

GENOA TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
February 14, 2005  
6:30 P.M.  
**MINUTES**

The work session of the Planning Commission was called to order by Chairman Don Pobuda at 6:30 p.m. The following commission members were present constituting a quorum for transaction of business: Don Pobuda, James Mortensen, Barbara Figurski, Curt Brown, Teri Olson, Dean Tengel, and Mark Snyder. Also present was Kelly Kolakowski, Township Planner; Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc. and Tesha Humphriss from Tetra Tech, MPS. By the end of the work session, there were a few persons in the audience.

Items scheduled for action during the regular session of the commission were discussed.

GENOA TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
7:00 P.M.  
**MINUTES**

The regular session of the Planning Commission was called to order by Chairman Don Pobuda at 7:03 p.m.

The Pledge of Allegiance was recited and a moment of silence was observed.

**Moved** by Figurski, seconded by Mortensen, to approve the Agenda as written.  
**The motion carried unanimously.**

The call to the public was made to discuss items not on the agenda. There was no response and the call to the public was closed at 7:04 p.m. Chairman Pobuda noted that the Board will not begin any new business after 10:00 p.m.

**OPEN PUBLIC HEARING # 1...** Review of special use application, site plan and environmental impact assessment, for construction of a water storage tank located in Sec. 27, north of Brighton Road, west of Oak Pointe Drive, petitioned by Genoa Township. (05-10)

**Planning Commission disposition of petition**

A. Recommendation of special use.

B. Recommendation regarding impact assessment. (dated 1-27-05)

C. Recommendation regarding site plan. (dated 1-27-05)

Jeff Brown from Fishbeck, Thompson, Carr & Huber was present to represent Genoa Township. They were hired by the Township to design water improvements to the Oak Pointe water system. There have been water shortages during peak times, such as in the summer. The water storage tank is one of these improvements. They are proposing a ground water storage tank and a booster station to pump water into the tank. It is made of pre-cast concrete and has 23' 8" sides and a dome top that is 27 feet tall. The booster station is 9 feet high and 16' x 24'. They would like to get it in as quickly as possible so it can accommodate the peak usage times of the upcoming summer months. He showed a colored prospective of what the tank will look like from Oak Pointe Drive.

Mr. Purdy reviewed his letter of February 8, 2005.

- The location of the tank encroaches the proposed utility easement. Mr. Brown stated that it is typical for pump stations to be located in easements. They are working with Oak Pointe to obtain this easement.
- There are no parking spaces noted on the plans. Mr. Brown stated they will be using the existing five or six parking spaces at the wastewater treatment plant. He will show these spaces on the plans.
- Details of the proposed tree plantings need to be provided. Mr. Brown stated he will work with Mr. Purdy to identify which species should be planted. He noted they will be some type of pine trees.

Commissioner Brown noted that the treed area along Brighton Road will lose their leaves in the winter and then drivers on that road will be able to see the tank. Mr. Brown suggested extending the existing tree line further down Oak Ponte Drive. All Commissioners agreed. Mr. Purdy stated he will work with the petitioner to see what is already there and what types of trees can be put there.

- Details of sight lighting need to be on the site plan. Mr. Brown stated there is a double door with a light that will be downward directed. Mr. Purdy advised that this is fine; however, it does need to be noted on the plans.

Ms. Humphriss reviewed her letter of February 9, 2005. Since their last letter, they have met with the petitioner and the majority of the items can be addressed. She noted her few outstanding items.

- They recommend a turn around location be provided. Mr. Brown stated the operators of the tank feel comfortable with how it is designed. All Commissioners agree to leave it how it is proposed.

- Previously, the infiltration basins were accessed for maintenance by driving a tractor into the bottom; however, the proposed pump station location prohibits this. Provisions should be made to allow the operators access to the bottom of the basin. Mr. Brown stated that the company that maintains the tank does not feel this is necessary. They have adequate room to maintain the tank as proposed.
- The proposed lawn grades south of the proposed booster station exceed the allowable slope of 1:4. All Commissioners agree to allowing the proposed slope.
- An MDEQ permit will be required for the proposed water improvements. Mr. Brown stated they are currently working with the MDEQ on this.
- They have concerns with the constructability of the tank in its proposed location. They feel 40 feet of clear/flat space should be allowed around the tank during construction. Mr. Brown stated they have received approval from the tank manufacturer for this location.
- A gravel access drive surrounding the proposed water tank for maintenance purposes is recommended. Mr. Brown stated that based on the way the site is laid out, this drive is not needed and will not work. All Commissioners agree with not requiring the driveway.
- The plans show a five-foot separation between the relocated sanitary effluent line and the proposed water main. In order to comply with Ten State Standards, a minimum of 10-feet of horizontal separation must be provided between the sanitary sewer and water main. Mr. Brown stated they have spoken to the DEQ and they will be receiving a variance from them for this.

Chairman Pobuda questioned the petitioner as to his knowledge of the requirements of the Brighton Area Fire Department. Mr. Brown is aware of his concerns and they will comply with them.

The call to the public was made at 7:25 p.m.

Ms. Elizabeth Swift of 6530 Forest Beach Drive had two questions. Was the installation of this tank addressed by the DEQ and how is this going to be paid for.

Supervisor McCririe was present in the audience and stated that the DEQ does periodic checks of wastewater and drinking water systems and their latest study of the Township's system showed the need to have enough water in storage in the event of a fire and to accommodate peak usage times in the summer. With regard to payment, the money for the construction of this tank is coming from three places: New users fund, which has been stock piled from tap fees that have been collected; user fees from people on the system; and the developer of

what is known as the Zeeb parcel will be contributing to the cost of this and other improvements to the sewer and water systems.

The call to the public was closed at 7:30 p.m.

**Moved** by Mortensen, seconded by Figurski, to recommend to the Township Board approval of the Special Use for construction of a water storage tank located in Sec. 27, north of Brighton Road, west of Oak Pointe Drive, petitioned by Genoa Township as it is consistent with the requirements of Section 19.03 of the Township Ordinance. This recommendation for approval is conditioned upon the elements of the Site Plan and Environmental Impact Assessment be fully complied with. **The motion carried unanimously.**

**Moved** by Figurski, seconded by Olson, to recommend to the Township Board approval of the Environmental Impact Assessment dated January 27, 2005 for construction of a water storage tank located in Sec. 27, north of Brighton Road, west of Oak Pointe Drive, petitioned by Genoa Township. **The motion carried unanimously.**

**Moved** by Mortensen, seconded by Figurski, to recommend to the Township Board approval of the Site Plan for construction of a water storage tank located in Sec. 27, north of Brighton Road, west of Oak Pointe Drive, petitioned by Genoa Township with the following conditions:

- The height of the booster station, which is 9 feet, as well as the correct height of the tank, will be shown on the plans.
- An easement will be secured from the utility to encroach on the utility easement.
- The existing parking for the wastewater treatment plant will be utilized by personnel servicing the water tank and pump station and will be shown as such on the Site Plan.
- The species of the 10 trees to be planted will be coordinated by the petitioner with the Township Planner. In addition, pine trees will be added one every 30 feet along the Oak Pointe Drive south of where the current evergreen tree line ends. No existing trees will be removed to accommodate this requirement.
- Lighting will be one small light on the pump station door and will be shown on the plans.
- The tank will be an earth tone color, likely to be light brown.
- The conditions of the Brighton Fire Marshall's letter of February 3, 2005 will be complied with.
- The requirements stated in the Township Engineer's letter dated February 9, 2005 will be complied with, with the exception of Items #4, 5, and 7.

**The motion carried unanimously.**

**OPEN PUBLIC HEARING # 2...** Review of site plan application, site plan (dated 1-26-05) and environmental impact assessment for construction of two 9,000 sq. ft. office buildings, Sec. 13, petitioned by Birkenstock Enterprises, L.L.C. (05-01)

**Planning Commission disposition of petition**

- A. Recommendation regarding impact assessment. (dated 1-26-05)
- B. Disposition of site plan. (dated 1-26-05)

Mr. Dave Richardson and Mr. Steve Rabatin of Lindhout Associates and Mr. and Mrs. Harte, the property owners, were present to represent the petitioner.

Mr. Richardson showed a colored site plan showing the existing building and the two new proposed buildings in the rear. They are proposing stormwater, lighting, and paving and landscaping improvements.

With regard to the storm sewer, the existing one was a low meadow area. The County is now making them take the runoff and putting a detention pond in the meadow and then have a drain off site where it would normally drain. They are confident that they can accommodate any development of this and future faces of this project on this site. They understand they need to work with the Township Engineer and Drain Commissioner and bring that information to the Township again. The property owners are intending to maintain this as a natural feature and have the office building have it.

Commissioner Mortensen stressed that this needs to be resolved with the Drain Commissioner before this project goes any further. He questioned that if the Drain Commissioner allows this, what are the legal implications of the Township approving something like this. He would like the Township attorney to comment on how this relates to our ordinance and what is the Township's liability.

Ms. Kolakowski does not believe the Township zoning ordinance speaks to this and it is a drain code issue. Commissioner Mortensen would like the Township Attorney to verify that statement.

Chairman Pobuda noted that it is the petitioner's burden to obtain the informational details from the Drain Commissioner.

Mr. Richardson noted they are proposing to put a statue at the entrance in front of the site along Grand River instead of a sign. Mr. Purdy stated this would not be considered a sign as long as there is no signage on it and it would be permitted.

Mr. Richardson showed colored elevations and sample building materials. The two buildings will have different materials but will coordinate with each other as well as the existing building on the site.

They understand they are over the ordinance of over 10 foot candles at the light and will revise this when they resubmit their plans.

Mr. Purdy reviewed his letter of February 9, 2005.

- The loading space near Building B encroaches into the drive aisle. Mr. Richardson stated they will amend this by extending the drive closer to the building and keep it out of the drive lane.
- The juniper plantings do not meet minimum size requirements. The petitioner will comply with this requirement.
- The proposed light fixtures must be metal halide, a detail of the proposed light poles needs to be provided, and lighting levels exceed the maximum requirement of 10 footcandles. The petitioner will comply with all of these requests.
- Any new signage will require a sign permit from the Township. Mr. Richardson stated there will be no changes to the sign.

Ms. Humphriss reviewed her letter of February 8, 2005.

- The storm sewer size is different on the plan view and the design calculations. The plan view should be revised to correspond with the 24-inch pipe size on the design calculations. The petitioner will comply.
- The sizing and elevations for the orifice holes on the outlet structure appear to be incorrect. She would like to work with the petitioner so they can agree on the size of the outlet structure.
- The petitioner needs to provide a copy of the storm water easement granted by the adjacent property owner for the 12-inch storm sewer pipe that transverses the property to the west. The petitioner will comply.
- The proposed areas of development currently drain into two low areas on the site. The runoff from the improved areas will drain into the proposed onsite detention basin and then into an outlet pond just west of the parcel. Therefore the natural draining patterns will be modified. Mr. Richardson stated they will look at the pond to the west to see if it has a defined outlet or not.
- MDEQ permits are required prior to construction of the proposed utilities. Therefore a construction plan review is required. The petitioner will comply.

The call to the public was made at 8:12 p.m. with no response.

Commissioner Brown feels it is a very nice project. He likes the architecture and the fact that all of the buildings are not the same.

**Moved** by Mortensen, seconded by Figurski, to table Agenda Item #2. **The motion carried unanimously.**

**Moved** by Figurski, seconded by Brown, to approve the minutes of January 24, 2005. **The motion carried unanimously.**

### **Member Discussion**

Ms. Kolakowski advised that she will not attend the February 28<sup>th</sup> meeting. Mr. Archinal will attend in her place.

Commissioner Tengel asked if statues are addressed in the ordinance. Mr. Purdy stated it does not; however, the accessory structure provision can be used. Chairman Pobuda suggested that this issue be reviewed and possibly added to the ordinance. Ms. Kolakowski stated she will discuss this with Mr. Archinal to determine how he interprets the ordinance.

Commissioner Mortensen stated that the work session was designed to have the Commissioners discuss in general the agenda items. He would like to remove the consultants reviewing their review letters during this time. Commissioner Brown suggested the consultants highlight what they feel are important issues that need to be discussed before the official meeting begins. Mr. Purdy agrees. When there is an issue that could cause the item to be tabled, then it should be discussed during the work session.

The meeting adjourned at 8:52 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary