additionally, the Township provided F&V with a copy of the traffic study prepared for the proposed multi-family development at the Dorr Road & Grand River Avenue intersection.

The projected trips generated by the proposed development at the proposed site driveway were compared to the implicit background growth included in the TIA. The comparison is summarized in **Table 1** and shows that the impact of this development was considered in the TIA provided and no further analysis is necessary to consider the potential impacts from the proposed development at Dorr Road & Grand River Ave.

**Table 1: Traffic Volume Summary**

	Challis Road Daily Two-Way (vpd)	Eastbound Challis Road		Westbound Challis Road	
		AM Peak (vph)	PM Peak (vph)	AM Peak (vph)	PM Peak (vph)
Existing (2024)	4,038	254	120	104	329
Background (2027)	4,222	266	125	109	344
Background Growth	184	12	5	5	15
Dorr Road & Grand River Development	195	13	7	3	9
Difference	11	1	2	-2	-6

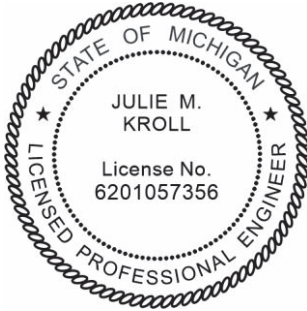
***Township Comment 2: The TIA prepared for this project references a Legacy Hills Development with 129 Units (Page 2). Provide clarification on this reference and use in the evaluation.***

- The Legacy Hills TIA evaluated the proposed site plan that includes 58 single family units.
- The TIA refers to a previous Legacy Hills concept plan that included 129 units which was utilized by the LCRC as part of the roundabout design.
- This was noted in the TIA only to clarify that the roundabout was designed to consider the traffic impacts of the Legacy Hills site.

**SUMMARY**

- The projected trips generated by the Dorr Road & Grand River potential development were considered at the site driveway through the evaluation of the implicit background growth. No further analysis is necessary to consider the potential impacts from the proposed development.
- The Legacy Hills TIA evaluated the proposed site plan that includes 58 single family units. The TIA refers to a previous Legacy Hills concept plan that included 129 units which was utilized by the LCRC as part of the roundabout design.

Any questions related to this memorandum, study, analysis, and results should be addressed to Fleis & VandenBrink.



I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Michigan.

A handwritten signature in black ink that reads "Julie M. Kroll".

**Julie M. Kroll**  
2024.12.17 14:59:01  
-05'00'



ENGINEER/SURVEYOR



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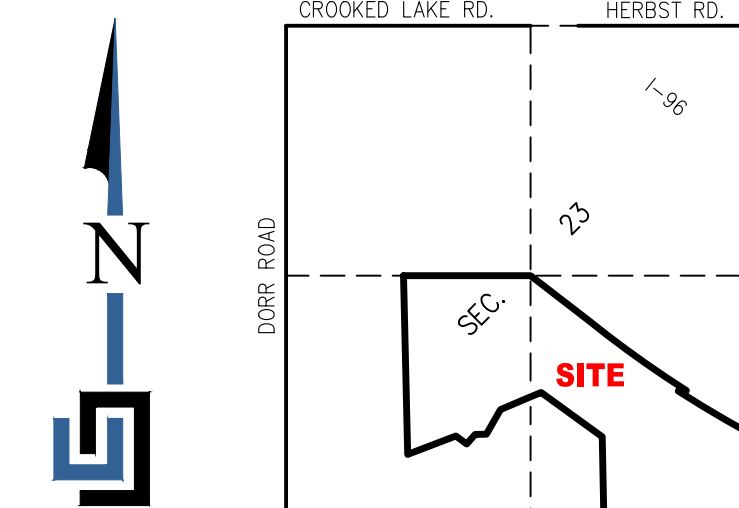
DEVELOPER/APPLICANT



PULTE HOMES OF MICHIGAN  
2800 LIVERNOIS ROAD  
BLDG D, SUITE 320  
TROY, MI 48063  
PHONE: (248) 647-2750

# CONCEPTUAL CLUSTER R.P.U.D. PLAN LEGACY HILLS

SECTION 23, TOWN 2 NORTH, RANGE 5 EAST  
GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN



VICINITY MAP  
SEC. 23, T. 2 N., R. 5 E.  
1" = 2000'

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.



Know what's below.  
Call before you dig.

CONSTRUCTION SITE SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK OF PERSONS ENGAGED IN THE WORK OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

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SECTION 23  
T. 2 N., R. 5 E.  
GENOA TOWNSHIP  
LIVINGSTON CO., MICHIGAN

DATE: 8/26/2024

REVISIONS

9/27/2024

11/1/2024

12/16/2024

LEGACY HILLS  
PULTE HOMES OF MICHIGAN  
2800 LIVERNOIS ROAD, BLDG. D, SUITE 320  
TROY, MICHIGAN 48063  
CLIENT:

DR BY: SA

CK BY: SA

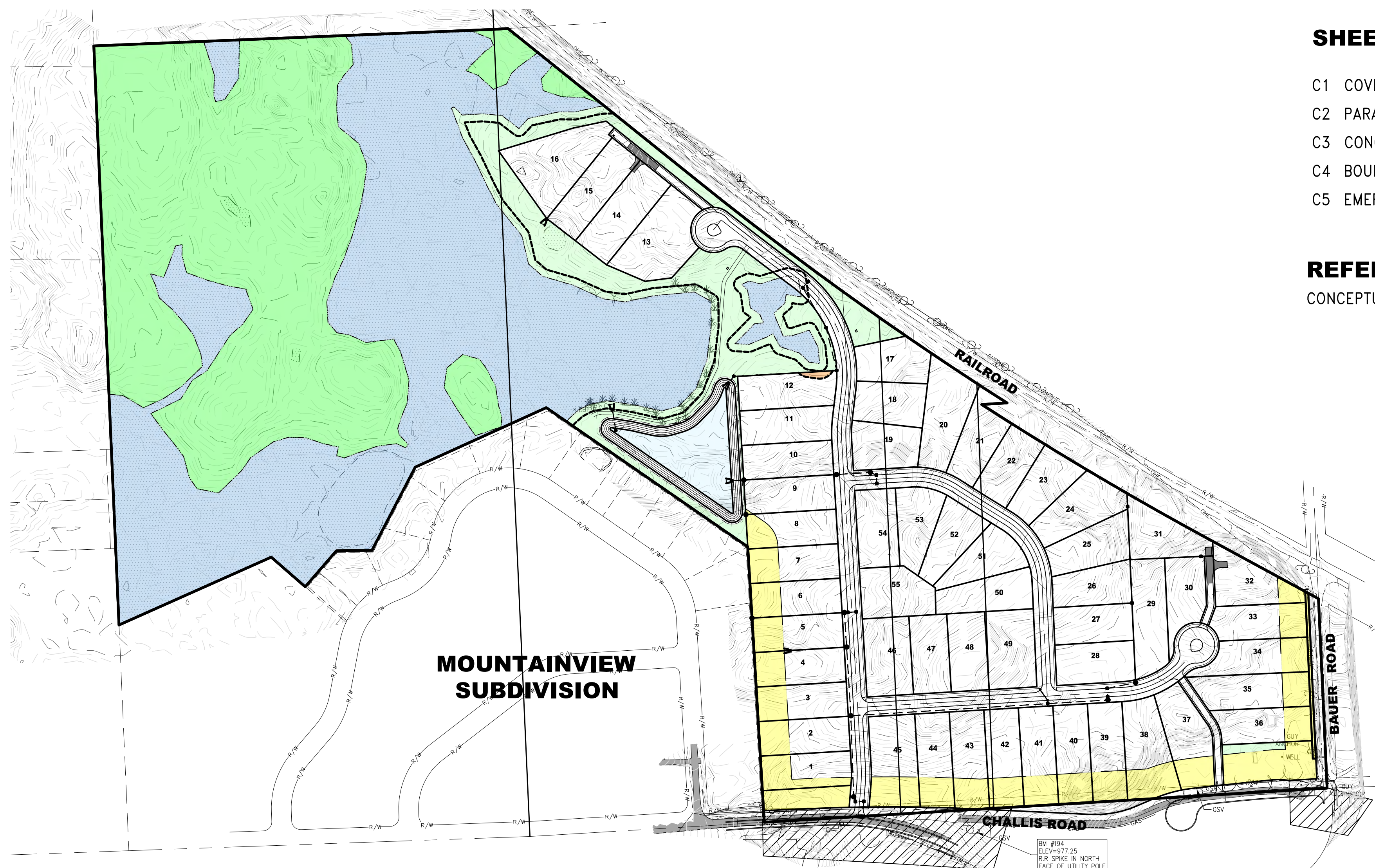
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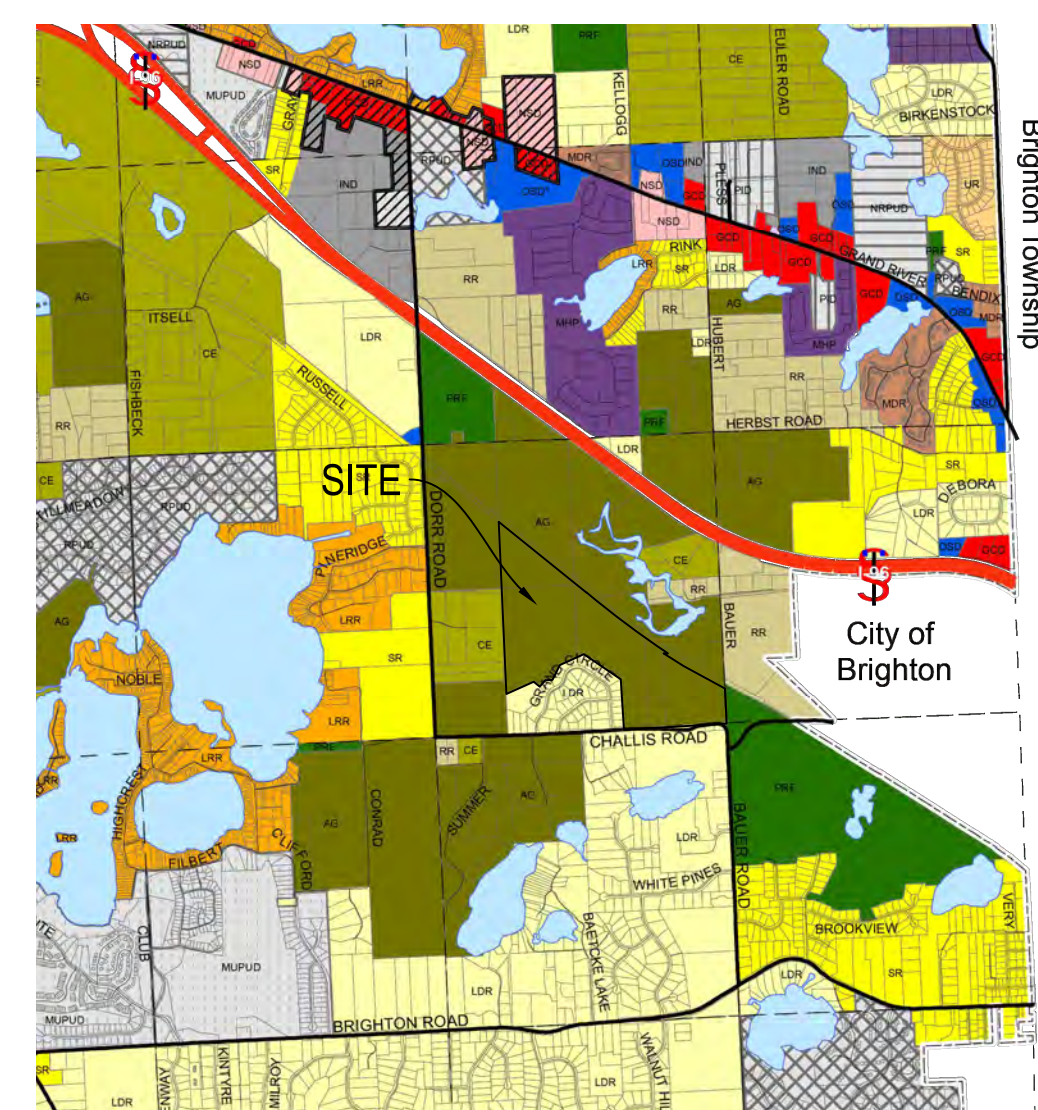
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SHEET C1 OF 5



GENOA TOWNSHIP ZONING MAP & LEGEND

EXISTING ZONING: AG  
PROPOSED ZONING: LDR  
FINAL ZONING: PUD



Zoning Map  
Genoa Charter Township  
Livingston County, Michigan

Legend

AG	GC
CE	NS
RR	OS
LDR	NRPUD
SR	IND
LRR	PID
UR	PRF
MDR	MUPUD
HDR	RDPUD
RPUD	Town Center
MHP	CAPUD
RC	ICPUD

SEPTIC & WELL NOTE:

ON-SITE SEPTIC AND INDIVIDUAL WELLS ARE PROPOSED TO SERVE EACH UNIT. WE HAVE CONCEPTUAL APPROVAL FOR WELL AND SEPTIC SYSTEMS FROM THE LOD.

MORE THAN 120 TEST HOLES WERE COMPLETED CONFIRMING THE SOILS ARE SUITABLE TO SUPPORT ON-SITE SEPTIC SYSTEMS.

A HYDRO-GEOLOGICAL ANALYSIS WAS PERFORMED BY MACDONELL AND ASSOCIATES CONFIRMING ADEQUATE QUALITY AND QUANTITY OF WATER FOR INDIVIDUAL WELLS.

THE AQUIFER ALSO YIELDED ADEQUATE FLOW CAPACITY FOR FIRE SUPPRESSION WELLS.

STORMWATER NOTE:

THE SITE GENERALLY DRAINS TO THE CENTRALLY LOCATED WETLAND AREA AND STORM WATER WILL BE DIRECTED TO A DETENTION BASIN WITH SEDIMENT REMOVED PRIOR TO THE REGULATED OUTLET INTO THE WETLAND.

GENERAL NOTES:

- 1) A H.O.A. WILL BE SETUP FOR MAINTENANCE.
- 2) CONSTRUCTION IMPROVEMENTS WILL BE SECURED BY A BOND.
- 3) TREES AND WOODLANDS WILL BE PRESERVED AS SHOWN ON THE SITE PLAN, OR REPLACED BY RESOLUTION OF THE TOWNSHIP BOARD.

PATHWAY NOTE:

ACTIVE RECREATIONAL COMPONENT

LEGACY HILLS WILL INCLUDE ±2700 LF OF WALKING PATH.

LOCATION TO BE FINALIZED DURING FINAL ENGINEERING.

EITHER

A) PATH AND BOARDWALK IN OPEN SPACE PRESERVATION AREA

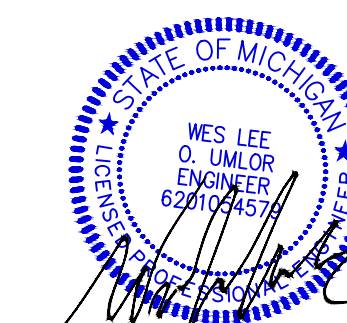
OR

B) CONNECT TO ROUNDABOUT VIA & THROUGH PUBLIC R.O.W.

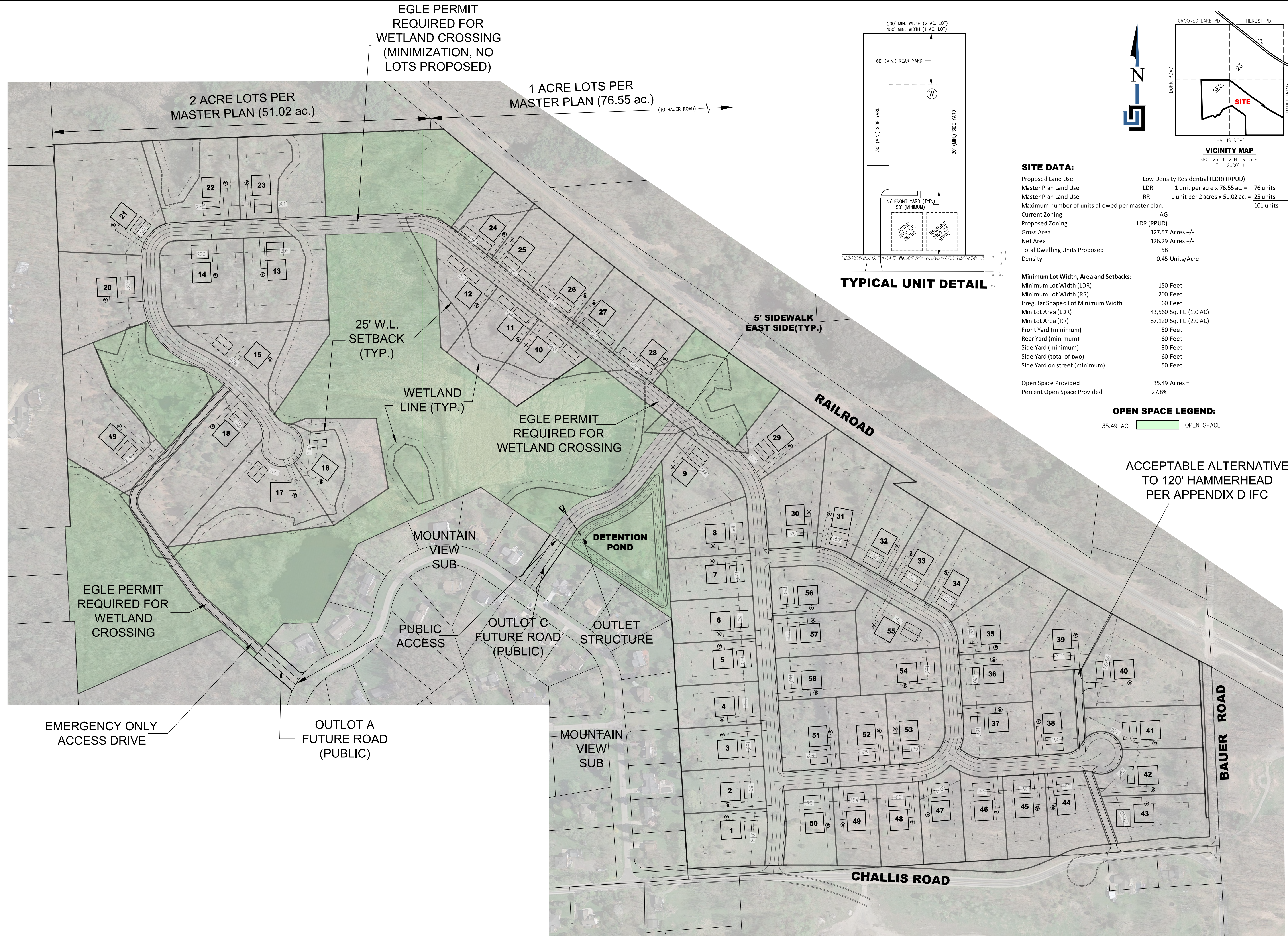
DIMENSIONAL DEVIATIONS

DESCRIPTION	REQUIRED	PUD PROVIDED
AREA FOR SEPTIC & WELL	43,560 S.F.	32,670 S.F.
CUL-DE-SAC LENGTH TO CENTER	1000 FT.	1020 FT.
WETLAND SETBACK	50 FT.	50 FT.*
MINIMUM LOT AREA-LDR	43,560 S.F.	32,670 S.F.
MINIMUM LOT WIDTH-LDR	150 FT.	115 FT.
MINIMUM SIDE YARD-LDR	30 FT.	20 FT.
SIDEYARD TOTAL-LDR	60 FT.	50 FT.

\* Except where there is approved wetland impact, in those cases the proposed wetland buffer is less than 50' as noted on the construction documents.







2 ACRE LOTS PER MASTER PLAN (51.02 ac.)

1 ACRE LOTS PER MASTER PLAN (76.55 ac.)

EGLE PERMIT REQUIRED FOR WETLAND CROSSING (MINIMIZATION, NO LOTS PROPOSED)

25' W.L. SETBACK (TYP.)

WETLAND LINE (TYP.)

EGLE PERMIT REQUIRED FOR WETLAND CROSSING

5' SIDEWALK EAST SIDE(TYP.)

RAILROAD

EGLE PERMIT REQUIRED FOR WETLAND CROSSING

MOUNTAIN VIEW SUB

DETENTION POND

PUBLIC ACCESS

OUTLOT C FUTURE ROAD (PUBLIC)

OUTLET STRUCTURE

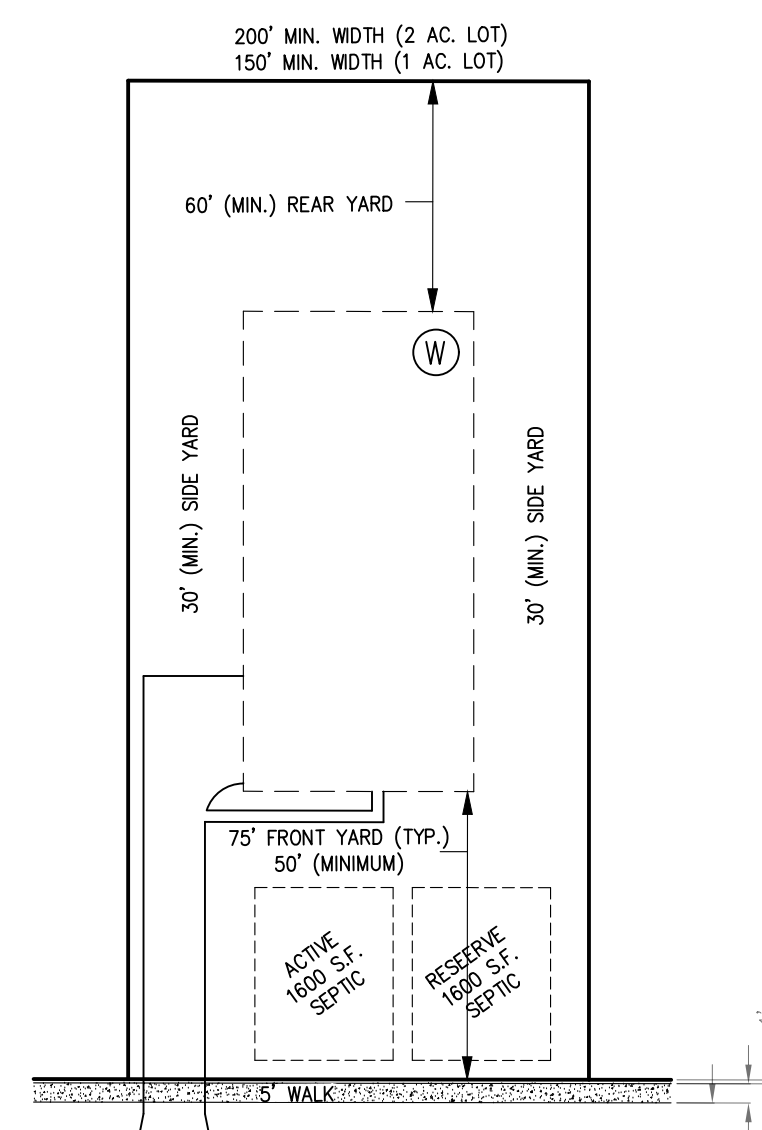
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OUTLOT A FUTURE ROAD (PUBLIC)

MOUNTAIN VIEW SUB

CHALLIS ROAD

BAUER ROAD



TYPICAL UNIT DETAIL

**SITE DATA:**

Proposed Land Use	Low Density Residential (LDR) (RPUD)
Master Plan Land Use	LDR 1 unit per acre x 76.55 ac. = 76 units
Master Plan Land Use	RR 1 unit per 2 acres x 51.02 ac. = 25 units
Maximum number of units allowed per master plan:	101 units
Current Zoning	AG
Proposed Zoning	LDR (RPUD)
Gross Area	127.57 Acres +/-
Net Area	126.29 Acres +/-
Total Dwelling Units Proposed	58
Density	0.45 Units/Acre

**Minimum Lot Width, Area and Setbacks:**

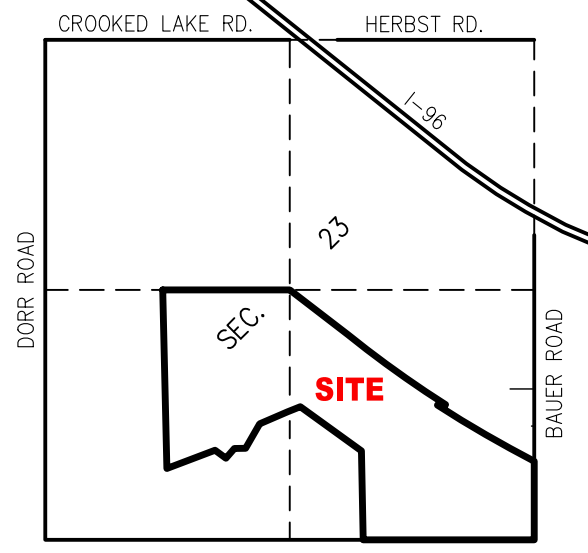
Minimum Lot Width (LDR)	150 Feet
Minimum Lot Width (RR)	200 Feet
Irregular Shaped Lot Minimum Width	60 Feet
Min Lot Area (LDR)	43,560 Sq. Ft. (1.0 AC)
Min Lot Area (RR)	87,120 Sq. Ft. (2.0 AC)
Front Yard (minimum)	50 Feet
Rear Yard (minimum)	60 Feet
Side Yard (minimum)	30 Feet
Side Yard (total of two)	60 Feet
Side Yard on street (minimum)	50 Feet

Open Space Provided	35.49 Acres ±
Percent Open Space Provided	27.8%

**OPEN SPACE LEGEND:**

35.49 AC.  OPEN SPACE

ACCEPTABLE ALTERNATIVE TO 120' HAMMERHEAD PER APPENDIX D IFC



VICINITY MAP

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SECTION 23  
 T. 2 N., R. 5 E.  
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 LIVINGSTON CO., MICHIGAN

DATE: 8/26/2024

REVISIONS
9/27/2024
11/1/2024
11/26/2024
12/16/2024

**LEGACY HILLS**  
 CLIENT: PULTE HOMES OF MICHIGAN  
 2800 LIVERNOIS ROAD, BLDG. D, SUITE 320  
 TROY, MI 48063

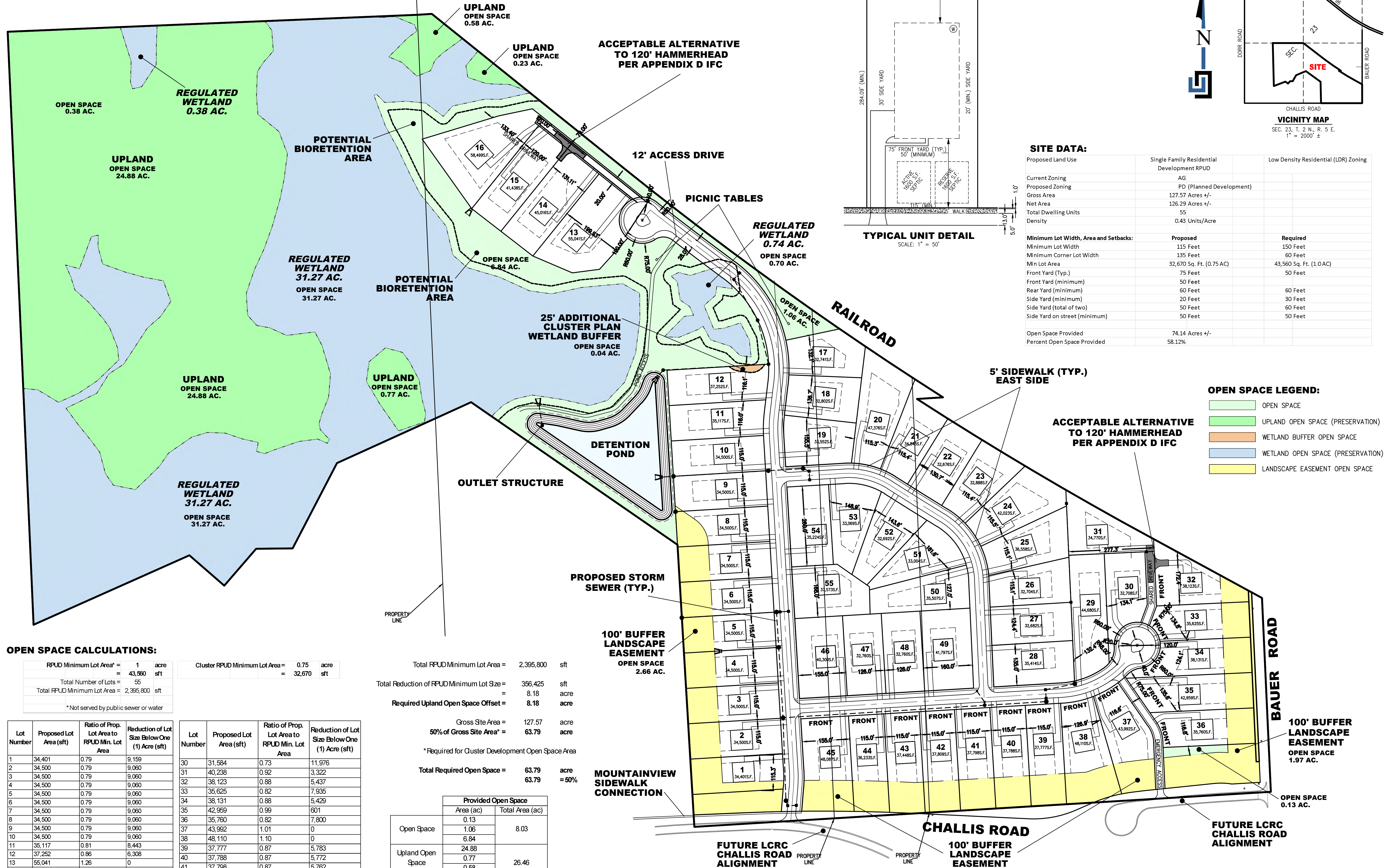
**PARALLEL SITE PLAN**

DR BY: SF  
 CK BY: SA  
 P.M. SA  
 SCALE: 0 75 150

JOB NO. 231213  
 SHEET NO. **C2**  
 SHEET C2 OF 5



**Submitted after Planner's 1-7-25 Review Letter**



**OPEN SPACE CALCULATIONS:**

RPUD Minimum Lot Area* = 1 acre	Cluster RPUD Minimum Lot Area = 0.75 acre
= 43,960 sq. ft.	= 32,670 sq. ft.
Total Number of Lots = 55	
Total RPUD Minimum Lot Area = 2,395,800 sq. ft.	
* Not served by public sewer or water	

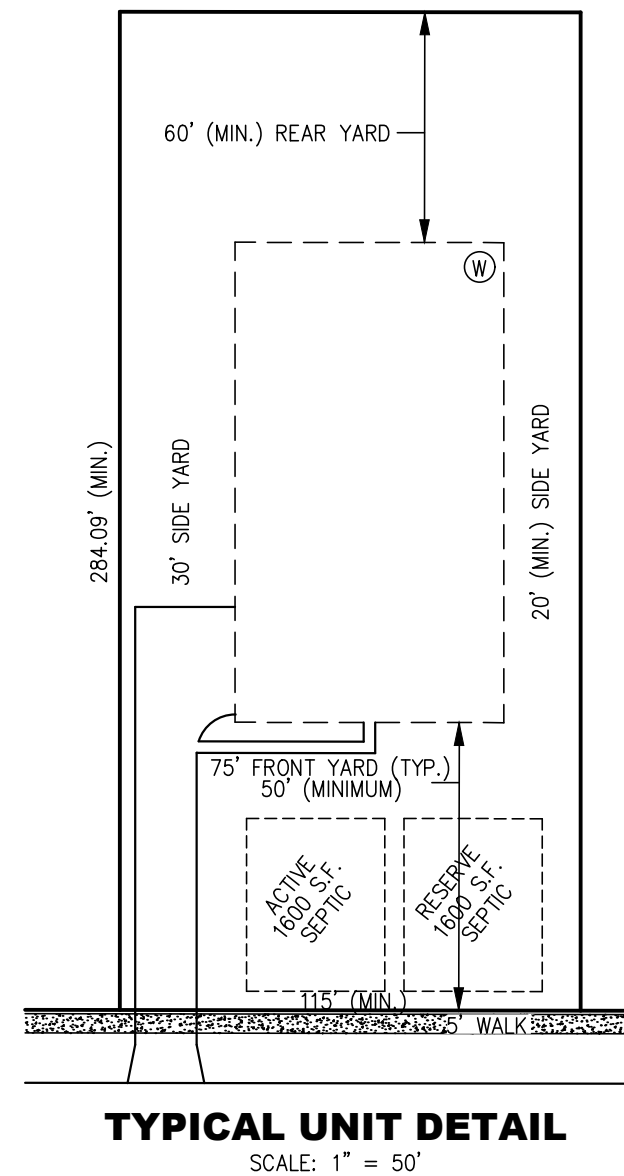
  

Lot Number	Proposed Lot Area (sq. ft.)	Ratio of Prop. Lot Area to RPUD Min. Lot Area	Reduction of Lot Size Below One (1) Acre (sq. ft.)
1	34,401	0.79	9,159
2	34,500	0.79	9,060
3	34,500	0.79	9,060
4	34,500	0.79	9,060
5	34,500	0.79	9,060
6	34,500	0.79	9,060
7	34,500	0.79	9,060
8	34,500	0.79	9,060
9	34,500	0.79	9,060
10	34,500	0.79	9,060
11	35,117	0.81	8,443
12	37,262	0.86	6,308
13	55,041	1.26	0
14	45,016	1.03	0
15	41,438	0.95	2,122
16	58,499	1.34	0
17	32,741	0.75	10,819
18	32,902	0.75	10,758
19	33,552	0.77	10,008
20	47,376	1.09	0
21	34,845	0.80	8,715
22	32,676	0.75	10,884
23	32,888	0.76	10,672
24	12,023	0.28	31,537
25	36,558	0.84	7,002
26	32,704	0.75	10,856
27	32,682	0.75	10,878
28	35,414	0.81	8,146
29	43,702	1.00	0

Total RPUD Minimum Lot Area = 2,395,800 sq. ft.  
 Total Reduction of RPUD Minimum Lot Size = 356,425 sq. ft.  
 = 8.18 acre  
 Required Upland Open Space Offset = 8.18 acre  
 Gross Site Area = 127.57 acre  
 50% of Gross Site Area\* = 63.79 acre  
 \* Required for Cluster Development Open Space Area

	Provided Open Space	
	Area (ac)	Total Area (ac)
Open Space	0.13	8.03
Upland Open Space (Preservation)	6.84	26.46
Wetland Buffer Open Space	0.77	
Wetland Open Space (Preservation)	0.58	
Landscape Easement Open Space	0.23	
	0.04	0.04
	31.27	32.35
	0.70	
	0.38	
	2.65	
	2.64	7.26
	1.97	
Required Open Space =	63.79	acre
Provided Open Space =	74.14	acre

Total Proposed Lot Area = 2,039,375



**SITE DATA:**

Proposed Land Use	Single Family Residential Development RPUD	Low Density Residential (LDR) Zoning
Current Zoning	AG	
Proposed Zoning	PD (Planned Development)	
Gross Area	127.57 Acres +/-	
Net Area	126.29 Acres +/-	
Total Dwelling Units	55	
Density	0.43 Units/Acre	

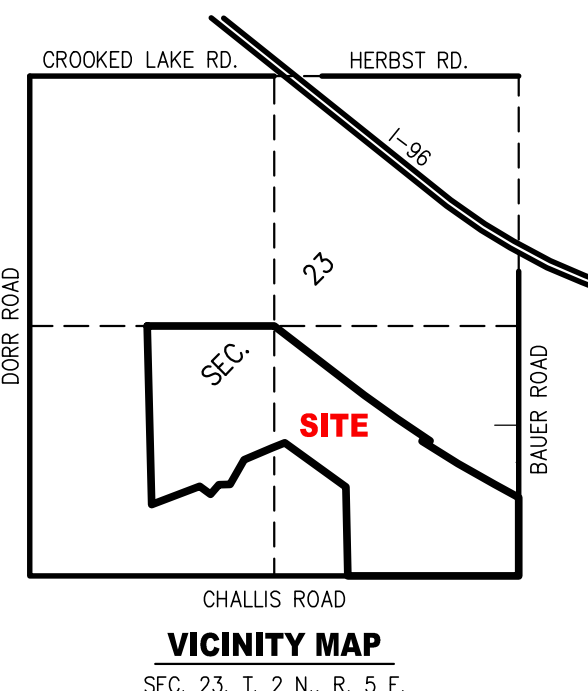
Minimum Lot Width, Area and Setbacks:	Proposed	Required
Minimum Lot Width	115 Feet	150 Feet
Minimum Corner Lot Width	135 Feet	60 Feet
Min Lot Area	32,670 Sq. Ft. (0.75 AC)	43,560 Sq. Ft. (1.0 AC)
Front Yard (Typ.)	75 Feet	50 Feet
Front Yard (minimum)	50 Feet	50 Feet
Rear Yard (minimum)	60 Feet	60 Feet
Side Yard (minimum)	20 Feet	30 Feet
Side Yard (total of two)	50 Feet	60 Feet
Side Yard on street (minimum)	50 Feet	50 Feet

Open Space Provided	74.14 Acres +/-
Percent Open Space Provided	58.12%

**OPEN SPACE LEGEND:**

- OPEN SPACE
- UPLAND OPEN SPACE (PRESERVATION)
- WETLAND BUFFER OPEN SPACE
- WETLAND OPEN SPACE (PRESERVATION)
- LANDSCAPE EASEMENT OPEN SPACE



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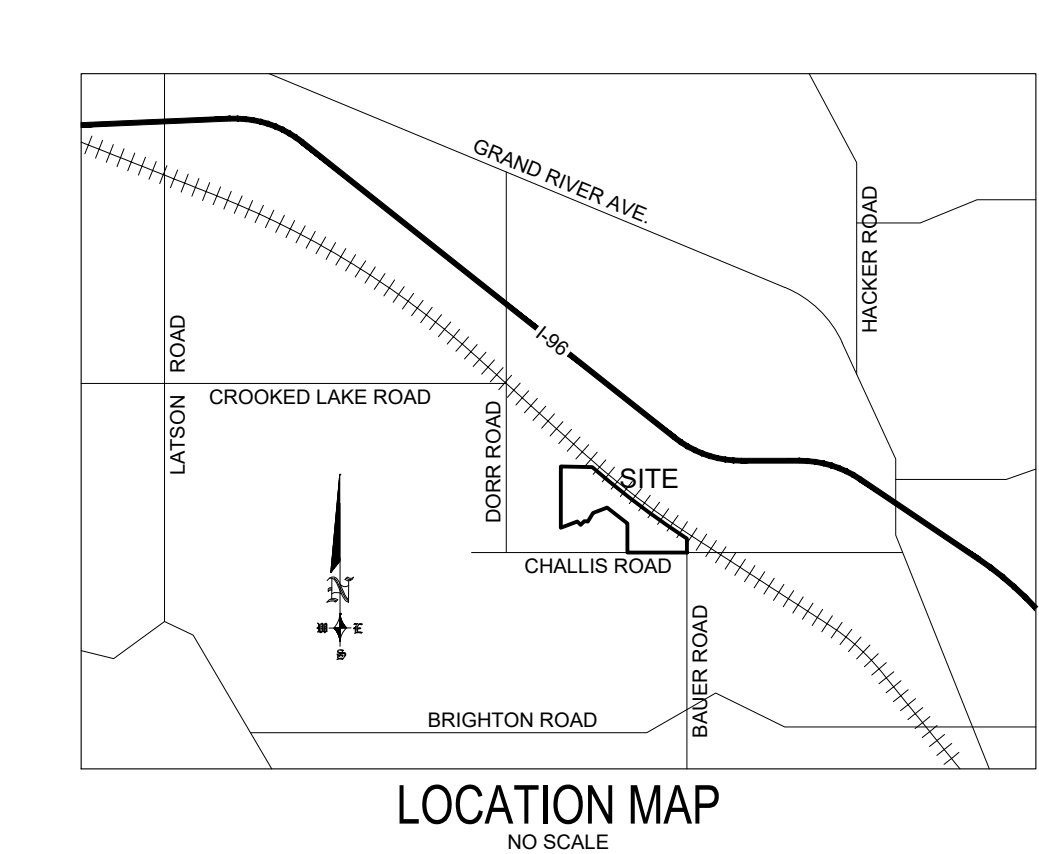
**LEGACY HILLS**  
 PULTE HOMES OF MICHIGAN  
 2800 LIVERNOIS ROAD, BLDG. D, SUITE 320  
 TROY, MICHIGAN 48063

CLIENT: SA/BB/MG  
 DR BY: SA/BB/MG  
 CK BY: SA/BB  
 P.M. MN  
 SCALE: 0 75 150  
 JOB NO. 231213  
 SHEET NO. **C3**  
 SHEET C3 OF 5



U:\MUMOR GROUP PROJECT LOGS\GENOA\DESIGN FILES & PLAN SETS\BASE AUTOCAD FILES\TOPOG\LEGACY HILLS GENOA-TOPODWG

SYMBOL		DESCRIPTION	
(E)	EX. SPOT ELEVATION	(S)	EX. STEAM MANHOLE
(C)	EX. CONTOUR	(UP)	EX. STEAM PIPE
(W)	EX. WATER MAIN	(U)	EX. UNKNOWN UNDERGROUND
(M)	EX. WATER METER	(UC)	EX. UNDERGROUND CABLE
(V)	EX. WATER VALVE	(OH)	EX. OVERHEAD TELEPHONE
(H)	EX. HYDRANT	(OHC)	EX. OVERHEAD CABLE TV
(F)	EX. FRESHWATER WELL	(OF)	EX. OVERHEAD FIBER
(G)	EX. GATE VALVE IN WELL	(OR)	EX. OVERHEAD RISER
(S)	EX. STORM SEWER	(C)	EX. COMMUNICATION HANDHOLE
(SB)	EX. STORM INLET/CATCH BASIN	(U)	EX. UTILITY POLE
(CS)	EX. ROUND STORM CATCH BASIN	(S)	EX. SIGN
(E)	EX. STORM END SECTION	(M)	EX. MAILBOX
(C)	EX. STORM CULVERT	(F)	EX. FLAGPOLE
(S)	EX. SANITARY SEWER	(U)	EX. UNKNOWN MANHOLE
(CS)	EX. COMBINED SEWER	(M)	EX. MONITORING WELL
(S)	EX. SANITARY MANHOLE	(R/W)	EX. PROPERTY LINE
(C)	EX. COMBINED MANHOLE	(R/W)	EX. RIGHT-OF-WAY LINE
(C)	EX. CLEAN OUT	(S)	EX. SECTION LINE
(V)	EX. SANITARY VENT	(P)	EX. PARCELS
(G)	EX. UNDERGROUND GAS	(C)	EX. EASEMENT
(V)	EX. GAS VALVE	(C)	EX. CENTERLINE
(M)	EX. GAS METER	(L)	EX. WETLAND LIMITS
(M)	EX. GAS MANHOLE	(L)	EX. CURB/GUTTER
(T)	EX. UNDERGROUND TELEPHONE	(F)	EX. FENCE
(R)	EX. TELEPHONE RISER	(F)	EX. GUARDRAIL
(E)	EX. UNDERGROUND ELECTRIC	(F)	FOUND IRON
(E)	EX. ELECTRIC MANHOLE	(F)	FOUND PK NAIL
(E)	EX. ELECTRIC RISER	(F)	FOUND CONC. MONUMENT
(E)	EX. ELECTRIC TRANSFORMER	(F)	SET IRON ROD
(E)	EX. ELECTRIC METER	(F)	SECTION CORNER
(A)	EX. AIR CONDITIONER	(P)	POST
(P)	EX. PUBLIC LIGHTING MH	(R)	BOLLARD
(P)	EX. PUBLIC LIGHTING ELEC	(M)	RECORDED BEARING
(O)	EX. OVERHEAD ELECTRIC	(M)	MEASURED BEARING
(M)	EX. WATER MARKER	(T)	EX. TREE (DECIDUOUS/CONIFER)
(M)	EX. GAS MARKER	(T)	EX. TREELINE
(M)	EX. ELEC. MARKER	(A)	EX. ASPHALT
(M)	EX. TELE. MARKER	(C)	EX. CONCRETE
(M)	EX. SAN. MARKER	(G)	EX. GRAVEL



THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

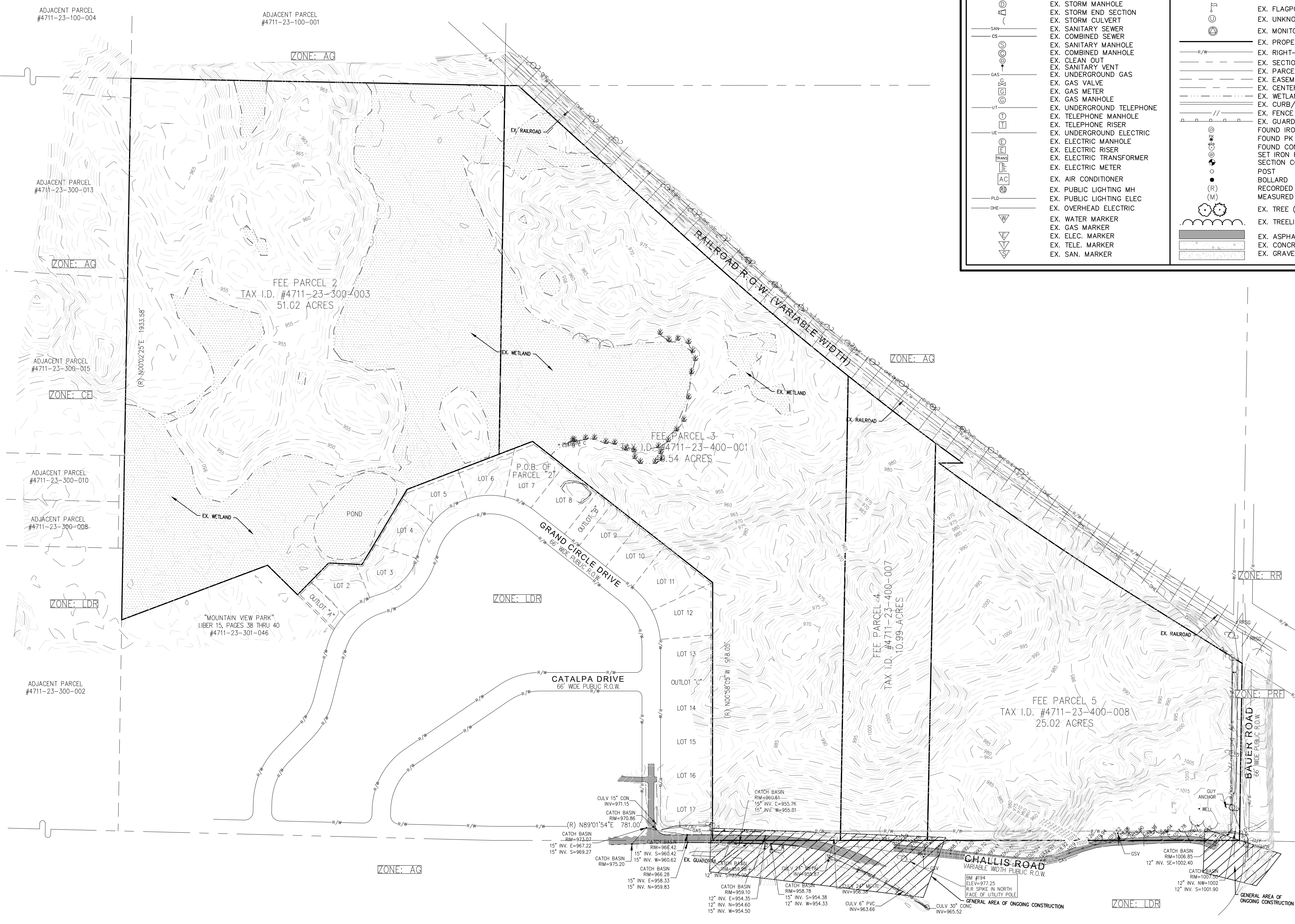
**811**  
Know what's below.  
Call before you dig.

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The UMLOR Group  
LAND DEVELOPMENT SERVICES  
19287 WEST ROAD WIXOM, MI 48393  
TEL 248.773.7656 - FAX 866.690.4507



FEE PARCEL 1  
TAX I.D. #4711-24-300-002  
46.21 ACRES  
(NOT PART OF PROPOSED LAND SALE)

**LEGAL DESCRIPTION PER TITLE COMMITMENT**

THE LAND IS DESCRIBED AS FOLLOWS: SITUATED IN THE TOWNSHIP OF GENOA, COUNTY OF LIVINGSTON, STATE OF MICHIGAN

FEE PARCEL 1  
PART OF THE SOUTHWEST 1/4 OF SECTION 24, TOWN 2 NORTH, RANGE 5 EAST, TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE CENTERLINE OF BAUER ROAD AND THE SECTION LINE, SAID POINT BEING NORTH 00 DEGREES 04 MINUTES 33 SECONDS WEST 863.80 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 24; THENCE NORTH 00 DEGREES 04 MINUTES 33 SECONDS WEST 1461.36 FEET ALONG THE CENTERLINE OF BAUER ROAD AND THE SECTION LINE; THENCE NORTH 88 DEGREES 35 MINUTES 45 SECONDS EAST 1342.09 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 30 SECONDS WEST 1213.73 FEET; THENCE NORTH 89 DEGREES 08 MINUTES 40 SECONDS WEST 550.68 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE OLD RAILWAY RIGHT OF WAY, AS VACATED, AND TO A POINT ON A CURVE, THENCE SOUTHEASTERLY 299.50 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 10 DEGREES 10 MINUTES 30 SECONDS, A RADIUS OF 1686.52 FEET AND A LONG CHORD BEARING SOUTH 48 DEGREES 02 MINUTES 35 SECONDS EAST 299.11 FEET TO THE P.T. OF THE CURVE; THENCE SOUTH 42 DEGREES 57 MINUTES 40 SECONDS EAST 1393.08 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE TO THE SECTION LINE AND CENTERLINE OF CHALLIS ROAD; THENCE NORTH 89 DEGREES 23 MINUTES 35 SECONDS WEST 663.70 FEET ALONG SAID SECTION LINE AND CENTERLINE OF CHALLIS ROAD TO THE NORTHERLY RIGHT OF WAY LINE OF THE EXISTING C & O RAILWAY; THENCE NORTH 54 DEGREES 56 MINUTES 45 SECONDS WEST 104.89 FEET TO THE P.T. OF A CURVE; THENCE NORTHWESTERLY 608.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03 DEGREES 01 MINUTES 45 SECONDS, A RADIUS OF 11,509.20 FEET AND A LONG CHORD BEARING NORTH 56 DEGREES 27 MINUTES 37 SECONDS WEST 608.41 FEET TO A POINT ON THE CURVE; THENCE NORTH 32 DEGREES 01 MINUTES 30 SECONDS EAST 50.00 FEET TO A POINT ON A CURVE; THENCE NORTHWESTERLY 201.74 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 01 DEGREE 00 MINUTES 40 SECONDS, A RADIUS OF 11,509.20 FEET AND A LONG CHORD BEARING NORTH 56 DEGREES 27 MINUTES 37 SECONDS WEST 608.41 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: PART OF THE SOUTHWEST 1/4 OF SECTION 24, TOWN 2 NORTH, RANGE 5 EAST, TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 24; THENCE NORTH 00 DEGREES 04 MINUTES 33 SECONDS WEST 118.40 FEET ALONG THE CENTERLINE OF BAUER ROAD AND THE WEST SECTION LINE; THENCE SOUTH 58 DEGREES 58 MINUTES 30 SECONDS EAST 845.66 FEET TO THE POINT OF BEGINNING; THENCE NORTH 14 DEGREES 02 MINUTES 15 SECONDS EAST 651.25 FEET; THENCE SOUTH 42 DEGREES 57 MINUTES 40 SECONDS EAST 1393.08 FEET; THENCE NORTH 89 DEGREES 23 MINUTES 35 SECONDS WEST 663.70 FEET ALONG THE SECTION LINE; THENCE NORTH 54 DEGREES 56 MINUTES 45 SECONDS WEST 104.89 FEET TO THE P.T. OF A CURVE; THENCE NORTHWESTERLY 608.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03 DEGREES 01 MINUTES 45 SECONDS, A RADIUS OF 11,509.20 FEET AND A LONG CHORD BEARING NORTH 56 DEGREES 27 MINUTES 37 SECONDS WEST 608.41 FEET TO A POINT ON THE CURVE; THENCE NORTH 32 DEGREES 01 MINUTES 30 SECONDS EAST 50.00 FEET TO A POINT ON A CURVE; THENCE NORTHWESTERLY 201.74 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 01 DEGREE 00 MINUTES 40 SECONDS, A RADIUS OF 11,509.20 FEET AND A LONG CHORD BEARING NORTH 56 DEGREES 28 MINUTES 30 SECONDS WEST 201.74 FEET TO THE P.T. OF A CURVE AND THE POINT OF BEGINNING.

FEE PARCEL 2  
PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWN 2 NORTH, RANGE 5 EAST, TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH AND SOUTH 1/4 LINE, SAID POINT BEING NORTH 00 DEGREES 03 MINUTES 25 SECONDS WEST 1376.04 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 23; THENCE SOUTH 67 DEGREES 59 MINUTES 40 SECONDS WEST 351.56 FEET; THENCE SOUTH 29 DEGREES 59 MINUTES 40 SECONDS EAST 312.00 FEET; THENCE NORTH 88 DEGREES 15 MINUTES 38 SECONDS WEST 118.40 FEET; THENCE SOUTH 43 DEGREES 22 MINUTES 25 SECONDS WEST 158.00 FEET; THENCE NORTH 46 DEGREES 37 MINUTES 35 SECONDS WEST 150.00 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 25 SECONDS WEST 555.00 FEET; THENCE NORTH 00 DEGREES 02 MINUTES 20 SECONDS EAST 1933.58 FEET; THENCE SOUTH 89 DEGREES 37 MINUTES 35 SECONDS EAST 1331.64 FEET ALONG THE EAST AND WEST 1/4 LINE TO THE CENTER OF SAID SECTION 23; THENCE SOUTH 00 DEGREES 03 MINUTES 25 SECONDS EAST 1371.69 FEET ALONG THE NORTH AND SOUTH 1/4 LINE TO THE POINT OF BEGINNING.

FEE PARCEL 3  
PART OF THE SOUTHEAST 1/4 OF SECTION 23, TOWN 2 NORTH, RANGE 5 EAST, TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 23; THENCE NORTH 89 DEGREES 01 MINUTES 54 SECONDS EAST 791.00 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 58 MINUTES 06 SECONDS WEST 918.05 FEET; THENCE NORTH 52 DEGREES 50 MINUTES 20 SECONDS WEST 815.00 FEET; THENCE SOUTH 67 DEGREES 59 MINUTES 40 SECONDS WEST 126.44 FEET TO THE NORTH AND SOUTH 1/4 LINE; THENCE ALONG SAID NORTH AND SOUTH 1/4 LINE NORTH 00 DEGREES 03 MINUTES 25 SECONDS WEST 1311.69 FEET TO THE CENTER OF SAID SECTION 23; THENCE NORTH 89 DEGREES 00 MINUTES 15 SECONDS EAST 47.54 FEET ALONG THE EAST AND WEST 1/4 LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF THE C & O RAILROAD; THENCE SOUTH 42 DEGREES 57 MINUTES 40 SECONDS EAST 623.14 FEET ALONG SAID RIGHT OF WAY LINE; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE 7415.83 FEET TO THE LEFT HAVING A RADIUS OF 11,509.20 FEET AND A LONG CHORD BEARING SOUTH 50 DEGREES 33 MINUTES 16 SECONDS EAST 741.50 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 47 SECONDS WEST 1653.80 FEET TO THE SOUTH LINE OF SAID SECTION 23; THENCE SOUTH 89 DEGREES 00 DEGREES 01 MINUTES 47 SECONDS WEST 1653.80 FEET TO THE SOUTH SECTION LINE AND THE POINT OF BEGINNING.

FEE PARCEL 4  
PART OF THE SOUTHEAST 1/4 OF SECTION 23, TOWN 2 NORTH, RANGE 5 EAST, TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE CENTERLINE OF CHALLIS ROAD AND THE SECTION LINE, SAID POINT BEING NORTH 89 DEGREES 01 MINUTES 54 SECONDS EAST 1235.95 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 23; THENCE NORTH 89 DEGREES 01 MINUTES 54 SECONDS EAST 309.65 FEET ALONG THE SECTION LINE; THENCE NORTH 00 DEGREES 15 MINUTES 11 SECONDS EAST 54.45 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF THE C & O RAILROAD; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTHWESTERLY 392.48 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01 DEGREE 17 MINUTES 14 SECONDS, A RADIUS OF 11,509.16 FEET AND A LONG CHORD BEARING NORTH 43 DEGREES 22 MINUTES 25 SECONDS WEST 392.48 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 47 SECONDS WEST 1653.80 FEET TO THE SOUTH SECTION LINE AND THE POINT OF BEGINNING.

FEE PARCEL 5  
PART OF THE SOUTHEAST 1/4 OF SECTION 23, TOWN 2 NORTH, RANGE 5 EAST, TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE CENTERLINE OF CHALLIS ROAD AND THE SECTION, SAID POINT BEING NORTH 89 DEGREES 01 MINUTES 54 SECONDS EAST 1545.60 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 23; THENCE NORTH 89 DEGREES 01 MINUTES 54 SECONDS EAST 1110.40 FEET ALONG THE SECTION LINE TO THE SOUTHEAST CORNER OF SAID SECTION 23; THENCE NORTH 00 DEGREES 04 MINUTES 33 SECONDS WEST 630.24 FEET ALONG THE CENTERLINE OF BAUER ROAD AND THE SECTION LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF THE C & O RAILROAD; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH 56 DEGREES 27 MINUTES 37 SECONDS WEST 412.63 FEET TO THE P.T. OF A CURVE; THENCE NORTHWESTERLY 881.35 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 04 DEGREES 22 MINUTES 07 SECONDS, RADIUS OF 11,509.16 FEET AND A LONG CHORD BEARING NORTH 56 DEGREES 47 MINUTES 37 SECONDS WEST 881.08 FEET TO THE P.T. OF THE CURVE; THENCE NORTH 89 DEGREES 01 MINUTES 15 SECONDS EAST 84.65 FEET TO THE P.T. OF A CURVE; THENCE NORTHWESTERLY 118.83 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 00 DEGREES 35 MINUTES 30 SECONDS, A RADIUS OF 11,509.16 FEET AND A LONG CHORD BEARING NORTH 54 DEGREES 39 MINUTES 00 SECONDS WEST 118.83 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 11 SECONDS WEST 1414.45 FEET TO THE SOUTH SECTION LINE AND THE POINT OF BEGINNING.



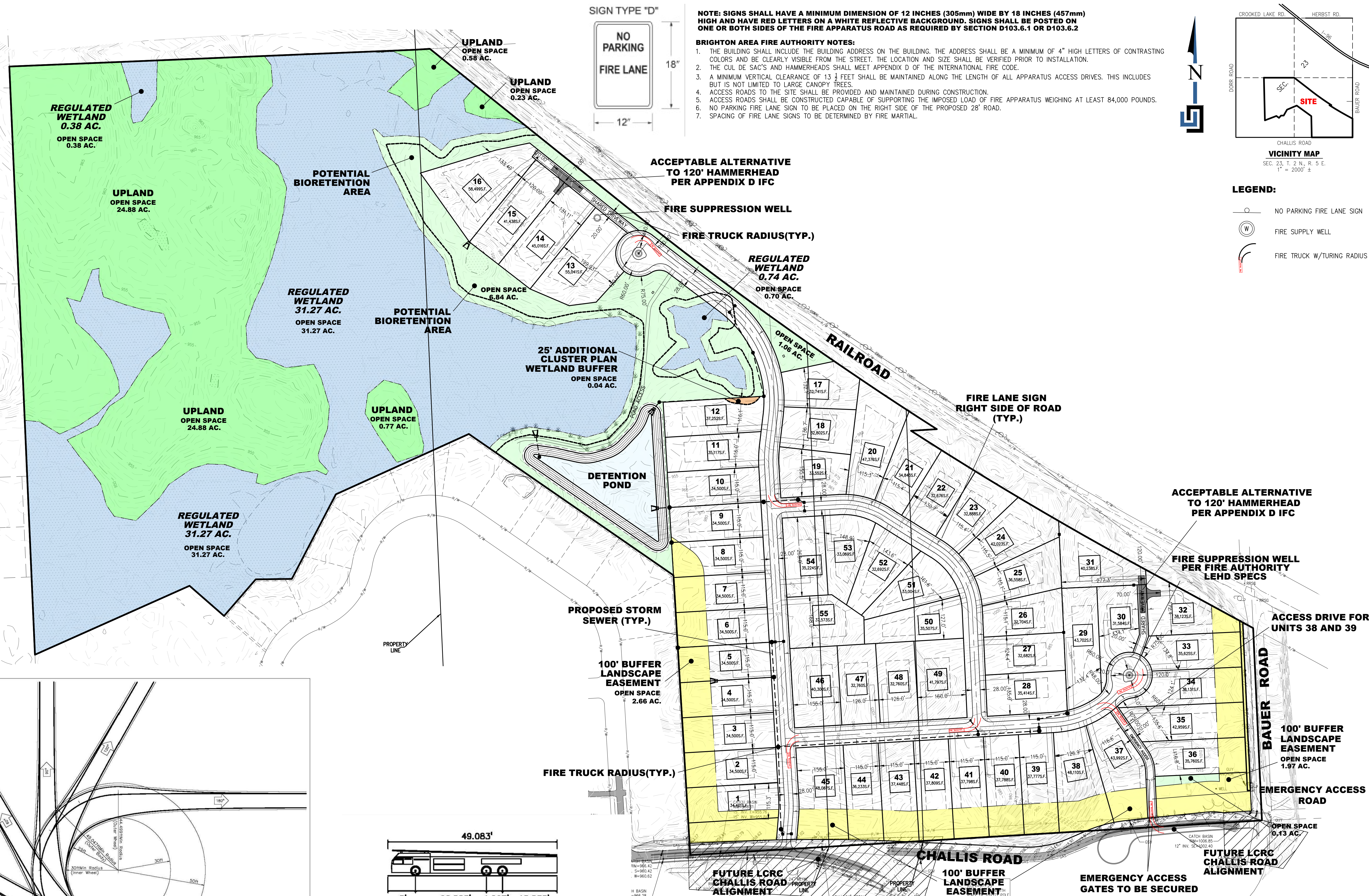
**BENCHMARK**  
BENCHMARK #194 (NAVD 88)  
LOCATED IN UTILITY POLE SOUTH OF CHALLIS ROAD. (AREA UNDER ONGOING ROAD CONSTRUCTION AS OF 8-25-24. RAIL ROAD SPIKE IN NORTH FACE OF SAID UTILITY POLE)  
ELEV: 977.25

EASEMENT PARCEL  
TOGETHER WITH THE RIGHTS AND EASEMENTS AS CREATED, LIMITED AND DEFINED IN ACCESS AND UTILITY EASEMENT AGREEMENT RECORDED IN LIBER 4330, PAGE 940, LIVINGSTON COUNTY RECORDS.

**LEGAL DESCRIPTION NOTE**  
NO GAPS OR CORES EXIST BETWEEN THE SUBJECT PROPERTIES.

PART OF SECTIONS 23 & 24	TOWN 02 NORTH - RANGE 05 EAST	GENOA TOWNSHIP	LIVINGSTON COUNTY, MI
DATE: 8/26/24	REVISIONS		
TOPOGRAPHIC SURVEY			
CLIENT: PULTE HOMES OF MICHIGAN, LLC 2800 LIVERNOIS BLVD. - SUITE 220 TROY, MI 48063			
DR BY: BDR CK BY: RQM P.M. MTN SCALE: 0 100 200			
JOB NO. #231213 SHEET NO. C4 SHEET C4OF 5			





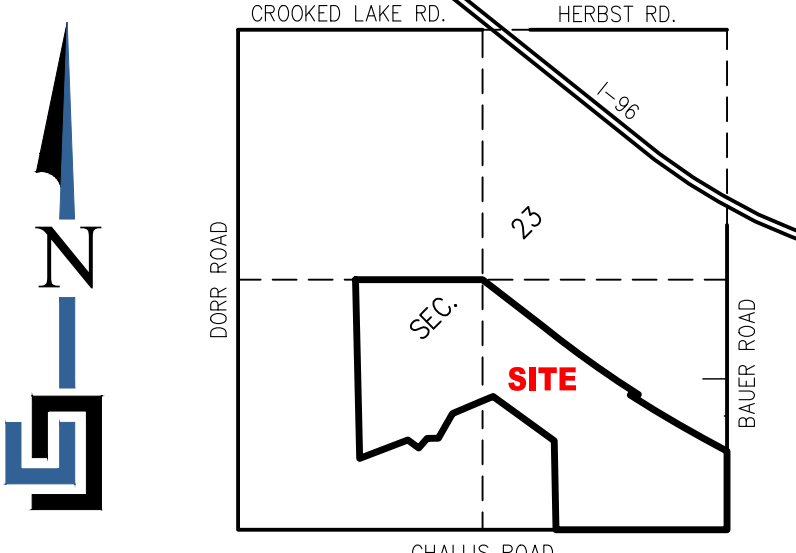
SIGN TYPE "D"



**NOTE: SIGNS SHALL HAVE A MINIMUM DIMENSION OF 12 INCHES (305mm) WIDE BY 18 INCHES (457mm) HIGH AND HAVE RED LETTERS ON A WHITE REFLECTIVE BACKGROUND. SIGNS SHALL BE POSTED ON ONE OR BOTH SIDES OF THE FIRE APPARATUS ROAD AS REQUIRED BY SECTION D103.6.1 OR D103.6.2**

**BRIGHTON AREA FIRE AUTHORITY NOTES:**

1. THE BUILDING SHALL INCLUDE THE BUILDING ADDRESS ON THE BUILDING. THE ADDRESS SHALL BE A MINIMUM OF 4" HIGH LETTERS OF CONTRASTING COLORS AND BE CLEARLY VISIBLE FROM THE STREET. THE LOCATION AND SIZE SHALL BE VERIFIED PRIOR TO INSTALLATION.
2. THE CUL DE SACS AND HAMMERHEADS SHALL MEET APPENDIX D OF THE INTERNATIONAL FIRE CODE.
3. A MINIMUM VERTICAL CLEARANCE OF 13 FEET SHALL BE MAINTAINED ALONG THE LENGTH OF ALL APPARATUS ACCESS DRIVES. THIS INCLUDES BUT IS NOT LIMITED TO LARGE CANOPY TREES.
4. ACCESS ROADS TO THE SITE SHALL BE PROVIDED AND MAINTAINED DURING CONSTRUCTION.
5. ACCESS ROADS SHALL BE CONSTRUCTED CAPABLE OF SUPPORTING THE IMPOSED LOAD OF FIRE APPARATUS WEIGHING AT LEAST 84,000 POUNDS.
6. NO PARKING FIRE LANE SIGN TO BE PLACED ON THE RIGHT SIDE OF THE PROPOSED 28' ROAD.
7. SPACING OF FIRE LANE SIGNS TO BE DETERMINED BY FIRE MARTIAL.



**VICINITY MAP**  
SEC. 23, T. 2 N., R. 5 E.  
1" = 2000' ±

**LEGEND:**

- NO PARKING FIRE LANE SIGN
- FIRE SUPPLY WELL
- FIRE TRUCK W/TURNING RADIUS

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**811**  
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Call before you dig.

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LAND DEVELOPMENT SERVICES  
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TEL: 248.778.7636 - FAX: 866.690.4307

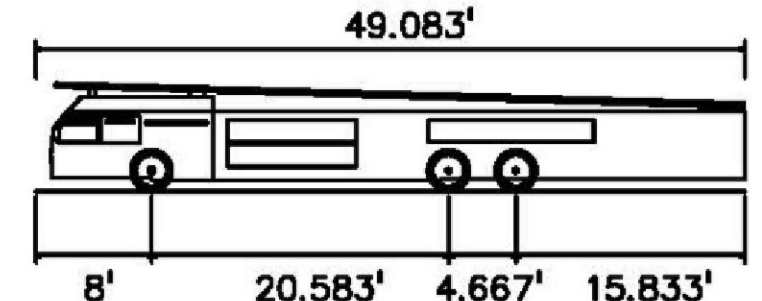
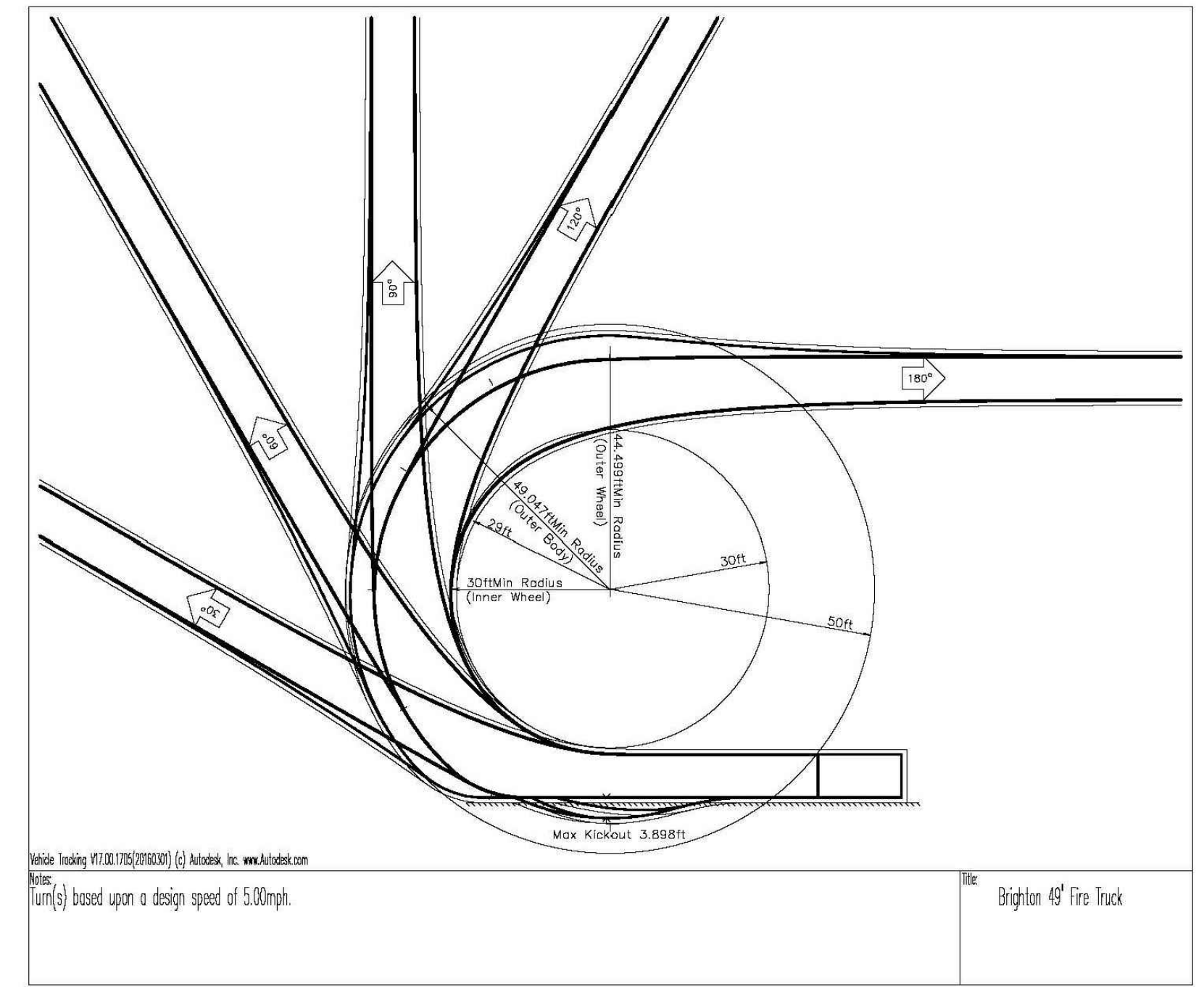
SECTION 23  
T. 2 N., R. 5 E.  
GENOA TOWNSHIP  
LIVINGSTON CO., MICHIGAN

DATE: 8/26/2024  
REVISIONS  
9/27/2024  
11/1/2024  
12/16/2024

CLIENT:  
PULTE HOMES OF MICHIGAN  
2800 LIVERNOIS ROAD, BLDG. D, SUITE 320  
TROY, MICHIGAN 48063

**EMERGENCY VEHICLE PLAN**

DR BY: SA/BB/MG  
CK BY: SA/BB  
P.M. MN  
SCALE: 0 75 150  
JOB NO. 231213  
SHEET NO. **C5**  
SHEET C5 OF 5



Brighton 49' Fire Truck  
Overall Length 49.083ft  
Overall Width 8.167ft  
Overall Body Height 7.500ft  
Min Body Ground Clearance 0.750ft  
Track Width 8.167ft  
Lock-to-lock time 5.00s  
Max Steering Angle (Virtual) 45.00°

**FIRE TRUCK DETAIL**  
NOT TO SCALE

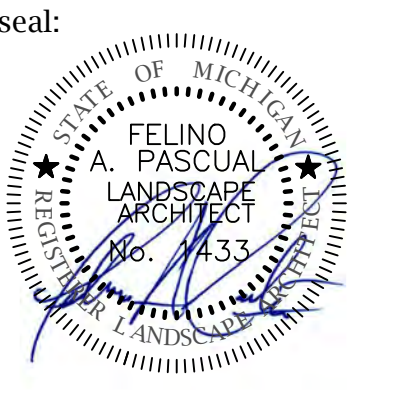
**FIRE TRUCK TURNING RADII**



overall landscape plan for:

# The Legacy Hills - a planned single family community

## Genoa Township, Michigan



client:  
**LAUTREC**  
 31550  
 Northwestern  
 HWY. Suite 200  
 Farmington Hills,  
 Michigan 48334

project:  
**THE  
 LEGACY  
 HILLS**

project location:  
 Genoa Township,  
 Michigan  
 Challis Road & Bauer Road

sheet title:  
**CONCEPTUAL  
 LANDSCAPE PLAN**

job no./issue/revision date:  
 LS24.083.08 SPA 8-26-2024  
 LS24.083.09 TWP. COMMENTS 9-26-2024  
 LS24.083.10 site updates 10-31-2024  
 LS24.083.12 site updates 12-16-2024

drawn by:  
**JP,**  
 checked by:  
**FP**  
 date:  
**8-20-2024**  
 notice:  
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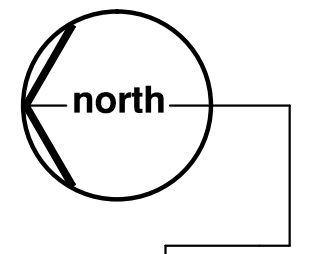
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 Do Not scale drawings. Use figured dimensions only.



The location and elevations of existing underground utilities as shown on this drawing are only approximate; no guarantee is either expressed or implied as to the completeness of accuracy; contractor shall be exclusively responsible for determining the exact location and elevation prior to the start of construction.

project no.:  
**LS24.083.08**

sheet no.:  
**LS-1** of 6



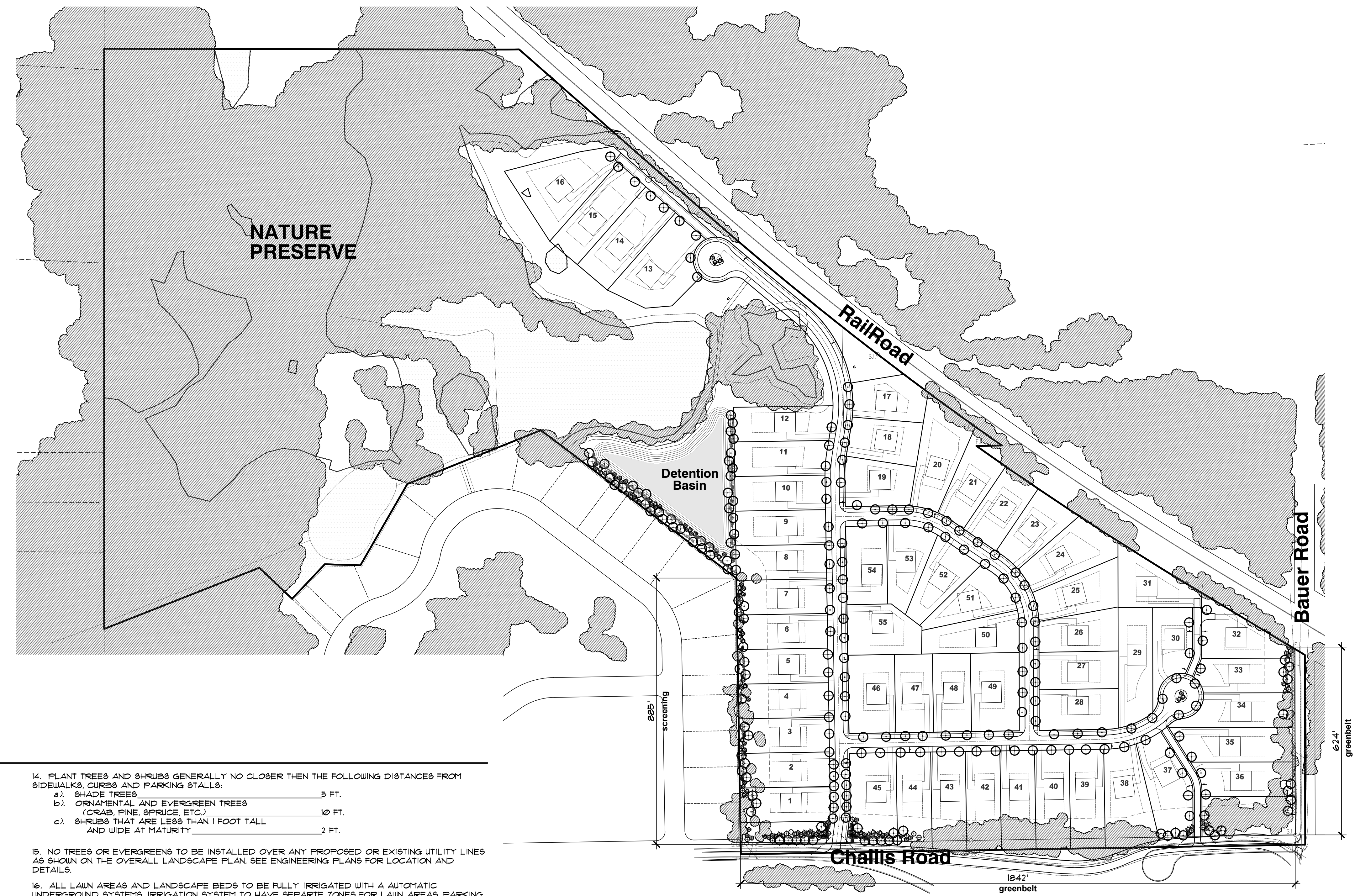
scale: 0' 100' 200' 400' 600'  
 1" = 200'-0"

**landscape requirements:**

	REQUIRED	PROVIDED
<b>greenbelt (Challis Road)</b>		
TOTAL LIN.FT. OF GREENBELT FRONTAGE	1842±	57 + EXISTING TREES
ONE (1) 2 1/2" CANOPY OR EVERGREEN TREE PER 40 LIN.FT. (1842 LIN.FT. / 40 LIN.FT. = 46.05 TREES)	46	
<b>greenbelt (Bauer Road)</b>		
TOTAL LIN.FT. OF GREENBELT FRONTAGE	624±	15 + EXISTING TREES
ONE (1) 2 1/2" CANOPY OR EVERGREEN TREE PER 40 LIN.FT. (624 LIN.FT. / 40 LIN.FT. = 15.6 TREES)	16	
<b>street trees (interior residential streets)</b>		
TOTAL NO. OF RESIDENTIAL UNITS PROVIDED	55	
TWO (2) 2 1/2" CANOPY TREES PER RESIDENTIAL UNIT (55 UNITS X 2 TREES = 110 TREES)	110	114
<b>landscape screening</b>		
TOTAL LIN.FT. OF BOUNDARY FRONTAGE	885±	44 + EXISTING TREES
ONE (1) 2 1/2" CANOPY OR EVERGREEN TREE PER 20 LIN.FT. (885 LIN.FT. / 20 LIN.FT. = 44.25 TREES)	44	
OR FOUR (4) SHRUBS PER 20 LIN.FT. (885 LIN.FT. / 20 LIN.FT. = 44.25 X 4-SHRUBS=177)	177	177
<b>detention basin</b>		
TOTAL LIN.FT. OF POND PERIMETER	1602±	
ONE (1) DECIDUOUS OR EVERGREEN TREE PER 50 LIN.FT. (1602 LIN.FT. / 50 LIN.FT. = 32.04 TREES)	32	65
TEN (10) SHRUBS PER 50 LIN.FT. (1604 LIN.FT. / 50 LIN.FT. = 32.04 X 10-SHRUBS=320.4)	320	320

**general landscape notes:**

- LANDSCAPE CONTRACTOR SHALL VISIT THE SITE, INSPECT EXISTING CONDITIONS, REVIEW PROPOSED PLANTINGS AND RELATED WORK, CONTACT THE OWNER AND/OR LANDSCAPE ARCHITECT WITH ANY CONCERNS OR DISCREPANCY BETWEEN THE PLAN, PLANT MATERIAL LIST, AND/OR SITE CONDITIONS.
- PRIOR TO BEGINNING OF CONSTRUCTION ON ANY WORK, CONTRACTORS SHALL VERIFY LOCATIONS OF ALL ON SITE UTILITIES, GAS, ELECTRIC, TELEPHONE, CABLE TO BE LOCATED BY CONTACTING MISS DIG 1-800-482-7171. ANY DAMAGE OR INTERRUPTION OF SERVICES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. COORDINATE ALL RELATED WORK ACTIVITIES WITH OTHER TRADES AND REPORT ANY UNACCEPTABLE JOB CONDITIONS TO OWNER PRIOR TO COMMENCING.
- NUMERICAL VALUE ON THE LANDSCAPE QUANTITIES SPECIFIED ON THE PLAN TAKE PRECEDENCE OVER GRAPHIC REPRESENTATION. VERIFY ANY CONCERN/DISCREPANCY WITH LANDSCAPE ARCHITECT.
- ALL CONSTRUCTION AND PLANT MATERIAL LOCATION TO BE ADJUSTED ON SITE IF NECESSARY.
- ALL SUBSTITUTIONS OR DEVIATIONS FROM THE LANDSCAPE PLAN MUST BE APPROVED BY GENOA TOWNSHIP AND LANDSCAPE ARCHITECT.
- ALL LARGE TREES AND EVERGREENS TO BE STAKED, GUIDED AND WRAPPED AS DETAIL SHOWN ON PLAN.
- PLANT BEDS TO BE DRESSED WITH MIN. 4" OF FINELY DOUBLE SHREDDED HARD BARK MULCH.
- DIG SHRUB PITS 1' LARGER THAN SHRUB ROOT BALLS AND TREE PITS 2' LARGER THAN ROOT BALL. BACK FILL WITH ONE PART TOP SOIL AND ONE PART SOIL FROM EXCAVATED PLANTING HOLE.
- NATURAL COLOR, FINELY SHREDDED HARDWOOD BARK MULCH REQUIRED FOR ALL PLANTINGS.
- REMOVE ALL TWINE, WIRE AND BURLAP FROM TREE AND SHRUB EARTH BALLS, AND FROM TREE TRUNKS. 4" THICK BARK MULCH FOR TREES IN 4" DIA. CIRCLE WITH 3" PULLED AWAY FROM TRUNK. 4" THICK BARK MULCH FOR SHRUBS AND 4" THICK BARK MULCH FOR PERENNIALS.
- PLANT MATERIAL QUALITY & INSTALLATION SHALL BE IN ACCORDANCE WITH THE CURRENT AMERICAN ASSOCIATION OF NURSERYMEN LANDSCAPE STANDARDS.
- PROVIDE PEAT SOD FOR ALL NEW AND DISTURBED LAWN AREAS UNLESS NOTED OTHERWISE.
- ALL PLANTING AREAS TO BE PREPARED WITH APPROPRIATE SOIL MIXTURES AND FERTILIZER BEFORE PLANT INSTALLATION.
- PLANT TREES AND SHRUBS GENERALLY NO CLOSER THEN THE FOLLOWING DISTANCES FROM SIDEWALKS, CURBS AND PARKING STALLS:
  - SHADE TREES 5 FT.
  - ORNAMENTAL AND EVERGREEN TREES (ORAB, PINE, SPRUCE, ETC.) 10 FT.
  - SHRUBS THAT ARE LESS THAN 1 FOOT TALL AND WIDE AT MATURITY 2 FT.
- NO TREES OR EVERGREENS TO BE INSTALLED OVER ANY PROPOSED OR EXISTING UTILITY LINES AS SHOWN ON THE OVERALL LANDSCAPE PLAN. SEE ENGINEERING PLANS FOR LOCATION AND DETAILS.
- ALL LAWN AREAS AND LANDSCAPE BEDS TO BE FULLY IRRIGATED WITH A AUTOMATIC UNDERGROUND SYSTEMS. IRRIGATION SYSTEM TO HAVE SEPARATE ZONES FOR LAWN AREAS, PARKING ISLANDS, AND SHRUB BEDS WITH DIFFERENT CONTROL MOISTURE LEVEL ADJUSTMENT PER ZONE AS REQUIRED.
- UNLESS NOTED OTHERWISE, LANDSCAPE BEDS ADJACENT TO LAWN TO RECEIVE EDGING. EDGING SHALL BE 4" X 1/8" METAL (FINISH BLACK OR GREEN) OR APPROVED EQUAL AND TO BE INSTALLED WITH HORIZONTAL METAL STAKES AT 32" O.C. OR PER MANUFACTURER'S SPECIFICATION.
- ALL NEW PARKING ISLANDS AND LANDSCAPE BEDS ADJACENT AND NEXT TO BUILDING SHALL BE EXCAVATED OF ALL BUILDING MATERIALS AND POOR SOILS A MIN. OF 16"-18" DEPTH, BACK FILL WITH GOOD, MEDIUM TEXTURED PLANTING SOILS. ADD A MIN. 4" OF TOPSOIL OVERFILL TO FINISH GRADE. PROVIDE POSITIVE DRAINAGE.
- WATERING OF ALL PLANTS AND TREES TO BE PROVIDED IMMEDIATELY AND MULCHING WITHIN 24 HOURS AFTER INSTALLATION.
- ALL TREE PITS TO BE TESTED FOR PROPER DRAINAGE PRIOR TO TREE PLANTING. PROVIDE APPROPRIATE DRAINAGE SYSTEM AS REQUIRED IF THE TREE PIT DOES NOT DRAIN SUFFICIENTLY.
- THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL LANDSCAPE PLANT MATERIALS AND IRRIGATION INSTALLATION FOR A PERIOD OF TWO YEAR BEGINNING AFTER THE COMPLETION OF LANDSCAPE INSTALLATION DATE APPROVED BY THE CITY OR LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL REPLACE DURING AND AT THE END OF THE GUARANTEE PERIOD, ANY DEAD OR UNACCEPTABLE PLANTS, AS DETERMINED BY THE TOWNSHIP OR LANDSCAPE ARCHITECT, WITHOUT COST TO THE OWNER.

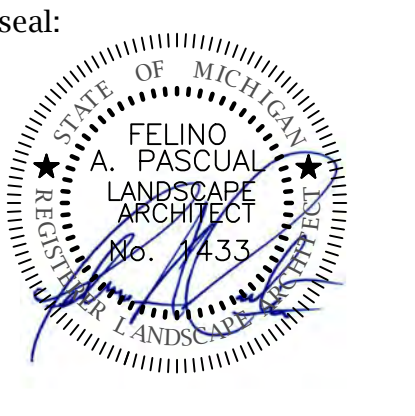


**landscape sheet index**

- LS-1 OVERALL LANDSCAPE PLAN VIEW
- LS-2 GENERAL PLANTING DETAIL PLAN
- LS-3 GENERAL PLANTING DETAIL PLAN
- LS-4 DETENTION PLANTING DETAIL PLAN
- LS-5 ENTRANCE PLANTING DETAIL MATERIAL LIST, PLANT DETAILS & LANDSCAPE NOTES
- LS-6 ENTRY SIGN MONUMENT WALL

**street trees note:**  
 STREET TREES TO BE INSTALLED A MINIMUM 10' TO 12' FROM THE EDGE OF THE ROAD. NO STREET TREES TO BE INSTALLED OVER PROPOSED OR EXISTING UNDERGROUND UTILITY. ALL STREET TREE TO BE PRUNED AND MAINTAINED A MINIMUM VERTICAL CLEARANCE OF 13 1/2 FEET ALONG THE LENGTH OF ROAD WAY AS REQUIRED PER BRIGHTON AREA FIRE AUTHORITY STANDARDS AND REQUIREMENTS. SEE SHT. LS-5 FOR DETAILS.





client:  
**LAUTREC**  
 31550  
 Northwestern  
 HWY. Suite 200  
 Farmington Hills,  
 Michigan 48334

project:  
**THE  
 LEGACY  
 HILLS**

project location:  
 Genoa Township,  
 Michigan  
 Challis Road & Bauer  
 Road

sheet title:  
**GENERAL LANDSCAPE  
 PLANTING DETAIL**

job no./issue/revision date:  
 LS24.083.08 SPA 8-26-2024  
 LS24.083.09 TWP. COMMENTS 9-26-2024  
 LS24.083.10 site updates 10-31-2024  
 LS24.083.12 site updates 12-16-2024

drawn by:  
**JP,**  
 checked by:  
**FP**  
 date:  
**8-20-2024**

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The location and elevations of existing  
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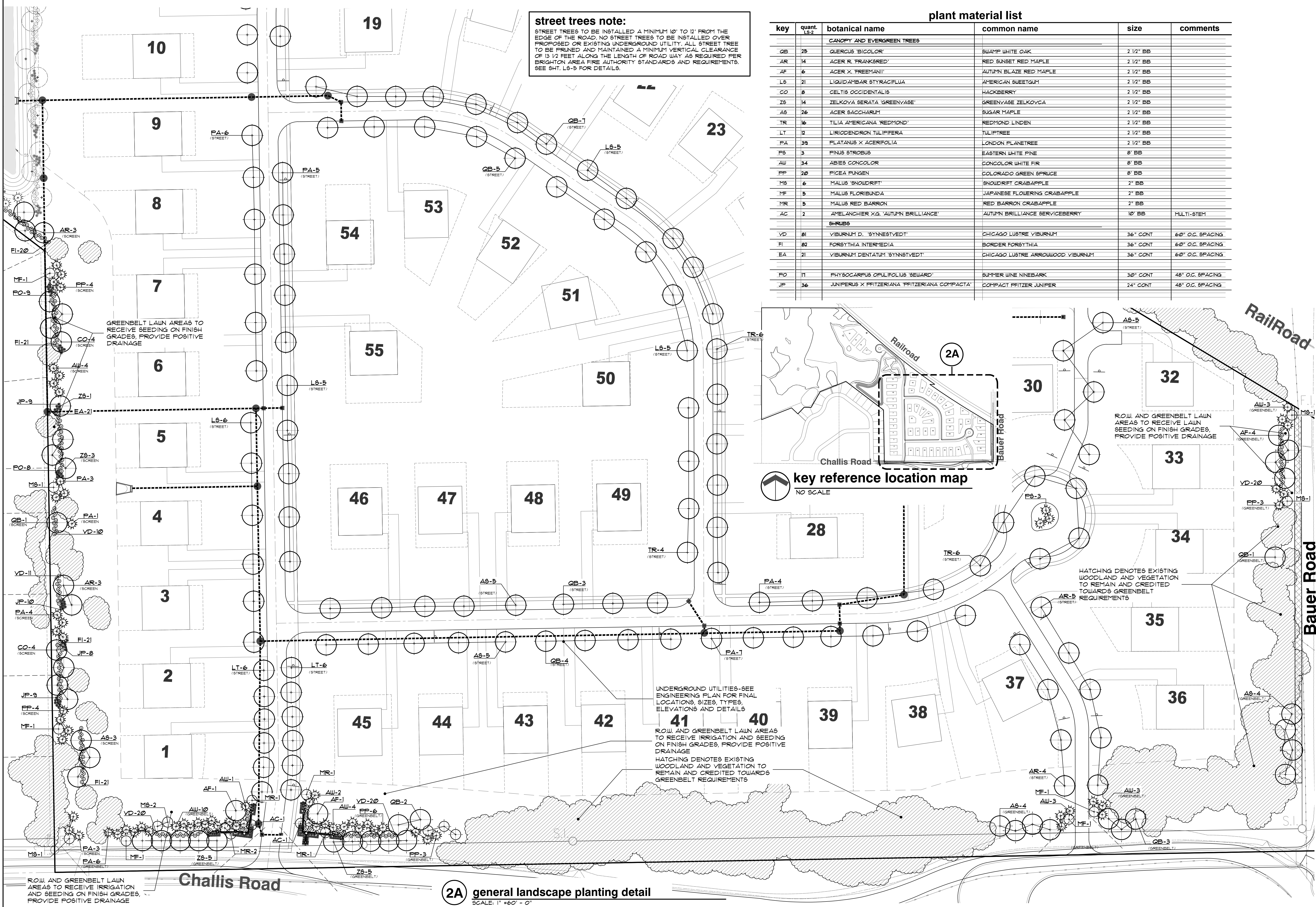
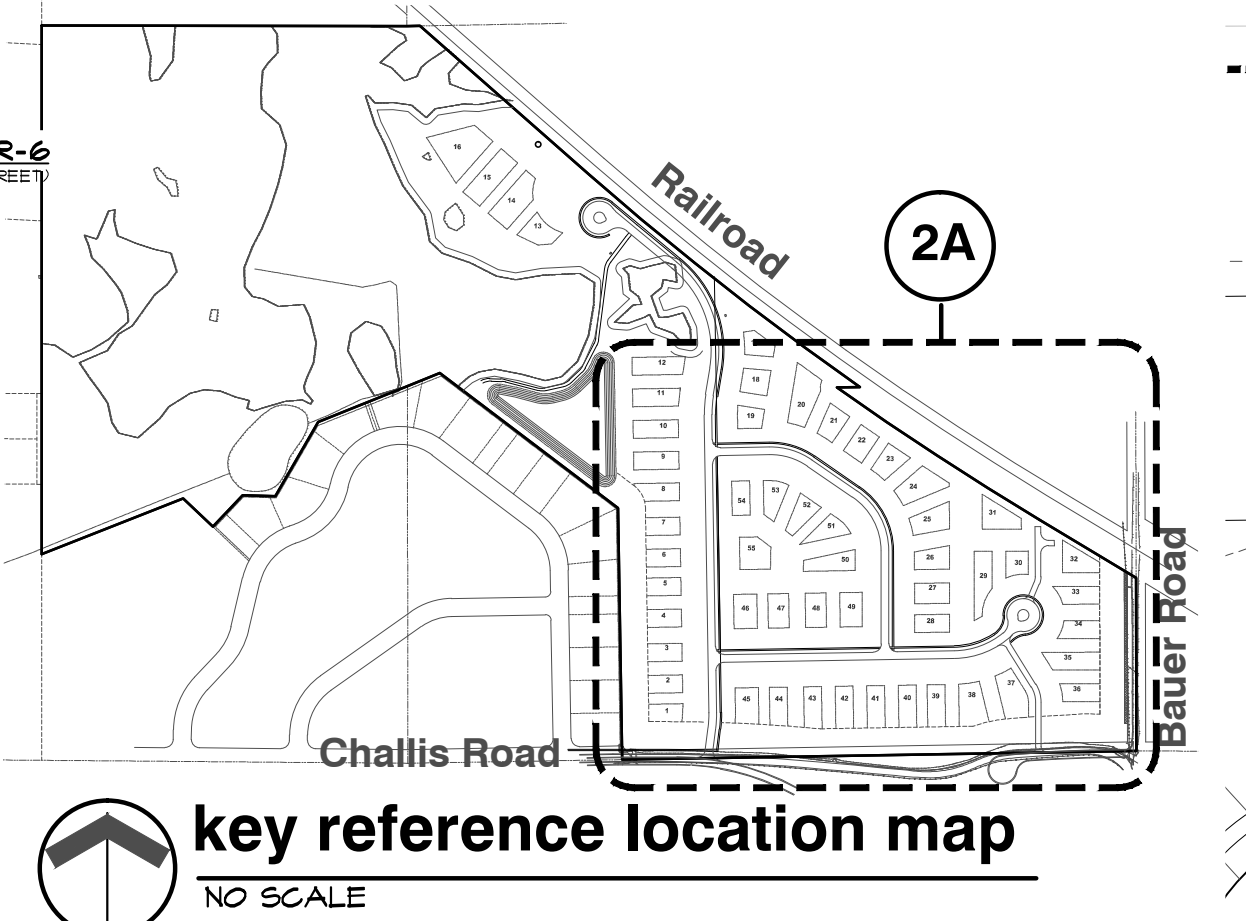
project no:  
**LS24.083.08**

sheet no:  
**LS-2** of 6

**plant material list**

key	quant. LS-2	botanical name	common name	size	comments
<b>CANOPY AND EVERGREEN TREES</b>					
QB	25	QUERCUS 'BICOLOR'	SWAMP WHITE OAK	2 1/2" BB	
AR	14	ACER R. 'FRANKSRED'	RED SUNSET RED MAPLE	2 1/2" BB	
AF	6	ACER X. 'FREEMANI'	AUTUMN BLAZE RED MAPLE	2 1/2" BB	
LS	21	LIQUIDAMBAR STRACIFLUA	AMERICAN SWEETGUM	2 1/2" BB	
CO	8	CELTIS OCCIDENTALIS	HACKBERRY	2 1/2" BB	
ZS	14	ZELKOYA SERATA 'GREENVASE'	GREENVASE ZELKOYCA	2 1/2" BB	
AS	26	ACER SACCHARUM	SUGAR MAPLE	2 1/2" BB	
TR	16	TILIA AMERICANA 'REDMOND'	REDMOND LINDEN	2 1/2" BB	
LT	12	LIRIODENDRON TULIPIFERA	TULIPTREE	2 1/2" BB	
FA	39	PLATANUS X ACERIFOLIA	LONDON PLANETREE	2 1/2" BB	
PS	3	PINUS STROBILUS	EASTERN WHITE PINE	8' BB	
AW	34	ABIES CONCOLOR	CONCOLOR WHITE FIR	8' BB	
FP	20	PICEA FUNGEN	COLORADO GREEN SPRUCE	8' BB	
MS	6	MALUS 'SNOWDRIFT'	SNOWDRIFT CRABAPPLE	2" BB	
MF	5	MALUS FLORIBUNDA	JAPANESE FLOWERING CRABAPPLE	2" BB	
MR	5	MALUS RED BARRON	RED BARRON CRABAPPLE	2" BB	
AC	2	AMELANCHIER X G. 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	10" BB	MULTI-STEM
<b>SHRUBS</b>					
VD	81	VIBURNUM D. 'SYNNESTVEDT'	CHICAGO LUSTRE VIBURNUM	36" CONT	60" O.C. SPACING
FI	82	FORSYTHIA INTERMEDIA	BORDER FORSYTHIA	36" CONT	60" O.C. SPACING
EA	21	VIBURNUM DENTATUM 'SYNNESTVEDT'	CHICAGO LUSTRE ARROWWOOD VIBURNUM	36" CONT	60" O.C. SPACING
PO	11	PHYTOSCARPUS OPULIFOLIUS 'SEWARD'	SUMMER WINE NINEBARK	30" CONT	48" O.C. SPACING
JP	36	JUNIPERUS X PRITZERIANA 'PRITZERIANA COMPACTA'	COMPACT PRITZER JUNIPER	24" CONT	48" O.C. SPACING

**street trees note:**  
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 OF 13 1/2 FEET ALONG THE LENGTH OF ROAD WAY AS REQUIRED PER  
 BRIGHTON AREA FIRE AUTHORITY STANDARDS AND REQUIREMENTS.  
 SEE SHT. LS-5 FOR DETAILS.



UNDERGROUND UTILITIES-SEE  
 ENGINEERING PLAN FOR FINAL  
 LOCATIONS, SIZES, TYPES,  
 ELEVATIONS AND DETAILS

ROW AND GREENBELT LAWN AREAS  
 TO RECEIVE IRRIGATION AND SEEDING  
 ON FINISH GRADES, PROVIDE POSITIVE  
 DRAINAGE

HATCHING DENOTES EXISTING  
 WOODLAND AND VEGETATION TO  
 REMAIN AND CREDITED TOWARDS  
 GREENBELT REQUIREMENTS

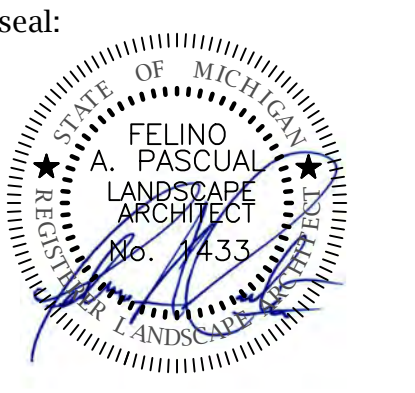
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**2A** general landscape planting detail  
 SCALE: 1" = 60' - 0"





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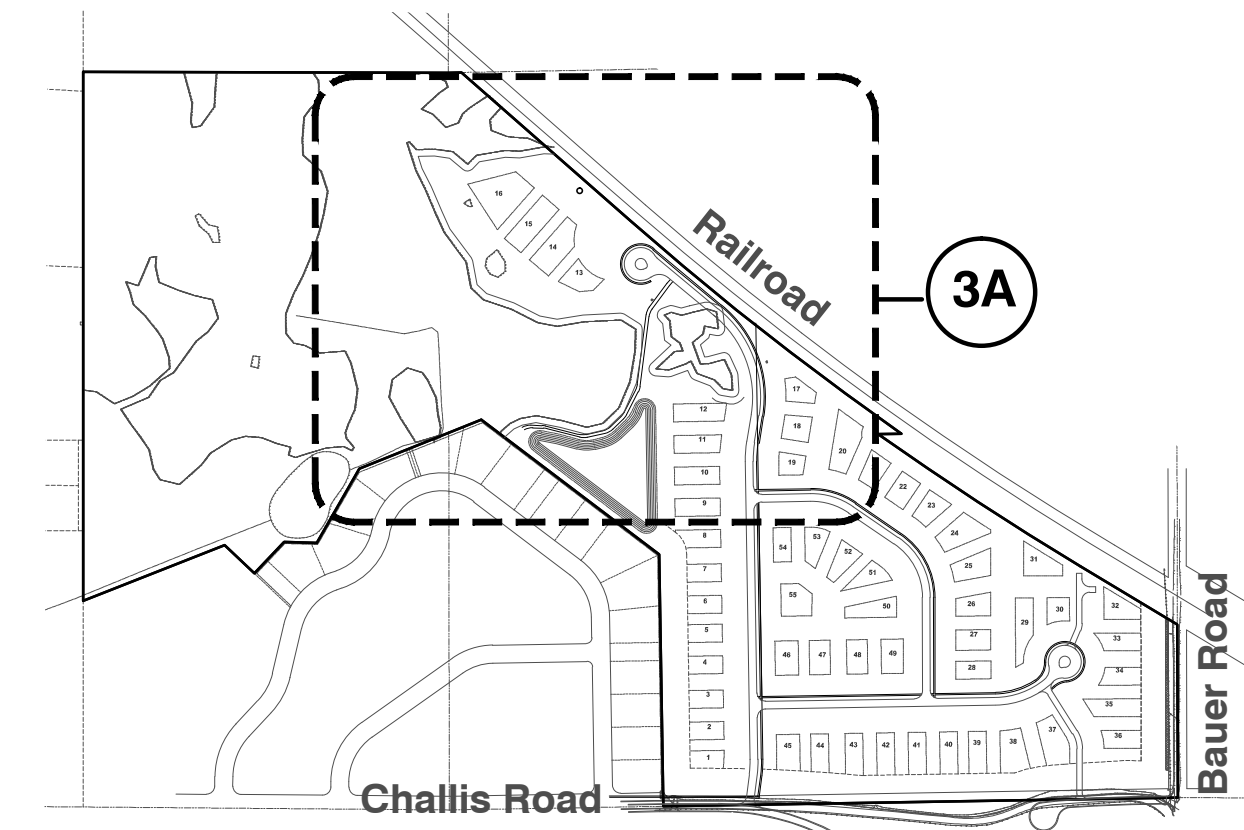
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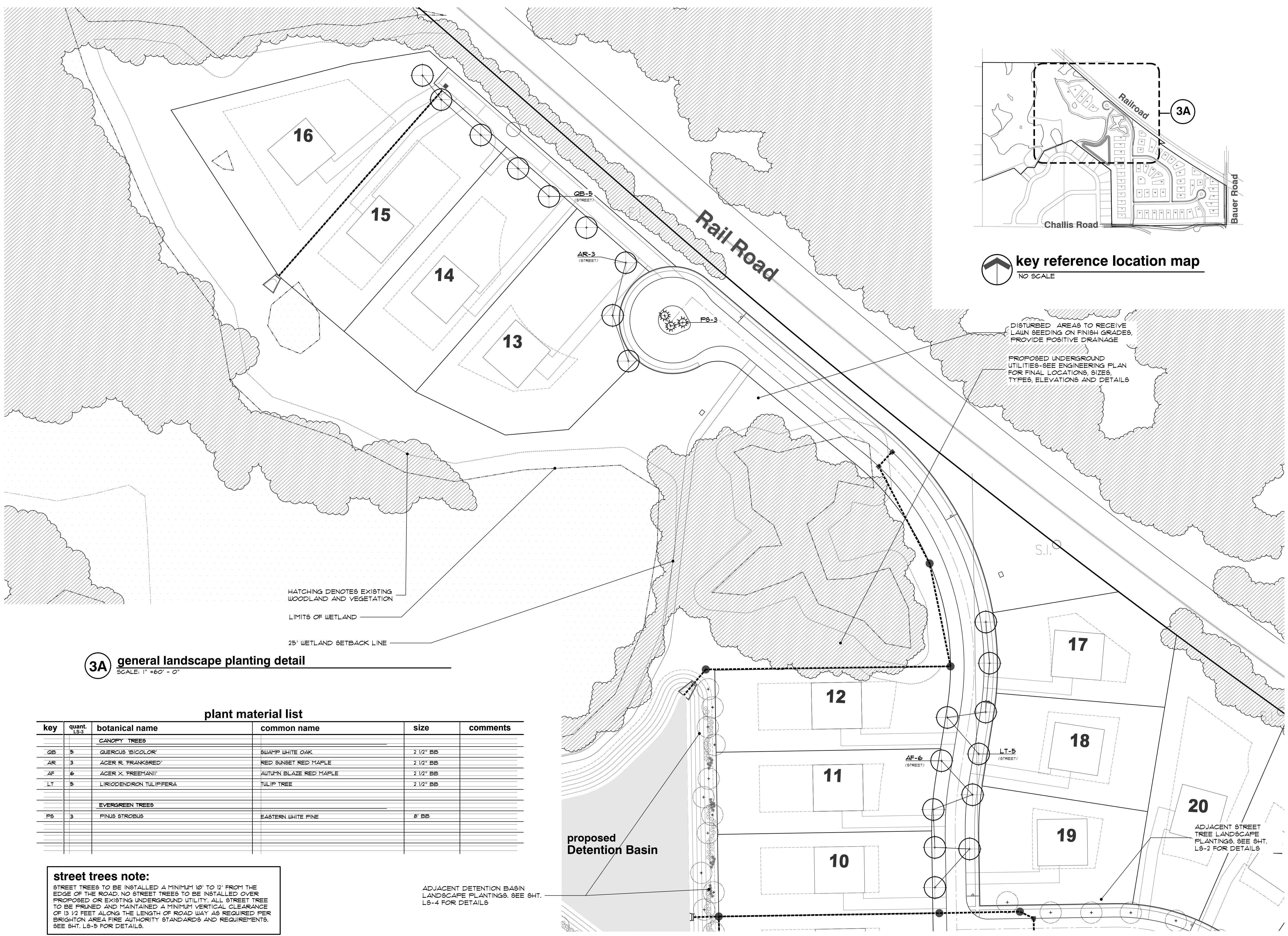
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project no:  
**LS24.083.08**

sheet no:  
**LS-3** of 6



**key reference location map**  
 NO SCALE



**3A general landscape planting detail**  
 SCALE: 1" = 60' - 0"

**plant material list**

key	quant. LS-3	botanical name	common name	size	comments
<b>CANOPY TREES</b>					
QB	5	QUERCUS 'BICOLOR'	SWAMP WHITE OAK	2 1/2" BB	
AR	3	ACER R. 'FRANKFORD'	RED SUNSET RED MAPLE	2 1/2" BB	
AF	6	ACER X. 'FREEMANII'	AUTUMN BLAZE RED MAPLE	2 1/2" BB	
LT	5	LIRIODENDRON TULIFIFERA	TULIP TREE	2 1/2" BB	
<b>EVERGREEN TREES</b>					
PS	3	PINUS STROBUS	EASTERN WHITE PINE	8' BB	

**street trees note:**  
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ADJACENT DETENTION BASIN LANDSCAPE PLANTINGS, SEE SHT. LS-4 FOR DETAILS



**basin construction notes**

PROPER CONSTRUCTION TECHNIQUES, PARTICULARLY INSTALLATION OF VEGETATION, ARE IMPORTANT TO THE SUCCESSFUL FUNCTIONING OF OPEN DETENTION BASINS, ESPECIALLY FOR CONSTRUCTED WETLAND TYPE OPEN DETENTION BASINS IN ORDER TO ESTABLISH A DENSE AND DIVERSE EMERGENT WETLAND PLANT COMMUNITY. GENERAL GUIDELINES FOR VEGETATION INSTALLATION INCLUDE:

- IF EMERGENT PLANT STOCK IS PROPOSED IN THE POND ZONE, THE SUPPLIED PLUG MATERIAL MUST HAVE SUFFICIENT VEGETATIVE GROWTH EXTENDING OUT OF THE WATER ONCE PLANTED.
- SEED MUST BE PLANTED ABOVE THE PERMANENT WATER ELEVATION.
- ALL SEEDED AREAS SHOULD BE PROPERLY STABILIZED WITH A MUCK BLANKET PEGGED IN PLACE.
- DEPENDING ON THE TYPE OF VEGETATION, BARRIERS MAY BE REQUIRED FOR ONE YEAR TO PROTECT THE PLANTINGS (E.G., SNOW FENCE OR NETTING TO DETER WILDLIFE, PREVENT MOWING).
- IF DETENTION BASIN ARE COMPACTED, THE SLOPES MUST BE ROTOTILLED, 4" (FOUR) OF COMPOST OR TOPSOIL MUST BE ADDED.
- "NO MOW ZONE" SIGNS MUST BE PLACED AROUND THE BASIN.

1. DETENTION BASIN NATIVE SEEDING TO BE PERFORMED IN EARLY SPRING OR LATE FALL. AQUATIC PLANTS SHOULD BE INSTALLED IN THE SUMMER AFTER THE COVER CROP HAS ESTABLISHED.

**lawn area:**

80D LAWN AREAS SHALL BE KENTUCKY BLUE GRASS BLEND GRASS IN A 80D NURSERY ON LOAM SOIL. 80D TO BE INSTALLED ON MINIMUM 4" TOPSOIL.

SEEDED LAWN AREAS SHALL CONSIST OF THE FOLLOWING TYPES AND PROPORTIONS:

- 5% PERENNIAL RYE GRASS
- 10% RED FESCUE
- 25% CHEWING FESCUE
- 60% KENTUCKY BLUE GRASS

SEED MIX SHALL BE APPLIED AT A RATE OF 200 POUNDS PER ACRE AND WEED CONTENT SHALL NOT EXCEED 1%. SEED, PROVIDE A MINIMUM 4" TOP SOIL ON ALL SEEDED LAWN AREA

**detention pond landscape requirement:**

detention basin	REQUIRED	PROVIDED
TOTAL LIN.FT. OF POND PERIMETER	1602±	
ONE (1) DECIDUOUS OR EVERGREEN TREE PER 50 LIN.FT. (1602 LIN.FT. / 50 LIN.FT. = 32.04 TREES)	32	65
TEN (10) SHRUBS PER 50 LIN.FT. (1604 LIN.FT. / 50 LIN.FT. = 32.04 X 10-SHRUBS=320.4)	320	320

**detention basin seed mix**

A WETLAND SEED MIX FOR SATURATED SOILS IN A DETENTION POND OR FOR SEEDING A SATURATED BASIN. THIS MIX WILL TOLERATE HIGHLY FLUCTUATING WATER LEVELS AND POOR WATER QUALITY ASSOCIATED WITH URBAN STORMWATER WETLANDS AND PONDS. FOR DETENTION BASINS THAT EXPERIENCE LONG, DRY PERIODS, USE THE ECONOMY PRAIRIE SEED MIX IN THE UPPER THIRD TO HALF OF THE BASIN AREA IN COMBINATION WITH THIS MIX. THIS SEED MIX INCLUDES AT LEAST 10 OF 12 NATIVE PERMANENT GRASS AND SEDGE SPECIES AND 13 OF 17 NATIVE FORB SPECIES. APPLY AT 36.22 PLS POUNDS PER ACRE.

BOTANICAL NAME	COMMON NAME	PLS OZ/ACRE
<b>PERMANENT GRASSES/SEDGES</b>		
BOLBOSCHOENUS FLUVIATILIS	RIVER BULRUSH	1.00
CAREX CRISTATELLA	CRESTED OVAL SEDGE	0.50
CAREX LURIDA	BOTTLEBRUSH SEDGE	3.00
CAREX VULPINOIDEA	BROWN FOX SEDGE	2.00
ELYMUS VIRGINICUS	VIRGINIA WILD RYE	24.00
GLYCERIA STRIATA	FOWL MANNA GRASS	1.00
JUNCUS EFFUSUS	COMMON RUSH	1.00
LEERSIA ORYZOIDES	RICE CUT GRASS	1.00
PANICUM VIRGATUM	SWITCH GRASS	2.00
SCHOENOPLECTUS TABERNAEMONTANI	GREAT BULRUSH	3.00
SCIRPUS ATROVIRENS	DARK GREEN RUSH	2.00
SCIRPUS CYPERINUS	WOOL GRASS	1.00
	TOTAL	41.50

TEMPORARY COVER		
AVENA SATIVA	COMMON OAT	512.00
	TOTAL	512.00

FORBS		
ALISMA SUBCORDATUM	COMMON WATER PLANTAIN	2.50
ASCLEPIAS INCARNATA	SWAMP MILKWEED	2.00
BIDENS SPP. BIDENS	SPECIES	2.00
EUPATORIUM PERFOOLIATUM	COMMON BONESET	1.00
HELENIUM AUTUMNALE	SNEEZEWEED	2.00
IRIS VIRGINICA V. SHREVEI	BLUE FLAG	4.00
LYCOPUS AMERICANUS	COMMON WATER HOREHOUND	0.50
MIMULUS RINGENS	MONKEY FLOWER	1.00
PENTHORUM SEDOIDES	DITCH STONECROP	0.50
PERSICARIA SPP.	PINKWEED SPECIES	2.00
RUDBECKIA SUBTOMENTOSA	SWEET BLACK-EYED SUSAN	1.00
RUDBECKIA TRILOBA	BROWN-EYED SUSAN	1.50
SAGITTARIA LATIFOLIA	COMMON ARROWHEAD	1.00
SENNA HEBECARPA	WILD SENNA	2.00
SYMPHYOTRICHUM LANCEOLATUM	PANICLED ASTER	0.50
SYMPHYOTRICHUM NOVAE-ANGLIAE	NEW ENGLAND ASTER	0.50
THALICTRUM DASycARPUM	PURPLE MEADOW RUE	2.00
	TOTAL	26.00



**key reference location map**  
NO SCALE

**economy prairie seed mix**

THIS PRAIRIE SEED MIX OFFERS AN ECONOMICAL WAY TO ESTABLISH A PRAIRIE. IN ADDITION TO NATIVE PRAIRIE GRASSES, FLOWERING SPECIES PROVIDE COLOR THROUGHOUT THE GROWING SEASON AND FOOD SOURCES FOR BIRDS AND BUTTERFLIES. ADDING SEED OR PLANT PLUGS AT A LATER DATE IS A WONDERFUL WAY TO INCREASE A PRAIRIE'S RICHNESS AND DIVERSITY. THIS SEED MIX INCLUDES AT LEAST 6 OF 7 NATIVE PERMANENT GRASS AND SEDGE SPECIES AND 10 OF 13 NATIVE FORB SPECIES. APPLY AT 40.95 PLS POUNDS PER ACRE.

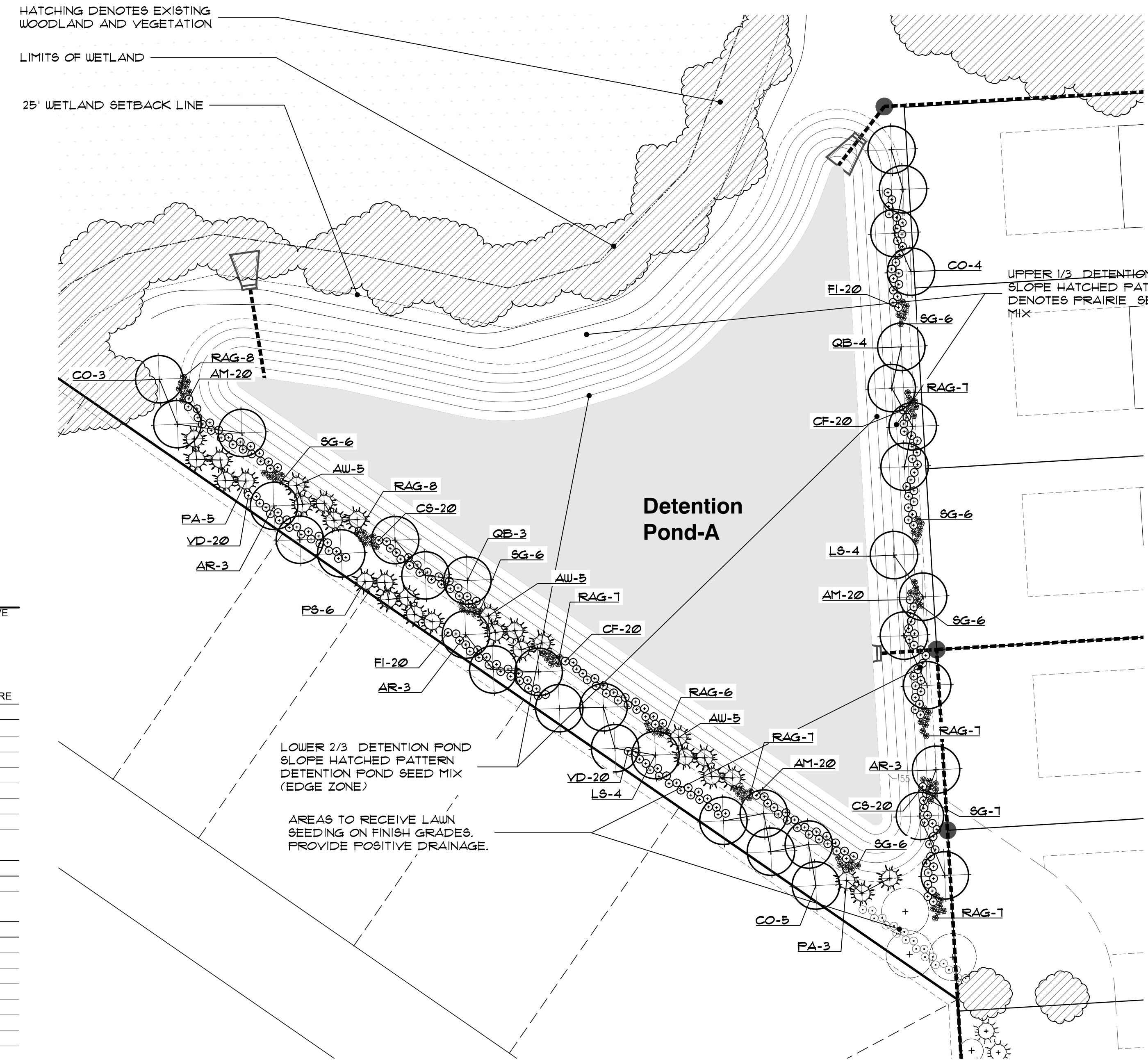
BOTANICAL NAME	COMMON NAME	PLS OZ/ACRE
<b>PERMANENT GRASSES/SEDGES</b>		
ANDROPOGON GERARDII	BIG BLUESTEM	12.00
BOUTELOUA CURTIPENDULA	SIDE-OATS GRAMA	16.00
CAREX SPP.	PRAIRIE SEDGE SPECIES	3.00
ELYMUS CANADENSIS	CANADA WILD RYE	24.00
PANICUM VIRGATUM	SWITCH GRASS	2.50
SCHIZACHYRIUM SCOPARIUM	LITTLE BLUESTEM	32.00
SORGHASTRUM NUTANS	INDIAN GRASS	12.00
	TOTAL	101.50

TEMPORARY COVER		
AVENA SATIVA	COMMON OAT	512.00
	TOTAL	512.00

FORBS		
ASCLEPIAS SYRIACA	COMMON MILKWEED	1.00
ASCLEPIAS TUBEROSA	BUTTERFLY WEED	1.00
CHAMAECRISTA FASCICULATA	PARTDIRGE PEA	10.00
COREOPSIS LANCEOLATA	SAND COREOPSIS	6.00
ECHINACEA PURPUREA	BROAD-LEAVED PURPLE CONEFLOWER	8.00
HELIOPSIS HELIANTHOIDES	FALSE SUNFLOWER	0.25
MONARDA FISTULOSA	WILD BERGAMOT	0.50
PENSTEMON DIGITALIS	FOXGLOVE BEARD TONGUE	1.00
RATIBIDA PINNATA	YELLOW CONEFLOWER	4.00
RUDBECKIA HIRTA	BLACK-EYED SUSAN	8.00
SOLIDAGO SPECIOSA	SHOWY GOLDENROD	0.50
SYMPHYOTRICHUM LAEVE	SMOOTH BLUE ASTER	1.00
SYMPHYOTRICHUM NOVAE-ANGLIAE	NEW ENGLAND ASTER	0.50
	TOTAL	41.75

**plant material list**

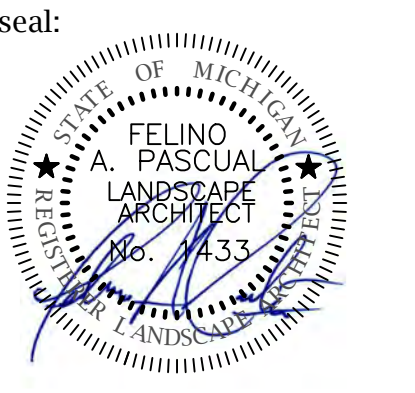
key	quant.	botanical name	common name	size	comments
<b>CANOPY AND EVERGREEN TREES</b>					
GB	9	ACER RUBRUM	RED MAPLE	2 1/2" BB	
GB	1	QUERCUS 'BICOLOR'	SWAMP WHITE OAK	2 1/2" BB	
LS	8	LIQUIDAMBAR STYRACIFLUA	AMERICAN SWEETGUM	2 1/2" BB	
CO	12	CELTIS OCCIDENTALIS	HACKBERRY	2 1/2" BB	
FS	6	PINUS STROBUS	EASTERN WHITE PINE	8" BB	
AW	15	ABIES CONCOLOR	CONCOLOR WHITE FIR	8" BB	
PA	8	PICEA ABIES	NORWAY SPRUCE	8" BB	
<b>SHRUBS</b>					
RAG	51	VIBURNUM D. 'SYNNESTVEDT'	GR0 LOW FRAGRANT BUMAC	5" CONT	42" O.C. SPACING
VD	40	VIBURNUM D. 'SYNNESTVEDT'	CHICAGO LUSTRE VIBURNUM	5" CONT	60" O.C. SPACING
CS	40	CORNUS STOLONIFERA	REDTUNG DOGWOOD	5" CONT	60" O.C. SPACING
CF	40	CORNUS FLAVIRAMEA	YELLOWTUNG DOGWOOD	5" CONT	60" O.C. SPACING
FI	40	FORSTYTHIA INTERMEDIA	BORDER FORSTYTHIA	5" CONT	60" O.C. SPACING
SG	43	SPIREA X.B. BIMALDA 'GOLDFLAME'	GOLDFLAME SPIREA	5" CONT	42" O.C. SPACING
IV	60	ILEX VERTICILLATA	MICHIGAN HOLLY	5" CONT	60" O.C. SPACING



**4A detention pond-A planting detail**  
SCALE: 1" = 30' - 0"

**hatch pattern legend**

- [Hatched pattern] AREAS TO RECEIVE IRRIGATION AND SOD, MAINTAINED AND MOWED WEEKLY
- [Dotted pattern] AREAS TO RECEIVE LAWN SEEDING
- [Diagonal lines] AREAS TO RECEIVE PRAIRIE SEED MIX. (NO MOWED AREA)
- [Square pattern] AREAS TO RECEIVE DETENTION POND SEED MIX



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DETAIL PLAN

job no./issue/revision date:  
LS24.083.08 SPA 8-26-2024  
LS24.083.09 TWP. COMMENTS 9-26-2024  
LS24.083.10 site updates 10-31-2024  
LS24.083.12 site updates 12-16-2024

drawn by:  
**JP,**  
checked by:  
**FP**  
date:  
**8-20-2024**

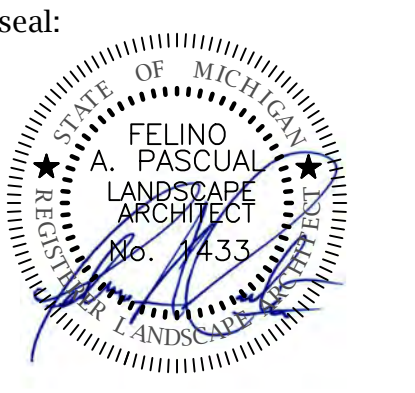
notice:  
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Do Not scale drawings. Use figured dimensions only



The location and elevations of existing underground utilities as shown on this drawing are only approximate; no guarantee is either expressed or implied as to the completeness of accuracy; contractor shall be exclusively responsible for determining the exact location and elevation prior to the start of construction

project no:  
**LS24.083.08**  
sheet no:





client:  
**LAUTREC**  
 31550  
 Northwestern  
 HWY. Suite 200  
 Farmington Hills,  
 Michigan 48334

project:  
**THE  
 LEGACY  
 HILLS**

project location:  
 Genoa Township,  
 Michigan  
 Challis Road & Bauer Road

sheet title:  
**LANDSCAPE  
 MATERIAL LIST,  
 PLANT DETAILS &  
 NOTES**

job no./issue/revision date:  
 LS24.083.08 SPA 8-26-2024  
 LS24.083.09 TWP. COMMENTS 9-26-2024  
 LS24.083.10 site updates 10-31-2024  
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drawn by:  
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**3 WORKING DAYS BEFORE YOU DIG**  
**CALL MISS DIG**  
**1-800-482-7171**  
For free location of public utility lines.

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project no:  
**LS24.083.08**

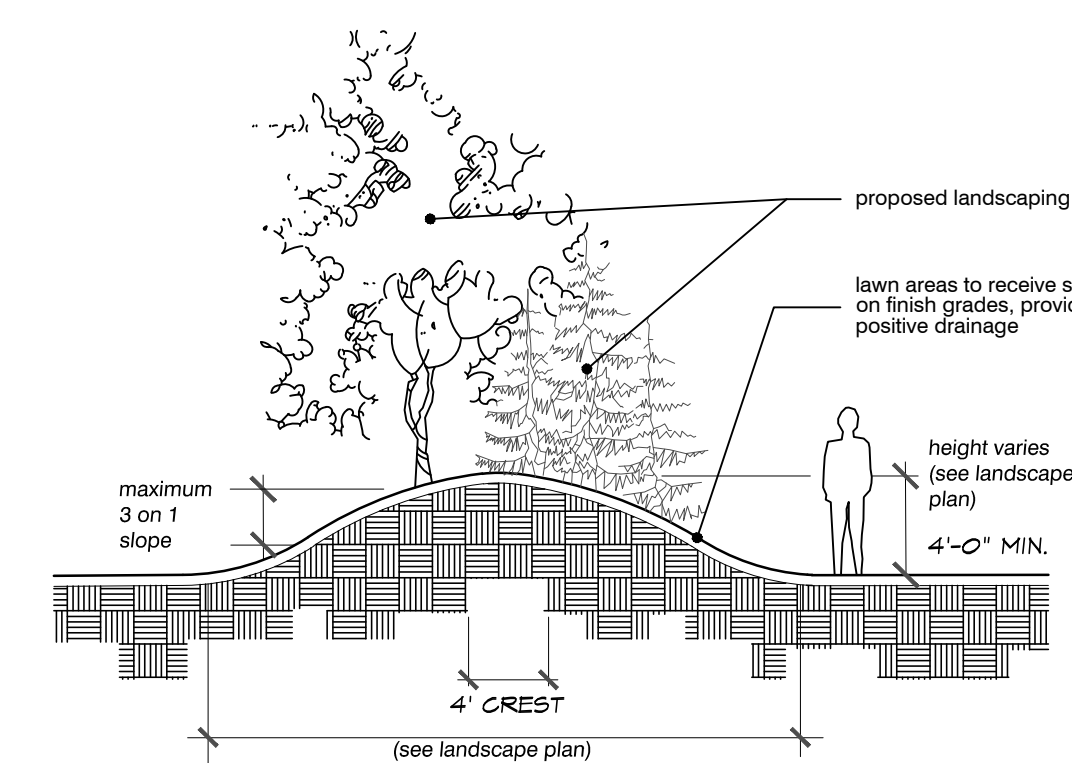
sheet no:  
**LS-5** of 6

**planting landscape notes:**

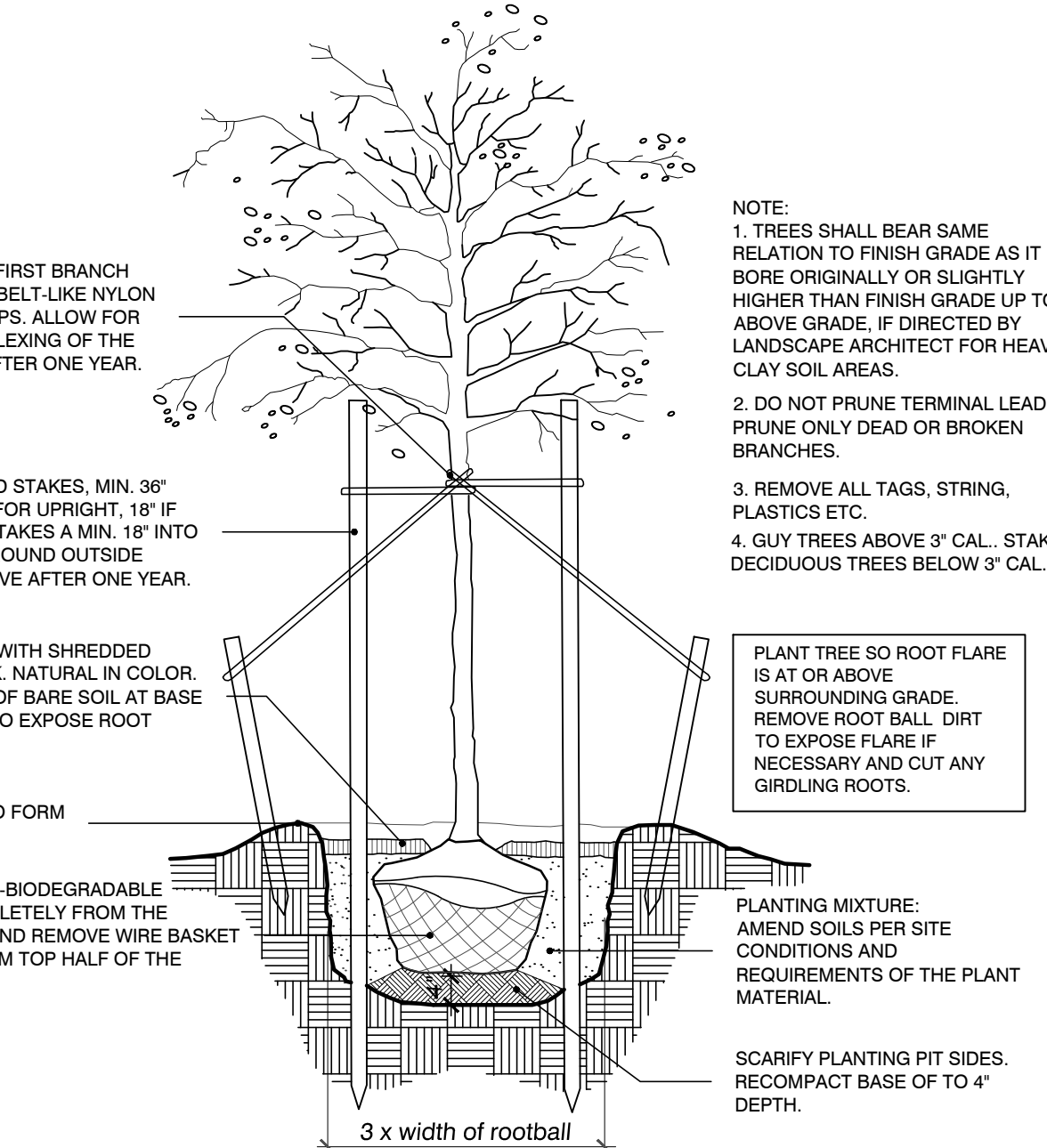
- GENERAL NOTES:**
1. PLANT MATERIALS TO BE INSTALLED ACCORDING TO THE GENOA TOWNSHIP AND CURRENT AMERICAN ASSOCIATION OF NURSERYMEN'S STANDARDS.
  2. PLANT MATERIALS TO BE GUARANTEED FOR 2 YEARS. REPLACE FALLING MATERIAL WITHIN 1 YEAR, OR THE NEXT APPROPRIATE PLANTING PERIOD.
  3. PLANT MATERIALS TO BE OF PREMIUM QUALITY, NO. 1 GRADE NORTHERN NURSERY GROWN, IN HEALTHY CONDITION, FREE OF PESTS AND DISEASES.
  4. MULCH IS TO BE NATURAL COLORED, FINELY SHREDDED HARDWOOD BARK OF 4" THICK BARK. MULCH FOR TREES IN 4" DIA. CIRCLE W/3" PULLED AWAY FROM TRUNK, 3" THICK BARK MULCH FOR SHRUBS AND 2" THICK BARK MULCH FOR PERENNIALS.
  5. CALL MISS DIG AT 1-800-482-7171 PRIOR TO ANY CONSTRUCTION.
- DECIDUOUS & EVERGREEN TREE:**
1. TREE SHALL BE INSTALLED SAME RELATIONSHIP TO FINISH GRADE AS IT BORE ORIGINALLY OR SLIGHTLY HIGHER THAN FINISH GRADE UP TO 6" ABOVE GRADE, IF DIRECTED BY LANDSCAPE ARCHITECT FOR HEAVY CLAY SOIL AREAS.
  2. DO NOT PRUNE TERMINAL LEADER. PRUNE ONLY DEAD OR BROKEN BRANCHES.
  3. REMOVE ALL TAGS, STRING, PLASTICS AND OTHER MATERIALS THAT ARE UNSIGHTLY AND COULD CAUSE GIRDLING.
  4. REMOVE TREE STAKES, GUY WIRES AND TREE WRAP AFTER ONE WINTER SEASON.
- SHRUB:**
1. SHRUB SHALL BE INSTALLED SAME RELATIONSHIP TO FINISH GRADE AS IT BORE ORIGINALLY OR SLIGHTLY HIGHER THAN FINISH GRADE UP TO 4" ABOVE GRADE, IF DIRECTED BY LANDSCAPE ARCHITECT FOR HEAVY CLAY SOIL AREAS.
  2. DO NOT PRUNE TERMINAL LEADER. PRUNE ONLY DEAD OR BROKEN BRANCHES.
  3. REMOVE ALL TAGS, STRING, PLASTICS AND OTHER MATERIALS THAT ARE UNSIGHTLY AND COULD CAUSE GIRDLING.

LANDSCAPE MAINTENANCE PROCEDURES AND FREQUENCIES TO BE FOLLOWED SHALL BE SPECIFIED ON THE LANDSCAPE PLAN, ALONG WITH THE MANNER IN WHICH THE EFFECTIVENESS, HEALTH AND INTENDED FUNCTIONS OF THE VARIOUS LANDSCAPE AREAS ON THE SITE WILL BE ENSURED.

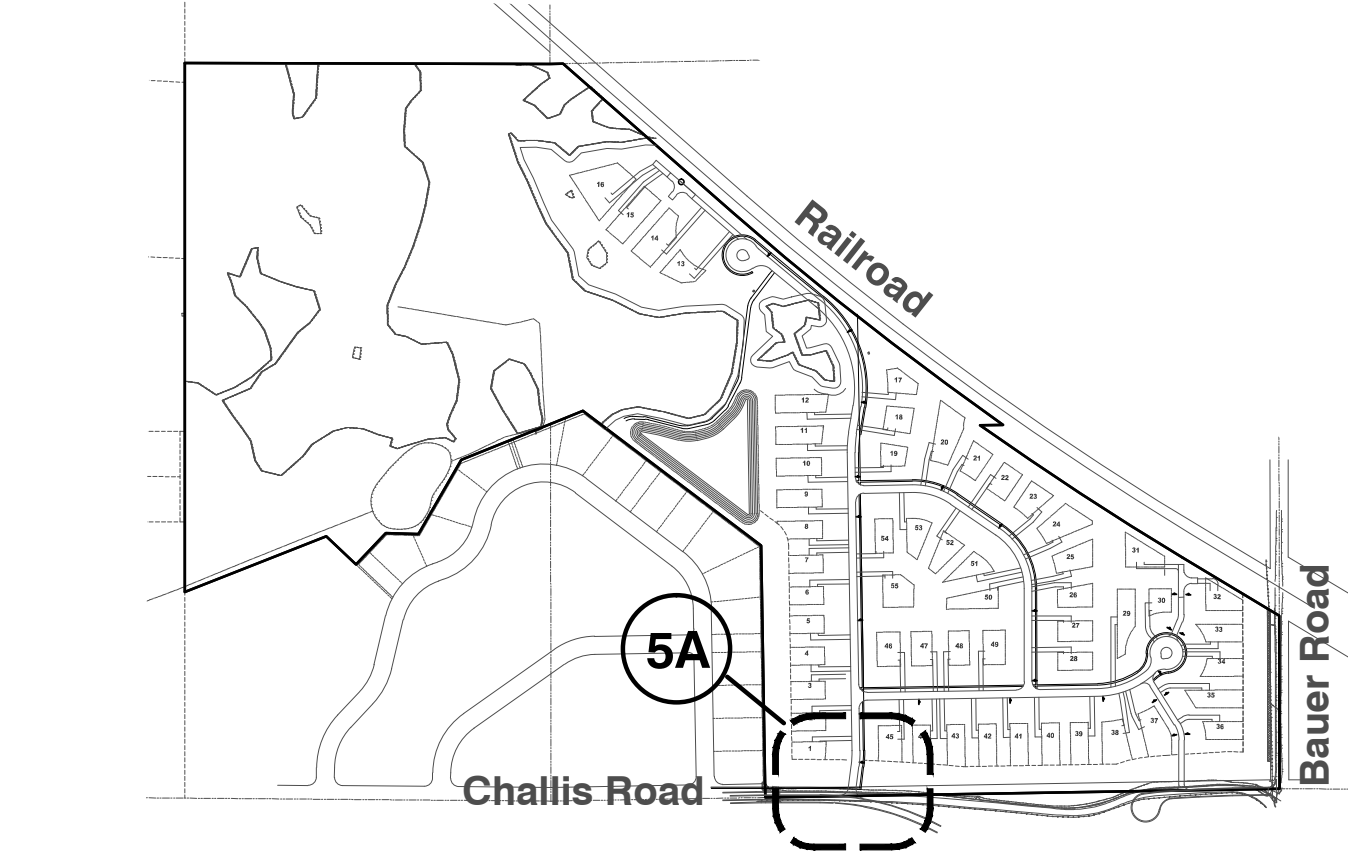
1. LANDSCAPING SHALL BE KEPT IN A NEAT, ORDERLY AND HEALTHY GROWING CONDITION, FREE FROM DEBRIS AND REFUSE.
2. PRUNING SHALL BE MINIMAL AT THE TIME OF INSTALLATION ONLY TO REMOVE DEAD OR DISEASED BRANCHES. SUBSEQUENT PRUNING SHALL ASSURE PROPER MATURATION OF PLANTS TO ACHIEVE THEIR APPROVED PURPOSE.
3. ALL DEAD OR DISEASED PLANT MATERIAL SHALL BE REMOVED AND REPLACED WITHIN 60x (6) MONTHS AFTER IT DIES OR IN THE NEXT PLANTING SEASON, WHICHEVER OCCURS FIRST. THE PLANTING SEASON FOR DECIDUOUS PLANTS SHALL BE BETWEEN MARCH 15 AND NOVEMBER 15 OR UNTIL THE FRESH-FROZEN SOIL BECOMES FROZEN. THE PLANTING SEASON FOR EVERGREEN PLANTS SHALL BE BETWEEN MARCH 1 AND JUNE 1. PLANT MATERIAL INSTALLED TO REPLACE DEAD OR DISEASED MATERIAL SHALL BE AS CLOSE AS PRACTICAL TO THE SIZE OF THE MATERIAL IT IS INTENDED TO REPLACE.



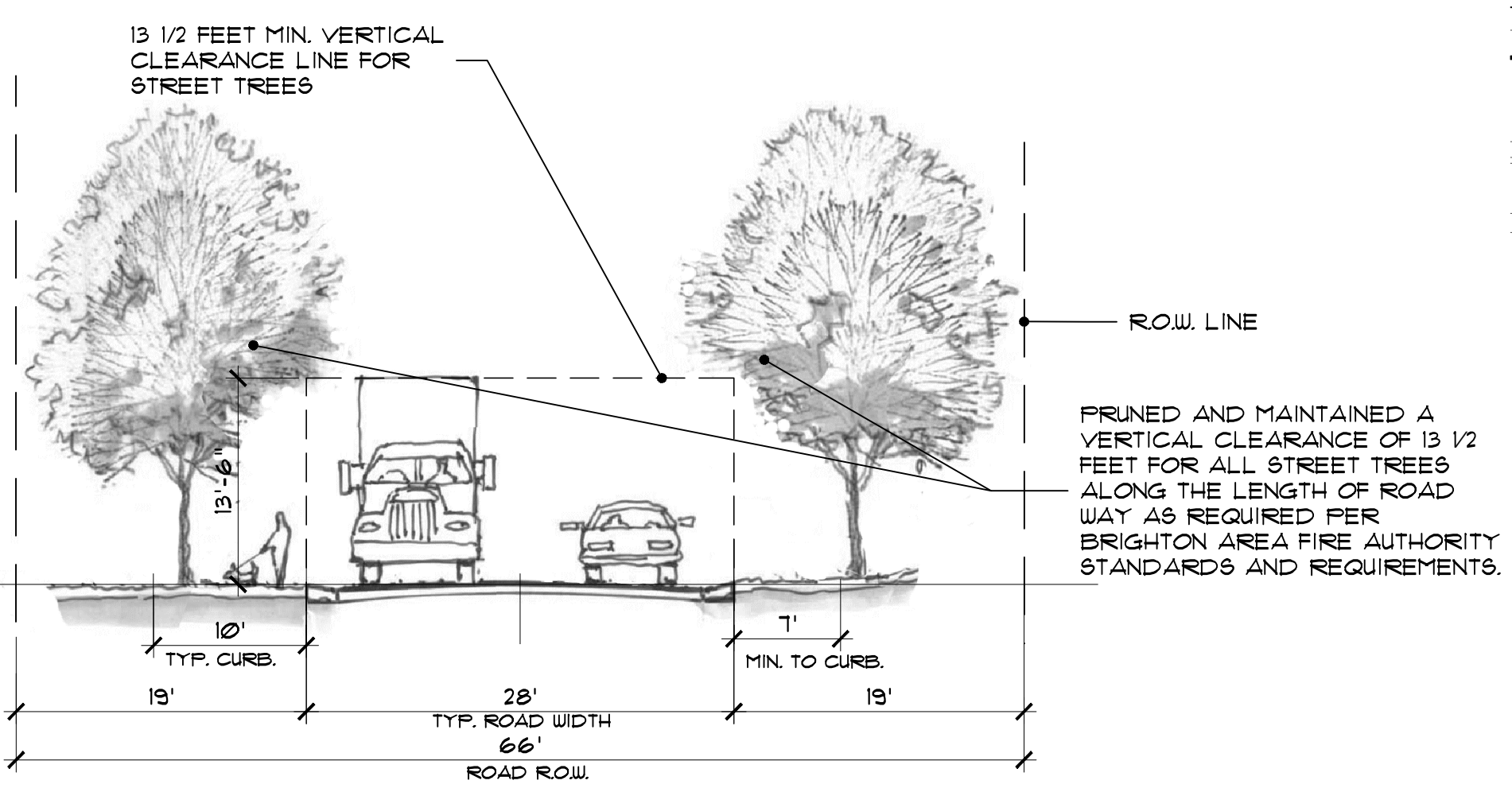
**berm planting detail**  
 no scale



**tree planting detail**  
 no scale

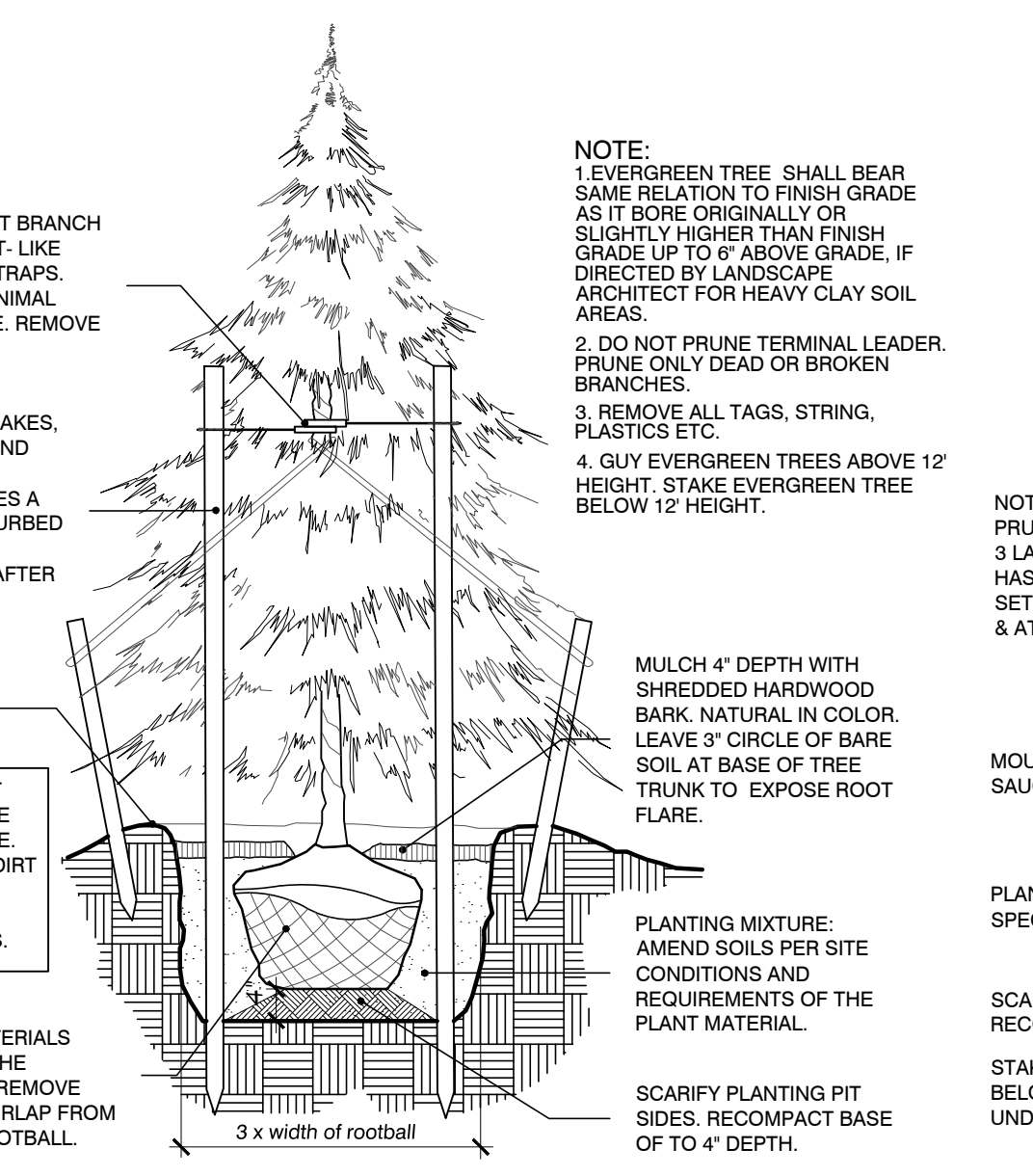


**key reference location map**  
 NO SCALE

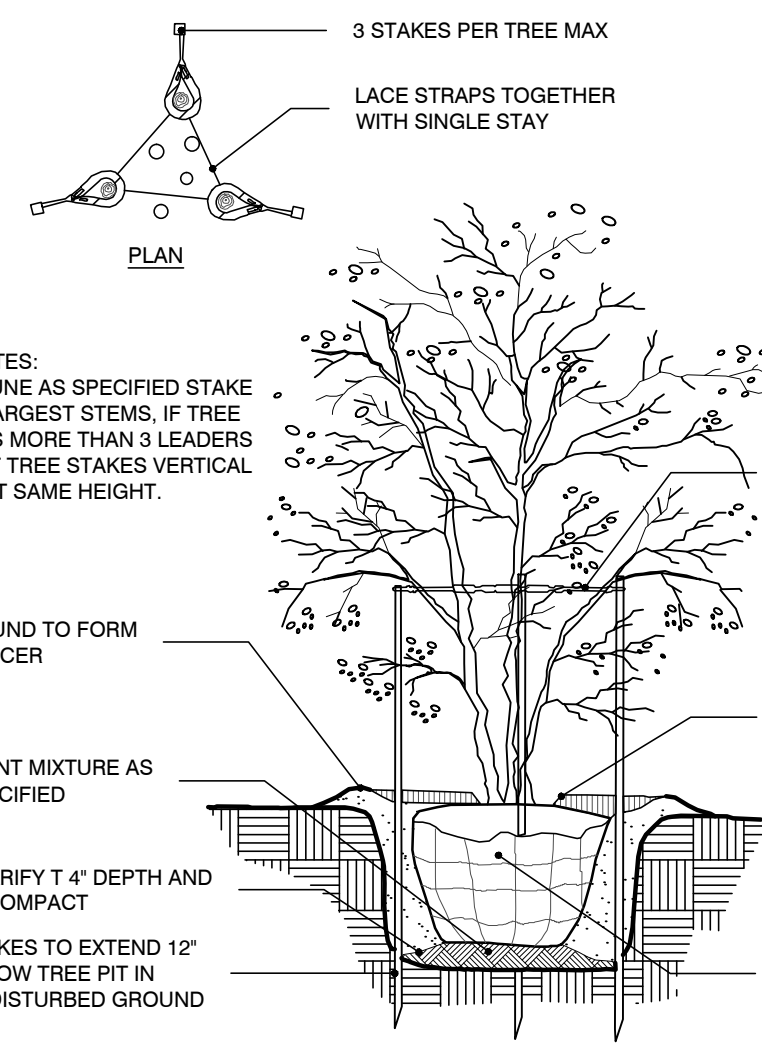


**street tree planting detail**  
 SCALE: 1"=10'-0"

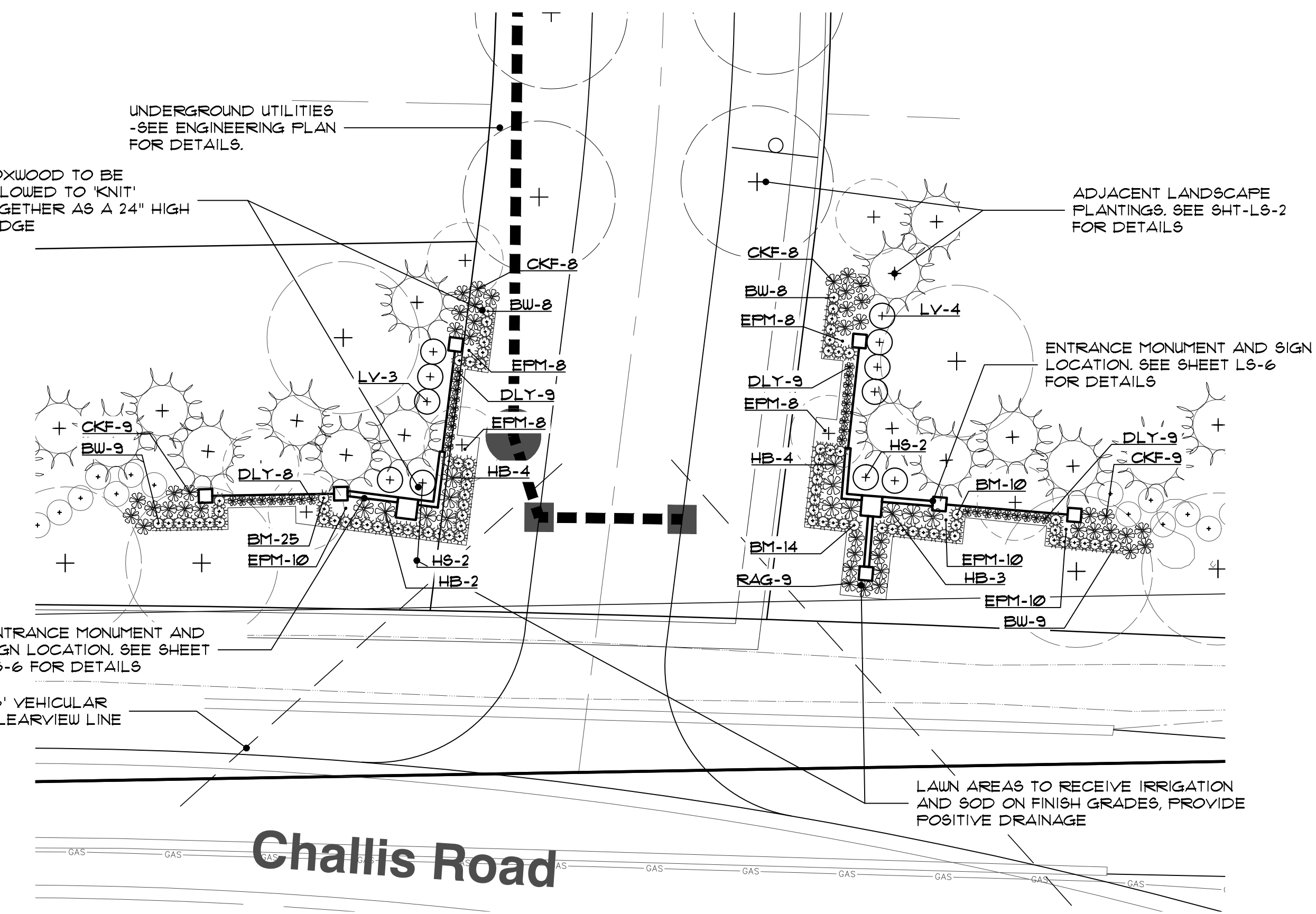
**street trees note:**  
 STREET TREES TO BE INSTALLED A MINIMUM 10' TO 12' FROM THE EDGE OF THE ROAD. NO STREET TREES TO BE INSTALLED OVER PROPOSED OR EXISTING UNDERGROUND UTILITY. ALL STREET TREE TO BE PRUNED AND MAINTAINED A MINIMUM VERTICAL CLEARANCE OF 13 1/2 FEET ALONG THE LENGTH OF ROAD WAY AS REQUIRED PER BRIGHTON AREA FIRE AUTHORITY STANDARDS AND REQUIREMENTS. SEE SHT. L5-5 FOR DETAILS.



**evergreen planting detail**  
 no scale



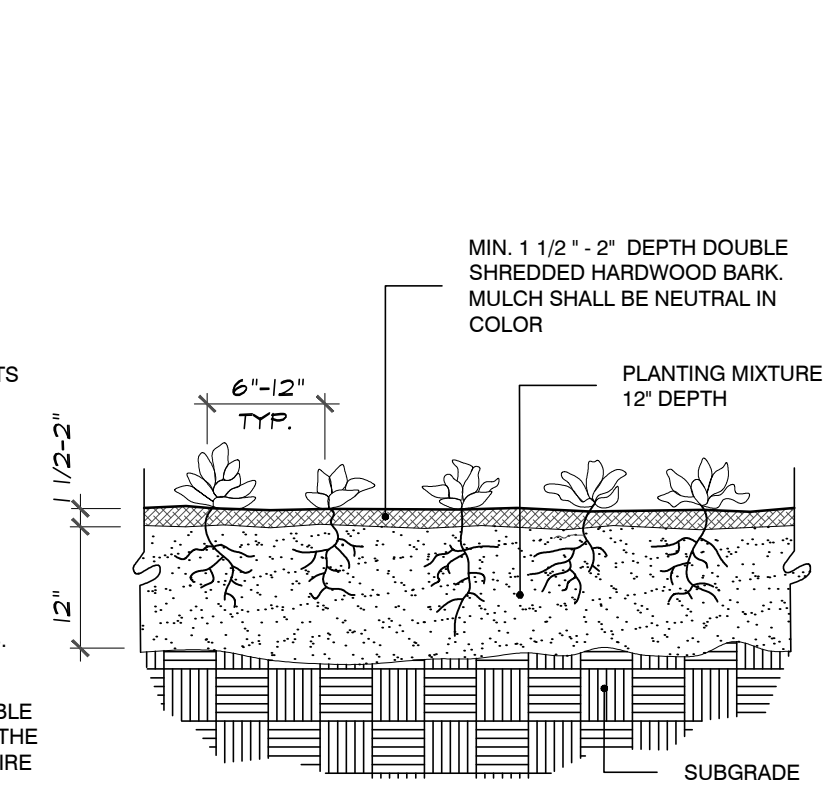
**multi-stem tree planting detail**  
 no scale



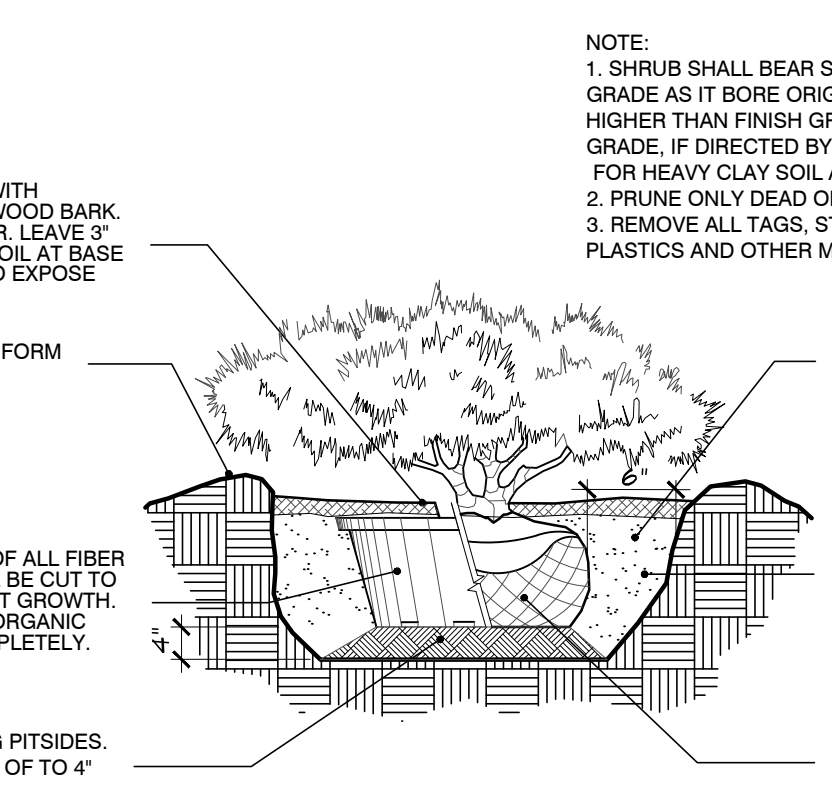
**5A entrance landscape planting detail**  
 SCALE: 1"=20'-0"

**plant material list**

key	quant. 5A	botanical name	common name	size	comments
<b>SHRUBS</b>					
BM	83	BUXUS 'GREEN VELVET'	GREEN VELVET BOXWOOD	18" CONT	24" O.C. SPACING
HB	4	HIBISCUS SYRIACUS 'APHRODITE'	APHRODITE ROSE OF SHARON	36" CONT.	60" O.C. SPACING
LV	7	LIGUSTRUM X 'VICARYI'	GOLDEN VICARY PRIVET	36" CONT.	60" O.C. SPACING
HB	13	HYDRANGEA P. 'ILVOBO'	BOBO HYDRANGEA	30" CONT	36" O.C. SPACING
RAG	9	RHUS AROMATICA 'GRO-LOW'	GRO-LOW FRAGRANT SUMAC	24" CONT	42" O.C. SPACING
<b>PERENNIALS AND GRASSES</b>					
CKF	34	CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	3" CONT.	36" O.C. SPACING
EPM	62	ECHINACEA 'PIXIE MEADOWBRITE'	PIXIE MEADOWBRITE 'PURPLE CONEFLOWERS	4" CONT.	12" O.C. SPACING
DLY	36	HEMEROCALLIS 'HAPPY RETURNS'	HAPPY RETURNS DAYLILY	4" CONT.	18" O.C. SPACING

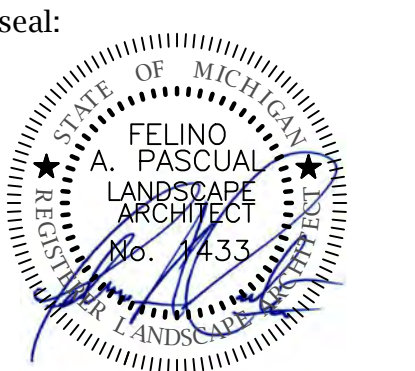


**perennial planting detail**  
 no scale



**shrub planting detail**  
 no scale





**entry wall monument / pier/ signage / notes:**

1. LOCATE AND STAKE ALL EXISTING AND PROPOSED UTILITIES PRIOR TO CONSTRUCTION. COORDINATE ANY ADJUSTMENTS WITH LANDSCAPE ARCHITECT.
2. ALL ENTRY WALL LIGHTING SHALL BE CONTROLLED WITH A "PHOTO-EYE" SWITCH. ALL LIGHTING SHALL BE SHIELDED FROM PUBLIC ROW'S AND ADJACENT PROPERTIES.
3. SEE LANDSCAPE PLAN FOR PROPOSED PLANTINGS ADJACENT TO PROPOSED ENTRY SIGN MONUMENT ON SHT. L5-5
4. VERIFY SOIL BEARING CAPACITY PRIOR TO ENTRY SIGN MONUMENT & PIER CONSTRUCTION. IF SOIL BEARING CAPACITY FALLS BELOW STANDARD REQUIREMENTS, CONSULT STRUCTURAL ENGINEER FOR RECOMMENDATION OF FINAL ENTRY MONUMENT & PIER FOOTING DESIGN.
5. SIGNAGE TEXT AND LOGO TO BE METAL PRISMATIC DIMENSIONAL LETTERS. PRIOR TO SIGN INSTALLATION, PERMITS TO BE OBTAINED PER GENOA TOWNSHIP REQUIREMENTS AND APPROVALS.
6. ALL INFORMATION CONTAINED HEREIN IS SUBJECT TO APPROVAL, AND PERMITS PERMITS TO BE OBTAINED PRIOR TO CONSTRUCTION.
7. FOOTINGS SHALL BEAR ON FIRM, UNDISTURBED SOIL WITH AN ASSUMED SAFE BEARING CAPACITY OF 2000 P.S.I. IF SOIL OF THIS CAPACITY IS NOT FOUND AT THE ELEVATIONS INDICATED, FOOTINGS SHALL BE ENLARGED OR LOWERED AT THE DIRECTION OF THE ARCHITECT. VERIFY FOUNDATION SOIL BEARING PRESSURE IN FIELD BY SOILS ENGINEER.
8. MINIMUM CONCRETE STRENGTH TO BE 3000 P.S.I. @ 28 DAYS, U.O.N.; SLABS SHALL BE 3500 P.S.I. MIN. U.O.N.; EXPOSED CONCRETE SHALL BE 4000 P.S.I. WITH 6% ± 1% ENTRAINED AIR U.O.N.
9. ALL CONCRETE WORK AND PLACEMENT SHALL CONFORM TO THE LATEST RECOMMENDATIONS OF A.C.I.
10. PROVIDE DOUELS INTO FOUNDATION TO MATCH SIZE AND SPACING OF VERTICAL REINFORCEMENT AT ALL WALLS, UNLESS OTHERWISE NOTED.
11. PROVIDE MINIMUM 3" CONCRETE COVER FOR REINFORCEMENT BARS BELOW GRADE AND MINIMUM 2" CONCRETE COVER FOR REINFORCEMENT BARS ABOVE GRADE.

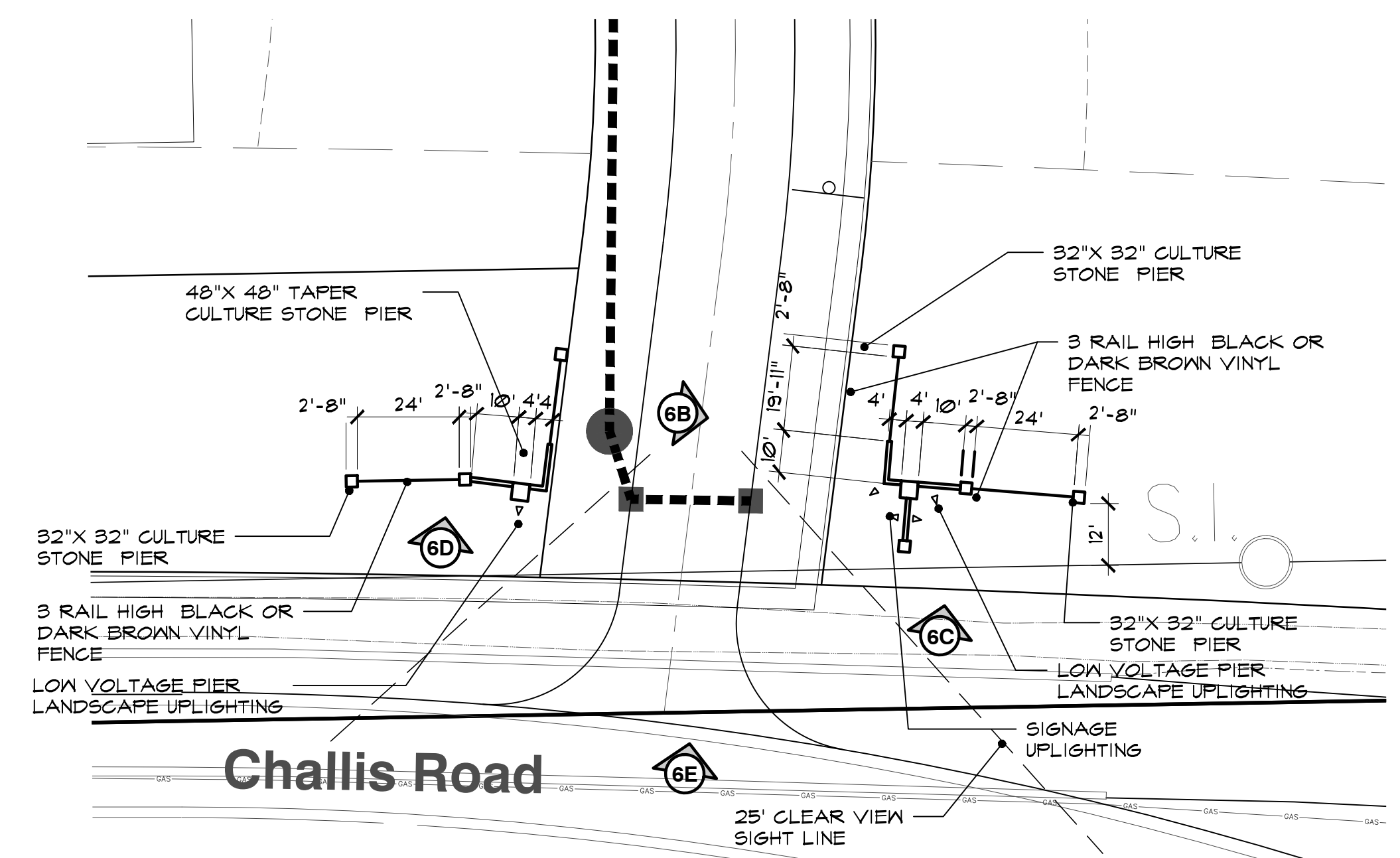


SIGNAGE UPLIGHTING MANUFACTURED BY HYDREL, MODEL NO. 4199, 20660 NORDHOFF STREET, SUITE B CHATSWORTH, CA 91311  
 WEB SITE : www.HYDREL.COM  
 PHONE: 866-533-9901  
 FAX: 866-533-5291  
 FINISH SELECTION : BRONZE

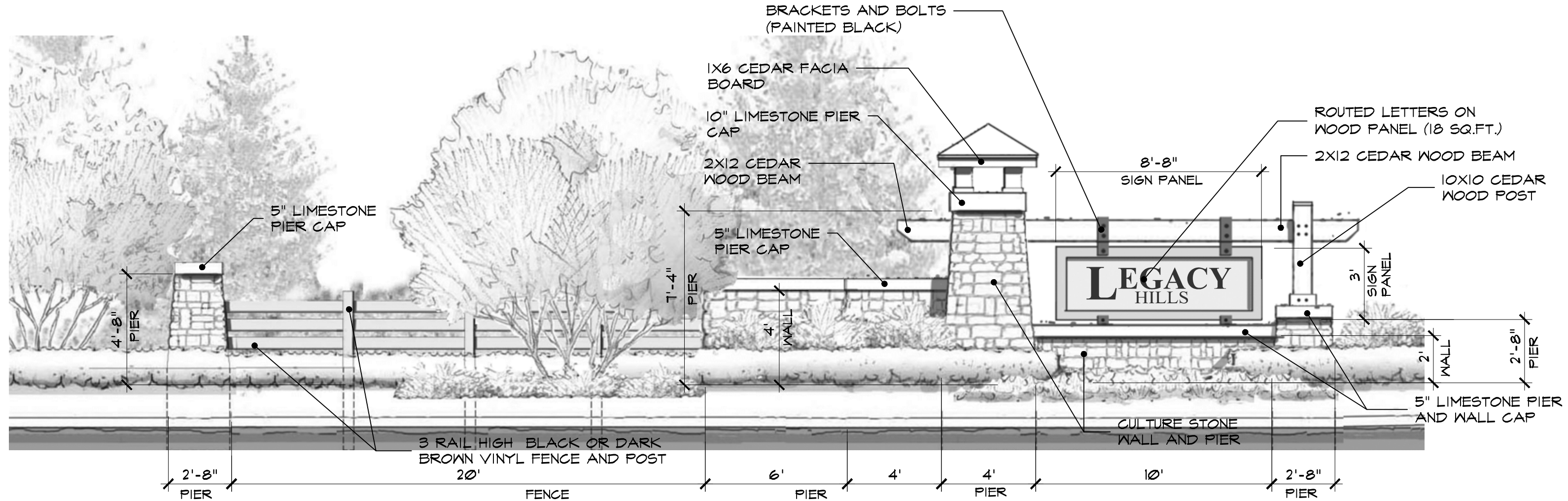
NOTE:  
 LIGHT TO BE SHIELD FROM PUBLIC ROW AND LAMPS SHALL NOT BE VISIBLE FROM NORMAL VIEWING ANGLES

**sign panel uplighting**

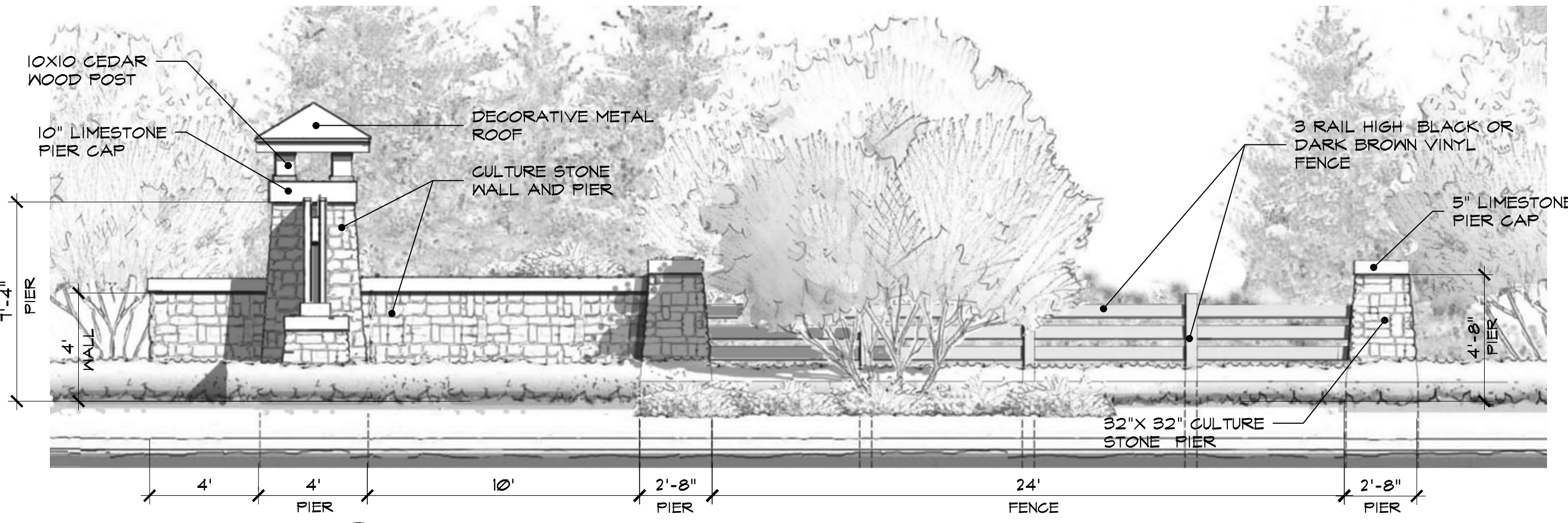
( 2-CONDITIONS )



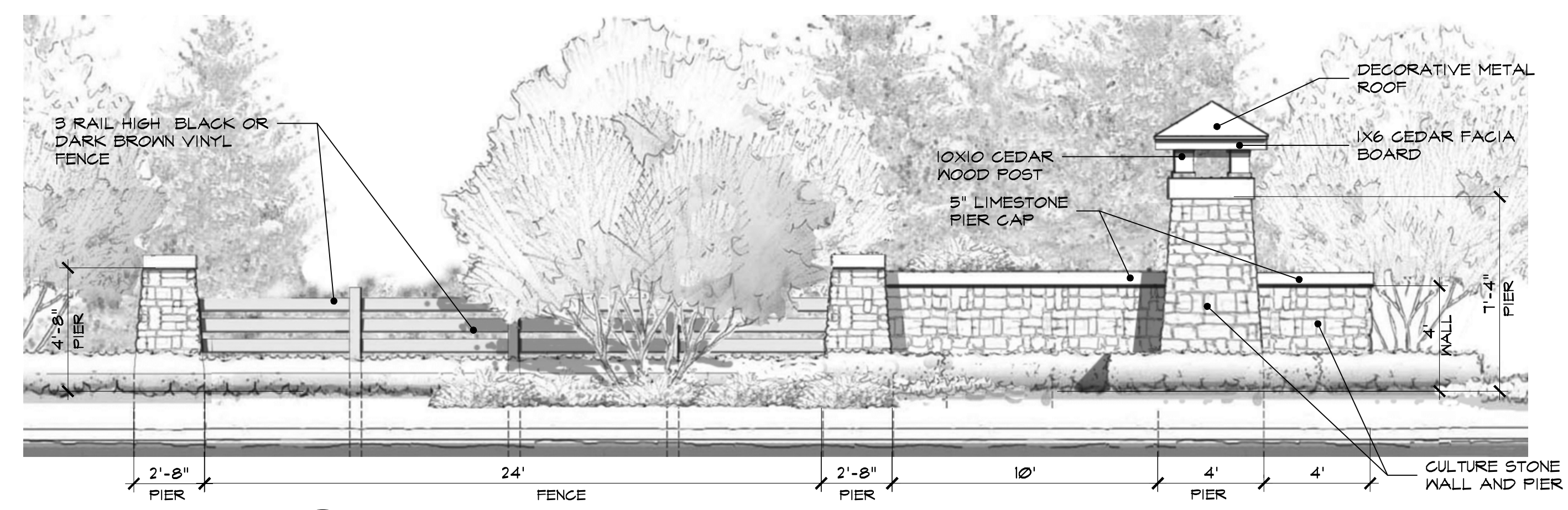
**6A entry sign monument elevation**  
 SCALE: 1/4" = 1' - 0"



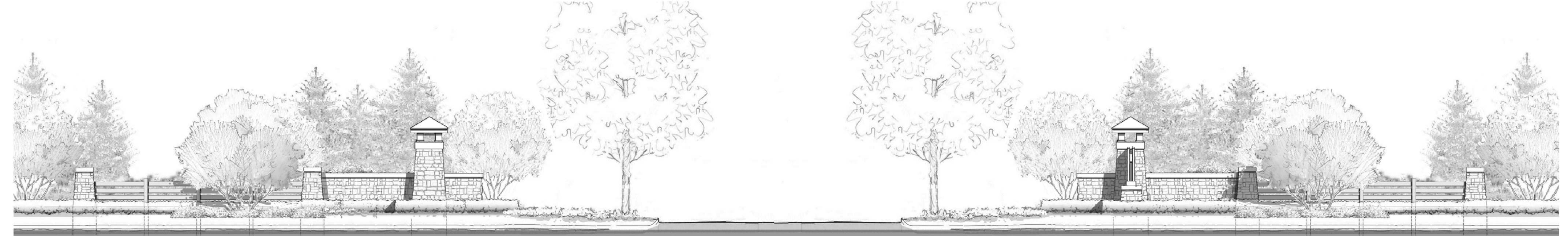
**6B entry sign monument elevation**  
 SCALE: 1/4" = 1' - 0"



**6C entry sign monument elevation**  
 SCALE: 1/4" = 1' - 0"



**6D entry sign monument elevation**  
 SCALE: 1/4" = 1' - 0"



**6E entry sign monument elevation**  
 SCALE: 1/4" = 1' - 0"

client:  
**LAUTREC**  
 31550  
 Northwestern  
 HWY. Suite 200  
 Farmington Hills,  
 Michigan 48334

project:  
**THE LEGACY HILLS**

project location:  
 Genoa Township,  
 Michigan  
 Challis Road & Bauer Road

sheet title:  
**ENTRANCE SIGN MONUMENT**

job no./issue/revision date:

LS24.083.08 SPA	8-26-2024
LS24.083.09 TWP. COMMENTS	9-26-2024
LS24.083.10 site updates	10-31-2024
LS24.083.12 site updates	12-16-2024

drawn by:  
**JP,**  
 checked by:  
**FP**  
 date:  
**8-20-2024**

notice:  
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project no:  
**LS24.083.08**



# Legacy Hills

## Deer Valley



CT2M-MI1



EC2P



EC3U



NC2H



FH2A



PR2N





UPGRADED  
ASPHALT  
SHINGLES  
PER SPEC

FIBER CEMENT  
BOARD SIDING  
PER SPEC

BRICK MASONRY  
WAINSCOT

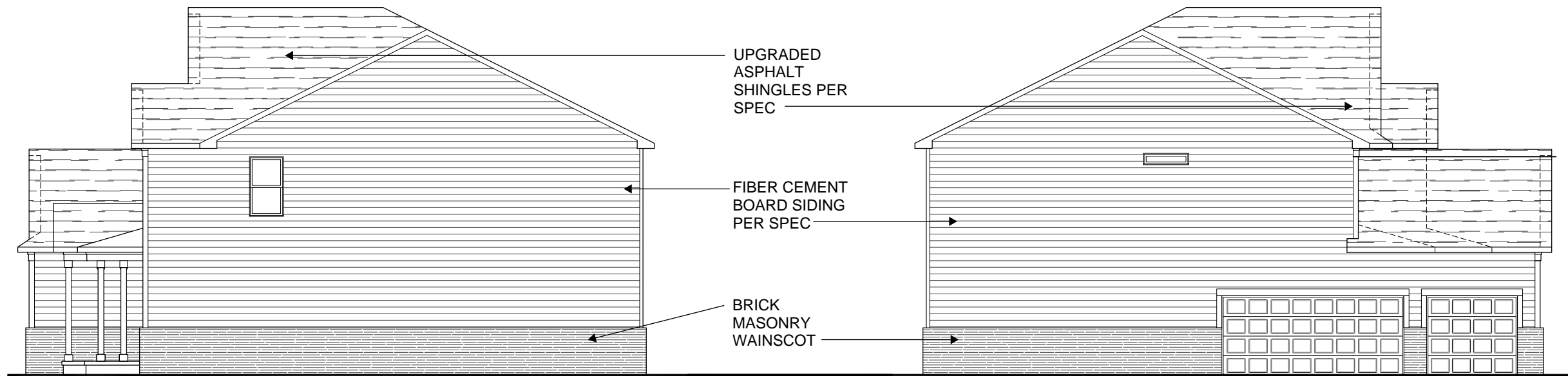


**REAR ELEVATION**

UPGRADED  
ASPHALT  
SHINGLES PER  
SPEC

FIBER CEMENT  
BOARD SIDING  
PER SPEC

BRICK  
MASONRY  
WAINSCOT



**ION**

**LEFT ELEVATION**

\*TYPICAL AND REPRESENTATIVE



PRODUCTION MANAGER	Rick Storky
INITIAL RELEASE DATE:	11/17/2024
CURRENT RELEASE DATE:	12/01/2021
REV #	DATE / DESCRIPTION
△	
△	
△	
△	
△	
△	
△	
△	
△	
△	

GARAGE HANDING  
**Left**

PLAN NAME  
**Deer Valley**  
NPC PLAN NUMBER

LAWSON PLAN ID

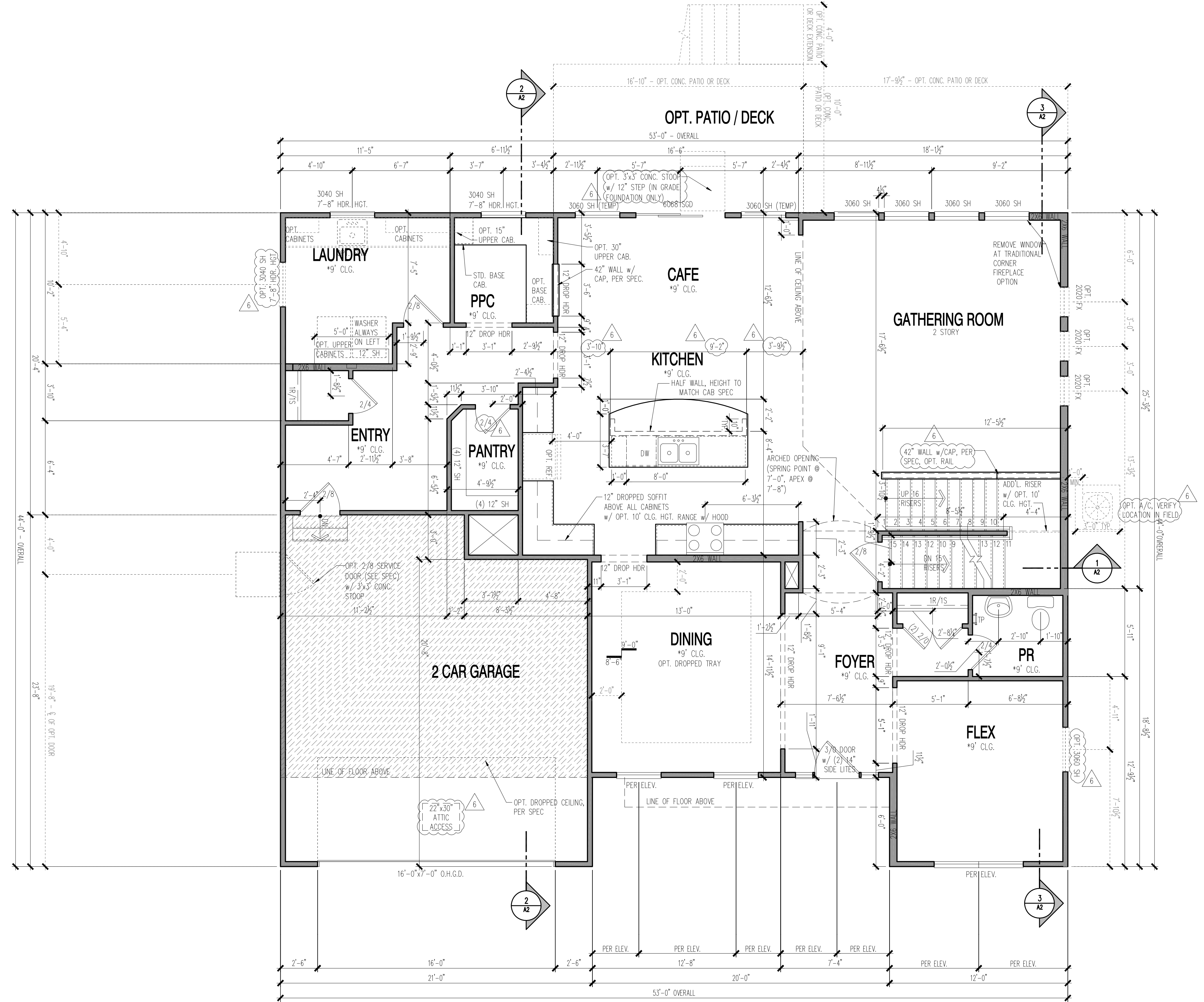
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**A3FH2A**

**3SB.1**

# FLOORPLAN NOTES

## GENERAL SPECIFICATIONS

- ALL ANGLED WALLS (OTHER THAN THOSE AT 90°) SHALL BE CONSIDERED TO BE AT 45° UNLESS NOTED OTHERWISE.
- ALL NON-BEARING WALLS TO BE 2x4 STUDS AT 24" O.C. KITCHEN AND PULTE PLANNING CENTER WALLS, WHERE CABINETS ARE TO BE HUNG, SHALL BE FRAMED AT 16" O.C.
- PROVIDE A 1-3/8" OR LARGER SOLID CORE WOOD DOOR, SOLID CORE STEEL DOOR OR HONEYCOMB CORE STEEL DOOR, OR 20 MINUTE FIRE-RATED DOOR EQUIPPED WITH A SELF-CLOSING DEVICE BETWEEN GARAGE AND LIVING SPACE IN ACCORDANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODE.
- PROVIDE FIRE SEPARATION BETWEEN DWELLING AND GARAGE IN ACCORDANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODE.
- PROVIDE 1/2" DRYWALL AT WALLS, CEILING AND UNDERSIDE OF STAIR ASSEMBLY ACCESSIBLE SPACE UNDER STAIRS IN ACCORDANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODE.
- ALL GLAZING INSTALLED IN HAZARDOUS LOCATIONS AS DEFINED BY THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODE SHALL HAVE A PERMANENT DESIGNATION OR LABEL AFFIXED TO EACH PANE OF GLAZING BEARING THE MANUFACTURER'S LABEL SHOWING THE TYPE AND THICKNESS OF GLASS. FOR OTHER THAN TEMPERED GLASS, LABELS MAY BE OMITTED PROVIDED THE BUILDING OFFICIAL APPROVES THE USE OF A CERTIFICATE, AFFIDAVIT OR OTHER EVIDENCE CONFIRMING COMPLIANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODE.
- ALL BATHUB AND SHOWER FLOORS AND WALLS ABOVE BATHTUBS WITH INSTALLED SHOWER HEADS AND IN SHOWER COMPARTMENTS SHALL BE FINISHED WITH A NON-ABSORBENT SURFACE. SUCH WALL SURFACES SHALL EXTEND TO A HEIGHT NOT LESS THAN 72" ABOVE THE FLOOR PER THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODE.
- PROVIDE 3/8" MAX. SHEATHING WITH TAPED JOINTS AS DRAFT STOP WITH BATT INSULATION FILLING ALL CAVITIES AT EXTERIOR WALLS ADJACENT TO TUBS AND SHOWERS.
- ALL REQUIRED GUARDRAILS AND GUARDWALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODES. GUARDS SHALL NOT BE LESS THAN 36" HIGH MEASURED VERTICALLY ABOVE THE ADJACENT WALKING SURFACE AND NOT LESS THAN 34" HIGH MEASURED VERTICALLY FROM THE SLOPED PLANE THAT ADJOINS THE TREAD NOSINGS.
- ALL REQUIRED HANDRAILS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODES. HANDRAILS SHALL BE PROVIDED ON AT LEAST ONE SIDE OF EACH CONTINUOUS RUN OF TREADS OR FLIGHT WITH 4 OR MORE RISERS. HANDRAIL HEIGHT SHALL NOT BE LESS THAN 34" OR MORE THAN 38" AS MEASURED VERTICALLY FROM THE SLOPED PLANE THAT ADJOINS THE TREAD NOSINGS AND SHALL BE CONTINUOUS FOR THE FULL LENGTH OF THE FLIGHT. HANDRAILS ADJACENT TO A WALL SHALL HAVE A SPACE NOT LESS THAN 1-1/2" BETWEEN THE WALL AND THE HANDRAIL.
- BASEMENTS, HABITABLE ATTICS AND ALL SLEEPING ROOMS MUST HAVE AT LEAST ONE EMERGENCY ESCAPE IN ACCORDANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODES. THE EMERGENCY ESCAPE MUST HAVE A 5,7 SFCLEAR OPENING AND A SILL HEIGHT OF NO MORE THAN 44" ABOVE FINISHED FLOOR. ESCAPE WINDOWS AT GRADE LEVEL MUST HAVE A MIN. OF 5.0 SF OF OPEN AREA. REQUIRED CLEAR OPENINGS SHALL BE A MINIMUM OF 24" HIGH AND 20" WIDE. EMERGENCY ESCAPES WITH A FINISHED SILL HEIGHT BELOW THE ADJACENT GRADE MUST HAVE A WINDOW WELL AND LADDER IN ACCORDANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODES.
- FOR ADDITIONAL INFORMATION SEE STRUCTURAL DRAWINGS AND NOTES



## FIRST FLOOR PLAN - 4" EXTERIOR WALLS

SCALE: 1/4" = 1'-0"

\* OPT. 10' CLG W/ RAISED CEILING HEIGHT UPGRADE OPTION

Midwest Zone Office  
1900 Golf Road - Suite 300  
Schaumburg, Illinois 60173



First Floor Plan  
4" Exterior Walls

PRODUCT MANAGER	RICK STARKEY
INITIAL RELEASE	DATE: 08/04/2014
REV#	DATE/DESCRIPTION
△	02/05/2015 REVISIONS
△	01/04/2016 PLAN REVISIONS
△	04/29/2016 PCR REVISIONS
△	11/14/2016 PLAN REVISIONS
△	12/01/2017 PCR REVISIONS
△	05/10/2019 PCR REVISIONS

GARAGE HANDING  
**Garage Left**

PLAN NAME  
**Deer Valley**  
NPC CHILD NUMBER  
**2107.300.00.CPM**

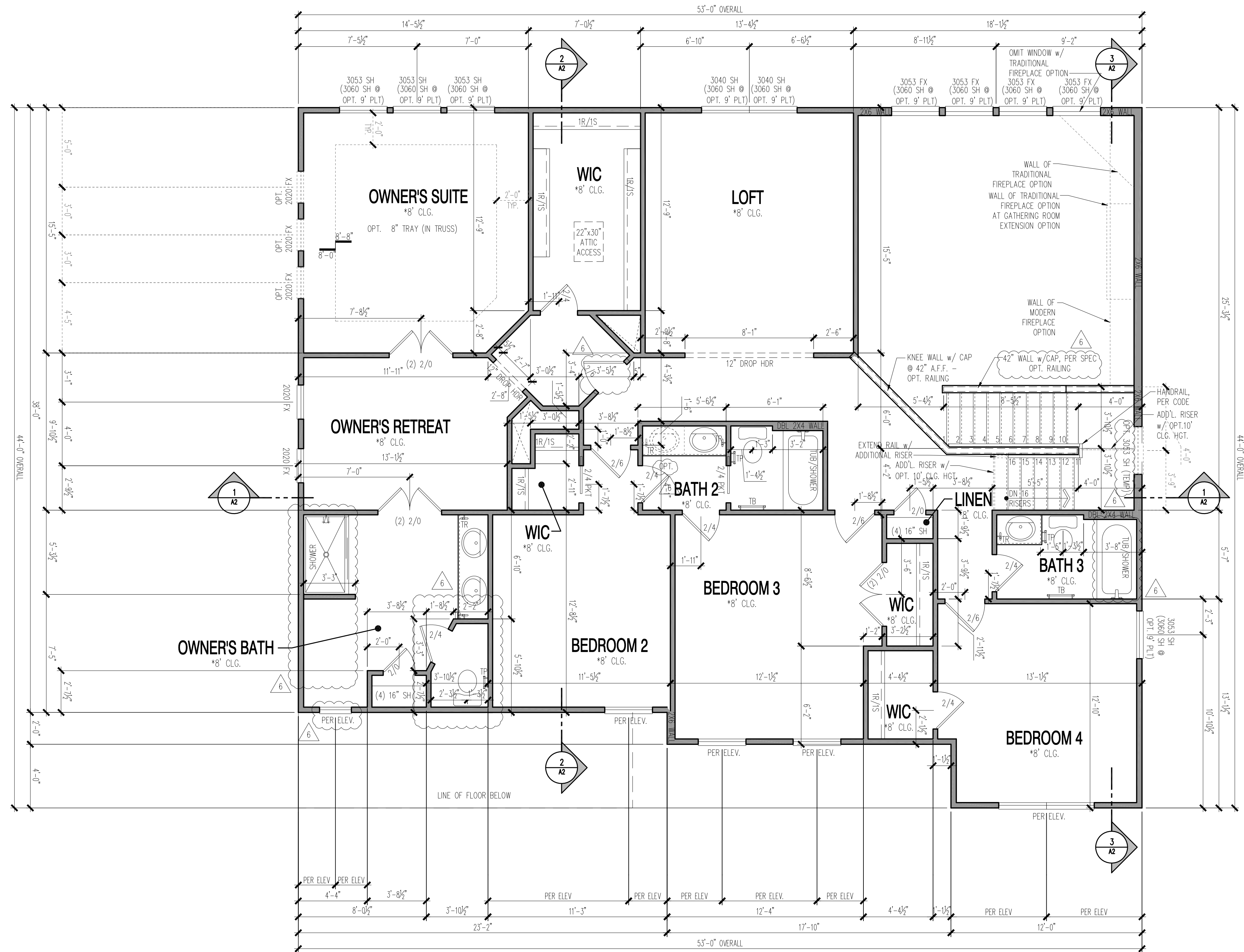
SHEET  
**A1**  
4-1.1



# FLOORPLAN NOTES

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- FOR ADDITIONAL INFORMATION SEE STRUCTURAL DRAWINGS AND NOTES



## SECOND FLOOR PLAN - 4" EXTERIOR WALLS

SCALE: 1/4" = 1'-0"  
 \* OPT. 9" CLG w/ RAISED CEILING HEIGHT UPGRADE OPTION

PRODUCT MANAGER	RICK STARKEY
INITIAL RELEASE DATE:	08/04/2014
REV#	DATE/DESCRIPTION
△	02/05/2015 REVISIONS
△	01/04/2016 PLAN REVISIONS
△	04/29/2016 PCR REVISIONS
△	11/14/2016 PLAN REVISIONS
△	12/01/2017 PCR REVISIONS
△	05/10/2019 PCR REVISIONS

GARAGE HANDING  
**Garage Left**

SPECIFICATION LEVEL

PLAN NAME  
**Deer Valley**  
 NPC CHILD NUMBER  
**2107.300.00.CPM**

SHEET  
**A1**  
**4-2.1**

# Legacy Hills

## Rockwall



CT2M-MI1



EC3S-MI1



HR3S-MI1



NC3H



PR2N-MI1



Typical Sides and Rears - Masonry First Floor  
3 Car Side Entry

UPGRADED ASPHALT SHINGLES PER SPEC  
FIBER CEMENT BOARD SIDING PER SPEC  
BRICK MASONRY TO TOP OF FIRST FLOOR



**REAR ELEVATION**

UPGRADED ASPHALT SHINGLES PER SPEC  
FIBER CEMENT BOARD SIDING PER SPEC  
BRICK MASONRY TO TOP OF FIRST FLOOR



**RIGHT ELEVATION**



**LEFT ELEVATION**

\*TYPICAL AND REPRESENTATIVE

NOTE: SCALES NOTED ON DRAWINGS RELATE TO FULL SIZE PLOTS ON 22x34 SHEETS - 11x17 SHEETS REPRESENT 1/2 SCALE PLOTS

PRODUCTION MANAGER  
Rick Starkey  
INITIAL RELEASE DATE:  
11/17/2024  
CURRENT RELEASE DATE:

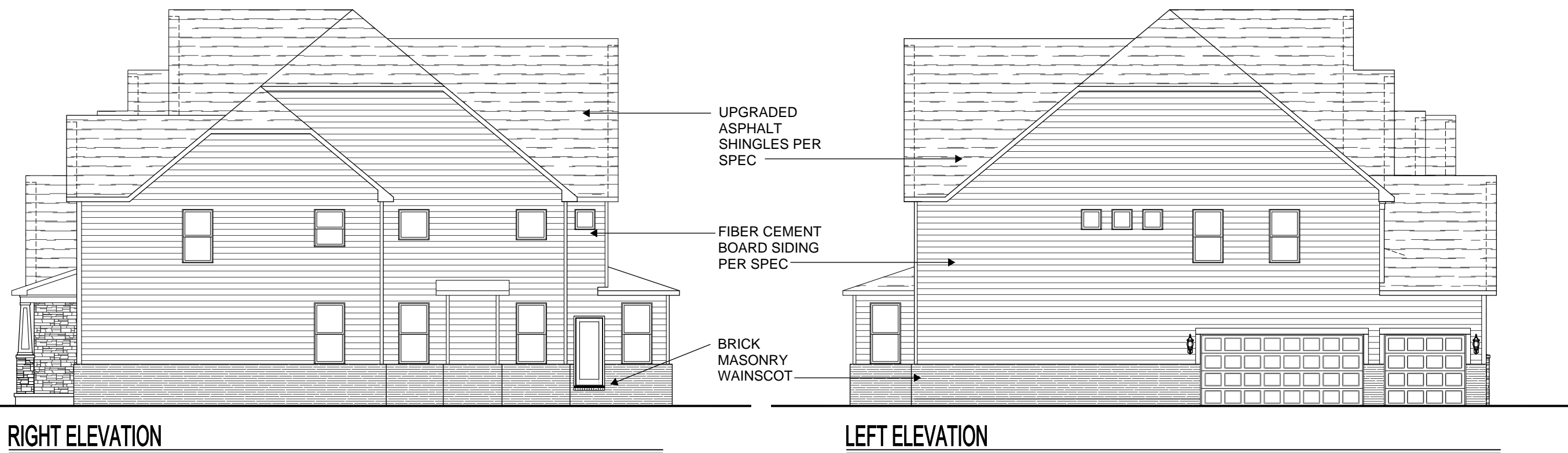
REV #	DATE	DESCRIPTION
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GARAGE HANDING  
**Left**

PLAN NAME  
**Rockwall**  
NPC PLAN NUMBER  
LAWSON PLAN ID

SHEET  
**A3-PR2N-MI1**

**3SB.1**  
80



\*TYPICAL AND REPRESENTATIVE

PRODUCTION MANAGER	Rick Storkey
INITIAL RELEASE DATE:	11/17/2024
CURRENT RELEASE DATE:	

REV #	DATE	DESCRIPTION
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△		
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GARAGE HANDING  
**Left**

PLAN NAME  
**Rockwall**  
NPC PLAN NUMBER  
LAWSON PLAN ID

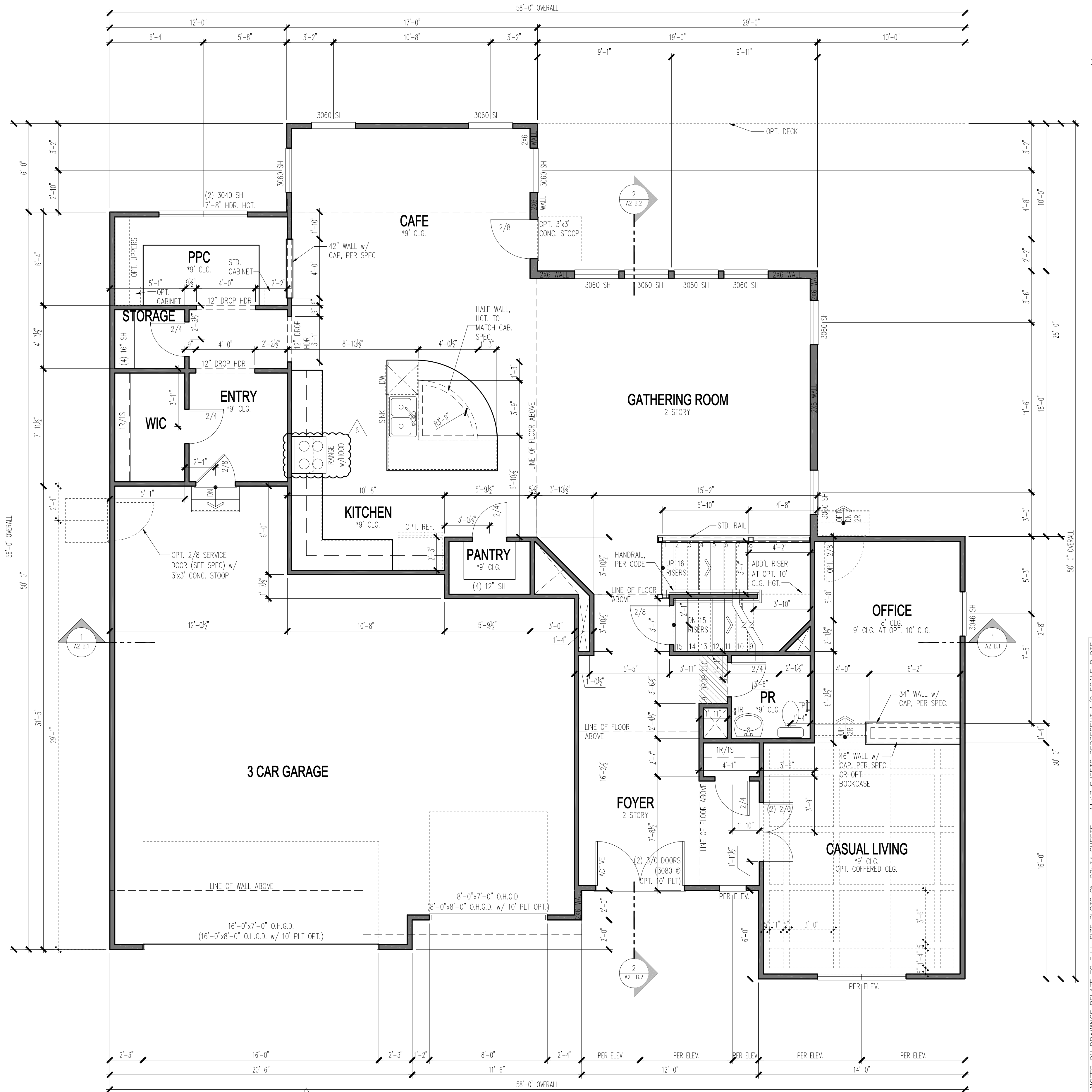
SHEET  
**A3-NC3H**  
3SB.1  
90



# FLOORPLAN NOTES

## GENERAL SPECIFICATIONS

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**FIRST FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"  
 \*OPT. 10' CLG w/ RAISED CEILING HEIGHT UPGRADE OPTION

PLOTTED: November 16, 2016 / Annie Ki / 2054-ROCKWALL-CZ-BASE-PLAN.DWG  
 (c) Copyright Pulte Home Corporation - 2016  
 NOTE: SCALES NOTED ON DRAWINGS RELATE TO FULL SIZE PLOTS ON 22x34 SHEETS - 11x17 SHEETS REPRESENT 1/2 SCALE PLOTS

**Midwest Zone Office**  
 1900 Golf Road - Suite 300  
 Schaumburg, Illinois 60173



**First Floor Plan**  
 4" Exterior Walls

PRODUCTION MANAGER  
 Rick Storky  
 INITIAL RELEASE DATE: 08/04/2014  
 CURRENT RELEASE DATE: 04/29/2016

REV #	DATE	DESCRIPTION
△	02/06/2015	
△	04/06/2015	
△	04/17/2015	
△	01/04/2016	PLAN REVISIONS
△	04/29/2016	POR REVISIONS
△	11/14/2016	PLAN REVISIONS

GARAGE HANDING  
**Left**

PLAN NAME  
**Rockwall**  
 N/C PLAN NUMBER  
**2054.300.00.CPM**  
 LAWSON PLAN ID  
 \*\*

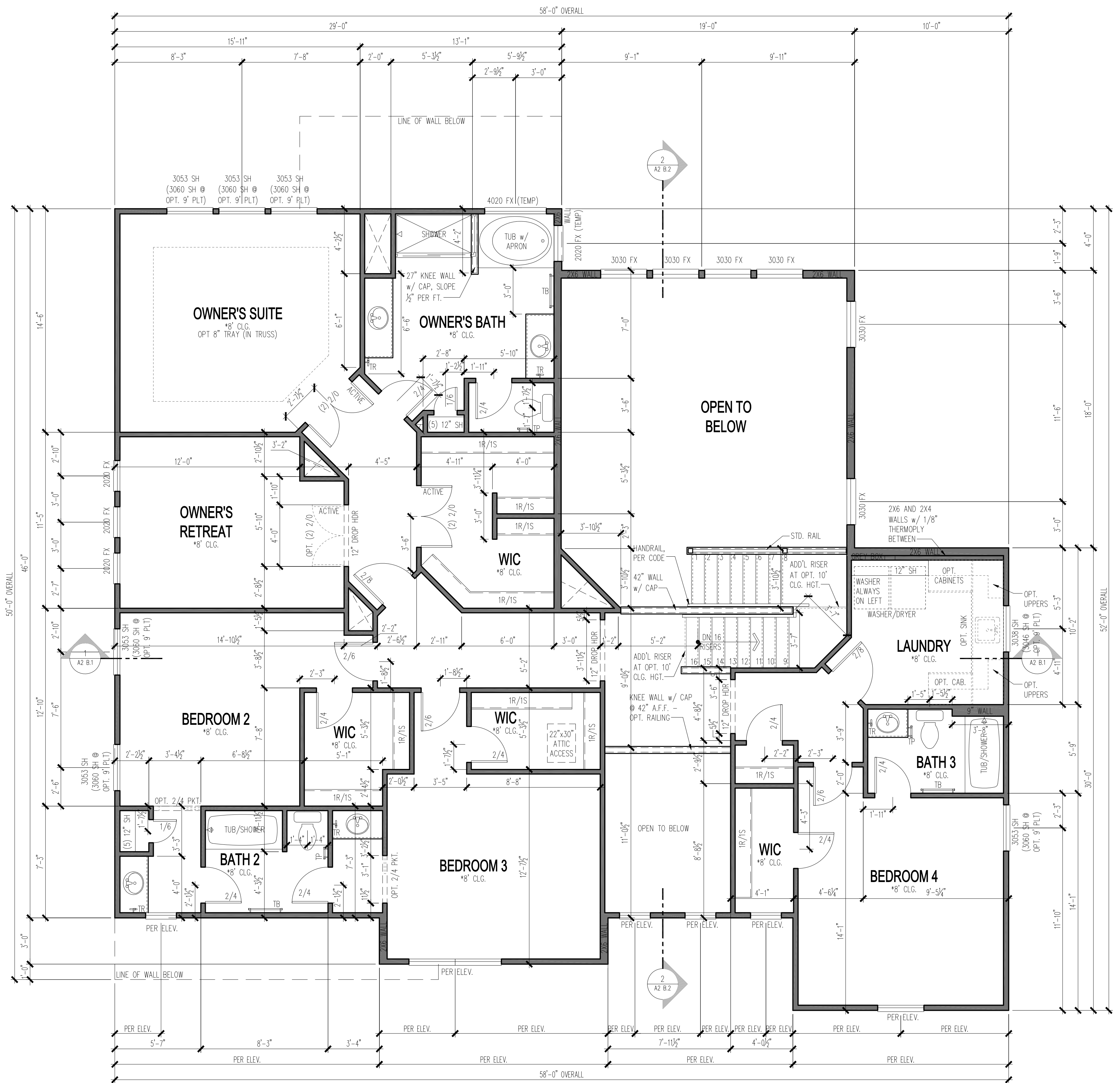
SHEET  
**A1**  
 4-1.1



# FLOORPLAN NOTES

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## SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"  
 \*OPT. 9' CLG W/ RAISED CEILING HEIGHT UPGRADE OPTION

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**Midwest Zone Office**  
 1900 Golf Road - Suite 300  
 Schaumburg, Illinois 60173



**Second Floor Plan**  
 4<sup>th</sup> Exterior Walls

REV #	DATE	DESCRIPTION
1	02/06/2015	PRODUCTION MANAGER Rick Storkley
2	04/06/2015	INITIAL RELEASE DATE: 08/04/2014
3	04/17/2015	CURRENT RELEASE DATE: 04/29/2016
4	01/04/2016	PLAN REVISIONS
5	04/29/2016	PCR REVISIONS
6	11/14/2016	PLAN REVISIONS

GARAGE HANDING  
**Left**

PLAN NAME:  
**Rockwall**  
 WPK PLAN NUMBER:  
**2054.300.00.CPM**  
 LAWSON PLAN ID

SHEET  
**A1**  
 4-2.1

PLOTTED: November 16, 2016 / Annie K. / 2054-ROCKWALL-CZ-BASE-PLAN.DWG

NOTE: SCALES NOTED ON DRAWINGS RELATE TO FULL SIZE PLOTS ON 22x34 SHEETS - 11x17 SHEETS REPRESENT 1/2 SCALE PLOTS



# Legacy Hills

## Skyview



CR2G-MI1



EC3W-MI1



LC2A-MI1



NC3H



PR2H-MI1

PLOTTED: November 17, 2024 / Kevin Roessler / 2056-SKYVIEW-CZ-BASE-EL-NC3H.DWG

UPGRADED  
ASPHALT  
SHINGLES  
PER SPEC

FIBER CEMENT  
BOARD SIDING  
PER SPEC

BRICK MASONRY  
TO TOP OF FIRST  
FLOOR

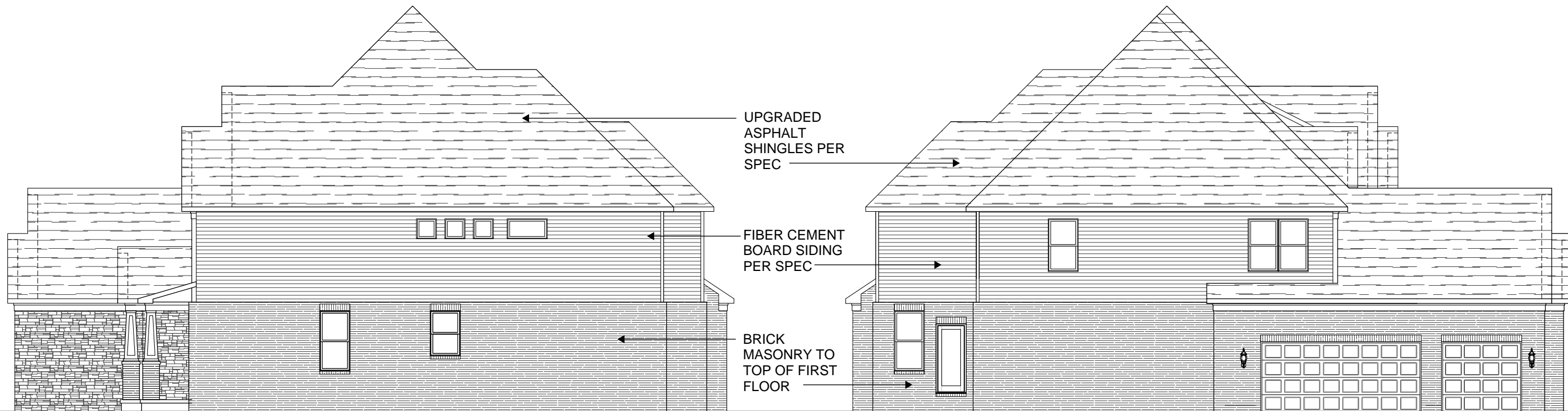


**REAR ELEVATION**

UPGRADED  
ASPHALT  
SHINGLES PER  
SPEC

FIBER CEMENT  
BOARD SIDING  
PER SPEC

BRICK  
MASONRY TO  
TOP OF FIRST  
FLOOR



**RIGHT ELEVATION**

**LEFT ELEVATION**

\*TYPICAL AND REPRESENTATIVE

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**Midwest Zone Office**  
1900 E. Golf Road, - Suite 300  
Schaumburg, Illinois 60173



Typical Sides and Rears - Masonry First Floor  
3 Car Side Entry

PRODUCTION MANAGER  
Rick Starkey  
INITIAL RELEASE DATE:  
11/17/2024  
CURRENT RELEASE DATE:

REV #	DATE	DESCRIPTION
△		
△		
△		
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GARAGE HANDING  
**Left**

PLAN NAME  
**Skyview**  
NPC PLAN NUMBER  
LAWSON PLAN ID

SHEET  
A3-NC3H

3SB.1  
94

PLOTTED: November 17, 2024 / Kevin Roessler / 2056-SKYVIEW-CZ-BASE-EL-LC2A-MI.DWG

UPGRADED  
ASPHALT  
SHINGLES  
PER SPEC

FIBER CEMENT  
BOARD SIDING  
PER SPEC

BRICK MASONRY  
WAINSCOT



**REAR ELEVATION**

UPGRADED  
ASPHALT  
SHINGLES PER  
SPEC

FIBER CEMENT  
BOARD SIDING  
PER SPEC

BRICK  
MASONRY  
WAINSCOT



**RIGHT ELEVATION**



**LEFT ELEVATION**

\*TYPICAL AND REPRESENTATIVE

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**Midwest Zone Office**  
1900 E. Golf Road, - Suite 300  
Schaumburg, Illinois 60173



Typical Sides and Rears - Masonry Wainscot  
3 Car Side Entry

NOTE: SCALES NOTED ON DRAWINGS RELATE TO FULL SIZE PLOTS ON 22x34 SHEETS - 11x17 SHEETS REPRESENT 1/2 SCALE PLOTS

PRODUCTION MANAGER  
Rick Starkey  
INITIAL RELEASE DATE:  
11/17/2024  
CURRENT RELEASE DATE:

REV # / DATE / DESCRIPTION

REV #	DATE	DESCRIPTION
△		
△		
△		
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△		

GARAGE HANDING  
**Left**

PLAN NAME  
**Skyview**  
NPC PLAN NUMBER

LAWSON PLAN ID

SHEET  
**A3-LC2A-MI1**

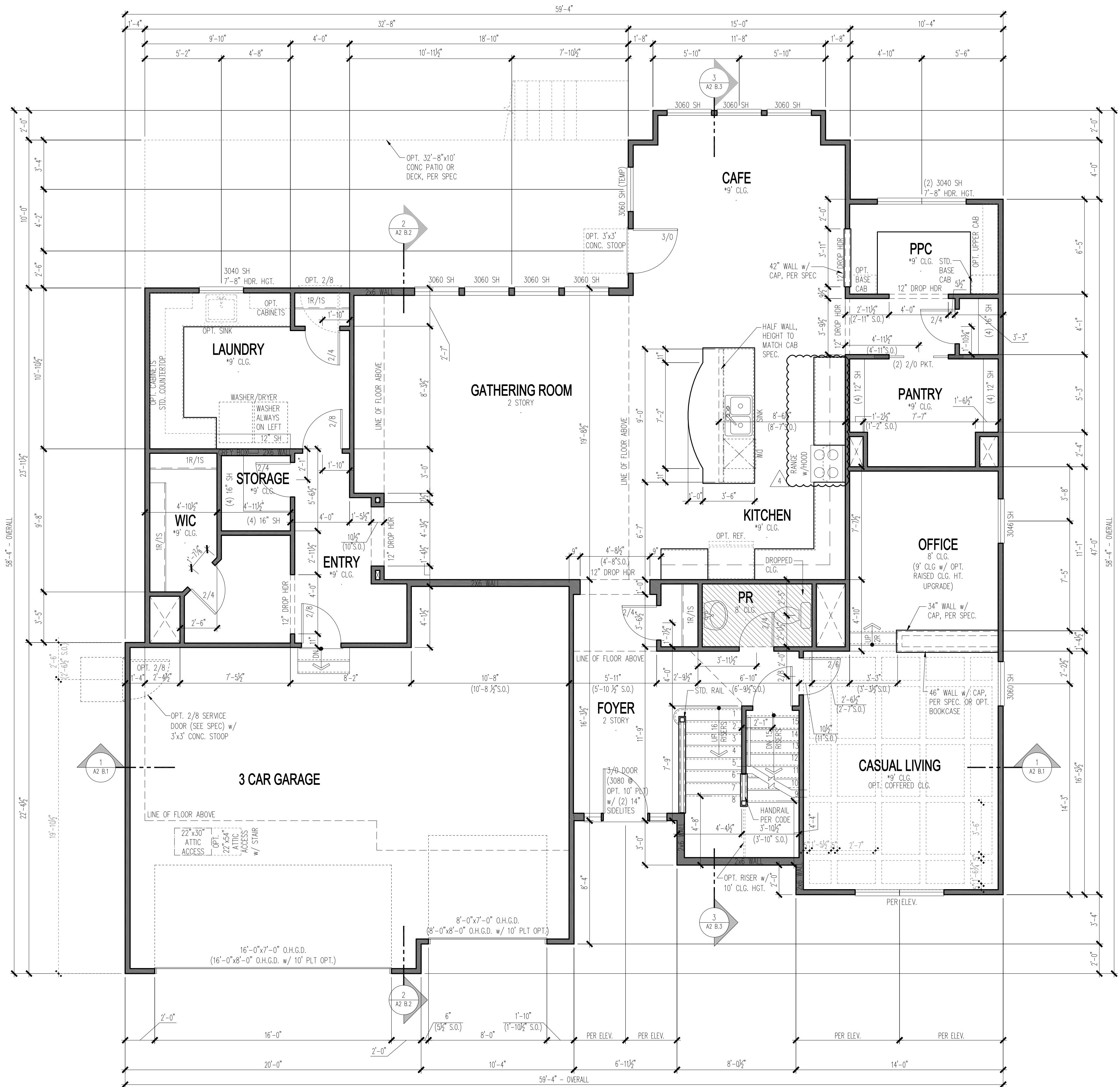
**3SB.1**

05

# FLOORPLAN NOTES

## GENERAL SPECIFICATIONS

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## FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

\* OPT. 10' CLG W/ RAISED CEILING HEIGHT UPGRADE OPTION

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**Midwest Zone Office**  
1900 E. Golf Road, - Suite 300  
Schaumburg, Illinois 60173



**First Floor Plan**  
**4" Exterior Walls**

REV #	DATE	DESCRIPTION
1	02/20/2015	PLAN REVISIONS
2	01/04/2016	PLAN REVISIONS
3	04/29/2016	PCR REVISIONS
4	11/14/2016	PLAN REVISIONS

GARAGE HANDING  
**Left**

PLAN NAME  
**Skyview**  
REV. PLAN NUMBER  
**2056.300.00.CPM**  
LAWSON PLAN ID

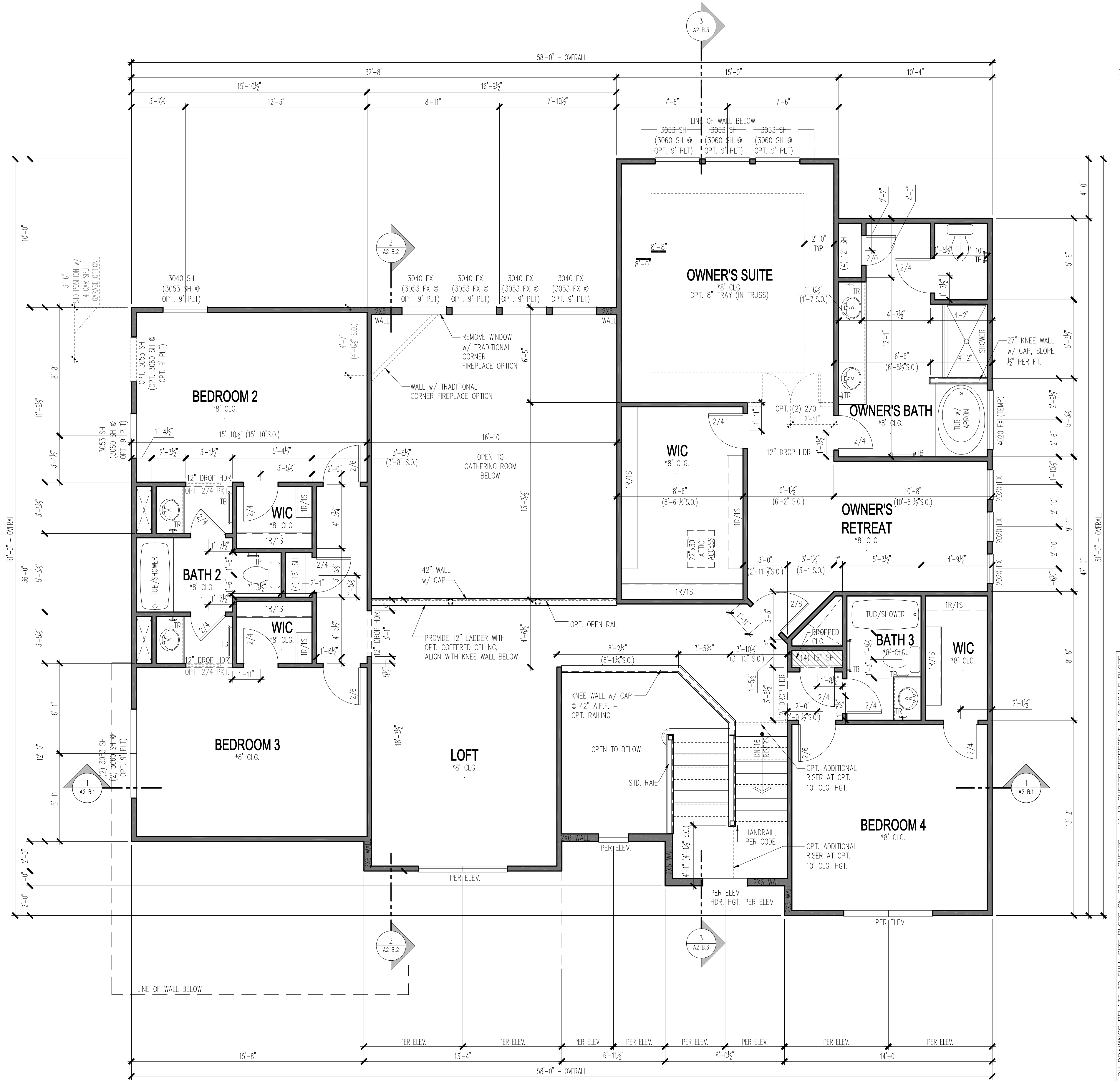
SHEET  
**A1**  
**4-1.1**



# FLOORPLAN NOTES

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- PROVIDE 3/4" MAX. SHEATHING WITH TAPED JOINTS AS DRAFT STOP WITH BATT INSULATION FILLING ALL CAVITIES AT EXTERIOR WALLS ADJACENT TO TUBS AND SHOWERS.
- ALL REQUIRED GUARDRAILS AND GUARDWALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODES. GUARDS SHALL NOT BE LESS THAN 36" HIGH MEASURED VERTICALLY ABOVE THE ADJACENT WALKING SURFACE AND NOT LESS THAN 34" HIGH MEASURED VERTICALLY FROM THE SLOPED PLANE THAT ADJOINS THE TREAD NOSINGS.
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- FOR ADDITIONAL INFORMATION SEE STRUCTURAL DRAWINGS AND NOTES.



## SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"  
 \* OPT. 9' CLG w/ RAISED CEILING HEIGHT UPGRADE OPTION



REV #	DATE / DESCRIPTION
1	02/20/2015
2	01/04/2016
3	04/29/2016
4	11/14/2016

GARAGE HANDING  
**Left**

PLAN NAME:  
**Skyview**  
 PLAN NUMBER:  
**2056.300.00.CPM**  
 LAWSON PLAN ID

SHEET  
**A1**  
 4-2.1

# Legacy Hills

## Woodside



HR3U



HR2F



CT2U



CR2L



NC2L



HR3S



Typical Sides and Rears - Masonry First Floor  
3 Car Side Entry

UPGRADED  
ASPHALT  
SHINGLES  
PER SPEC

FIBER CEMENT  
BOARD SIDING  
PER SPEC

BRICK MASONRY  
TO TOP OF FIRST  
FLOOR

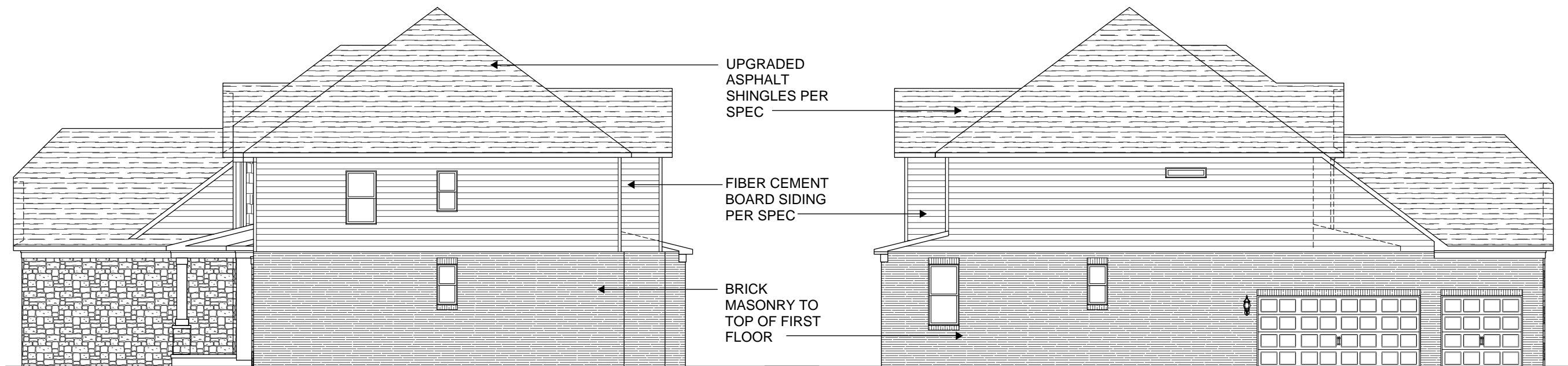


**REAR ELEVATION**

UPGRADED  
ASPHALT  
SHINGLES PER  
SPEC

FIBER CEMENT  
BOARD SIDING  
PER SPEC

BRICK  
MASONRY TO  
TOP OF FIRST  
FLOOR



**RIGHT ELEVATION**

**LEFT ELEVATION**

\*TYPICAL AND REPRESENTATIVE

PRODUCTION MANAGER	Rick Starkey
INITIAL RELEASE DATE:	11/17/2024
CURRENT RELEASE DATE:	12/01/2021

REV #	DATE	DESCRIPTION
△		
△		
△		
△		
△		
△		
△		
△		
△		
△		

GARAGE HANDING  
**Left**

PLAN NAME  
**Woodside**  
NPC PLAN NUMBER  
LAWSON PLAN ID

SHEET  
**A3-CT2U**

**3SB.1**  
99

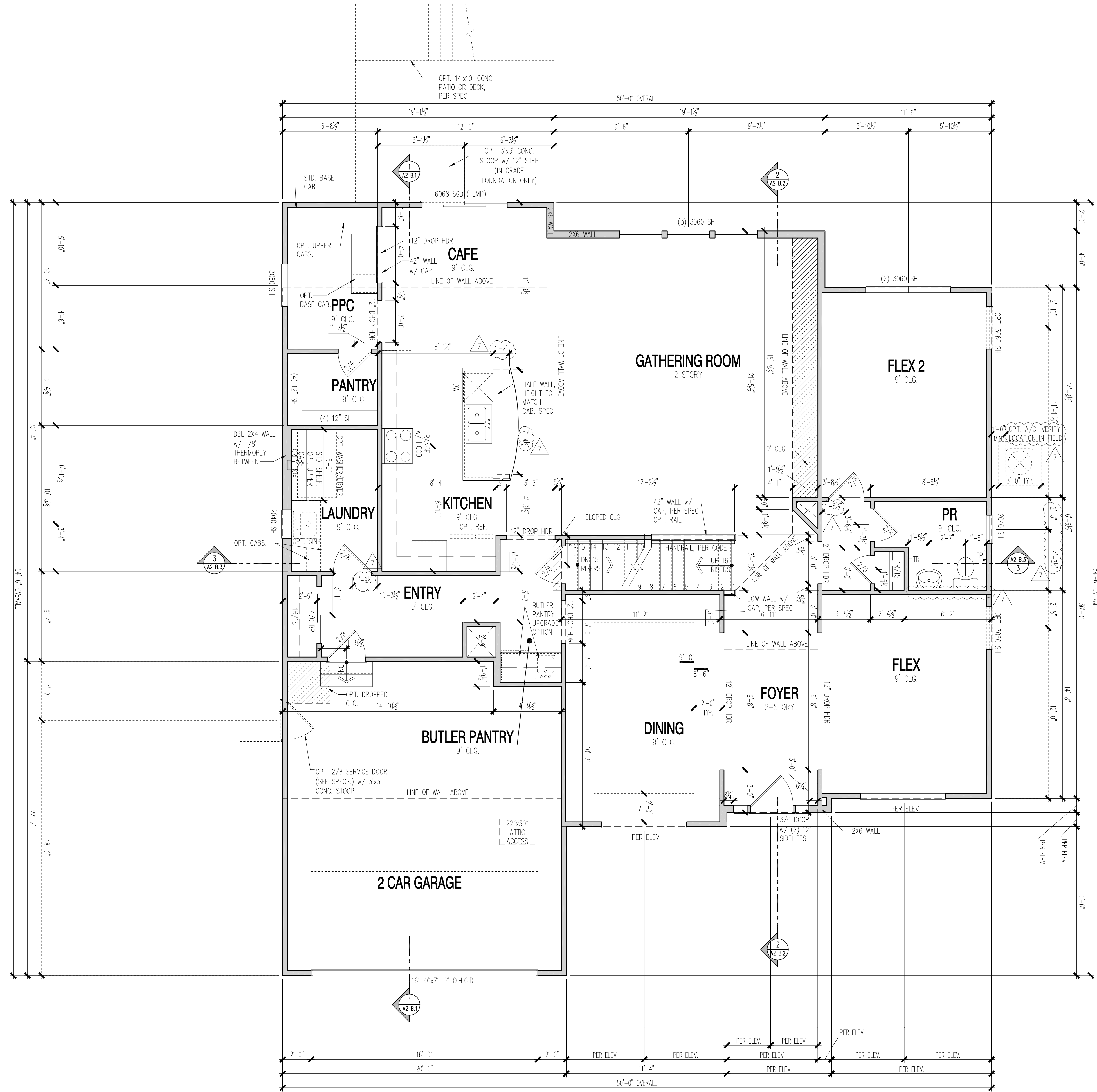




# FLOORPLAN NOTES

## GENERAL SPECIFICATIONS

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- ALL STUDS AT EXTERIOR AND INTERIOR WALLS SHALL BE 2x4 UNLESS OTHERWISE NOTED
- ALL STUDS AT EXTERIOR WALLS AND INTERIOR BEARING WALLS TO BE FRAMED AT 16" O.C. UNLESS NOTED OTHERWISE
- ALL NON-BEARING WALLS, OTHER THAN IN THE KITCHEN AND PLANNING CENTERS, TO BE 2x4 STUDS AT 24" O.C. UNLESS OTHERWISE NOTED OR RESTRICTED BY LOCAL CODES OR ORDINANCES. KITCHEN AND PLANNING CENTER WALLS WHERE WALL CABINETS ARE TO BE HUNG SHALL BE FRAMED AT 16" O.C.
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**FIRST FLOOR PLAN - 4" WALLS**

SCALE: 1/4" = 1'-0"

<b>First Floor Plan</b>	
<b>4" Exterior Walls</b>	

PRODUCT MANAGER	Rick Starkey
INITIAL RELEASE	DATE: 11/14/2014
REV#	DATE/DESCRIPTION
1	01/26/2015
2	03/12/2015
3	12/15/2015
4	PLAN REVISIONS
5	03/11/2016
6	PCR REVISIONS
7	11/14/2016
8	PLAN REVISIONS
9	12/01/2017
10	PCR REVISIONS
11	05/10/2019
12	PCR REVISIONS

GARAGE HANDING	<b>Single Family</b>
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SPECIFICATION LEVEL	
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PLAN NAME	<b>Woodside</b>
NPC CHILD NUMBER	<b>2312.300.00.CPM</b>

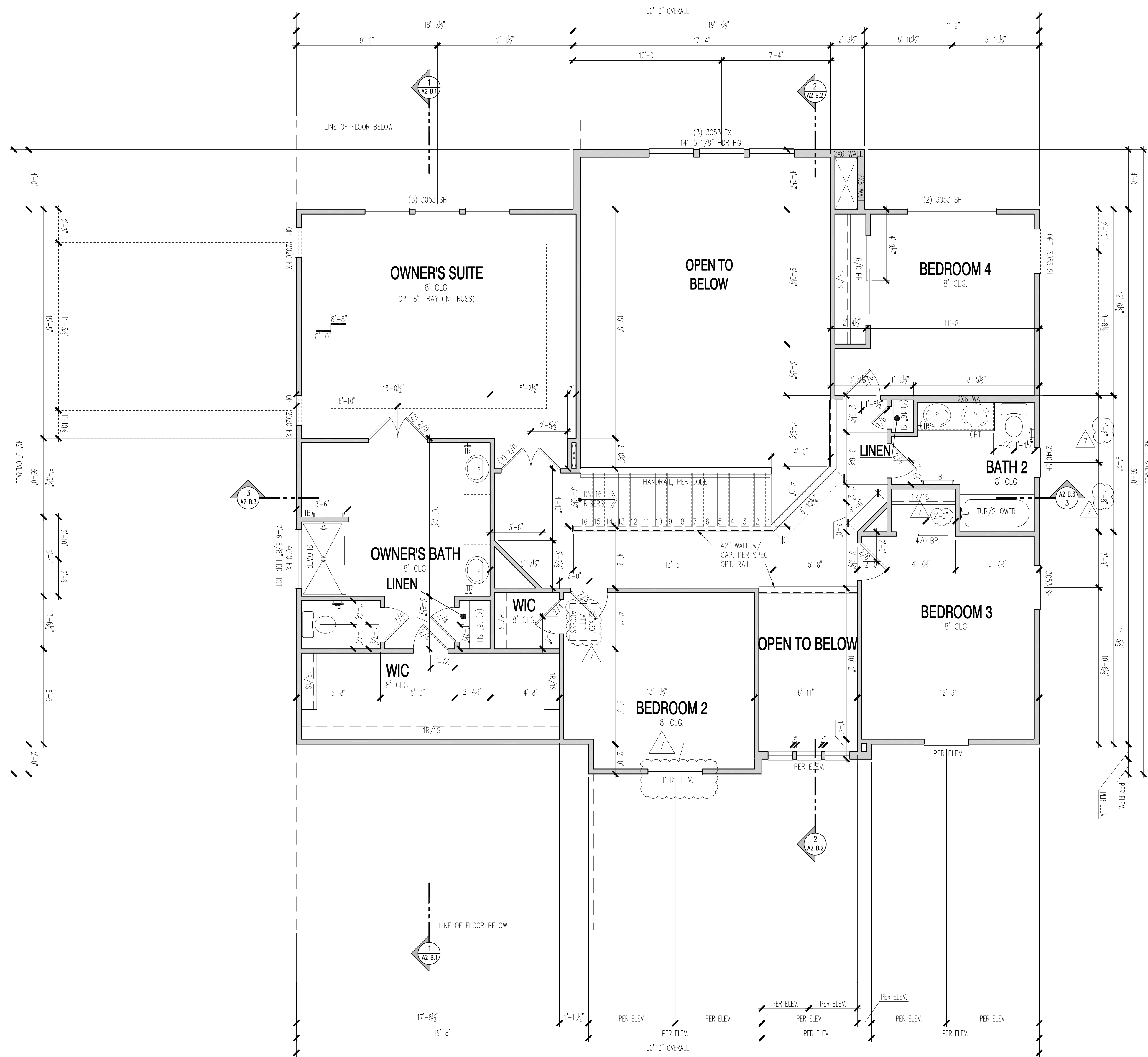
SHEET	<b>A1</b>
	<b>4-1.1</b>



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## SECOND FLOOR PLAN - 4" WALLS

SCALE: 1/4" = 1'-0"

REV#	DATE/DESCRIPTION
01	11/14/2014 INITIAL RELEASE
02	01/26/2015
03	03/12/2015
04	12/15/2015 PLAN REVISIONS
05	03/11/2016 PCR REVISIONS
06	11/14/2016 PLAN REVISIONS
07	12/01/2017 PCR REVISIONS
08	05/10/2019 PCR REVISIONS

GARAGE HANDING  
Single Family

SPECIFICATION LEVEL

PLAN NAME  
Woodside  
NPC CHILD NUMBER  
2312.300.00.CPM

SHEET  
A1  
4-2.1

**GENOA CHARTER TOWNSHIP  
SPECIAL PLANNING COMMISSION  
PUBLIC HEARING  
December 4, 2024**

**MINUTES**

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:30 p.m. Present were Chris Grajek, and Tim Chouinard, Marianne McCreary, Greg Rassel, and Eric Rauch. Absent were Glynis McBain, and Bill Reiber. Also present were Planning Director Amy Ruthig, Brian Borden of Safebuilt and Shelby Byrne of Tetra Tech.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

**Moved** by Commissioner McCreary, supported by Commissioner Rauch, to approve the agenda as presented. **The motion carried unanimously.**

DECLARATION OF CONFLICT OF INTEREST:

None

CALL TO THE PUBLIC:

The call to the public was made at 6:31 pm.

Ms. Debra Beattie is suspicious and upset about scheduling two special meetings back to back for the busiest month of the year. It benefits the applicants.

Ms. Ruthig stated that she scheduled the meeting. The December 9 meeting is a regular meeting, with a location change. Tonight's meeting will address a zoning ordinance that needed to be addressed as soon as possible. The applicant for tonight submitted in time for the 12/9 meeting, but because of what is on that agenda, he was put on this agenda. She has to ensure that her board members, consultants, applicants, and recording secretary when she is scheduling a meeting.

Mr. Jeff Dhaenens of 5494 Sharp Drive knows that Mr. Reiber has another commitment this evening. Next week's meeting is at Parker Middle School, and he wants everyone to know it is a hostile environment. He suggested a quick refresher on what is a PUD tonight.

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

**OPEN PUBLIC HEARING #1... Consideration for a rezoning application, PUD agreement, environmental impact assessment, PUD conceptual and preliminary site condo plan to rezone 127.57 acres from Agriculture (AG) to Low-Density Residential (LDR) with a RPUD**

**overlay to allow for a proposed 58-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road. The proposed rezoning is for the following parcels: 4711-23-400-008, 4711-23-400-007, 4711-23-400-001 and 4711-23-300-003. The request is submitted by Pulte Homes of Michigan.**

- A. Recommendation of Rezoning to LDR and PUD application for RPUD**
- B. Recommendation of PUD agreement**
- C. Recommendation of Environmental Impact Assessment (9-27-24)**
- D. Recommendation of Conceptual PUD (11-1-24)**
- E. Recommendation of Preliminary Site Plan (11-1-24)**

Mr. Borden provided a review of Planned Unit Development (PUD). It is a tool allowed under Michigan's law to allow for a developer to bring a project to a community that maybe doesn't comply with all conventional requirements, but in exchange for some flexibility on the design side, they would provide other public benefits. The cluster option is an old zoning tool that has been in the ordinance for almost 20 years. This is another tool that allows a developer to develop a certain amount of land based on the full property but allows a reduction in lot sizes in exchange for preservation or protection of open spaces. He showed the site plan for tonight's item as an example. It is the same number of homes, but with a higher density, but preservation of open spaces.

The petitioner was before the Planning Commission previously and based on comments from him and the township engineer and the commissioners, they revised the plan. He noted that the items are recommended by the Planning Commission to the Township Board, who makes the final approval. Because there is a rezoning, the Livingston County Planning Commission would review the proposal and also make a recommendation to the Township Board.

Mr. Mike Noles of the Umlor Group, the engineering firm representing Pulte Homes, was present. They have addressed the comments and provided the additional information that was requested at the previous meeting. They would like to develop 58 homes on 127 acres, with 78 acres of open space. The site could be built with 58 homes as it is currently zoned; however, they believe that preserving the 78 acres of open space is a better plan. They are compliant with the Master Plan, the Future Land Use Plan, and the RPUD. They are proposing to build beautiful homes.

He showed the plan of what could be built on this site if the straight zoning was to be followed, including the wells and septics, building envelopes, wetland crossings, roadways that would be able to tie into the public streets adjacent to this property, and the landscape plan of 33 trees, and 360 bushes.

They have done a traffic impact assessment, which was done on October 15, when the Dorr Road bridge was closed; however, the engineer used the historical data from 2023 when the bridge was open and found that the difference was negligible. He reviewed the findings, noting the different amounts of traffic at different times of day and night. The level of service grades

were A and B, which does not require any additional treatment, and will have no effect on the neighboring street system.

He reviewed the PUD Agreement and Master Deed that address the questions and concerns of members of the public. Also, they have tested for the well and septic and concluded that the tested aquifers at the site would be able to furnish a reliable amount of water for the proposed development. These tests also included the wells in the adjacent neighborhood. The Livingston County Health Department has provided preliminary approval of the wells and septic.

He showed the four different home styles and their multiple elevations being proposed for this development. He noted that the materials that are used on the front of the home are wrapped around the entire home, such as the brick, siding, masonry Wainscott, etc.

Based on the questions and comments at the previous meeting, they have revised the site plan. Some of these changes include that now the cul-de-sacs have the correct radii, the storm outlets are shown with changes to the proposed storm sewer system, and the increase in the landscape buffers. They have researched installing a sidewalk connecting their development to the sidewalk on Brighton Road at the roundabout and would like to discuss this issue in detail with the Planning Commission.

He stated that the trees will be removed on the interior of the site where they will be installing the roads and underground pipes, homes, etc. In a wooded area, there are typically 100 trees per acre above 6" in caliper, and 70 trees per acre above 8" in caliper. In the 70 acres that they are leaving as open space, there are approximately 5,000 trees that are being preserved.

Ms. Ruthig stated that Mr. Borden has not seen the revised parallel plan, but the applicant is still within the 58 homes that are able to be built.

Mr. Borden reviewed his letter dated November 27, 2024.

1. PUD Qualifying Conditions (Section 10.02):

- a. The proposal requires approval by the Township in accordance with Section 10.03.01(d) for residential units of less than one acre that are not served by public sewer or water.
- b. The applicant must address any technical comments provided by the Township Engineer, Brighton Area Fire Authority and Utilities Director.

2. Rezoning Criteria (Section 22.04):

- a. The proposed zoning designation of LDR/RPUD is consistent with the Future Land Use Plan and goals/objectives of the Township Master Plan.

He noted that there are two zoning designations on this property. They are Large Lot and Low Density, noting the large lot doesn't need to be rezoned because that is where the open space is being proposed. Commissioner Rauch asked if it changes the dimensional

standards that have been used to develop the parallel plan. Mr. Borden stated, "yes". That plan has been presented this evening.

- b. The RPUD overlay results in greater open space/natural feature protection than would otherwise be required. They are providing 57.2 percent open space where 25 percent is the minimum for RPUD and 50 percent is the minimum for cluster option.
  - c. The only use identified in the RPUD is detached single-family residential, which is generally reasonable and compatible with the area.
  - f. The applicant must address any technical comments provided by the Township's engineering consultant, Utilities Director and Brighton Area Fire Authority.
3. Conceptual PUD Plan and PUD Agreement (Section 10.03.01), noting some of the items have been met:
- a. Dimensional deviations are sought for lot area, lot width, and 1 side yard minimum setback/combination of side yard setbacks.
  - b. Cluster option:
    - i. The Township may wish to request additional information demonstrating that the applicant will complete the project in its entirety.
    - ii. The road connection to Units 13-19 encroaches into the Township's natural feature setback area and the wetland itself, which requires State and Township approval. The applicant has added the encroachment to the list of dimensional deviations sought via the RPUD.
    - iii. The applicant must include a preservation and maintenance plan with the final PUD site plan submittal.
    - iv. Pending further discussion on pathways, the active recreation requirement may, or may not, be satisfied. If the pathway is installed off site, it may not meet the requirement.
    - v. The Township may include reasonable conditions to ensure protection of public facilities and services, protection of the natural environment, compatibility with adjacent land uses, use of the land in a socially and economically desirable manner, and to implement the Master Plan.
  - c. The applicant must address any comments provided by the Township's engineering consultant, Utilities Director and Brighton Area Fire Authority.
  - d. The applicant must address staff and Township Attorney comments.
  - e. He would like the landscaping adjacent to the detention pond and residences be increased to more than the minimum required
  - f. The applicant should identify the Challis and Bauer Road frontages of Units 35-48 as the rear yards since they will be double-fronted lots, which could affect the placement of other items, such as fencing, outbuildings, etc.
  - g. Signage identifying areas not to be disturbed, such as the natural feature setback and landscape easement, should be included.

He noted that this is a preliminary site plan, so a final site plan must be provided and approved by the Township.



Ms. Byrne reviewed her letter dated February 5, 2024.

#### DRAINAGE AND GRADING

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

#### WATER AND SANITARY SERVICE

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

#### TRAFFIC AND ROADWAYS

1. The proposed PUD would be served by a private road off Challis Road. Future road design should be in accordance with Genoa Township Engineering Standards and a Private Road Construction plan review will be required after final site plan approval. Additionally, the private road intersection should be reviewed and approved by the Livingston County Road Commission (LCRC).
2. Dimensioning of the proposed cul-de-sacs will need to be revised to match Genoa Township Engineering Standards. Cul-de-sacs are required to have a radius of 60 feet with a 75-foot right of way (ROW) radius. The cul-de-sacs meet the ROW requirement but fail to have a road radius of 60 ft. The ROW width for the private road should also be dimensioned, but it appears to match the 66-foot standard width requirement.
3. The private road includes a dead-end cul-de-sac on the north end of the development. The road terminating in a dead-end is proposed to be over 1,200 feet long, which exceeds the maximum length of 1,000 feet for a dead-end street. Given the natural features contained on the site, it would be impossible to loop this dead end road back to the rest of the development. The road will also only have seven lots being served, which generates a

minimal amount of traffic. Subject to review by the Brighton Area Fire Authority, we would support a variance for the length of the street.

Commissioner McCreary questioned how the shared driveway will be built and maintained.

Mr. Brian Biskine of the Umlor Group stated the shared driveway will be designed as a narrow road that will be curbed. There are two private roads and they both have T-turn arounds that meet the fire code to allow their vehicles to turn around. For maintenance and snow removal, etc., they will be handled the same as the other roadways. Mr. Borden stated this would be addressed in the condominium documents.

The Brighton Area Fire Authority Fire Marshal's letter dated November 20, 2024 states that all of his previous concerns have been addressed.

Commissioner Rauch asked how many lots are allowed on a shared driveway? Ms. Ruthig stated there are a maximum of four allowed.

Commissioner Rauch suggested that only part of the property be rezoned to LDR. The boundary could be just to the east of the seven lots in the northwest of the site. Since they are accessed by a private driveway, it would have to be decreased to four homes, which would preserve more of the wetland.

Mr. Noles noted that they used the Master Plan to determine the 58 lots. The location of the lots match the zoning designations in the Master Plan. Commission Rauch asked if the petitioner would be willing to reduce the seven lots to four lots, which would preserve more of the wetland, reduce the amount of the detention pond, and save more mature trees. Mr. Nole stated saving three lots will not save significant wetland nor require less of a detention pond or save more trees.

Commissioner Rassel asked who would maintain the off-site sidewalk. Mr. Noles stated the HOA will maintain it.

Commissioner McCreary asked about color restrictions on the homes. Mr. Noles stated there are no restrictions to homes next to each other being the same color.

Chairman Grajek called a 10-minute break from 8:05 to 8:15 pm.

The call to the public was opened at 8:15 pm.

Mr. Colin Hebert of 6899 Lyle Lane stated the traffic study that was shown at the previous meeting was for 129 units. Mr. Noles stated a previous one was done for the land owner's plan, not Pulte's plan. They are building 58 units. He asked if the landowner has plans to build more homes. Mr. Nole stated Pulte Homes only has a contract for these homes.

Mr. Jim Rector of Challis Road asked if the Livingston County Drain Commissioner is overseeing the review of the stormwater and retention pond. Mr. Nole stated that LCDC must review and approve the storm water management plan as it flows into Crooked Lake. He added that the township attorney is asking for lawn chemical restrictions in the PUD Agreement.

Mr. Jim Rowell of 5240 Mountain Road spoke to Mr. Rauch's comments regarding density. The residents want less density and the developer should consider it.

Ms. Deb Beattie of Pineview Trail stated the traffic study didn't speak to the 200 unit apartment complex at Dorr Road and Grand River. She assumes  $\frac{1}{3}$  of them will be coming this way. A 100 foot natural growth buffer is already there on Challis and Bauer and she suggests leaving the natural buffer and not removing it and putting in new trees. She agrees with Commissioner Rauch's comments.

Ms. Debbie Netsel 5801 Ramblewood Court spoke to the large size of the homes being built on an acre lot with no buffers between them. Due to the cost of the homes, she does not see this as a benefit to the community.

Ms. Christine Cross of 6984 Challis is concerned about the fire entrance. How will there be assurance that the cul-de-sac won't be opened up and used by the residents. She would like the 100-foot buffer so that they do not cut down those trees. There will be an increase in traffic. She had to sit at the light at Grand River for five cycles today.

Ms. Kelly Rector of 6299 Challis Road stated estate size homes should not be put on  $\frac{3}{4}$  acre lots. There are no  $\frac{3}{4}$  acre lots that have wells and septic. They have loved the nature and the wetland and the trees on this property.

Mr. Evan Meffert of 6541 Grand Circle Drive spoke about the path last time and he likes what is being proposed. Access to that public pathway would be a priority. Traffic is an issue. He would like another traffic study. The main entrance to the proposed development is still too close to the Grand Circle entrance.

Ms. Michelle Vancleve of 6573 Grand Circle Drive asked if all of the 100-buffers are shown in yellow on the plan. Mr. Nole showed there is a 100 foot buffer where existing trees will be saved and additional trees are added. The rear setback is 75 feet so there will be a total of 235 feet from the back of the existing house to the back of the proposed house and 100 feet of it is preserved open space.

Ms. Jennifer Swint of 6518 Catalpa Drive asked if the Township Attorney had done a litigation search on Pulte Homes. They have an extensive history.

Ms. Bonnie Spicher of 5606 Mountain Road stated Pulte bought this land as two acres to put houses on. People do not move here for  $\frac{3}{4}$  acre lots. She has sold a lot of real estate in this town.

Sheila who lives on Grand Circle Drive asked about lighting for the development. Will there be streetlights and will there be restrictions on house lighting?

Ms. Deb Beattie stated that since two members of the Planning Commission are not present this evening, this should be tabled since they should be able to hear all that was said and they should be part of the decision.

The call to the public was closed at 8:35 pm.

Commissioner Rauch asked about the 100-foot buffers. Mr. Nole stated it is a requirement of the ordinance in the RPUD, cluster overlay. When abutting a public road or existing road, a 100 foot landscape buffer is required. There are no physical improvements above grade, after they clear the development area, such as where the roads, utilities, and house pad will be, they save as many trees as they can. Saving trees is what Pulte wants to do. It increases the cost of the lot and reduces their development costs. It will also include new landscaping plantings.

Commissioner McCreary asked if the petitioner would be able to tag trees that would remain. Mr. Nole stated they can do that and it would come with the final engineering. She is concerned with a road being built through the wetlands. She agrees with Commissioner Rauch in protecting them. She knows that homes need to be built, but they need to be the right fit. She noted that none of the homes have first-floor master bedrooms. Mr. Nole stated the plan they have developed is fully compliant with the Township's Master Plan. With regard to the wetland crossing, EGLE must approve a permit for this and they do in order to access an upland. She understands that, but the residents are very cognizant of wetlands.

Commissioner Rauch requested that the petitioner look at the seven lots and see if a private drive could be built with four lots or none at all. He is not in favor of these seven lots. He thanked the applicant for doing all of their work and having provided all of the information requested by the Township. He would also request that a new traffic study be done to include the 200 apartments that will be built on Dorr Road and Grand River. Mr. Nole stated that the traffic study includes future proposed development and it is still rated as an A.

Commissioner Rauch would like to see the sidewalk extend along the new route of Challis Road. He is not opposed to allowing wells and septic on these properties. If the Health Department approves them, then they would be appropriate. He would like to table this item and request the petitioner look at the seven lots.

Chairman Grajek appreciates the work that the petitioner has done. He is not in favor of private drives. He does not agree with Commissioner Rauch in removing the lots.

Commissioner Chouinard believes that any reduction in wetland impact is beneficial. He does not want to see the path built inside the 100-foot buffer along Challis Road.

Commissioner Rauch would like to eliminate the active recreational aspects, such as paths and boardwalks, in the open space in favor of expanding the pathway connection off site and

suggests adding 50 percent more landscaping around the detention pond and weighting them towards the adjacent properties.

**Moved** by Commissioner Rauch, supported by Commissioner McCreary, to postpone Public Hearing # 1 for a proposed 58-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road, to allow the petitioner to review the following items:

- The detention pond plantings to be increased by 50 percent and specific attention is paid to the plantings along the common property boundaries to the neighbors to the south.
- This commission would prefer to move forward with a plan that installs a sidewalk outside of the project boundary down to Bauer and Challis Road and work with the Livingston County Road Commission as to its location.
- The requirement for the active activity areas would be waived by this commission for protection of the wetlands on the west side of the property.
- The petitioner shall review the density of the currently designed properties numbered 13-19 to reduce that density so it meets the requirements of a private drive or to not develop at all.
- The petitioner shall, with their traffic engineer, ensure that the project on Dorr and GRA is included in the traffic study.

**The motion carried unanimously.**

## **OPEN PUBLIC HEARING #2... Consideration of Zoning Ordinance Text amendments to Article 11” General Provisions” of the Zoning Ordinance.**

### **A. Recommendation of Zoning Ordinance Amendment to Article 11 “General Provisions”**

Ms. Ruthig reviewed the proposed ordinance amendments. The State approved taking away control from local governments with regard to determining setbacks, heights, use requirements, etc. for solar and wind energy. The township is only allowed to determine where they can be placed.

The Planning Commission and staff discussed the proposed changes. Some typographical errors were noted and will be amended by staff.

The call to the public was opened at 9:26 pm with no response.

**Moved** by Commissioner Rassel, supported by Commissioner Chouinard, to recommend to the Township Board approval of the Zoning Ordinance Amendment to Article 11 “General Provisions” as it relates to Public Act 233. **The motion carried unanimously.**

ADMINISTRATIVE BUSINESS:

**Staff Report**

Ms. Ruthig reminded the commissioners that Monday's meeting will be at Parker Middle School.

**Approval of the November 12, 2024 Planning Commission meeting minutes**

**Moved** by Commissioner McCreary, seconded by Commissioner Rassel, to approve the minutes of the November 12, 2024 Planning Commission Meeting as presented. The motion carried unanimously.

**Member Discussion**

Chairman Grajek thanked Jeff Dhaenens for his leadership on the Planning Commission and his care of the community.

**Adjournment**

**Moved** by Commissioner Rassel, seconded by Commissioner McCreary, to adjourn the meeting at 9:33 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary



Hearing  
12/09/2024

1 GENOA CHARTER TOWNSHIP

2 PLANNING COMMISSION

3 PUBLIC HEARING

4 DECEMBER 9, 2024

5 MONDAY

6 6:30 P.M.

7  
8 APPEARANCES

9  
10 Chris Grajek, Chairperson  
Eric Rauch, Vice-Chairperson  
11 Marianne McCreary, Secretary, Zoning Board of  
Appeals liaison  
12 Bill Reiber, Board of Trustees liaison  
Greg Rassel  
13 Glynis McBain  
Tim Chouinard  
14  
15 Kelly VanMarter, AICP - Township Manager  
Amy Ruthig - Planning Director  
T. Joseph Seward - Township Attorney  
16 Brian V. Borden, AICP  
Shelby Byrne, P.E  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 CHAIRPERSON GRAJEK: At this time call  
2 this meeting to order. Call the meeting of the  
3 Genoa Charter Township Planning Commission meeting  
4 for December 9th, 2024 is called to order. Our  
5 first agenda item is Pledge of Allegiance. Would  
6 you please stand and join me.

7 (Pledge of Allegiance recited)

8 CHAIRPERSON GRAJEK: I'm going to ask  
9 to look for approval of tonight's agenda.

10 MR. RASSEL: Move approval of the  
11 agenda.

12 MR. REIBER: Support.

13 CHAIRPERSON GRAJEK: All in favor say  
14 aye.

15 THE BOARD: Aye.

16 CHAIRPERSON GRAJEK: Opposed? Hearing  
17 none, the agenda is approved. The next item is a  
18 Declaration of Conflict of Interest. If any of  
19 the commission members have a conflict of interest  
20 with the cases that will be heard this evening we  
21 ask at this time that you step forward and be  
22 recused for that particular case. Seeing none,  
23 I'll close that and go to the first call to the  
24 public. First call is a call for anything that is  
25 not on the agenda this evening. So if you want to

1 speak on an issues outside of the items that will  
2 be talked about tonight, you may step forward at  
3 this time. Seeing none, we'll bring it back up  
4 front and we will start with the first case. Open  
5 Public Hearing #1. Consideration of a rezoning  
6 application, PUD agreement, impact assessment,  
7 and PUD conceptual plan to rezone 7.44 acres from  
8 Country Estates (CE) to ICPUD (Interchange  
9 Commercial Planned Unit Development). The  
10 property is located on the east side of Latson  
11 Road, between Beck Road and the CSX Rail line.  
12 The request is petitioned by Todd Wyett. And you  
13 guys are on. Please step forward. Please state  
14 your name and anybody with you.

15 MR. STRADER: I'm Brad Strader, the  
16 planner for Cincar Consulting. And the rest of  
17 the team, I'll kind of introduce them. Alan  
18 Greene from Dykema. Introduce yourself.

19 MR. LORD: Eric Lord, Atwell.

20 MR. STRADER: We also have with is this  
21 evening is Todd Wyett and then Jared Kime, who's  
22 also from Atwell.

23 CHAIRPERSON GRAJEK: Thank you. Go  
24 ahead.

25 MR. STRADER: Go to the next slide

1 here. Again, I'm Brad Strader from Cincar  
2 Consulting. We also have Julie Kroll from Fleis &  
3 VandenBrink to do the traffic study on this  
4 project. And this is just an outline of what  
5 we're going to be covering. You've seen a lot of  
6 the details before and we've reviewed letters. So  
7 we had a public hearing. We had comments from the  
8 public and Planning Commission made the changes.  
9 We had two sets of letters from Tetra Tech and  
10 Safe Built, and we also had comments from Township  
11 administration and so we relayed those changes and  
12 resubmitted. So I'm just going to kind of quickly  
13 go through the reasons for the rezoning for this  
14 site, and the consistency with the Master Plan,  
15 then we'll go through kind of the high level  
16 details of the submittal that are listed here, and  
17 then kind of end with the Traffic Impact Study and  
18 mitigation of traffic.

19 So this is the site here, 7.7 acres.  
20 We are just south of Beck Road on Latson Road. We  
21 want to point out two things for the site. First  
22 of all, the property to the east of us is already  
23 zoned CPUD. There's already like a sign up there  
24 and so forth for the interchange sign and so  
25 forth. So east of us is already zoned PUD. And



1 the east of that there's single-family homes on  
2 Beck, and then there's a little scenic gravel  
3 lining, a pond and so forth. To the southern part  
4 of our site is a railroad. And then we're next to  
5 the new interchange at Latson Road and I-96. And  
6 then a configuration of the property, next to the  
7 railroad, next to the interchange and the noise of  
8 the interchange looking at mirroring the tech  
9 developments on the north side of the interchange,  
10 the site features and different factors we're  
11 proposing. And the reason for rezoning that this  
12 is just a logical place to have the commercial  
13 that we're requesting.

14 This is kind of an overview of the PUD  
15 and the 7.4 acres. You can see this aerial is  
16 taken out of the Master Plan. It shows kind of  
17 the area where we are, and we will be -- certainly  
18 the middle of the area would be commercial or PUD  
19 or office type uses.

20 **A couple of things that are unique**  
21 **about a PUD proposal rather than a straight**  
22 **rezoning, again, in response to comments from the**  
23 **Master Plan and the staff and Planning Commission**  
24 **is that we are restricting some of the uses that**  
25 **commercial rezoning would allow. We're only**

1 having access on Beck Road instead of access on  
2 Latson Road. That's consistent with the request  
3 of Livingston County Road Commission and the  
4 Township's Master Plan and we're increasing the  
5 buffers that are required. And made a lot of  
6 other improvements to the site design and we  
7 actually have site Design Guidelines that are over  
8 and above what would be required out of the zoning  
9 ordinance. So we think our request for commercial  
10 is consistent with the Master Plan and consistent  
11 with the character of the area that I just  
12 mentioned. And we think by adding PUD Agreement  
13 with standards and Design Guidelines that we're  
14 furthering the request of the township and the  
15 Master Plan.

16 The other thing we can do with a PUD  
17 you couldn't do with rezoning is having road  
18 improvements. Michigan law doesn't allow you to  
19 require road improvements. With a PUD we could  
20 offer to make the road improvements, which we've  
21 done.

22 We talked before about the Master Plan  
23 so we're okay. We've got a lot of details here,  
24 but again, PUD and uses that we are proposing are  
25 consistent with the Township's adopted Master Plan

1 and are consistent with the character of the area  
2 that is out there today and proposed in the Master  
3 Plan. And I mentioned the access along Beck Road  
4 instead of access on the Latson Road also is one  
5 of the requirements or recommendations that is in  
6 the Master Plan.

7 So we don't do a site plan as part of  
8 the PUD, but one of the requirements of a PUD is  
9 have a concept plan to show different uses and how  
10 they could be arranged, and that's what we have  
11 provided here is a concept plan, and concept plan  
12 just, it's a concept. It can vary, but this is  
13 part of the PUD Agreement that expresses what  
14 could happen on the site. So you can see here  
15 things that are articulated in the PUD Agreement  
16 access is only on the Beck Road and not on the  
17 Latson Road. We're going to make improvements to  
18 the intersection and then all the pathways within  
19 the development, and parking and so forth will all  
20 be coordinated. So while it could be developed  
21 with one use or multiple uses and multiple  
22 buildings can all be coordinated in this design.  
23 All the landscaping and building design and so  
24 forth will all be integrated into a unified  
25 building.



1           So one thing we talked about with the  
2 Planning Commission before were what are the uses  
3 that allowed, and this is a list on the left of  
4 the commercial uses that would be allowed in this,  
5 which includes all the uses shown here. But gas  
6 station is the most prominent use because that's  
7 where we had the most interest from different  
8 potential tenants or purchasers. But we also  
9 wanted to exclude certain uses that the Planning  
10 Commission or staff felt that while they're  
11 allowed in a commercial district, it really  
12 wouldn't be appropriate for this site because of  
13 traffic or location, or we didn't want to compete  
14 with commercial uses along with Grand River Ave  
15 and so forth. Our uses are really set up to be  
16 appropriate uses by the interchange and not  
17 compete with all the uses along Grand River or  
18 Latson and Grand River north of I-96. So these  
19 uses on the lower right, including some that we  
20 had proposed before like mini storage and  
21 different types of auto services but they're not  
22 prohibited. So if the PUD goes through and gets  
23 approved, the developers can come forward with  
24 applied by PUD Agreement and the Design Guidelines  
25 and they would be limited to just the uses in the

1 blue here and the uses that are in gray here will  
2 not be allowed, even though they would be allowed  
3 if you had a street rezoning.

4 And we've got sort of an elaborate set  
5 of Design Guidelines. This is just touching on  
6 them. We've made changes to these as well based  
7 on the last meeting. So we've got additional  
8 standards for lighting over and above what the  
9 township requires. All the signs would be cut. I  
10 believe it's shown on the lower right here,  
11 instead of standard of commercial signage. And  
12 then the architectural Design Guidelines, so it  
13 would all be integrated, would be consistent with  
14 the Design Guidelines that are established along  
15 with the landscaping. So this just highlights  
16 sort of the landscaping, the buffers, increase the  
17 size of the buffers over and above what would be  
18 allowed. And we have -- we're either meeting or  
19 exceeding the amount of landscaping within the  
20 site.

21 One of the things that the Township  
22 asks for is if there's a potential for this use to  
23 extend in the future, or there's a different  
24 reason in the future, the Township wanted us to  
25 have the ability to share access with the property

1 to the east. So we provided that future drive  
2 connection depending on the concept of where  
3 that's going to be, where that drive would go  
4 would be determined in the future. So there would  
5 be a connection drive within our site and the  
6 property to the east if that also develops as a  
7 PUD consistent with the Township Master Plan.  
8 With that use, it doesn't develop, or develops in  
9 a use that's not compatible with ours, we wouldn't  
10 have the road connection. That choice would be up  
11 to the Township.

12 I think utilities we covered before,  
13 but Eric's here to answer any questions. But  
14 there's already been a lot of investment made in  
15 the infrastructure to support this. And you can  
16 see from the drawings and you've seen the drawings  
17 before that utilities have been extended into the  
18 site and they're available for this site.

19 And then for traffic, this isn't like  
20 an intense Traffic Impact Study like the larger  
21 PUD that was proposed. This is sort of a sequence  
22 of things for traffic existing conditions, and  
23 used the Trip Generation Manual to see how many  
24 trips in the morning, evening, daily, when the  
25 different uses generate. And so gas station would



1 be one of the more intense uses that could go  
2 here. So the Traffic Impact Study used the gas  
3 station as part of the traffic study. And then so  
4 we take existing traffic, taking all the uses that  
5 would be allowed on the site and then combine that  
6 and evaluate future traffic.

7 So we had meetings with the Township  
8 and the Road Commission, made revisions to the  
9 Traffic Impact Study. Then we had a letter from  
10 Tetra Tech asking for additional information on  
11 the traffic study. We addressed everything that  
12 was in the Tetra Tech letter, we believe, and now  
13 they said -- their letter said there's no more  
14 issues in the traffic study. So this is sort of a  
15 synchro analysis that we provided before and was  
16 updated for this study. And basically this is a  
17 conclusion of the Traffic Impact Study that we  
18 would need some signal retiming. Part of that is  
19 based on the changes in the ramp traffic and so  
20 forth, but there would be adjustments to the  
21 signal timing, there would be left turn phasing  
22 because the gas station would generate if you're  
23 southbound on Latson, so left turns from the site  
24 would be the left turn arrow. So when you look at  
25 the buildup of traffic on Latson and so forth. So

1 that would be installed by Versa. They're timing  
2 would be worked with the Road Commission and  
3 install it with whatever the Road Commission says,  
4 and the timing is there. We've talked about maybe  
5 we could install it, it could be flashing until  
6 the Road Commission approves the signal timing. So  
7 we'll work with the Township and the County on the  
8 sequencing and timing of that.

9 And then another thing also we would  
10 provide pedestrian crossing of Latson Road to get  
11 to the pathway on the west side. So as part of  
12 the site plan approval we had determined where the  
13 sidewalks so on and so forth. We would have a  
14 pathway across Latson Road to get to the pathway  
15 that's on the west side of Latson Road. And  
16 that's in the Planning Development Agreement.  
17 It's part of the site plan and we will make those  
18 pedestrian improvements to meet the requirements  
19 of the Township and the Road Commission.

20 So that's an overview of the PUD  
21 Agreement. We're happy to answer any questions  
22 that the Planning Commission has or after you hear  
23 from the public, we can help answer any questions  
24 from the public.

25 CHAIRPERSON GRAJEK: Questions?

1 MR. BORDEN: Thanks, Mr. Chair,  
2 Honorable Commissioners. We good on audio back  
3 there? Awesome. Thanks, guys. Appreciate it.  
4 So, Mr. Chair, Honorable Commissioners, the  
5 Petitioner is in front of me this evening as noted  
6 for an ICPUD request on as an interchange  
7 commercial planning and development. There are  
8 four items that make up the total request. They  
9 include the rezoning from CE to ICPUD. The draft  
10 PUD Agreement, the Environmental Impact  
11 Assessment, and then lastly the conceptual PUD  
12 plan, which are all up for your consideration  
13 tonight. If you do wish to bring these to a  
14 conclusion this evening, all of them are up for  
15 recommendation. Ultimately, the Township Board  
16 does have final review and approval authority over  
17 all four of these components to the overall  
18 request.

19 With that being said, I will start to  
20 run through my review letter and, Mr. Chair, feel  
21 free to stop me at any point you have a question  
22 or you want some further explanation. So I will  
23 start with PUD qualifying conditions of section  
24 10.02 of the Township Zoning Ordinance. The first  
25 item that is up for discussion or further



1 consideration by the Commission is related to the  
2 minimum site area. Conventionally planned unit  
3 developments are provided 20 acres of site area.  
4 However, there are different instances where the  
5 Township may reduce that lot area. The request  
6 that's before you I believe is for just under  
7 seven and a half acres of land, and there is a  
8 specific statement in the ordinance as it relates  
9 to interchange commercial and campus PUDs. So in  
10 order for the Township to grant the site area  
11 reduction, the Township will need to find that the  
12 design elements of a proposed development are  
13 integrated into and consistent with the broader  
14 Master Plan and Latson Road Subarea Plan with  
15 compatible land uses, and that is a direct quote  
16 right from your zoning ordinance. So that's the  
17 first item you need to consider as it's related to  
18 qualifying conditions.

19 The second item that I want to bring up  
20 again consideration and further discussion  
21 potentially is that PUDs are to have access to  
22 public sewer and water. This particular site does  
23 have public water, but it does not currently have  
24 public sewer. As a result, the most recent  
25 proposal, the current one that you're considering

1 this evening does include a utilities agreement,  
2 which is intended to ensure the future  
3 construction of the sewer line to this particular  
4 site. Because this is sort of a secondary  
5 agreement, it's part of the overall PUD Agreement,  
6 but we want to make sure that any issue, any  
7 comments on that secondary agreement from either  
8 Township Attorney or Township staff have been  
9 addressed.

10 And then sort of piggybacking off of  
11 that comment because of the nature of the  
12 utilities as it relates to this project and the  
13 request, and the need for another utilities  
14 agreement, want to make sure that any comments or  
15 concerns raised by engineering or the director of  
16 utilities have also been addressed via that  
17 utilities agreement.

18 So that covers the qualifying  
19 conditions, Mr. Chair, so I'll move into the  
20 rezoning criteria, if that's okay?

21 CHAIRPERSON GRAJEK: Sure. Go ahead.

22 MR. BORDEN: Thank you. So the second  
23 part of my review is related to the rezoning  
24 criteria of the zoning ordinance. These standards  
25 were found in section 22.04 of the Township Zoning

1 Ordinance. Starting point is related to the  
2 Master Plan. So the request of ICPUD zoning is  
3 generally consistent with the future land use map  
4 including the I-96 Latson Road subarea plan and  
5 many of the goals of that subarea plan. I did put  
6 forth one specific comment and asked the  
7 Petitioner to respond, which they did in their  
8 revised submittal. And that is related to the  
9 objective of the under area plan that references  
10 the uses and the project essentially must  
11 complement and not duplicate the other commercial  
12 uses north of the site and along Grand River. So  
13 as long as the response from the Petitioner is to  
14 the Township's satisfaction as it relates to that  
15 particular item then, generally speaking, we think  
16 you can find that that standard is met.

17 There is a, as it relates to the  
18 natural features of the property, there's a small  
19 wetland area that was identified on site, though I  
20 don't believe it's regulated. This is just  
21 something we've carried forward from the initial  
22 review. We have encouraged the applicant to blend  
23 that wetland area into the ultimate site design if  
24 at all possible. Again, it's not regulated, it's  
25 not overly large, but I think we want to do our



1 best to help preserve that. I think it can be  
2 blended into site design. We would certainly want  
3 to see that.

4 As it relates to infrastructure, under  
5 the rezoning criteria, again, simply want to make  
6 sure that anything that's been provided to you  
7 from either engineering, utilities director or, in  
8 this instance, Brighton Area Fire Authority, we  
9 want to make sure that those have been addressed  
10 to your satisfaction as well.

11 And then lastly under the rezoning  
12 criteria, in order to implement the overall vision  
13 of the I-96 Latson Road subarea plan, we do find  
14 that rezoning is necessary to further implement  
15 that. However, I will reiterate my earlier point  
16 about uses that are complementary and not  
17 duplicative, and that ultimately being the  
18 Township meeting to make a finding that that is  
19 the case. That was a little joke, and I  
20 apologize. But same thing I said earlier, I want  
21 to make sure they're under that particular  
22 standard that the Township is satisfied with the  
23 response that's been put forth by the Petitioner.

24 And then lastly, Mr. Chair, the closing  
25 section of my review is related to the conceptual

1 PUD plan, which includes commentary on the PUD  
2 Agreement as well as the Design Guidelines. These  
3 standards are found in section 10.03.06. There is  
4 a one dimensional deviation was sought via this  
5 project. That is for the height of a potential  
6 hotel. So they have requested a 57 foot height  
7 max and four story height max for that particular  
8 use. All of the other uses within the project  
9 would default to the regional commercial  
10 designation in terms of the dimensional  
11 requirements. So that would include conventional  
12 height standards. The only item that is in need  
13 of a dimensional deviation would be the height for  
14 the hotel.

15 We had had some dialogue over the  
16 course of the previous reviews related to the  
17 potential gas station for this site. And  
18 ultimately the request that's put for you tonight,  
19 the last version that I reviewed did have the  
20 orientation that we were looking for. I mentioned  
21 this the last time we met on this, but more  
22 specifically, we had asked for the building itself  
23 to front Latson and for the fuel pump canopies to  
24 then sort of be less visible and be behind or to  
25 the east of the potential building if a gas

1 station was proposed there. Petitioner did  
2 acknowledge that comment. It did change the  
3 conceptual plan such that the fuel pump canopy  
4 would be to the rear or the side in this instance  
5 of the building to make it less prominent. But I  
6 did want to point out that in doing so, there is  
7 also rebuilt that was included in Design  
8 Guidelines that essentially referenced that it  
9 would be subject to final site plan review and  
10 that they might change that. So my commentary on  
11 that particular item is that I would like to see  
12 that be I guess permanent and not be something  
13 that's subject to change. That would be my  
14 suggestion. We've had discussions about this  
15 quite a bit with the staff and petitioner, and I  
16 do think that's an appropriate design layout for  
17 this particular site.

18 The concept plan also shows three  
19 driveway connections to Beck Road. We have asked  
20 them to reduce that to two. Again, this is just  
21 conceptual plan so nothing is finalized at this  
22 stage. However, we did ask that it be reduced to  
23 two in large part because gas stations have  
24 specific use requirements in the zoning ordinance  
25 that limit them to a single driveway. So in this



1 particular case, that gas station, if it were to  
2 meet conventional ordinance standards would only  
3 be allowed the one driveway. So based on my  
4 conversation with staff and with others, we  
5 believe that the site could function with two  
6 instead of three per cuts.

7 As noted by the Petitioner, they did  
8 provide an updated traffic study for this site.  
9 So I want to make sure that any items that have  
10 been identified by either Township engineering  
11 consultants or Livingston County Road Commission  
12 have been addressed as part of the review of the  
13 Traffic Impact Study. Again, I know some of this  
14 is redundant, but each of these are kind of their  
15 own individual component to the request, but we  
16 want to make sure that any comments that have been  
17 put forth by the utilities director have been  
18 addressed and we want to make sure that any  
19 comments put forth by Township staff and, of  
20 course, the Township Attorney especially as it  
21 relates to PUD Agreement and the utilities  
22 agreement, we want to make sure that anything  
23 presented to petitioner has been addressed.

24 And then, Mr. Chair, the two closing  
25 comments in my review letter actually were

1 addressed by the Petitioner so they presented some  
2 of this earlier. We had some dialogue at the end  
3 of last week after review letters had gone out.  
4 They did update the conceptual plan to incorporate  
5 the actual survey that they prepared for the  
6 property, so we do have the exact boundaries of  
7 the site now. And then there was just some  
8 confusion of the formatting of the PUD Agreement  
9 and the exhibits more specifically. So I had some  
10 commentary about some duplicate exhibits. Those  
11 were, in fact, not duplicates. The original  
12 exhibits are all part of the PUD Agreement. What  
13 I viewed and the way it was presented to me as  
14 duplicates were exhibits to the utilities  
15 agreement. So petitioner did send me the fully  
16 compiled PDF end of last week and did help to  
17 clear that up. So those comments in my review  
18 letter at this point I would consider those to be  
19 addressed. That's all I have at this time, Mr.  
20 Chair. I'm happy to take any questions you may  
21 have.

22 CHAIRPERSON GRAJEK: Thank you, Brian.  
23 I'll turn it over to Shelby now.

24 MS. BYRNE: So for mine, the site plan  
25 provided is conceptual so most of what I'm

1 reviewing is general nature. Future submittals we  
2 would see a lot more detail and a lot more entry  
3 and review on those details. For sanitary and  
4 waster services like were talked about, this site  
5 would require gravity sewer, a pump station and,  
6 of course, mainly to be served with sanitary  
7 service. If this is developed before the land to  
8 the west is developed, they would need to consider  
9 the full development on both sides of Latson Road  
10 for the sizing of these utilities. Also, since  
11 there is no direct access to sanitary sewer on the  
12 site, the Petitioner is proposing an amendment to  
13 the existing Utility Agreement with the Township.

14 For drainage and grading, there's a  
15 detention pond to the north of this site, and when  
16 it was designed by MDOT, they considered this site  
17 as part of their drainage area, and this site also  
18 drains to a county drain. So when we get to  
19 future submittals, the Petitioner will need to  
20 review their drainage plan with the Drain  
21 Commission and with MDOT to meet all their  
22 requirements.

23 And then lastly for traffic, we did  
24 provide quite a few comments in previous  
25 submittals, and the petitioner did address all



1 those comments, and we have no further traffic  
2 concerns -- or concern with the traffic study for  
3 this site. Thank you. That's all I have.

4 CHAIRPERSON GRAJEK: Thank you, Shelby.  
5 At this point, does anyone on the commission have  
6 any questions to start with?

7 MR. REIBER: I have some questions  
8 about the traffic study. Did that take into  
9 consideration the railroad crossing?

10 MR. STRADER: Yes.

11 MR. REIBER: Because I've been there.  
12 Sometimes that train really backs up for a while.  
13 And then showed a traffic signal at the  
14 interchange back on Latson Road the left turn  
15 light. I just wanted to make sure that that was  
16 considered.

17 MR. STRADER: That was one of the  
18 reasons probably the Township had in their plan  
19 not to have access onto Beck Road because of the  
20 potential backup with it at the crossing. So  
21 that's one reason that all that access is off Beck  
22 Road, and then the traffic signal would relieve  
23 any congestion around the Beck Road intersection.

24 MR. REIBER: Shelby, you made the  
25 comment about the west side of Latson Road being

1 developed before the east side. Is that still in  
2 place? There's got to be substantial development  
3 on the west side before anything happens on the  
4 east side?

5 MS. BYRNE: So my comment's just on  
6 utilities. If they were to develop this site  
7 before the site to the west, they had to do all  
8 the sewer permits that the west side needed just  
9 to serve this site. I don't know all the  
10 specifics on your other question. So my comment  
11 was on just the sanitary sewer. Since this site,  
12 if it developed before the west side, I'm not  
13 saying it would, I have no clue, know the order of  
14 that, but it needs to have sewer service. It  
15 would need all of the sewer permits that were  
16 previously proposed for the west side, the west  
17 side of Latson Road, to be complete to tie into.  
18 So that includes a gravity sewer, a pump station  
19 and forced main that that would tie into the  
20 northwest corner of the other Latson PUD where  
21 there's an existing forced main stub. So this  
22 site doesn't -- when they brought over forced  
23 main, it went to the other PUD across Latson Road  
24 with a forced main stub with the idea that that  
25 site would develop with a gravity sewer that would

1 go to a central pump station and it would pump  
2 that forced main. This site on the east side of  
3 Latson Road does not have direct access to that  
4 forced main because it's on a different parcel.  
5 So they would need to build all of that  
6 infrastructure, the gravity, the pump station and  
7 the forced main to then get to that forced main  
8 stub as on the south side of I-96.

9 CHAIRPERSON GRAJEK: Is that your  
10 understanding?

11 MR. LORD: Yeah, it is. So, you know,  
12 what Shelby was saying, the utilities brought to  
13 under the highway sanitary sewers brought under  
14 the highway, west, kind of like the west side,  
15 Innovation Interchange site. So the sewer is  
16 there for us to tie into realizing that there was  
17 no utility south of the highway. So this whole  
18 area is part of a Master Plan of utilities to  
19 provide sewer and water to the area. Part of that  
20 Master Plan is going to require a pump station,  
21 and the timing of that is going to be part of what  
22 the design as part of this sort of greater  
23 interchange development area to ensure that  
24 utilities will be available to this and for  
25 Innovation Interchange, that's why we entered into



1 the utility agreement that ensures that to then  
2 binds us to in solving that construction.

3 CHAIRPERSON GRAJEK: Any other  
4 questions?

5 MS. McCREARY: I have a couple  
6 questions. There was a slide up here that was  
7 showing that he would have access to the adjacent  
8 parcel to the east of this for future  
9 considerations. It would be through the middle of  
10 the lot is displayed that they even grant access  
11 there, is that correct?

12 MR. STRADER: This is just a concept of  
13 where we go. We would make whatever the  
14 restaurant or office, whatever goes there, with  
15 that site plan, we would either build a stub or  
16 make like an easement or something, or they could  
17 have a floating easement and they could be moved  
18 depending on what would happen to the east. So  
19 we'll make an accommodation to extend either build  
20 up to the property line or have an easement,  
21 either a particular location or a floating  
22 easement so we could connect it to the future,  
23 whether it be Versa or a different user in the  
24 future.

25 MS. McCREARY: I also have a question

1 regarding the PUD Agreement, a couple of them,  
2 actually. So my understanding is the presentation  
3 of this is that this specific parcel is a  
4 standalone ICPUD, correct? And Brian had  
5 intimated earlier about some language that was in  
6 the PUD Agreement. As I was reading through this,  
7 I was bouncing back and forth. It feels like  
8 we're melding the PUDs together. I was having a  
9 hard time defining what is specific to this and  
10 what is specific to the western portion. It felt  
11 to me like it was blending together and I didn't  
12 feel like there was clear a distinction that this  
13 property is its own entity. And it does give some  
14 historical perspective as to how this has been  
15 created, but I was very confused.

16 MR. GREENE: Maybe I can answer that.  
17 Everything in this PUD relates only to this  
18 property. The context of referring to the other  
19 one was to indicate that the various Design  
20 Guidelines that are part of this PUD Agreement  
21 were drafted in such a way to be compatible with  
22 the existing PUD Agreement. This is it's the same  
23 kind of quality, architectural details so that you  
24 have these two PUDs but they're indeed the same  
25 kind of quality and design. But everything in

1 that PUD Agreement only governs this property and  
2 not any other property.

3 MS. McCREARY: Okay. The next question  
4 I had is there's a clear statement that this is to  
5 be complementary and not compete with the  
6 properties to the north of 96. And I looked at a  
7 lot of the uses in this, and none of the uses are  
8 north of 96, coffee shops, drive-in restaurants.  
9 There's a number of identified uses that I see.  
10 We don't want to infringe upon the ability of  
11 other businesses that are already, you know, there  
12 and operating to take away from that. I see an  
13 understanding that potentially this would be a  
14 smart place for some, some of these, but I've  
15 struggled with the fact that they were competing.

16 MR. GREENE: Maybe I could explain that  
17 to you because this is really something that the  
18 Township did. In other words, this isn't just a  
19 PUD with use that we picked, you know, just out of  
20 the blue. There is a zoning district that you  
21 created to be this ICPUD zoning district and it  
22 was designed by the Township to have uses that --  
23 I mean some of them could be the same. I mean  
24 they could complementary, coffee shop her and a  
25 shop half mile away, but uses that we were -- that



1 we used are the uses that the township identified  
2 in this specific ICPUD district not to compete,  
3 and what we did then, the reason they're listed  
4 separately in the PUD Agreement is that we went  
5 through those uses and we eliminated uses that are  
6 allowed but with the Township didn't really want  
7 in this location. So that's why we listed the  
8 uses. But there is no use that we have asked for  
9 in this PUD Agreement that is not actually listed  
10 as a use permitted in the ICPUD district in the  
11 zoning ordinance.

12 MR. STRADER: We looked at the site and  
13 all the factors around it like the railroad, the  
14 interchange next to PUD site, it's only 7.4 acres.  
15 So what happened north of 96 was developed mostly  
16 with 20 acre, 40 acre, 80 acre 100 plus acre big  
17 parcels, multiple users, a whole different animal  
18 than this small seven and a half acre commercial.  
19 So it's not competing with those big uses. The  
20 gas station use, which is probably the most likely  
21 use here is primarily appealing to I-96 traffic.  
22 So it comes off 96 and gets off the interchange  
23 and goes to the gas station, continues on verses  
24 coming Latson Road, go to multiple businesses  
25 including gas stations that a whole host of other

1 uses. We don't know what the other use might be.  
2 It could be office because there's some appeal,  
3 could be a restaurant and so forth. We talked  
4 about that before. But I think it would be very  
5 distinct from commercial that is north of 96. It  
6 was developed in a much bigger scale.

7 CHAIRPERSON GRAJEK: So when you're  
8 talking about this, I'm looking at the concept  
9 plan. You've got a gas station and you've got a  
10 restaurant, those are both items that you said you  
11 wouldn't duplicate, if I'm not mistaken.

12 MR. STRADER: Gas station, restaurant,  
13 could be an office. We had different concepts of  
14 office.

15 CHAIRPERSON GRAJEK: You're saying the  
16 big box, big property, multi-tenant is not  
17 something, but the smaller.

18 MR. STRADER: So it's similar to maybe  
19 the outbuildings, so it's similar to maybe the  
20 outbuildings but not the major uses of most of the  
21 development happening along Grand River.

22 CHAIRPERSON GRAJEK: I think that could  
23 be a little bit clear than what Marianne was  
24 saying because the first thing I saw when I was  
25 looking through this, be similar to what's north

1 of 96 and there have a gas station and a  
2 restaurant.

3 MR. STRADER: I think the intent from  
4 the Planning Commission was Grand River, not  
5 mirror what's on the other side of the interchange  
6 but not to be complementary what's on Grand River,  
7 not compete with what's on Grand River. And the  
8 Planning Commission mentioned there's vacancies and  
9 so forth so the uses here would not be competing  
10 with most of the uses that are along the Grand  
11 River corridor. It would be similar to the uses  
12 on the north side of the interchange but not the  
13 predominance of the uses on the north side of  
14 I-96.

15 MR. RAUCH: Mr. Chair, I'd like to  
16 stick on this subject a little bit. I'd like to  
17 build off of what Marianne shared. Page 13, it is  
18 your letter dated September 27, 2024. And one of  
19 the conditions for rezoning, one of the questions  
20 asked is whether the proposed uses are compatible  
21 with the surrounding uses. How you respond to  
22 that question as described in detail the uses  
23 allowed in the ICPUD district are compatible with  
24 the surrounding zoning and land influences. Land  
25 to the east is zoned ICPUD. Land to the south is



1 zoned CAPUD. The property is sandwiched between  
2 railroad tracks and public streets in close  
3 proximity to the a busy highway interchange. The  
4 Township itself considered all these factors. I  
5 appreciate the exercise in understanding the  
6 localized zoning around that property, but the  
7 question posed is whether the proposed uses are  
8 compatible with the surrounding uses. So I'd love  
9 to understand how the Petitioner believes that the  
10 proposed uses are compatible with the existing  
11 surrounding uses specifically those south of I-96  
12 not north of I-96.

13 MR. STRADER: So one of uses is the  
14 interchange so we're compatible with that  
15 interchange area. And, you know, the Township  
16 made the same conclusion when you adopted your  
17 Master Plan.

18 MR. RAUCH: I wouldn't stretch that far  
19 in regards to that. And the land use is, in this  
20 instance the adjacent land use as you know are  
21 currently residential.

22 MR. GREENE: It is residential in  
23 adjacent uses. As we said, the property to the  
24 east of this area -- sorry. West of this area is  
25 vacant land, but it's already zoned for the same

1 uses. So you can put those kind of uses there.  
2 That's what it's zoned for. The property itself  
3 is railroad tracks and is zoned for high tech  
4 commercial, and that's what's going to go there.  
5 The property on the other side of the road is also  
6 for high tech industrial property. You need to  
7 look at the fact that it's surrounded by vacant  
8 lands that are all zoned for business use, not  
9 residential use. And it's also sandwiched. When  
10 I say sandwiched between seven acres bordering two  
11 main public roads. They held property on the  
12 other side of the zone same way that we are  
13 seeking here and then you've got railroad tracks.  
14 This is not a country estate property. No one's  
15 going to develop country estates. Zoning is  
16 inappropriate which is why you master planned it  
17 for this other use.

18 And you've done something more  
19 interesting too. Normally you would come in and  
20 just seek a rezoning to a business use or whatever  
21 that would be appropriate and compatible, but you  
22 have designated this property to be a PUD.  
23 Normally you come in for a PUD, it's more of a  
24 discretionary voluntary type of thing. You've  
25 zoned this property. You've master planned for

1 this particular zoning so that gives you the  
2 discretion about how you're going to be able to  
3 integrate all the things we just talked about to  
4 make it a compatible development to require  
5 improvements on public roads, to require  
6 dedication of right-of-way, to require wider  
7 landscape buffers, and that's what we've done.

8 So I just disagree with your comment  
9 about the surrounding uses. Everything  
10 surrounding us would not indicate this is a  
11 residential property. It's exactly like we've  
12 plan. And what you've told us what we should do  
13 on the property.

14 MEMBER RAUCH: What's the width of  
15 right-of-way for the railroad tracks? 40 feet?  
16 50 feet? It's pretty small.

17 MR. LORD: Something like that.

18 MR. GREENE: That property is zoned for

19 --

20 MEMBER RAUCH: I understand how it's  
21 zoned. I'm saying its current use. This exercise  
22 was to describe its surrounding land uses, not its  
23 surrounding zoning, which we're all very familiar  
24 with.

25 MR. GREENE: Okay. Fine. Great.



1 Understood.

2 MR. REIBER: One of your opening slides  
3 the need for this, we've office space, we've got  
4 hotels, we've got restaurants we've got gas  
5 stations kitty corner.

6 MR. STRADER: The interest right now  
7 has been on gas station or gas station tied to  
8 retail, restaurants, those type of uses. This  
9 site fits the criteria for that type of use, so  
10 that's been the main interest by development  
11 community.

12 MR. RAUCH: I understand it's allowed,  
13 it's permitted special permit gas station, so I  
14 was just asking about the need.

15 MR. GREENE: We did submit with our  
16 package originally a letter of intent we have for  
17 the gas station. We actually have a user for the  
18 gas station. So if we were to get approval for  
19 the PUD, then we would then be coming in formal  
20 site plan. The next step talked about for the gas  
21 station. And, in fact, the items that have just  
22 been raised by your planning consultant the  
23 location of the pump. The pumps those are things  
24 we have to run by the gas station user. There's  
25 lots of technical issues about where the trucks

1 come in, how you have access, you don't interfere  
2 with the cars, that sort of thing. So although I  
3 don't think we're required at all to actually say  
4 that we have a user for a particular property. We  
5 have a right to use our property for something.  
6 So we did give you a Letter of Intent, a signed  
7 Letter of Intent with a third party that is  
8 prepared to do the gas station on this property.

9 MR. STRADER: The Sunoco, they appeal  
10 to people that are on Grand River Avenue. The  
11 interchanges appeal to different clientele, more  
12 of the through traffic on I-96. Most of the  
13 interchanges along 96 there's a gas station or  
14 multiple gas stations at those interchanges. The  
15 need is really I think more related to I-96  
16 traffic and not Grand River, not competing with  
17 the traffic on Grand River, gas stations.

18 MR. REIBER: There's USA 2 Go  
19 kitty-corner with the gas station right off of  
20 I-96. There's a Panda Express right across the  
21 street. There's a hotel right next door. All I  
22 did was ask about the need.

23 MR. STRADER: Those are the uses that  
24 want to be neck to the interchange.

25 CHAIRPERSON GRAJEK: At this point I

1 think I'll open up to the first call to public.

2 Do you we have cards tonight?

3 MS. VANMARTER: We do, Mr. Chair.

4 CHAIRPERSON GRAJEK: Are you going to  
5 read the cards?

6 MS. VANMARTER: So what I intend to do  
7 is I'll read the name of the first card and then  
8 I'll give the name of the person that's coming  
9 next. Deb Beattie, 3109 Pineview Trail. Followed  
10 by Linda Bookman.

11 MS. BEATTIE: So as to the duplicate  
12 uses as one of the Planning Commissioners  
13 mentioned, we have all of those things, the gas  
14 station, fast-food and hotel. You could walk from  
15 this property to those right across the road.  
16 Preserving the wetland is obviously important, and  
17 anything that is done there should take that into  
18 consideration.

19 But let's go back to the CE zoning.  
20 For somebody to say no one would put a home on a  
21 CE zoned property, you can't say that. You don't  
22 know. There's no crystal ball here. That would  
23 be a nice piece of property possibly for a home, a  
24 barn, horse, whatever somebody wanted. And what  
25 the gentlemen that were sitting here said about



1 that property, it does look like it was made for  
2 drainage from the E-way. It looks very low.  
3 Whenever you're driving by you look across the  
4 road, it sits very low like it's dug deep. The  
5 trees come down from way below and come up. So  
6 what you'd be talking about is trying to fill that  
7 land. I'm guessing our water is going to run into  
8 it, and then you're going to be displacing that  
9 water. And it is residential whether you want to  
10 admit it or not. And per developer's own  
11 documentation the water does go southeast, and as  
12 you can see, those are all homes there.

13 As for a gas station, that has got to  
14 be out of the question. You've got underground  
15 storage. And if you read research about gas  
16 stations, it's often not if they are going to  
17 leak, it is when. And you're talking about  
18 everybody below there, I think it's over 40% of  
19 actually the state is on well water. So we don't  
20 want to create that possibility of damaging  
21 people's wells. Like I said, the underground  
22 storage is an issue drainage is an issue, traffic  
23 signal and railroad track.

24 You know, for us to drive this every  
25 day, that seems to be an issue. Okay. My time's

1 up. Thank you.

2 MS. VANMARTER: Linda Beyer 2627

3 Chilson Road followed by Max Romero, 223 North  
4 Michigan Avenue. Linda Beyer.

5 MS. BEYER: Hello everybody. Can you  
6 all here me? First if all, I second everything  
7 that was just said before. Beyond that, I'm the  
8 one that last time talked about the concept of a  
9 restaurant village. Restaurant village, social  
10 district, single use, no gas station, something  
11 like that would be really compatible with almost  
12 anything else that was built in this whole area.  
13 And it's not a duplicate of anything else that we  
14 have. Gas stations are a dime a dozen, and  
15 anybody driving down the freeway can figure out  
16 where to get to a gas station, and that usage I  
17 think is just really crazy. So I would encourage  
18 you to look at this as part of a big picture,  
19 which I'm sure you are. Lots of residential, you  
20 know, the possibility of more dense residential  
21 just south of the railroad tracks. All of what  
22 you're talking about gas stations we don't need.  
23 Any other -- well, not any other usage, but other  
24 usages which would appeal to the local residents.  
25 We don't have to pull people off the freeway at

1 this interchange. The one before, the one after,  
2 plenty of services for people driving down the  
3 freeway. This needs to be a bigger picture, a  
4 grander vision. It needs to be the part of, the  
5 beautiful part of Genoa Township that's going to  
6 appeal to everybody that lives here. That's  
7 really all I have to say. Definite no on the gas  
8 station. A little creativity here could go a long  
9 way. Thank you.

10 MS. VANMARTER: Next is Max Romero, 223  
11 North Michigan Avenue, followed by Tracey Pardiac.

12 MR. ROMERO: Hi there. I would like to  
13 pose just a few questions for the commission.

14 CHAIRPERSON GRAJEK: This is not a the  
15 questioning portion.

16 MR. ROMERO: Well, you guys can answer  
17 in your own time. You don't have to answer me  
18 directly, necessarily. But if there is further  
19 discussion later, maybe this is something to  
20 consider is if, you know, justification for what's  
21 around this is determinative whether this is going  
22 to be approved or not. It appears that the  
23 strategy of the developer is eating the elephant  
24 one bite at a time type strategy here. They have  
25 an ambition to obviously do office parks and



1 hotels, restaurants, probably more gas stations.  
2 They never go up just one at a time. So my  
3 question is, what does a development like this  
4 justify? Do we really think that this is going to  
5 be -- there's any chance that this becomes  
6 residential after they put a USA 2 Go there? Beck  
7 Road doesn't go anywhere. So what are they going  
8 to build over there that justifies a restaurant  
9 here and a large gas station?

10 My other question is, you know, how  
11 much vacant land does Genoa Township already have  
12 and the surrounding Howell area? Are we certain  
13 that we want to continue to develop our virgin  
14 land when we already have plenty of vacant areas.  
15 The reason why the developer wants to develop  
16 virgin land is because it's cheaper for them, but  
17 it's definitely not better for the people that  
18 live here. I've seen this developer's previous  
19 developments. If the developers like Versa had  
20 their way, we would be no different than Wixom or  
21 Novi where they have already put buildings. I  
22 grew up here and I definitely don't want to see  
23 Howell or Brighton or any of Livingston County  
24 become this urban sprawl that I see in other parts  
25 of the state. So thank you for your time. I

1 would just hope you guys consider some of these  
2 questions about what their motives are with this  
3 amendment or application, or whatever you call it,  
4 and what your part could be in potentially  
5 changing what happens here going forward. So  
6 thank you.

7 MS. VANMARTER: Next is Tracey Pardiak,  
8 4312 Rurik, followed by Mary Jane.

9 MS. PARDIAC: Good evening. It is  
10 resoundingly clear that the residents of Genoa  
11 Township do not want any of this, hence, why the  
12 entire board was replaced last month. More than  
13 9,000 people voted to change the supervisor, and  
14 more than 8,000 people voted to change the  
15 trustees and the clerk. That was the will of the  
16 people as their voices were heard. The only  
17 person who wants this is Mr. Wyatt. He did not  
18 come to our town and ask himself what he could  
19 bring to the table that could make our town  
20 better. He only asked himself how he could make  
21 the most money. They even admitted tonight that a  
22 gas station is primarily appealing to I-96  
23 traffic. That doesn't do anything to improve the  
24 lives of the people who live here. Hell, at a  
25 recent meeting with Township officials, he

1 actually said he's doing this because it's fun and  
2 he wants to get back in the game.

3 When he showed up purportedly uninvited  
4 to a recent coalition meeting, one of the  
5 attendees asked him a question about why, like why  
6 this. Why did you decide to do this. And his  
7 smarmy response was, because I can do what I want.  
8 That's a direct quote. Because I can do what I  
9 want.

10 In that same meeting with Township  
11 officials, he also indicated he's no longer  
12 satisfied with the 200,000 square foot warehouse  
13 you granted him despite the zoning ordinance  
14 restriction of 40,000 square feet, he's going to  
15 come back and ask you to bump it up to 500,000  
16 square feet. I guess when you think you can do  
17 whatever you want and what's good for the people  
18 who live in the area you are destroying is of  
19 absolutely no concern to you, audacity comes  
20 pretty easily.

21 I would also like to point out the  
22 public responses from the Livingston County Master  
23 Plan workshop in May. They want to leave green  
24 spaces, they want to keep south of I-96  
25 residential and agricultural. Only 2% of all of



1 Livingston County attendees wanted more  
2 manufacturing and development with 53% of the  
3 attendees wanted open space and land preservation.  
4 Nobody wants this except the guy who's doing it  
5 just for fun because he thinks he can do whatever  
6 he wants. Tell him he's wrong.

7 MS. VANMARTER: Mary Jane Hebert of  
8 6899 Lyle Lane, followed by Diane Hoskins.

9 MS. HEBERT: So section 10.02.  
10 Qualifying Conditions for the PUD. For the  
11 minimum site area for the 20 acres of contiguous  
12 land, and the interchange of Commercial Campus PUD  
13 the Township may waive the for minimum lot area  
14 when the designed elements of the proposed  
15 development are integrated into and consistent  
16 with the broader Master Plan Latson Road area plan  
17 with compatible land uses. How can it be  
18 integrated with anything when there's nothing  
19 known on what's going to be on the west side. The  
20 developers coming in to put this floating island  
21 of this little PUD when the other side is unknown.  
22 So how does it complement any part of this subarea  
23 for Master Plan when we don't know what's going in  
24 yet. They just want this little piece in just to  
25 get a foothold, to get -- to start building in

1 this area. Is this acceptable? It doesn't -- it  
2 doesn't follow 10.02.03 of the Genoa zoning  
3 ordinances. How does this get approved when it  
4 doesn't follow the ordinance. My question. Thank  
5 you.

6 MS. VANMARTER: Next is Diane Hoskins  
7 4166 Sweet Road followed by Deb Towles.

8 MS. HOSKINS: Good evening. I'm going  
9 to give you the emotional issue that maybe hasn't  
10 come out in some of the things. I live on Sweet  
11 Road and I will have a clear view through my ten  
12 acres of your gas station, your hotel, your  
13 traffic. I mean it's like going to destroy our  
14 property value and everyone around us, and the  
15 charm of living on Sweet Road or some of the other  
16 roads, it's gone. It will be gone. If we try and  
17 sell our house and this is up, we will lose.  
18 We've been there 42 years. So we have a lot of  
19 equity. But so you, yeah. I would love you to  
20 reconsider.

21 The rezoning was supposed to originally  
22 be for employees and visitors to the interchange  
23 PUD development west of Latson, which does not  
24 exist. The PUD I thought was expired because  
25 there's no existing development on that side. I

1 remember when on the east side there was a  
2 gentlemen who had a big huge farm house and  
3 barnyard and horses, and back then, and I don't  
4 know when this all started, his property was  
5 bought. They bulldozed his barn. He'd been a  
6 resident there as long as I had and before. They  
7 just -- they leveled it, and that's the area that  
8 you're talking but on the east side of developing,  
9 and it's just sad.

10 I think everything else that I was  
11 going to say has kind of been said, and I just  
12 think who said a foothold is exactly what you're  
13 going after. Thank you.

14 MS. VANMARTER: Next is Deb Towles of  
15 4210 Pineview Trail, followed by Denise  
16 Pollicella.

17 MS. TOWLES: That's 3210 Pineview  
18 Trail. I'd like to share with you some of the  
19 coalition's oppositions to this PUD application,  
20 and then a few thoughts of my own. Other than the  
21 land suitability that I'm going to list below, the  
22 applicant does not answer any of the required  
23 items related to the compatibility of all  
24 potential uses with surrounding uses, which has  
25 been addressed.



1 He also ignores the fact that two of  
2 the surrounding area's uses are residential, both  
3 east and south. The compatibility of all  
4 potential uses with surrounding uses in terms of  
5 land suitability, there are two nonregulated  
6 wetlands in the Master Plan on this area. As we  
7 all know, water seeks the lowest level. There are  
8 residential wells very close to there. I have  
9 concern for their contamination, the impacts on  
10 the environment, the density that this is going to  
11 change with regard to that area.

12 The nature of the use has been  
13 addressed, especially with regard to whether it is  
14 going to be competitive or complementary to the  
15 areas around it. He talks about it being  
16 complementary to the railroad and interchange. We  
17 want it to serve the people of Genoa Township. We  
18 don't want it to serve the interchange and people  
19 passing through necessarily. I mean we want it to  
20 be of service to us.

21 And also the fact that the railroad  
22 happens to go through there, we don't -- there are  
23 no actual uses right in the Latson area of  
24 railcars loading and unloading to suggest that  
25 that is a use that's already there or we should

1 develop that use. It is not complementary. The  
2 aesthetics of how it would look, the  
3 infrastructure, the potential influence on  
4 property values, we all know that. This will have  
5 an immense impact on the property values. My time  
6 is up so I won't go further, but thank you.

7 MS. VANMARTER: Next is Denise  
8 Pollicella at 4200 Sweet Road, followed by Colleen  
9 Quinn.

10 MS. POLLICELLA: Denise Pollicella,  
11 4200 Sweet Road. When I met with the developer  
12 and I asked him just to work with us to make sure  
13 that his development was compatible with our  
14 surrounding uses, which are residential. He told  
15 me, I don't live in a residential area, I live in  
16 an industrial district next to the expressway.  
17 Get used to it.

18 Railroad tracks. That's what's  
19 apparently that road ends at the railroad tracks  
20 south of this development. It's residential.  
21 Every single one of the properties south of the  
22 railroad tracks is residential, and it's going to  
23 stay residential. Sweet Road is not part of the  
24 beauty. Our homes are there.

25 The Genoa township Zoning Ordinance

1 section 10.02 requires that all new PUDs provide  
2 one of five different benefits, none of which the  
3 developer even proposes in his application.

4 Preservation of significant natural or historical  
5 features; complementary mixture of uses or a  
6 variety of housing types; common open space for  
7 passive or active recreational use; mitigation to  
8 offset impacts; or, redevelopment of a  
9 nonconforming site. This is not nonconforming.

10 There are no significant natural or historic  
11 features apparently. There's no complementary mix  
12 of uses. There's no variety of housing types.  
13 There's no passive or active recreational use and  
14 there's no mitigation. He doesn't meet the basic  
15 criteria set forth in the zoning ordinance to have  
16 a PUD.

17 I'm not sure why it wasn't mentioned by  
18 anybody, but he didn't even get to part one. Part  
19 one is PUD five benefits, meet one of them. He  
20 doesn't do it.

21 To the extent he wishes to argue that  
22 the PUD provides complementary uses, I think we've  
23 discussed that ad nauseam that it doesn't. It's  
24 not addressed. And I would argue that there's  
25 nothing about a gas station or a drive-thru



1 fast-food restaurant that's remarkable or new or  
2 complementary. I will table this until he comes  
3 back with something better. Thank you.

4 MS. VANMARTER: Next is Colleen Quinn  
5 of 4042 Brookstone Court followed by Ben Tasich.

6 MS. QUINN: Good evening. I want to  
7 first say that I agree with all the comments so  
8 far. There's just no denying that this should be  
9 rejected. This application assumes that the  
10 Latson PUD is still valid and unexpired when it  
11 is, in fact, expired. So the applicant is relying  
12 upon an unexpired conditional community  
13 application for its assertion that this parcel is  
14 compatible with surrounding uses. This should not  
15 be assumed.

16 The applicant does not answer or  
17 address the majority of questions required to be  
18 answered prior to consideration of the rezoning  
19 request under Genoa Township Ordinance 22.04.  
20 This site does not qualify for an exemption from  
21 the minimum 20 acre size because it's not  
22 currently served by the public sewer. The stated  
23 purpose of the rezoning of this parcel is for the  
24 use of the employees and visitors interchange PUD  
25 development west of Latson, which does not exist,

1 both because the PUD is expired and because  
2 there's no existing development there.

3 This was the Township Planner's  
4 position at the last public hearing on the PUD  
5 amendment to include this parcel and that position  
6 still applies. Knowing that the stated and  
7 intended use as a gas station, the applicant does  
8 not address environmental risk to the watershed,  
9 light, noise or impact on property values. In  
10 other words, the developer applicant is using the  
11 excuse that he is not a gas station to answer  
12 these questions so he can get the rezoning in  
13 place despite the fact that he has an LOI in place  
14 for the sale of the property to a gas station and  
15 then the gas station will step in with approved  
16 zoning and will not be obliged to answer these  
17 questions because there will be a permitted use in  
18 the ICPUD. This is a circumvention for the  
19 purpose of the rezoning process.

20 Again, we have a beautiful area. We  
21 want to make it unique and distinct, not another  
22 gas station and a fast-food restaurant. Thank  
23 you.

24 MS. VANMARTER: Next is Ben Tasich at  
25 3492 Lakewood Shores Drive followed by Stephanie

1 Prout.

2 MR. TASICH: Good evening. My name is  
3 Ben Tasich. I live at 3492 Lakewood Shores Drive,  
4 a few miles away from here. I'm categorically  
5 opposed to this site development south of I-96. I  
6 believe in progress and change, but it needs to  
7 blend with the existing community and the natural  
8 environment. I look forward to the development of  
9 this area as long as it doesn't adversely affect  
10 the people that have lived here for generations.  
11 How about building a senior residential center for  
12 Livingston County residents. Let's not replicate  
13 on what is presently north of I-96. Be creative  
14 and be community oriented. We're fortunate that  
15 you're interested in developing and growing our  
16 community. What you're presenting, it's all about  
17 money. It's not about people and whose lives  
18 you're going to affect drastically.

19 And speaking of compatibility, if you  
20 look north of I-96, I don't think south of 96  
21 should look like the north of 96, nor does the  
22 environment and the people that live there want  
23 it. Thank you.

24 MS. VANMARTER: Next is Stephanie Prout  
25 at 4400 Brighton Road followed by Evelyn Malloy.



1 MS. PROUT: Hello everyone. I wanted  
2 to come in tonight to say that I do not think this  
3 parcel should be rezoned at this time. I do not  
4 think we need an additional gas station as there  
5 are several north of the freeway. As the  
6 Petitioner stated, this gas station is not  
7 intended to serve the residents of Genoa Township  
8 but rather people passing through, and therefore,  
9 they've even stated it's not needed by our own  
10 residents. I'd rather see the use of this piece  
11 of land go toward a potential train station in the  
12 future due to its proximity to the train line. If  
13 a passenger train was ever to be implemented on  
14 that railway, I think that would be a much better  
15 use of the space. Thank you.

16 MS. VANMARTER: Next is Evelyn Malloy,  
17 10915 Arbour Drive followed by Andrew Kimball.

18 MS. MALLOY: I spoke once before to  
19 this body on a different occasion because of my  
20 knowledge of zoning and planning. If this  
21 property is to be considered for rezoning to a  
22 PUD, there has to be justification for that. My  
23 background in zoning, it's a variation away from  
24 your Master Plan and away from your zoning  
25 ordinance, both of which give you an obligation to

1 the community. If this property doesn't meet or  
2 this proposal doesn't meet any one of the five  
3 requirements for consideration as a PUD, I don't  
4 see why you're even looking at it.

5 Also, I keep hearing different members  
6 refer to buffering. You're calling things  
7 landscaping a buffer. Yes, a landscaping can be a  
8 buffer between two properties, not between two  
9 uses. The buffering that is referred to in zoning  
10 is density of use. So in order of density you  
11 have single family, then multifamily. Perhaps  
12 something like what was referred to before,  
13 seniors housing. They go to office uses, office  
14 uses of different densities. You have to go into  
15 considering how much traffic each kind of office  
16 is going to generate, and things like that. I  
17 haven't seen any consideration being given to  
18 density of use as a buffer between residential and  
19 other uses.

20 It is never about financial  
21 considerations. It is never about the most  
22 profitable use of the piece of land. Zoning is  
23 always about protecting the residents. That is  
24 the whole reason for it. You also have to  
25 consider the drainage, the direction of flow, the

1 destination where that water is going to land. If  
2 it's going to land in residential, you'd better  
3 look at how your infrastructure is going to be  
4 designed, and I think you need to give that a  
5 long-term consideration before you even decide on  
6 what kind of uses you're going to approve for the  
7 property. I've got more to say, but I've reached  
8 my limit.

9 MS. VANMARTER: So next and the final  
10 card that I have is Andrew Kimball of 1039 East  
11 Davis Road.

12 MR. KIMBALL: Hi. Good evening. Their  
13 request is twofold to both ratify the original PUD  
14 that's been expired multiple years now and to add  
15 on acreage to the original destruction of rural  
16 estates and farming. Please do not approve this  
17 rezoning and erode the nature beauty of our Genoa  
18 Township.

19 Wyatt's team said that many potential  
20 customers show interest in another gas station. I  
21 have a few questions to this. Is the current  
22 station kitty-corner ever full? What about the  
23 one just up the road in Grand River? Is it ever  
24 full? What about the two just down east and west  
25 of there? I've never seen a line at any of these



1 stations on my daily commute.

2 Secondly, do we want another station  
3 selling overpriced gas in Howell, one of the most  
4 expensive cities in the state. No one wants to  
5 get gas. It's 30 cents more expensive.

6 Thirdly, is the eyesore of a gas  
7 station the first thing you want to see when you  
8 get off the interstate and make your way towards  
9 home? It's not for me. You turn north for that,  
10 not south.

11 Last but not least, the additional  
12 chemicals of fuel storage and vehicle runoff would  
13 drain into known wetlands and natural woods. Once  
14 destroyed, we will never ever get those wetlands  
15 back. And downstream of those and very short  
16 distance are multiple wells that we cannot hurt  
17 because if there's families that rely on those  
18 wells for their drinking water.

19 Wyett's team mentioned they are not  
20 competing with uses along Grand River, yet admits  
21 to multiple vacancies along Grand River Avenue,  
22 said that just today. Why build when you have  
23 these vacancies already. Let's fill those first  
24 and not destroy the new land.

25 Approving this potentially opens doors

1 to another stretch that another industrial  
2 commercial complex that becomes the next Novi and  
3 Telegraph Road, and none of us living here wants  
4 to live on Novi or Telegraph Road. Thank you.

5 MS. VANMARTER: Mr. Chair, I don't have  
6 any additional cards.

7 CHAIRPERSON GRAJEK: All right. Thank  
8 you. At this point then I'll bring it back up  
9 front and call to the public has been closed. Are  
10 there any other questions?

11 MEMBER RAUCH: I want to take a moment  
12 just to acknowledge something. I think it says  
13 something about a community when this many people  
14 show up to participate in this process. I know  
15 that all of you could have been somewhere  
16 completely different on a Monday night, and this  
17 may be the last place you want to be, but chose to  
18 do it because you care about this community. And  
19 that's the type of community I want to live in.  
20 That's the kind of community I want to be a part  
21 of. I'm proud to do that. So thank you for  
22 coming out.

23 And I also want to acknowledge the  
24 Petitioner has put in a tremendous amount of  
25 effort, and time, and cost as described already

1 into this project right to be at this point here  
2 this evening. And so I want to make sure that  
3 that goes with it's knowledge as well that we see  
4 that. I want to make sure you guys know, we see  
5 that.

6 For me, as I kind of step back and  
7 listen to the comments, you know, we talk about  
8 the wetlands and adjacent uses and all those  
9 things, as I kind of take a look at this from  
10 40,000 feet, I ask this commission to think about  
11 that this will be only I believe by my count the  
12 third commercial piece of property south of I-96,  
13 and I'm counting Mt. Brighton and Jonna's Market  
14 is the only two existing commercial properties  
15 currently south of I-96. And our community is  
16 largely kind of intersected with a lateral line  
17 with I-96, and commercial has been established  
18 north and largely residential open space to south.  
19 So I think that creates a way to our decision  
20 tonight that we should consider pretty  
21 significantly.

22 I've been a part of this Planning  
23 Commission for over a decade. I've been a part of  
24 the development community since 2002. In that  
25 time, I've seen significant years where there was



1 exponential growth, and communities make decisions  
2 in that exponential growth to try to plan for a  
3 future ahead. It's not lost on me that we're  
4 standing in a building that was built because of  
5 forecasted population growth and then it sat  
6 vacant for I believe seven years.

7           And so I communicate that to say I  
8 think everyone, the Township, the community, the  
9 audience, everyone is doing the best they can with  
10 the information they have at the time, but  
11 information changes over time. And in this  
12 particular instance, for me, I'm prepared to make  
13 a motion to deny this request tonight. The reason  
14 is I believe there is a future somewhere down the  
15 line where development on the south side of 96  
16 will be a part of the future of Genoa Township. I  
17 do not believe that that moment is now. And I  
18 think there is significant work to be done in  
19 redevelopment and attention to be done north of 96  
20 to make sure that we're putting our best foot  
21 forward in the commercial properties that we have  
22 already. And I also see some qualifying  
23 conditions for this request tonight from both the  
24 rezoning, the PUD that's on our back. So my  
25 motion would be based off of those qualifying

1 conditions. So that's where I'm at right now with  
2 the information I've heard.

3 Under the PUD section 10.02 I would  
4 just state that this commission does not find that  
5 the surrounding land uses are compatible with the  
6 request here this evening. The current  
7 surrounding land uses are not compatible. That  
8 this property does not currently have direct  
9 access to sewer. That the ordinance requires 20  
10 acre minimums, and that this specific piece of  
11 property is seven. And specifically, and I think  
12 this is -- I think the community did a great job  
13 pointing this out, section 10.02.04, there's five  
14 standards outlined for qualifying as a PUD. In  
15 this particular instance, I also don't see where  
16 those five standards are met. Preservation of  
17 significant natural or historic features; a  
18 complementary mixture of uses and a variety of  
19 housing types; common open space for passive or  
20 recreational activities; mitigation to offset  
21 impacts, and redevelopment of a nonconforming  
22 site. I don't think that those -- any of those  
23 five are met in this particular instance.

24 So to me, this does come back to a  
25 timing perspective thinking back on the entirety

1 of the PUD discussed ten years ago. It wasn't in  
2 my estimation designed or intended to be done in a  
3 way where it was kind of very individualized  
4 piecemealed along. It was meant to be thought  
5 through holistically. And although we see design  
6 elements and streetlights and sidewalk thought  
7 through in those regards, in the absence of a big  
8 user that we understand will be research and  
9 development, be something that would be an  
10 incredible feature for our community that we would  
11 agree that this is true. I think we're putting  
12 the cart before the horse in allowing this new  
13 development.

14 CHAIRPERSON GRAJEK: Okay. Well, with  
15 that said, we have to understand that the  
16 applicant came into -- purchased this property  
17 because it was meant to be and was going to be  
18 through the Master Plan industrial commercial. He  
19 bought the property with that understanding. He  
20 came in and spent a lot of money. They went  
21 through and they came to us and we rezoned the top  
22 of the property. We have a PUD in place but this  
23 is nothing more than changing the zoning on a  
24 particular piece of property that's within that  
25 group that's already been zoned PUD. So with that



1 in mind, I struggle with what we're talking about  
2 because we to this point led to a degree the  
3 individuals that are talking about and going  
4 forward with this development, and we've misled  
5 them. If we now say, well, we don't want to do it  
6 right now, we'll do it later.

7 MEMBER RAUCH: Yeah, Mr. Chair, I  
8 respect that comment a lot, I really do, and  
9 empathize with that. I would offer, though, that  
10 the real estate development industry is a  
11 speculative industry. And so when information  
12 changes over time what you foreshadow at one  
13 moment in time years ago maybe things didn't grow  
14 as expected and I think we should take that into  
15 consideration as well.

16 CHAIRPERSON GRAJEK: Thank you, Eric.  
17 Any other discussion up front.

18 MS. McBAIN: I have more kind of a  
19 question than a discussion on the planners  
20 perspective, if people thought I wasn't listening  
21 to them, I apologize. I was doing quite a bit of  
22 research to double-check something that I didn't  
23 think about before as I prepared to come here.  
24 When I look at the Master Plan, the future Master  
25 Plan that's in or Master Plan, this area appears

1 to be designated as interchange commercial. And  
2 when I go to look at our zoning, and I'm kind of  
3 asking Brian to confirm if I'm wrong in this  
4 statement, I'm sorry I'm bouncing all over.  
5 Chris, forgive me. But when I go to look at the  
6 zoning for that that was provided under the  
7 zoning, when I look at the zoning when it breaks  
8 down the commercial, it's broken down to CAPUD and  
9 ICPUD. And so that tells me that that gives the  
10 Planning Commission and the Township the  
11 opportunity to assess whether we want that  
12 property to be zoned as ICPUD or CAPUD. And when  
13 I look at the document that was actually provided  
14 by the Petitioner, I'm trying to find it while I'm  
15 talking, oh, there it is, under Section 10, it  
16 specifically states the ICPUD what the uses are.  
17 It includes things such as gas stations and  
18 hotels. But the CAPUD was designed specifically  
19 to minimize traffic and congestion as we enter  
20 into residential areas. And that is, in fact, why  
21 the bulk of that area is already zoned CAPUD  
22 because we wanted to minimize that traffic as we  
23 ease out of a very highly congested area crossing  
24 over the expressway and then past the railroad  
25 tracks into more of a -- more of a less trafficked

1 area as we go back into the more rural aspect of  
2 our Township.

3 And so I think we have an opportunity  
4 to step back and ask ourselves, do we want this to  
5 be, I'm not sure when CB is the right place, but I  
6 think there is opportunity to relook at whether  
7 CAPD is a better rezoning classification for this  
8 and I think it would be worth taking our time to  
9 do that.

10 MEMBER RAUCH: Mr. Chair, I'd like to  
11 recommend to the Township Board that the  
12 consideration rezoning application for -- we'll do  
13 each of these separately. So the consideration of  
14 the rezoning application for the 7.44 acres from  
15 country estates, the ICPUD be denied for the  
16 following reasons: That the criteria set forth in  
17 the section 22.04 of the Township Zoning ordinance  
18 are not met. Specifically that this Commission  
19 finds that that the proposed uses duplicates and  
20 does not complement the existing uses and adjacent  
21 areas, and that the sewer access is not  
22 immediately available at this time, but will have  
23 to be extended due to speculative areas and sizing  
24 of that at this point would be unknown. And that  
25 the ordinance requires that that would be PUD --

1 I'm sorry that for that rezoning.

2 CHAIRPERSON GRAJEK: Any discussion?

3 MR. RASSEL: I'll second the motion.

4 CHAIRPERSON GRAJEK: Hearing no other  
5 discussion, all those in favor say aye.

6 THE BOARD: Aye.

7 CHAIRPERSON GRAJEK: Those opposed?

8 MR. STRADER: Nay.

9 MR. RAUCH: Mr. Chair, I'd like to  
10 recommend to the Township Board the denial of the  
11 PUD Agreement specific -- one second.  
12 Specifically that the qualifying conditions of  
13 Section 10.02.04 have not been met. Specific as  
14 well that this Commission does not find the height  
15 deviation requested for Section 10.03.06 to be  
16 acceptable. That the compatible surrounding land  
17 uses are not in conformance with the proposed  
18 uses, no sewer currently directly -- directly  
19 servicing the property, and also the ordinance  
20 requires 20 acres, and that's only a 7.44. That's  
21 my motion.

22 MR. RASSEL: Second.

23 CHAIRPERSON GRAJEK: Any discussion?

24 All those in favor say aye?

25 THE BOARD: Aye.



1 CHAIRPERSON GRAJEK: Opposed say nay.  
2 Nay.

3 MR. RAUCH: Mr. Chair, I'd like to  
4 recommend to the Township Board the denial of the  
5 Environmental Impact Assessment dated September 27  
6 of 2024. That's my motion.

7 MR. RASSEL: Second.

8 CHAIRPERSON GRAJEK: All those in favor  
9 say aye.

10 THE BOARD: Aye.

11 CHAIRPERSON GRAJEK: Those opposed say  
12 nay. Nay.

13 MR. RAUCH: And lastly, Mr. Chair, I'd  
14 like to recommend to the Township Board denial of  
15 the Conceptual PUD dated November 13, 2024.

16 MS. McBAIN: Support.

17 CHAIRPERSON GRAJEK: All those in favor  
18 say aye.

19 THE BOARD: Aye.

20 CHAIRPERSON GRAJEK: Opposed nay. Nay.

21 All right. Move on to our second case  
22 this evening. Consideration of an environmental  
23 impact assessment and site plan for a 200-  
24 foot private road and entry signage for the  
25 Innovation Interchange Development. The proposed

1 road and signage are located on the west side of  
2 S. Latson Road, between the CSX Rail line and  
3 Clover Bend Court. The request is petitioned by  
4 Todd Wyatt. The floor is yours.

5 MR. LORD: So just a brief run through  
6 of this proposal here. This picture you see right  
7 here is the Innovation Interchange sign, you may  
8 see that off the expressway now. So Phase 1 of  
9 this project is what we're proposing here today.  
10 And really what this is going to accomplish for us  
11 is it's going to allow us to clean out the  
12 frontage of Latson Road here. There's some  
13 existing homes that are there, driveways, things  
14 that weren't able to clean up. It really creates  
15 the entrance drive here for Innovation Drive.  
16 It's going to allow us a marketing window into the  
17 site. Any combination with the sign that was put  
18 up, the goal is to generate interest in activity  
19 here. This road location is in the same spot that  
20 you will see in the approved PUD in terms of our  
21 concept plan that we showed. So the location has  
22 been in accordance with that approved PUD. That  
23 entrance drive location has been submitted to the  
24 Road Commission and got approval from the Road  
25 Commission, so it meets all our sight distance

1 criteria, everything there. And again, you can  
2 see what this allows us to do with with regard to  
3 removing some of the buildings and driveways that  
4 are there and really create our entrance into the  
5 site.

6 And just as a reminder, this is the  
7 concept plan that was shown, shows a concept of  
8 how this drive into and through the sight could  
9 progress as this industrial park gets developed.  
10 So the location you see on Latson Road on this  
11 plan matches with the location I showed on the  
12 previous slide. That's it. Very brief. Very  
13 simple plan. Any questions you might have.

14 CHAIRPERSON GRAJEK: I'll turn it over  
15 to the planner. Go ahead, Brian.

16 MR. BORDEN: Thanks again, Mr. Chair.  
17 Okay. Procedurally there are two items that arise  
18 this request before the Commission tonight, the  
19 first being the Environmental Impact Assessment,  
20 the second being the actual site plan itself.  
21 Procedurally these are in front of the Commission  
22 for recommendations to the Township Board. The  
23 Township Board has the final approval authority  
24 over both components of the request. That being  
25 said, Mr. Chair, I will jump into my review

1 letter. So I did put forth comments. Most of  
2 them are related to Section 15.05 of the Township  
3 Zoning Ordinance, so these are the provisions for  
4 the roadway construction. Most of the details  
5 will defer to Shelby, however, I do have a handful  
6 of comments as relates to those standards. And  
7 I've also put forth a few more general comments  
8 that are related or at least tied back to the PUD  
9 Agreement for this particular project.

10 So that being said, the first item  
11 under 15.05 is whether the road should be  
12 considered for a private road as opposed to  
13 public. I do believe there are conditions present  
14 that warrant consideration of this being a private  
15 road. I do believe that is always the intent, at  
16 least in terms of going back to the initial PUD  
17 reviews, so I don't find any issues with that.

18 As I mentioned at the outset, most of  
19 the technical comments are going to be deferred to  
20 Shelby, the Township Engineer. However, we also  
21 have a private road easement and maintenance  
22 agreement as part of this request, and that is  
23 something that I will look to staff as well as  
24 Township attorney to look for comments on.

25 I put in a suggestion here. Because of



1 the nature of the request, this is really just a  
2 stub road to sort of start the process. My  
3 biggest concern being that the Township ends up  
4 with a 2,300 foot stub road to nowhere and then  
5 there's no development that follows. I know  
6 that's obviously not the Petitioner's intent, but  
7 that being said, that is a concern, and I think  
8 that we should have provisions within the  
9 Agreement that ensure completion of the full  
10 roadway system as is depicted in the approved PUD.  
11 I would like to just see something that sort of  
12 cements that in.

13 If the Commission, and ultimately the  
14 Board, do consider favorable action, Road  
15 Commission approval should be included as a  
16 condition to such action. Again, anything that  
17 the Township engineer puts forth from a technical  
18 design standpoint needs to be addressed. Same  
19 goes for the Brighton Area Fire Authority. I  
20 believe they got to review the well, so certainly  
21 gives their comments.

22 The next one is, again, more of my  
23 commentary, and this is related to the project  
24 phasing. So again, this is identified as Phase 1  
25 of the project. This is the Phase 1 site plan for

1 this area. And there wasn't a lot of the detail  
2 put forth for sort of the future phases. The  
3 applicant -- we did request additional  
4 information. We did request additional drawings,  
5 so to speak. The applicant put forth a response  
6 to that request. So I did cite from the ordinance  
7 related to project phasing for the Commissions  
8 consideration in the review letter. Ultimately,  
9 you will need to decide if you believe their  
10 response is adequate as it relates to enough  
11 information related to project phasing.

12 There are also some site improvements  
13 that are required by the PUD Agreement. So I did  
14 note, I broke them up into two separate categories  
15 so there are a few items that I think warrant some  
16 additional information with respect to the Phase 1  
17 site plan specifically as well because this is the  
18 construction of a road, so there are a number of  
19 items that I cited in the current agreement  
20 related to road improvements and making sure that  
21 ultimately this is done in a logical manner in  
22 terms of its planning and ultimate development.  
23 And then I did also identify a number of  
24 additional items. Those are more related to  
25 future phases and/or ultimately the first site

1 plan for building because of how the PUD Agreement  
2 was drafted. So those really are necessary for  
3 consideration with this Phase 1 the way it's been  
4 proposed, but I did incorporate them and retained  
5 them in the review letter to make sure the  
6 Commission has an understanding of where this  
7 would need to go moving forward. That's all I  
8 have at this time, Mr. Chair.

9 CHAIRPERSON GRAJEK: Thanks, Brian.  
10 Shelby.

11 MS. BYRNE: Okay. So I have a few  
12 things on this one. First, just generally, the  
13 PUD Agreement notes that the development will  
14 include attractive and landscaped site  
15 entrance with decorative light fixtures as part of  
16 their site entrance features. The Petitioner has  
17 noted that these will all be included as part of  
18 the first construction phase.

19 Additionally, the site plan shows  
20 overhead and electrical lines near the end of the  
21 proposed private road and Petitioner noted these  
22 would be addressed as part of Phase 2.

23 For drainage and grading. The  
24 Petitioner is providing a temporary sedimentation  
25 basin rather than like a larger based. I found

1 this to be acceptable but it would need to be  
2 removed in future phases.

3 For the private roadway, I think Brian  
4 said this, the Road Commission would be doing the  
5 approval and there has been preliminary approval  
6 obtained from the Road Commission. Any future  
7 approvals would need to be provided to the  
8 Township for their records. And if more detailed  
9 construction plans are provided for this portion  
10 of the private drive, that would need to be  
11 submitted to the Township.

12 And then two other things. The PUD  
13 Agreement also states that walking and bike  
14 pathways will be installed around the development  
15 area that provides access to the Latson Road  
16 pathway system. None of the pathways adjacent to  
17 the private road have been provided at this time.  
18 It's assumed that they would be in future phases.

19 And then lastly, the Traffic Impact  
20 Study that was completed as part of the PUD did  
21 recommend exclusive left, through, and exclusive  
22 right. Obviously the through lane wouldn't be  
23 used right now since there's no driveway across  
24 the road from Latson. And a traffic could be  
25 accommodated in the future. They did show the



1 southbound right turn lane would be required by  
2 the Traffic Impact Study, so that was added. And  
3 that's all I have.

4 CHAIRPERSON GRAJEK: Thank you, Shelby.  
5 Any discussion up front?

6 MEMBER RAUCH: Yeah. Through the  
7 Petitioner. I just wanted to understand clearly  
8 why build a driveway without a user proposed?

9 MR. LORD: Well, what we're looking to  
10 do is really clean up that frontage and begin that  
11 drive. That requires us to look for a site, which  
12 is what we have in front of you here. It's an  
13 opportunity for us to market the site, to ready  
14 the site and make it marketable. And we plan to  
15 follow along with a development here for the first  
16 phase. It doesn't make sense to put sidewalks in  
17 and those kind of things at this time. We will,  
18 it's committed that we're going to do that when  
19 that first building comes in. If we put it in now  
20 it's just going to get destroyed. So this is  
21 really our opportunity to market the site. This  
22 has to go in a thoughtful way. I'm not going to  
23 design that drive to come in, all the way into the  
24 side, it just starts to take away our flexibility  
25 for the users that might come in. But we're just

1 trying to position the site, get things moving,  
2 and that requires us to come up with the site  
3 plan.

4 MEMBER RAUCH: Is there a risk that a  
5 potential user that the driveway you're requesting  
6 tonight wouldn't work for a potential user?

7 MR. LORD: No, because geometrically,  
8 this is all in course of the traffic study. It's  
9 a three lane road. That's exactly what our  
10 traffic study shows once we have a full build out  
11 here. It's going to comply with the traffic  
12 signal. It's going to be three lanes so that  
13 there's going to be a left turn lane there, and  
14 that will become a left and a through when such  
15 time the development across the street gets built  
16 so that those drives line up.

17 So everything is in accordance with the  
18 traffic study. So again, we're not taking this so  
19 far into the site where we start to lose that  
20 flexibility.

21 MR. RAUCH: I appreciate that. It's  
22 our goal up here we are to look out for the  
23 health, safety and public welfare of the community  
24 at large. It does concern me really for the  
25 better part of five years already we've been

1 having conversations about this property in more  
2 robust ways, and still, when I drive by, there's  
3 nothing that's changed in five years. My concern  
4 is that building a driveway like this five years  
5 from now we would just have a driveway to nowhere.  
6 And so as it stands this evening, I'm struggling  
7 understanding why we would support this.

8 MR. GREENE: Can I respond as well?  
9 You have, and maybe you don't, I don't know the  
10 order of it, but we have submitted the Phase 2  
11 building that's being reviewed by your staff right  
12 now, which is going to be the first building  
13 sitting on this road. In order for us to even  
14 market that Phase 2 building, we needed to show  
15 the plans. They want to know where their access  
16 is and are they going to be able to have their  
17 building there, is it going to be done timely. So  
18 we need to get that road in. And doing, as you  
19 said, doing the minimum we need to do to get far  
20 enough back, you know, so we can deal with the  
21 first users. After that, the configuration of the  
22 road could change. You have a big user that takes  
23 a lot of land that you would need a full  
24 configuration, you could have smaller users that  
25 will need the full configuration. And everybody

1 has learned particularly on a big site is that  
2 they do it in pieces and phases like this, as  
3 opposed to going in and just building the whole  
4 road, doing a whole loop and raking the entire  
5 site on the if come that will be fully developed  
6 within two years, or five years, or 20 years. No  
7 one does that anymore.

8 I mean so, you know, the PUD gives us  
9 the right to do that. We consulted with the  
10 Township staff months ago on the issue about  
11 submitted a road plan, is that an appropriate  
12 phase, and we were told it was, and it's been  
13 reviewed as such. So it's not a road developed  
14 there, it's exactly where we're supposed to put  
15 it. We ran it by the Road Commission on the  
16 configuration, location, size. We got the name  
17 approved for it. We wouldn't build it if we  
18 didn't think that the investment was worth it.  
19 And as I said, we've got a Phase 2 site plan  
20 already submitted that's under review that will  
21 use that road as access. So we need to get going  
22 on that road in order to be able to deliver the  
23 site plan eventually, assuming you guys approve  
24 it. That's the issue. It's not a road to  
25 nowhere.



1 MEMBER RAUCH: Thank you for that.  
2 It's not at that stage yet, we're aware of that,  
3 but thank you for that. Why not just submit it as  
4 a part of that request so that all things can be  
5 considered at one time. At this time, I'm seeing  
6 a 200 foot long road to nowhere. That doesn't  
7 feel comfortable.

8 MR. GREENE: The road though is fully  
9 consistent with the plan conceptually and the road  
10 that we're proposing to be approved is the same  
11 road that is going to be used for the Phase 2  
12 building that we're proposing. So the road is  
13 going to be -- we need to know that we have the  
14 road and the users of the building need to know  
15 that we have the road. There's no reason not to  
16 do it because we can get going constructing that  
17 road and be in a position to deliver the site to  
18 the user. People want -- when you're trying to  
19 attract users to a property, they want to know  
20 that they can be on it, that they can get it.  
21 That's why rezoning is important. When we go and  
22 you try to take a piece of property like the one  
23 we just talked about in the last round that's  
24 Master Planned for a use, it's not zoned for that  
25 use. And it's almost impossible for you to go and

1 market that property and get a user because users  
2 say, when are you going to be able to deliver the  
3 property. When are we going to be able to move  
4 our business in there. And so we're at the stage  
5 now, the utilities took a long time. Only  
6 finished the utilities less than two years ago at  
7 substantial time and expense. We're ready to move  
8 forward and we need to show the users that this is  
9 a real development and we're prepared to move  
10 forward quickly to make the sites available. So  
11 that was the basis of the road, of doing it.

12 MR. LORD: If I could just add to that  
13 too. Just keep in mind that when you propose a  
14 site plan for building and a parking lot, coming  
15 with that are the utilities. Utilities require  
16 permits. It's a longer process to get back on  
17 again and start. We can't start construction on  
18 that building until we have all those permits and  
19 approvals in the end. So our ability to get this  
20 site ready to be marketed for not just that one,  
21 but subsequent ones. It's a timing thing.

22 MR. RAUCH: Thank you for sharing that.  
23 Definitely struggling with the idea of supporting  
24 the entryway to a project and a property we've not  
25 seen yet to give them more confidence to move

1 forward. I don't know what user that is. If this  
2 was a subdivision. You wouldn't just necessarily  
3 build an entry without a bunch of lots. To me it  
4 does feel like you're putting the cart before the  
5 horse. I'm just one person up here. I'm just  
6 sharing my struggle as I see it tonight.

7 MR. GREENE: It's different from a  
8 subdivision in a sense, but not totally unlike it,  
9 because if you were a big subdivision, the first  
10 thing you would do is put in enough infrastructure  
11 to build a couple models. You want to build in  
12 the entrance, you want to get the models up. And  
13 I've done tons of residential developments, and  
14 you put in the models before utilities are fully  
15 in because that's how you're going to stimulate  
16 the interest. That's how you get the customers in  
17 there to build. You don't want us to build out a  
18 whole road system because what happened in the  
19 recession the last time is there were developments  
20 out there, they put in, they graded the land, they  
21 put in roads, and then they went belly up and they  
22 sat there as vacant roads for a long time. That's  
23 why we're putting in a limited amount. I  
24 understand what you're saying. What happens if  
25 you don't do anything with it. You got this stub

1 road in there that in a worst case scenario, we're  
2 not there because we're going forward with this  
3 development. We have a lot of investment in it.  
4 But a worst case scenario you've done a limited  
5 stub road, you can always shut it down and get rid  
6 of it. We're cutting out the end of driveways,  
7 we're cleaning up the sites, we're putting in an  
8 attractive entrance. We're doing exactly what the  
9 concept plan showed and the traffic study  
10 beforehand so we can get going on this project.

11 MEMBER RAUCH: Like I said, I  
12 appreciate what you're saying. I just cannot  
13 think of another development in my 22 years in  
14 this community where we've accommodated your  
15 request tonight.

16 MS. McCREARY: I have a couple  
17 questions. There's reference in one of the slides  
18 that there's three homes that front Latson Road.  
19 Those are all being taken down, is that correct?

20 MR. LORD: That's correct.

21 MS. McCREARY: So I saw, Mr. Lord, in  
22 your packet that only two of those are being taken  
23 down. So is there something missing? Is there  
24 one that's farther back where the stub is or  
25 aren't they all on Latson Road?



1 MR. LORD: Those homes are there. What  
2 you see on the screen is what's proposed.

3 MS. McCREARY: I have to echo  
4 Commissioner Rauch's sentiment. When I looked at  
5 this and I saw a road to nowhere, I thought, okay,  
6 what are we looking at. There's 187 acres here  
7 and the portion if what they're talking about,  
8 which I don't know if that's entirely Phase 1, or  
9 this is part of Phase 1. We've already talked  
10 about Phase 2. We have no idea what Phase 2 looks  
11 like. But that's seven acres of 187 that's being  
12 taken up by a stub road, and it looks like the  
13 northern portion is just landscaping, and the  
14 southern portion is the southern portion. I'm  
15 having trouble visualizing the configuration  
16 framework, what's going in there. I understand,  
17 you know, you need that to be able to start  
18 proposing what you're building there but what I  
19 don't know what that configuration looks like. It  
20 doesn't seem to be that there's any blending or  
21 framework to know what's happening.

22 CHAIRPERSON GRAJEK: Amy, the Phase 2,  
23 we're looking at that, or the Township is look at  
24 it, the staff is?

25 MS. RUTHIG: Yes. It was received last

1 week of Thanksgiving.

2 CHAIRPERSON GRAJEK: Okay. And when  
3 will it come before the Commission?

4 MS. RUTHIG: I believe the February  
5 meeting.

6 CHAIRPERSON GRAJEK: I understand.  
7 You're preaching to the choir, but I understanding  
8 what you're talking about. The ultimate goal is  
9 for you to do your development based on approved  
10 items. Phase 2 is going to be trouble so they  
11 tabled that till we could propose them together.

12 MR. LORD: At best case what you're  
13 proposing would be tying this to a February  
14 meeting which would be the first Planning  
15 Commission meeting for a site plan, which would  
16 then start the process. So now by the time you  
17 get through that process and then start with our  
18 engineering, now you're showing you get all your  
19 permits and approvals in before the end of the  
20 year, before the end of the season.

21 MR. GREENE: The site plan is a more  
22 sensitive process involving the building and  
23 parking and utilities and bringing the sewer in  
24 from the other side of the property, and we did  
25 accommodate these folks by having the road in

1 there. The road is exactly where it's supposed to  
2 be, and where we presented it in the PUD and where  
3 we reviewed it with the Road Commission and in the  
4 concept plan presented as part of the PUD.

5 I'm struggling as you're struggling  
6 that this seems to be so common for a large  
7 development like this, I don't understand the  
8 concern about that. Particularly we have made a  
9 representation, I think your staff has indicated,  
10 that there is a plan. The plan is in that  
11 location for a building. That's going to take a  
12 year. We'd like to have the road built this  
13 spring so we can accommodate it because we want to  
14 bring in the construction vehicles and everything  
15 to be able to do the development.

16 MEMBER RAUCH: Well, it's more than  
17 just this road entry, it's the construction of  
18 sewer, water main, storm water, there's so many  
19 things here. This is just one small piece of that  
20 pie, and I don't understand why it has to be out  
21 in the leap ahead of all the those pieces, why it  
22 can't just be concurrent with those pieces. And  
23 frankly, if you're a user or you're a potential  
24 user needs this approval before they feel  
25 confident enough to say let's do it. I'm not so

1 sure how committed they are toward that anyways.

2 MR. GREENE: I can't comment on the  
3 requirement at what level of commitment a user  
4 has. We're trying to bring in the users here and  
5 we think this is an important sequence, this is an  
6 important first step. We want to move this  
7 forward and start this process. This is a much  
8 easier, straightforward approval process than the  
9 site plan for the building, and we can get going  
10 and start construction on that part even while the  
11 building is being finalized for site plan  
12 approval.

13 MR. RAUCH: I can appreciate that. But  
14 the risk on our end and for our community is that  
15 we're left with a road ten years from now to  
16 nowhere. And I know that's not your intention. I  
17 believe that. But that's a risk that we have to  
18 weigh because we are the ones that will continue  
19 to live here in ten years.

20 MR. GREENE: If that's what you're  
21 really concerned about, that kind of risk, it's  
22 really the property owner's risk. You can do  
23 something like condition the approval on posting a  
24 bond for road demolition in the future if nothing  
25 happens within a certain period of time. So if



1 you're really concerned about there's pavement  
2 there going into private property and you don't  
3 want it there, we can do something about that.

4 MR. RAUCH: Why not just construct it  
5 along with the approval of a potential lot within  
6 the property itself. I'm struggling here and we  
7 have to weigh the risk. And I'm inclined to table  
8 this until we see a permit for that property.

9 MR. GREENE: I just talked to a person  
10 with the biggest stake in this. If you're saying  
11 you'll consider it at the time you consider the  
12 building, if there's some level of at least  
13 understanding that you would actually, not  
14 necessarily say you can't build the road or you  
15 won't approve the site plan for the road until we  
16 approve the final site plan for the building, you  
17 know, we'd be prepared to say okay, you know,  
18 please table this and you can consider the details  
19 of the road as presented. Because we think we've  
20 met all the requirements for the road at the  
21 meeting whenever it is you considered the site  
22 plan. We want to work with you understanding the  
23 fact we seem to have a lot of disagreements  
24 lately. I mean we have a big say in the community  
25 and its property so we want to work with you.

1 CHAIRPERSON GRAJEK: In addition to  
2 what you discussed, you already brought it up,  
3 when this is approved and installed equal to what  
4 it cost to not table it and it ends up being a  
5 highway to nowhere that would be discussed  
6 tonight. I think that's one of the risks. I  
7 don't know how else to do it. If you're going to  
8 build it anyhow then it's not a risk to you.

9 MR. GREENE: The only thing I would  
10 say, and I appreciate that comment, because that's  
11 what I thought would be reasonable, but I detect  
12 there's discomfort on the Planning Commission's  
13 part overall. But maybe when we see that there is  
14 actually a building, and the building relates to  
15 the road in the appropriate manner and everything,  
16 I'd rather work with you.

17 MEMBER RAUCH: Mr. Chair, I'd be  
18 inclined to accept their invitation to table this  
19 item.

20 CHAIRPERSON GRAJEK: Is there anyone  
21 else that have any questions or discussion?

22 MEMBER McBAIN: Yes, just so I  
23 understand. On the site plan you have 261 area  
24 feet of concrete. What's actual length of the  
25 road?

1 MR. LORD: It's a little over 200 feet.

2 MEMBER McBAIN: When I look at the road  
3 maintenance agreements, is it under PUD where the  
4 maintenance of the landscaping and so forth is  
5 dictated there, or do we want that spelled in the  
6 road maintenance agreement? The plan I remember  
7 seeing was there was going to be a lot of  
8 landscaping, I just want to make sure that the  
9 landscaping responsibility is the owner's, however  
10 that plays out. Do we need to worry about it  
11 here, because this would be the time to ask for  
12 it, or is that wrapped up in the PUD?

13 MR. BORDEN: Mr. Chair, I think the  
14 landscaping are covered by the PUD Agreement.  
15 This as a private road, as a separate private road  
16 Maintenance Agreement, my take on that is that  
17 that applies to the road, not necessarily the  
18 streets, of all landscaping that is required as  
19 part of this PUD.

20 MEMBER McBAIN: I'm fine with that. If  
21 it's not covered, then I want to make sure that we  
22 are covering that. Thank you.

23 MS. McCREARY: Mr. Chair, I have one  
24 other comment. So on Crooked Lake Road there was  
25 a development ten years ago with the first phase

1 of the road it was given three extensions? Four  
2 Extensions, Amy?

3 MS. RUTHIG: I believe it was two --  
4 yes. It was four.

5 MS. McCREARY: Four extensions. We  
6 gave it the final extension the last zoning board  
7 meeting so that they could finish the portion of  
8 the remaining road, and all of these lots have  
9 been sitting there for ten years. This kind of  
10 echos what Commissioner Rauch's concern is, and  
11 certainly I'd like to believe you wouldn't make  
12 that happen, but this person didn't want that to  
13 happen either. So I just have to kind of reflect  
14 on that. And it's in the back of my mind moving  
15 forward to make sure that those issues or those  
16 things that could come up.

17 MR. LORD: That's why we don't want to  
18 overbuild, build too far in. We need to maintain  
19 our flexibility. This is a big piece of property  
20 and, you know, I'd love to be able to show you  
21 exactly how it's going to all build out. It would  
22 be a lot easier for everybody, but that's not how  
23 these large scale to developments -- they go bit  
24 by bit.

25 CHAIRPERSON GRAJEK: I know it doesn't



1 matter, but what we talked about with bringing  
2 that forward with Phase 2 so we could see a little  
3 bit more what is involved with that and providing  
4 on the case that does become that road to nowhere,  
5 we could do that as quickly as you guys submit  
6 Phase 2 and then it's ready for us to look at.

7 MS. McCREARY: The last thing I want to  
8 bring up is Shelby had stated in regards to  
9 landscaping along the Latson Road area that was to  
10 be for each phase, but I think the landscape on  
11 Latson Road was also to be part of the initial is  
12 that correct?

13 MR. GREENE: You're correct. And I  
14 believe that that's in our Phase 2 submittal.  
15 That landscaping you're talking about is included.

16 MS. McCREARY: So that would be along  
17 Latson Road for Phase 2.

18 MR. LORD: For the first building.

19 MR. GREENE: Yes. We agreed that that  
20 was the agreement, the intent of the agreement.

21 MS. McCREARY: So my understanding I  
22 thought it was for the initial phase, for the  
23 first phase. Just for clarification. So you're  
24 painting a picture, you're painting a picture or  
25 driving in what this vision is and there's nothing

1 better than the front entry is making a statement  
2 of whatever the purpose is and the intent of what  
3 you have projected there is unknown.

4 MR. WYETT: After meeting with Denise  
5 Pollicella, half of the Commission, we set the  
6 building back behind that wetland that you see  
7 south of the railroad, kept it natural and  
8 instructed to leave the features. So you will see  
9 the natural features in the Phase 2 that the  
10 township has just as Denise and the coalition  
11 requested.

12 MR. REIBER: I do have a question. We  
13 did have a comment that you're putting the road in  
14 to advertise for tenants, and there is a  
15 proposed -- this is going to be a site building, a  
16 building that's going to be on this property, is  
17 it going to be touching that 200 foot road or is  
18 it a half mile back? That road is going to be  
19 accessed through the proposed building.

20 MR. LORD: That's correct. It will be  
21 on the north side of Innovation Drive just as you  
22 come in on the site.

23 CHAIRPERSON GRAJEK: No other  
24 discussion at this point I'd like to call to the  
25 public if there's anyone that would like to speak

1 on this particular item, please step forward at  
2 this time.

3 MS. VANMARTER: Mr. Chair, I intended  
4 just to go back through the cards. We didn't do  
5 separate cards for each individual item. I did  
6 shuffle them up a little bit so they will be  
7 different. Just let us know if you're going to  
8 speak on this one. First I have Colleen Quinn  
9 followed by Deb Beattie. Colleen Quinn is at 4042  
10 Brookstone.

11 MS. QUINN: Hello again. I'll just  
12 make a couple quick comments. The Planning  
13 Commission cannot approve any building or uses on  
14 the original Latson PUD land west of Latson and  
15 south of Beck because the conditional PUD  
16 application is expired. The PUD ordinance was  
17 drafted knowing that some developments would take  
18 years to complete and yet provides for two years  
19 for final site plan approval for an extension when  
20 requested by the applicant. This performance time  
21 is in there for a reason. There are no exceptions  
22 to this ordinance language which is plain and  
23 clear. The zoning ordinance cannot be amended or  
24 weighed by contract. It would have taken amending  
25 the zoning ordinance by proposing an amendment and

1 having public hearings on the topic. At no point  
2 did the 2020 public hearings on the Latson PUD  
3 application propose an amendment to the zoning  
4 ordinance. If the zoning ordinance was amended to  
5 permit the Township ignored the expiration  
6 section, why has the language not been changed in  
7 the ordinance to reflect that? Because it was not  
8 amended. It's insanity that we continue to come  
9 before you to hear that you have to follow the  
10 Master Plan and the zoning ordinance only to have  
11 you hesitate to follow the zoning ordinance when  
12 it is unequivocal, only to have you refuse to  
13 follow the zoning ordinance when it does not  
14 benefit Mr. Wyett. So just follow the zoning  
15 ordinance. The PUD application is expired. They  
16 can re-file.

17 MS. VANMARTER: Next is Deb Beattie.

18 MS. BEATTIE: I'm not speaking.

19 MS. VANMARTER: Ben Tasich, 3492  
20 Lakewood Shores Drive. Tracey Pardiac, 4312 Rurik  
21 Drive followed by Diane Hoskins.

22 MS. PARDIAC: I know I cannot be the  
23 only person in this room that just threw up in my  
24 mouth a little bit when that man over there claims  
25 he has the biggest stake in this. Are you kidding



1 me? What a huge insult to the residents who live  
2 here and have everything at stake. It just serves  
3 to show that he has less than zero regard for  
4 anyone who has invested their dreams, their blood,  
5 sweat and tears and their futures into their homes  
6 on Latson Road that they've lived in for decades  
7 in a residential area, Mr. Wyett. By the way,  
8 those three houses that Marianne was asking about  
9 that are going to be torn down, he owns them. He  
10 actually said in a meeting that he had with Amy  
11 and Kelly a couple months ago, he said that he  
12 doesn't charge those people rent. They're the  
13 ugliest houses on Latson Road, by the way. Have  
14 you driven by them lately? You would think you  
15 were in downtown Detroit, they're so gross. He  
16 actually said that he doesn't charge rent. He  
17 intentionally keeps those houses blighted as  
18 leverage so that you folks will be more inclined  
19 to approve his plan just because you would be so  
20 happy to see those nasty houses gone. Do not  
21 trust this man. Do not approve it. He's sneaky.

22 MS. VANMARTER: Diane Hoskins.

23 MS. HOSKINS: Pass.

24 MS. VANMARTER: Stephanie Prout?

25 MS. PROUT: Pass.

1 MS. VANMARTER: Max Romero? Mary Jane  
2 Hebert? Evelyn Malloy. Next would be Andrew  
3 Kimball after Evelyn. Evelyn Malloy lives at  
4 10915 Arbour Drive.

5 MS. MALLOY: I'd like to reinforce and  
6 echo a couple things that were said. First of  
7 all, the homeowners in and surrounding community  
8 have the greatest stake. I have seen in my  
9 experience when developers will keep properties  
10 purposely blighted as leverage, I've seen that in  
11 the past. And I would question the honesty and  
12 integrity of someone who would say that he needs a  
13 stub road for construction traffic when we all  
14 know perfectly well that construction traffic will  
15 destroy this road, and construction traffic always  
16 comes in on a separate dirt road to protect the  
17 integrity of new pavement, the new sewage,  
18 drainage whatever. I would question this man's  
19 integrity overall.

20 MS. VANMARTER: Next is Andrew Kimball  
21 1039 East Davis Road with Denise Pollicella.

22 MR. KIMBALL: Hi. I'll keep this short  
23 with only a few points. Can someone please  
24 provide, prove that the original approved PUD is  
25 still valid? Two things are clear to me, and I

1 believe I can speak for the rest of us in the  
2 crowd. First it was approved that any input from  
3 local residents during the height of COVID.  
4 Second, it is clear to the citizens that the  
5 initial PUD as presented is expired and no longer  
6 valid. Please prove me wrong, otherwise let's  
7 reset and not give him everything he wants to the  
8 detriment of our neighborhoods and our natural  
9 resources.

10 I've yet to see word of any potential  
11 buyers, just concepts of some customers. Also  
12 with this picture shown on the screen here  
13 underneath the stopwatch, also the picture shown  
14 on the screen, no one here wants to see the  
15 beautiful woods at the bottom of the screen  
16 destroyed by a large fictitious 200 square foot  
17 industrial unit. In particular, residents who  
18 live in the houses that are also visible, three  
19 that live in the rented units, those on the east  
20 side of Latson do not want to see commercial  
21 industrial on the west side. And you've also  
22 heard from many of those here tonight as well.  
23 That's all. Thank you.

24 MS. VANMARTER: Next is Denise  
25 Pollicella 4200 Sweet Road followed by Deb Towels.

1 MS. POLLICELLA: The coalition has been  
2 passionate. We've educated ourselves. We've been  
3 very vocal. I want to say something for the  
4 record both to the developer and to the Planning  
5 Commission. At no point have we ever been  
6 antidevelopment. I just want to make that really  
7 clear. I think we have strong opinions about what  
8 we'd like to see close to our homes. I think we  
9 have strong opinions about what we'd like to see  
10 in Genoa Township generally.

11 With an enormous amount of development  
12 commercially, what you said earlier was correct.  
13 We seem to naturally separate ourselves north of  
14 96 commercial industrial and south as primarily  
15 residential. We would all like to see no  
16 development ever happen again anywhere ever  
17 because that's what we want. That's not reality.  
18 We're not trying to stop Mr. Wyett from using his  
19 property or developing it, but we would like  
20 everyone, including Mr. Wyett and his partners to  
21 be just a little more thoughtful about where they  
22 are.

23 I understand in the Master Plan this  
24 was supposed to be tech or hospital whatever it  
25 was. But forever and for the foreseeable future,



1 it is going to be surrounded by homes, my home,  
2 these homes, and we would like to see a  
3 development that is more compatible with that  
4 residential use. And I think that if we were to  
5 work toward a development that actually is more  
6 compatible with that surrounding use with the  
7 residences that surround it and if it's a little  
8 bit more thoughtful, specifically taking into  
9 consideration that times have changed.

10 You know, this was approved during  
11 COVID. A lot of things have changed. There is a  
12 significant demand for housing now. This could be  
13 beautiful housing. I think that if there was more  
14 thoughtful process as far as what could be in here  
15 that would be compatible with the surrounding  
16 residential homes that there would be  
17 significantly less resistance and we would welcome  
18 it. Thank you.

19 MS. VANMARTER: Next is Deb Towles 3210  
20 Pineview Trail followed Linda Beyer.

21 MS. TOWLES: I appreciate the speakers  
22 that have come before me because I think they  
23 bring some really valid points. I think initially  
24 we need to address the elephant in the room that  
25 everyone behind me seems to want answered. And I

1 think that we need to bring in an outside -- a  
2 couple outside experts to evaluate whether this  
3 PUD that was approved without any extensions being  
4 asked for is still valid. I think that that's a  
5 concern for all of us here, and I think that once  
6 that is addressed, then we might be able to  
7 proceed forward. I respect your opinion, but I  
8 also know that I have spoken with an attorney who  
9 believes it is no longer a valid PUD. So I think  
10 that maybe we need to hire a few other attorneys  
11 and get some outside representation and find out  
12 what actually happens. And I think everyone  
13 behind me will feel better.

14 We aren't against development, but I  
15 think that there are many things that could be  
16 brought to the area that would enhance. You know,  
17 I live in an area that is significantly filled  
18 with seniors. Some of them have lost their  
19 partner, some of their partners are in perpetual  
20 care. They no longer can care for their  
21 properties. A senior residential center right  
22 here would be a wonderful asset to the community.  
23 After the last meeting that we had over at the  
24 high school I had a couple ladies come up and said  
25 thank you for thinking about child daycare. I

1 have to take my children out of the community to  
2 get daycare for them. I mean there are a lot of  
3 things that they can bring to a residential area  
4 that I think the people behind me would support.  
5 So I ask you all to reconsider and I ask you to  
6 get some other advice on whether this PUD is valid  
7 and maybe we can come to some kind of a decision  
8 that everyone can live with. Thank you.

9 MS. VANMARTER: Next is Linda Beyer,  
10 2627 Chilson Road, and this is the last card I  
11 have, Mr. Chair.

12 MS. BEYER: I'll keep it short. I  
13 fully support everything that all these other  
14 folks have said and I just want to comment on this  
15 stub road, and I certainly hope they didn't name  
16 it that. To me, it's the road to nowhere. It's  
17 entirely premature, and I have to say I'm looking  
18 all over for the horse and all I see is the cart.  
19 That's all I have to say.

20 CHAIRPERSON GRAJEK: Call to the public  
21 all right. Question we have the Township attorney  
22 with us this evening. What is the Township's  
23 position or can you give us a position on whether  
24 the PUD is expired or not?

25 MR. SEWARD: I think the comment about

1 getting outside independent counsel makes a lot of  
2 sense because there is a strong diversion of  
3 views. And so one of the things the Planning  
4 Commission could do is suggest to the Board to  
5 have independent counsel take a look at it, maybe  
6 get the courts involved and get this question  
7 decided once and for all so that everybody knows  
8 what you can and cannot do.

9 CHAIRPERSON GRAJEK: The greatest  
10 concern I have is all of the meetings that we've  
11 had to this point, there wouldn't be any meetings  
12 if it were expired. You misinterpret what I said.  
13 There would be none because if the PUDs expired.  
14 We're going under the assumption that it has  
15 expired. There wouldn't be any case here.

16 MR. REIBER: Is there a mechanism then  
17 by which we can engage legal assistance once and  
18 for all to put the issue to bed, is it or isn't it  
19 expired? And if the option is to take that to the  
20 Board of Trustees to direct that activity, I think  
21 it would give a lot of people peace of mind either  
22 way.

23 CHAIRPERSON GRAJEK: Kelly, how would  
24 we do that?

25 MS. VANMARTER: I'm thinking the



1 Planning Commission, perhaps the Township Board  
2 expend funds to --

3 CHAIRPERSON GRAJEK: Make a motion.

4 MS. McCREARY: I have a question. So  
5 if you're seeking independent counsel, is that  
6 independent counsel only specifically for the  
7 Township or is that what the thought is? What  
8 independent person is going to -- I'm not an  
9 attorney, Joe.

10 MR. RAUCH: It could be interpreted by  
11 the court.

12 CHAIRPERSON GRAJEK: That's the best  
13 way.

14 MS. McCREARY: And I hate to say it.

15 MR. RAUCH: We can make a  
16 recommendation to the Board, and that's all it is  
17 is just a recommendation.

18 CHAIRPERSON GRAJEK: We got this in  
19 front of us this evening. Do we want to just  
20 table this until February or whatever comes  
21 around?

22 MR. RASSEL: I think we should make a  
23 recommendation to the Board to seek legal recourse  
24 to get a determination on whether the PUD is  
25 valid.

1 MR. RAUCH: I agree. Accept the table  
2 of this item following that then the next  
3 procedure then we can recommend that as a separate  
4 item.

5 MR. GREENE: I believe you guys will do  
6 whatever you're going to do, but we've been  
7 proceeding on the basis that Township's position  
8 is that the PUD is valid and in existence and  
9 enforceable today. And you've had your counsel  
10 who sort of I would defend it if I were him being  
11 your counsel, he said he's not independent or  
12 anything like that tell this Planning Commission  
13 on two occasions public hearings explaining  
14 exactly why he believed it to be enforceable.

15 If your objective is to find someone  
16 who's going to tell you a different opinion and  
17 you want to solve it with litigation and have the  
18 court decide, one suggestion might be maybe you  
19 engage your insurance counsel that you normally  
20 have an insurance company because this is a  
21 contract. And if you were to say that the  
22 contract, you don't believe the contract's  
23 enforceable, then you know we will be in court and  
24 we will seek economic losses because as right now  
25 as we just indicated, we've been going forward.

1 We spent a lot of money submitting another site  
2 plan, a detailed site plan for this development,  
3 and we just put off the road because you wanted to  
4 see it together with the site plan.

5 If you're believing that oh, we're just  
6 going to come up with some lawyer out there who's  
7 going to say it's not valid, I guess I will just  
8 say that we will -- do it if you want. We can't  
9 stop you from doing it, but I'm just saying that  
10 we have a great interest in this and we will  
11 preserve to protect our interest to the fullest  
12 extent.

13 MR. RAUCH: With all due respect, I  
14 didn't hear anyone, anyone on this Board say that  
15 they sought or would seek to find counsel that  
16 would provide a different answer than what we've  
17 received so far. Just simply more information to  
18 understand and feel comfortable with their  
19 direction forward, whatever that direction is.  
20 That's what everyone on this Board said. So  
21 please do not put words in our mouth that we were  
22 suggesting to find some sort of counsel that would  
23 give us the answer we want to hear. That's not  
24 true. We are trying to understand what the legal  
25 components are and get that accurate.

1 MR. GREENE: You are the Planning  
2 Commission. You have legal counsel that's been  
3 retained by the Township Board, this Township, and  
4 that Township attorney has given you his opinion  
5 on two occasions. Obviously, you're questioning  
6 that opinion and you're now recommending that the  
7 Township Board seek other counsel to give another  
8 opinion. I imply what I imply. I mean I take it  
9 however you appeared to present it. But you're  
10 going to do what you're going do.

11 I'm just telling you that we believe  
12 that this has been enforceable. We've been  
13 proceeding as if it's been enforceable. We've  
14 spent millions of dollars on this project to date.  
15 And if you're going to do it, then just get it  
16 done and let us know so we can move forward  
17 because one way or another, we're moving forward.

18 This is unusual. I've been doing this  
19 40 years. I don't think I've ever told somebody  
20 that we would litigate. But every way we turn we  
21 just get, we just get delayed. We've been working  
22 on these site plans for a year.

23 I just heard a comment and found it to  
24 be very interesting. I just heard a comment why  
25 don't we change some of the planned land uses



1 because there's a need for more residential. You  
2 guys might recall that we came in and worked for  
3 eight months on an amendment to the PUD to add  
4 property to the south, which was Master Planned  
5 for the future business uses. And we said look,  
6 we've tied up this property. Why don't we turn it  
7 into residential. And we proposed residential for  
8 it, including going all the way down to the lowest  
9 density residential, large lots all the way down.

10 And then we had other -- other kinds of  
11 different residential leases on that property.  
12 And everybody just blew that away. I mean we're  
13 not interested. We don't want residential there.  
14 So there's a frustration level. I'm just  
15 expressing the frustration of the whole team here.  
16 And I want you to know that it just seems like  
17 every time we turn around on some of the simplest  
18 items there's always a no or next time, or  
19 whatever.

20 MR. RAUCH: I realize you're not just  
21 developing for the next year, you're developing  
22 decades ahead. And in a month or two helps you  
23 get more confidence then I think that's in your  
24 best interest as well.

25 MR. GREENE: No, it's not in my best

1 interest, but that's okay.

2 MR. RAUCH: I gave you my opinion.

3 MR. GREENE: I got it. I understand.

4 CHAIRPERSON GRAJEK: Any other  
5 discussion upfront. There are two things. We  
6 need a motion for the 200 foot road to be tabled,  
7 and also need a motion to ask the Board for the  
8 funds to have an independent counsel look at the  
9 Agreement.

10 MS. McCREARY: For discussion purposes  
11 if you're saying you need to have the Board  
12 approve for funds to seek legal counsel, are you  
13 eliminating the option of just going to court,  
14 because it doesn't sound like that would be an  
15 option?

16 MR. RASSEL: I think I would request  
17 the Board make a decision whether they support or  
18 not support the current PUD Agreement that they're  
19 engaged in. We didn't sign the PUD Agreement, the  
20 Board did. The Board needs to make a  
21 determination whether they support, whether the  
22 PUD is in effect or it's not.

23 CHAIRPERSON GRAJEK: To satisfy  
24 everyone's curiosity.

25 MR. RAUCH: Mr. Chair, I would like to

1 recommend that this Commission table this public  
2 hearing Number 2 to a date that is concurrent with  
3 the Phase 2 development that was mentioned here  
4 tonight.

5 MR. CHOUINARD: Support.

6 CHAIRPERSON GRAJEK: All those in favor  
7 say aye?

8 THE BOARD: Aye.

9 CHAIRPERSON GRAJEK: Opposed. Hearing  
10 none, passes unanimously.

11 MR. RAUCH: I'll make the next motion.  
12 I want to clarify first. I think it's important  
13 that we stay as broad as possible so the Township  
14 Board can make the recommendation that they'd like  
15 to make in these regards. We are simply making a  
16 recommendation that additional insights and  
17 assistance be requested in this matter. So I'd  
18 like to make just a broad recommendation to the  
19 Township Board that they can make the decision on  
20 how we want to proceed forward in that if they  
21 want to.

22 CHAIRPERSON GRAJEK: Kelly, will that  
23 work?

24 MS. VANMARTER: I didn't hear it as  
25 well. I'm sorry.

1 MR. RAUCH: When I make the motion I  
2 want to make the motion as such where we are  
3 recommending simply to the Township Board that  
4 they engage with additional assistance to  
5 understand and give definitive findings of the  
6 validity of the expiration of this PUD. So maybe  
7 that was captured and we can just use that as the  
8 motion.

9 MEMBER McBAIN: Second.

10 CHAIRPERSON GRAJEK: Any discussion?  
11 Hearing none. All those in favor say aye.

12 THE BOARD: Opposed. Hearing none, it  
13 passes unanimously.

14 MR. RASSEL: Motion to adjourn.

15 MR. RAUCH: Second.

16 (The meeting was adjourned at 9:08 p.m.)  
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CERTIFICATE OF NOTARY

STATE OF MICHIGAN )  
 ) SS  
COUNTY OF OAKLAND )

I, Melinda R. Womack, Certified Shorthand Reporter, a Notary Public in and for the above county and state, do hereby certify that the above deposition was taken before me at the time and place hereinbefore set forth; that the witness was by me first duly sworn to testify to the truth, and nothing but the truth, that the foregoing questions asked and answers made by the witness were duly recorded by me stenographically and reduced to computer transcription; that this is a true, full and correct transcript of my stenographic notes so taken; and that I am not related to, nor of counsel to either party nor interested in the event of this cause.

*Melinda R. Womack*  

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Melinda R. Womack, CSR-3611

Notary Public, Oakland County, Michigan

My Commission expires: 06-22-2025

Hearing  
12/09/2024

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