

GENOA TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
January 10, 2005  
6:30 P.M.  
**MINUTES**

The work session of the Planning Commission was called to order by Vice-chairman Curt Brown at 6:30 p.m. The following commission members were present constituting a quorum for transaction of business: James Mortensen, Barbara Figurski, Curt Brown, Teri Olson, Dean Tengel, and Mark Snyder. Also present was Kelly Kolakowski, Township Planner; Brian Borden from Langworthy, Strader, LeBlanc & Associates, Inc. and Tesha Humphriss from Tetra Tech, MPS.

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

By the end of the work session, there were no members of the audience present.

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

The regular session of the Planning Commission was called to order by Vice-Chairman Curt Brown at 7:00 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 7:02 p.m. Vice-Chairman Brown noted that the Board will not begin any new business after 10:00 p.m.

Vice-Chairman Brown turned the meeting over to Ms. Kolakowski for the Election of Officers. Ms. Kolakowski stated that since it is the first meeting of the new year, the election of the Chairman, Vice-Chairman, and Secretary need to be made.

**Moved** by Mortensen, seconded by Tengel to re-elect Don Pobuda to Chairman, Curt Brown to Vice-Chairman, and Barbara Figurski to Secretary. **The motion carried unanimously.**

Ms. Kolakowski turned the meeting back over to Vice-Chairman Brown.

**OPEN PUBLIC HEARING # 1...** Review of a preliminary site plan application, site plan and environmental impact assessment for a proposed 96-unit condominium development located at the north-east intersection of Chilson Road and the Chesapeake & Ohio Railroad line. Sec. 6, petitioned by Bayfield of Howell, Inc. (PC 05-03)

- **Planning Commission disposition of petition**
  - Recommendation regarding preliminary impact assessment
  - Recommendation regarding preliminary site plan

Mr. Paul Van Doorne and Mr. Dave Zimmerman, the developers of the property, and Mr. Raymond Donnelly, of RJD Surveyors, were present.

Mr. Donnelly noted that this is a difficult site to develop and there were some constraints that needed to be worked out. He showed colored renderings and noted the surrounding zonings and uses.

He stated that in the title work, the Marion-Genoa County Drain #3 easement was not shown. They only found out about this when they read Ms. Humphriss' letter. They have been working with the Drain Commission to handle this issue. He noted that the drainage easement allows for a 100-year storm. They are proposing to mitigate their building on this easement by dredging deeper into an expanded easement on its east side. At this point, the Drain Commission has conceptually approved this. They have not done extensive plans at this point as they wanted to come before the Planning Commission for preliminary site plan approval first.

Commissioner Mortensen questioned if this is not approved by the Drain Commission, would the entire project be abandoned. Mr. Donnelly stated this would just affect the road and units that they are proposing to construct inside the easement. He also asked if the approval is granted, would it hinder the building of decks and patios on these units. Mr. Donnelly stated it would not.

Mr. Donnelly stated he has spoken to Southwest Gas Storage regarding their gas storage pipeline that is on the site as well. He received a letter from their representative, T.L. Walter, outlining their requirements for the crossing of utilities and roads on their pipeline. They have altered their drawings to accommodate Mr. Walter's concerns. He added that they will be asking Southwest Gas Storage to abandon their current access easement and will provide them with another access to their pipeline for maintenance, etc.

They have met the concerns of the fire marshal's letter dated December 27, 2004, specifically the emergency access radius and gate, fire lane signs, and relocation of fire hydrants.

Mr. Borden reviewed his letter of January 4, 2005. He noted that this plan was reviewed based on the revised zoning ordinance that will be in effect on Friday, January 14, 2005.

- The petitioner will need to provide building material samples for Planning Commission approval.
- Since the rear of some of the buildings faces Chilson Road and have a high visibility, he suggested having the architecture and/or materials here be upgraded. Mr. Zimmerman advised that the rear of all buildings will be 100% brick.
- He recommended that Units 67/68 and 43/44 be shifted so that the roadway does not end directly into the units, which would cause car headlights to shine into the windows. Mr. Donnelly would like to keep these intersections as proposed to accommodate the setbacks that they would like to keep through the site. Commissioner Tengal suggested having these units be slightly higher so that the car headlights do not go directly into the windows. All Commissioners and the petitioner agree with this suggestion.
- They suggest that sidewalks be added to both sides of the streets and a 20-foot front yard setback is required for the unit driveways from the sidewalk.

This led to a lengthy discussion regarding sidewalks. Commissioner Mortensen noted that at the staff meeting, it was felt that sidewalks on both sides of the streets were not necessary. Mr. Borden noted that the ordinance requires sidewalks when there is a density higher than 2.5, which there is in with this plan, but the requirement of them on both sides is the Planning Commission's discretion.

Mr. Donnelly reiterated that the site is very tight and they will not be able to move the units to accommodate the 20-foot front yard setback from the sidewalk. They have met the other required setbacks.

- Landscape details need to be provided on the plans.

Commissioner Mortensen suggested allowing the petitioner some relief with regard to the rear yard setback to allow for the garages to protrude further from the front of the home, approximately three feet. Mr. Donnelly feels this will help with some units, but not others, especially the ones close to Chilson Road. Commissioner Mortensen suggested having the garages protrude out on some units, and not all.

Ms. Kolakowski stated that the Planning Commission does not have discretion regarding the rear yard setback or the 20-foot front yard setback from the sidewalk. Both of these items would require ZBA approval.

Commissioner Mortensen suggested shortening the greenbelt between the sidewalk and the curb from five feet to three feet, which would allow for a five-foot sidewalk, and a 17-foot driveway, which should accommodate most automobiles. Mr. Borden noted that the ordinance allows for the elimination of sidewalks if another extensive walking trail is provided throughout the site. Mr. Zimmerman stated they can do an asphalt or crushed limestone pathway through the development. He showed on the plans where it is proposed. All Commissioners are agreeable to this suggestion.

Ms. Humphriss reviewed her letter dated January 4, 2005. Many of their review items will be addressed during the construction plan approval; however, she did want to point out two issues.

- Permission from Panhandle should be obtained for all proposed improvements within their easement.
- The petitioner is proposing a deceleration/acceleration lane and a passing lane taper on Chilson Road at the site driveway, which is more than is required; however, they will need to meet the Livingston County Road Commission's standards and permission will be needed from them prior to construction.

Commissioner Figurski asked about the lighting. Mr. Zimmerman stated they will be having coach lamps on either side of the garages, which will be on photocells. There are some lights proposed for the stone monument sign at the entrance.

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

Commissioner Olson advised the petitioner she feels this is a nice project for this site.

**Moved** by Figurski, seconded by Tengel, to recommend to the Township Board approval of the Preliminary Impact Assessment dated December 1, 2004 for a 96-unit condominium development located at the north-east intersection of Chilson Road and the Chesapeake & Ohio Railroad line. Sec. 6, petitioned by Bayfield of Howell, Inc. with the following conditions:

1. Dust control measures will be added
2. A draft of the condominium association Master Deed and Bi-laws will be submitted at final site plan approval.
3. Subject to review by the Township Attorney.

**The motion carried unanimously.**

**Moved** by Mortensen, seconded by Tengel, to recommend to the Township Board approval of the Preliminary Site Plan for a 96-unit condominium

development located at the north-east intersection of Chilson Road and the Chesapeake & Ohio Railroad line. Sec. 6, petitioned by Bayfield of Howell, Inc. with the following conditions:

1. Approval shall be obtained from the County Drain Commissioner regarding the proposed relocation of the drain easement and that the effected properties will be able to have 10 x 14' wide decks.
2. The Southwest Gas Storage Company must agree, in writing, to the site plan with regard to the road and utilities crossing their easements, with such written documentation being provided at the time of final Site Plan review.
3. The Southwest Gas Storage Company must agree, in writing, to vacate the access easement, which will be replaced by an easement by the developer to permit the gas company to have access to its wellhead, and such easement will be recorded by the time of final Site Plan submittal.
4. The conditions of the Howell Fire Marshall shall be met.
5. Sidewalks as shown this evening will be eliminated from the site plan, except for those shown along Chilson Road. The pathway shown in red on the rendering presented to the Planning Commission this evening will be expanded to tie into the sidewalk on Chilson Road and will be constructed of crushed limestone or asphalt.
6. The proposed building materials reviewed by the Planning Commission this evening are acceptable. Brick will be used on 100% of the rear of the buildings and will cover the entire garage front, with the exception of the garage door, on one garage of every duplex unit. The balance of the buildings will be vinyl siding.
7. The wellhead easement will be fenced.
8. Shrubbery and plantings in the detention pond, wellhead, and elsewhere will be shown on the final Site Plan and will be consistent with the Township Ordinance. The Planning Commission grants the developer to substitute evergreens in 50% of the required greenbelt plantings.
9. The conditions noted in the Township Engineer's letter of January 4, 2005 will be complied with by the time of construction plan submittal.
10. Dust control measures shall be added to the Site Plan.

**The motion carried unanimously.**

Vice Chairman Brown advised the petitioner that this is a nice development and the Township appreciates their flexibility.

**Moved** by Figurski, seconded by Mortensen, to approve the minutes of November 22, 2004. **The motion carried unanimously.**

### **Member Discussion**

Commissioner Mortensen advised the Commissioners that another water tower is going to be needed in the Township, at Oak Pointe. This will be coming to the

Planning Commission on February 14th. He showed a colored picture of one of the possible choices of the Township.

Ms. Kolakowski advised that the joint meeting will be held on Wednesday, January 12<sup>th</sup>. There will be a public hearing regarding the Master Plan.

Ms. Kolakowski advised that the Board did approve the zoning text amendments and they will be effective this Friday, January 14, 2005.

The meeting adjourned at 8:40 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary