

GENOA TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
October 25, 2004  
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, 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. 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 7:00 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 with the following changes:

1. Agenda Item #2 – Item A shall be “Recommendation regarding Impact Assessment” and Item B shall be “Recommendation regarding sketch plan amendment to approved site plan”

**The motion carried unanimously.**

The call to the public was made at 7:03 to discuss items not on the agenda.

Mr. Phillip Jennings of 5324 Versailles in The Villas of Oak Point asked to discuss the proposed ordinance amendment that will be discussed at the November 8, 2004 Planning Commission meeting. He will not be able to attend that meeting. In July of 2002, the Township issued him a permit to build a deck and gazebo and that construction took place that fall and in November of 2002 the County inspected it. Then he received a letter from the Township stating that he had to

remove the windows within 10 days. After speaking with the writer of the letter, he was advised that it would not be necessary as the ordinance was going to be changed. He wanted the Planning Commission to know that they received all of the required paperwork, which stated that it would contain windows. Under the new ordinance a 36” rail will be required and then screen can be installed. He does not agree with this. Windows provide a better view and a 36” rail blocks their view. He showed pictures of his deck and gazebo.

Commissioner Figurski questioned if this sticks out far enough to obscure the view of the neighbors. Mr. Jennings stated all of their porches are on the same plane, so the gazebo does come out further.

Commissioner Mortensen feels the gazebo is attractive. The Planning Commission will take his comments very seriously when the ordinance is discussed. He noted that the Township is inundated with people wanting to build into the setback, especially people with lakefront property. People will use it to build a room closer to the water. There may be a way this ordinance can be reworded.

Mr. Jennings noted that there are structures similar to this in the Township. He reiterated that he submitted plans showing what they were planning and it was approved.

Chairman Pobuda stated that when these units were originally designed and built, they were to be put in with no gazebos and then the builder started putting them in. The Township receives complaints from neighbors stating that this is being done when the bi-laws clearly state that nothing would be built on a deck. Somehow this one “slipped through”.

Commissioner Mortensen stated that many subdivisions and developments have much stricter restrictions than the Township and the Township cannot enforce those. They understand there is a problem and they need to come up with a solution.

The call to the public was closed at 7:15 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 sketch plan application and sketch plan for proposed elevation changes for a Bassett Furniture Store at 4050 E. Grand River (Country Corners Shopping Center), Sec. 4, petitioned by BFG Furniture Group of Michigan. (PC 04-25)

**Planning Commission disposition of petition**

- A. Disposition of sketch plan

Mr. Karry Allison of 212 Wilderness Lake, Hartland, who is the owner of the store, was present to represent the petitioner.

He noted that he made an error by proceeding with the façade change without obtaining permission from the Township. He currently owns a business in the Township, Mattress World. He feels that these changes to the plaza are going to strengthen the other stores. This mall needs an anchor store. He noted that there is a lease agreement with corporate that if he is to go out of business, they will take over the lease and it will never “go dark”. There are 170 Bassett Furniture stores in the county. He needs to comply with certain design and color schemes of the franchise.

Chairman Pobuda asked if the property owner has been notified of the change. Mr. Allison stated he has and he is in agreement with it.

Commissioner Mortensen noted that if any future façade changes are made to the shopping mall, they will need to comply with this design. He would like a letter from John Hamilton noting that he is aware of the proposed changes as well as the condition that all future façade changes are to compliment this design.

Commissioner Figurski asked if there is adequate parking. Mr. Allison stated there is ample parking for this use.

Mr. Borden noted that the colors and materials need to be approved by the Planning Commission. They are satisfactory to him. He does not have any major concerns and feels the requests of the property owner made by Commissioner Mortensen are within the bounds of the Planning Commission.

Chairman Pobuda asked about deliveries to the store. Mr. Allison that this is a showroom and there will not be any delivers from this location. They all come out of the warehouse.

The call to the public was made at 7:30 p.m. with no response.

Commissioner Figurski asked if Mattress World's truck will be parked out in front of this store. Mr. Allison replied “no”.

**Moved** by Mortensen, seconded by Figurski, to approve the sketch plan presented this evening for elevation changes for a Bassett Furniture Store at 4050 E. Grand River (Country Corners Shopping Center), Sec. 4, petitioned by BFG Furniture Group of Michigan with the following conditions:

1. The colors and materials shown this evening are acceptable and shall become the property of the Township.
2. The proposed signage is subject to review and approval by Township staff.

3. Prior to occupancy, the Township will be provided with a letter from the building owner approving the changes approved by the Planning Commission this evening as well as acknowledging that the Township may require that this building façade and materials become the standard for the entire shopping center during any future renovations.

**The motion carried unanimously.**

**OPEN PUBLIC HEARING # 2**...Review of a sketch plan application and sketch plan for amendment to previously approved site plan to allow for additional grading for Cedar Closet Self Storage, Sec. 10 on the south side of Grand River between Dorr and Gray Roads, petitioned by Cedar Investments, LLC. (04-46)

**Planning Commission disposition of petition**

- A. Recommendation regarding Impact Assessment
- B. Recommendation of sketch plan amendment to approved site plan.

Mr. Wayne Perry of Design Engineering and Mr. Dennis Kirkwood, the general contractor for the project, were present to represent the petitioner.

Mr. Perry stated they are requesting to grade the portion of the property, which is 2 ½ feet higher than the rest of the site, between Building E and the detention pond. The owners anticipate expanding in the future into this space. It will need to be lowered so it will drain properly into the detention pond. They would like to lower that piece of property while the heavy construction is going on because if they come back to do this in one or two years, they will destroy the asphalt that will be put in during this phase.

Mr. Kirkwood stated the entire area is all shrubs, there are no mature trees on this portion of the site. They have done a tree survey, which was requested during their original submittal. All of the mature trees are on the west side of the site, which will remain.

Chairman Pobuda questioned if the moving of the dirt from the back to the front will affect the drainage. Mr. Perry stated it will not negatively affect the drainage in the front.

Commissioner Tengal questioned if the graded areas will be topsoiled and maintained. Mr. Kirkwood stated they will seed both the back and the front. He added they will not be removing anything past the fifty-foot setback.

Commissioner Brown is concerned that nice trees will be taken out in the hopes of future development. Mr. Kirkwood stated there are no substantial trees in that area. Commissioner Brown stated he has just received this proposal today and has not had an opportunity to walk the site and see the trees. Mr. Kirkwood would like to do a tree inventory so they can do the right thing with respect to the trees.

Commissioner Snyder understands what the petitioner is requesting. He is concerned with the residents on Grey Road. He noted that they were not noticed of this change; however, the fifty-foot buffer is probably still sufficient.

Commissioner Figurski agrees. The residents need to be notified.

Commissioner Mortensen stated that the motion this evening would not speak to any future development either in the front of the rear of the site. The petitioners agree. They are only asking for the additional grading to be approval this evening.

Mr. Borden stated that due to the timing of this submittal, he could not provide a complete review. He noted that an updated Impact Assessment should be submitted and considered by the Planning Commission. He advised that a public hearing has not been scheduled for this request this evening.

Ms. Humphriss stated she has not engineering issues with regarding to the revised grading plan.

The call to the public was made at 7:55 p.m. with no response.

**Moved** by Mortensen, seconded by Tengel, to recommend to the Township Board approval of the Impact Assessment with a revision date of October 2003 for an amendment to previously approved site plan to allow for additional grading for Cedar Closet Self Storage subject to review by the Township planning consultants and appropriate revision prior to submission to the Township Board. **The motion carried unanimously.**

**Moved** by Mortensen, seconded by Figurski, to recommend to the Township Board approval of the sketch plan to amendment to previously approved site plan to allow for additional grading for Cedar Closet Self Storage with the conditions listed below. These conditions are somewhat different than normal procedures followed by the Township in view of timing and weather constraints with regard to the project:

1. The Board holds a public hearing and publishes notification of such in the local newspaper as well as staff considering whether written notification should be give to adjacent property owners.
2. A point by point comparison be made with the concerns of the Township Engineer and Planner of the new site plan to the site plan approved by the Township Board on October 20, 2003, which will include the review of compliance with the 17 points made by the Board in the motion for disposition of the Site Plan.
3. The Township Planner and Engineer will have comment letters available for the Board regarding the revised Site Plan.
4. This recommendation from the Planning Commission is not implicit approval of any future expansion on the site.

5. The petitioner will conduct a tree inventory for presentation to the Board and if in the judgement of the Board and/or Township staff, additional landscaping may be required.
6. There will be no encroachments into the setbacks of the Site Plan approved by the Board at its October 20, 2003 meeting.
7. In view of the extensive grading that will be undertaken, the petitioner will take aggressive dust control measures.
8. The property, including the seeded areas, will be appropriately maintained to the satisfaction of Township staff and the Board should consider requiring irrigation.

**The motion carried unanimously.**

### **Member Discussion**

Commissioner Mortensen stated that the Township Board, Chairman Pobuda, and Kelly Kolakowski will be visiting the Village of Niagara on the Lake tomorrow. He has visited this area before and feels it will give the Board good information regarding the Genoa Township downtown that is being planned for the corner of Dorr Road and Grand River.

Commissioner Mortensen advised the Planning Commission that the Board made a minor revision to the Copper Leaf proposal. They required the petitioner to remove the spotlights on Eggert Road.

The meeting adjourned at 8:18 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary