

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
November 10, 2003
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, Barbara Figurski, James Mortensen, Curt Brown, John Cahill, and Bill Litogot. Also present was Kelly Kolakowski, Township Planner; Ron Nesbitt from Langworthy, Strader, LeBlanc & Associates, Inc. and Debra McAvoy 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 Litogot, 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. Chairman Pobuda noted that the Board will not begin any new business after 10:00 p.m.

OPEN PUBLIC HEARING #1... Review of site plan and special use application, site plan, and environmental impact assessment for a proposed ground water storage tank necessary to support the City of Brighton municipal water system, located in the southeast corner of Section 36 on the south side of Brighton Lake / Hamburg Road, petitioned by River Place / Abbey Homes (PC 03-25)

- **Planning Commission Disposition of Petition**
 - A. Recommendation regarding Special Use Application
 - B. Recommendation regarding Amendment to PUD Agreement
 - C. Recommendation regarding Impact Assessment

D. Recommendation regarding Site Plan

Ms. Bren Buckley of Burton-Katzman, Mr. Mike Polmear of Giffels-Webster Engineers, and Mr. Joe Novisky and Ms. Michelle Sergeant of JSN Architects were present to represent the petitioner.

Mr. Polmear advised the site is located in the southeast corner of the Township and is bordered by the City of Brighton to the east and Hamburg Township to the south. It is a triangular-shaped lot on the corner of Brighton Lake Road and Hamburg Road and is 1.6 acres.

He showed a copy of the previous plan and noted that there were many concerns from surrounding residents. The new plan is a ground-level water storage tank and housed in a building that will have a residential appearance. It will look like a home. He showed a colored rendering.

The land is proposed to be owned and maintained by the City of Brighton as this will be part of their water utility system. River Place / Abbey Homes will be transferring the property to Genoa Township and they will, in turn, be transferring it to the City of Brighton.

Mr. Novisky advised the storage tank is 16 feet high, 30 feet wide, and 70 feet long and part of the tank is being built into the side of the hill on the property. Since this site is in a single-family residential area, they are proposing the building be constructed to look like a typical home in the neighborhood. These pumps are relatively quiet and they will not be clearing many trees on the site. Most of it will remain in its natural state.

Ms. Sergeant showed sample building materials. They will be using maintenance-free brick and siding that can be painted any color that is desired. They are proposing asphalt shingles. They feel it will look like any other home in the neighborhood.

Commissioner Mortensen asked what kinds of windows are proposed. They will be real windows with a reflective material on them. Commissioner Mortensen suggested window blinds or drapes. Mr. Novisky feels it would look more natural with the reflective material and Commissioner Mortensen disagreed. He feels the type of glass that is being proposed will look artificial and the blinds will look more like windows in a house.

Commissioner Brown asked for a rear elevation drawing. Mr. Novisky advised it will look like a home from the back; however, the area is very wooded and it is quite a bit lower than the residential area behind it and will not be seen.

Commissioner Cahill asked if there will be any type of spigot to be used to wash off the home or driveway since it will be an unmanned building. Mr. Novisky advised they will provide that.

The call to the public was made at 7:19 p.m.

Naomi Sullivan of 6141 Kevin Court lives in the subdivision behind this site. The subdivision is very quiet and she is concerned about the noise. She asked if the building will be insulated to help with the noise. She questioned what happened with the previous site that was proposed in Hamburg Township. That site was supposed to have been ideal because of how high its elevation is.

The call to the public was closed at 7:21 p.m. and the petitioner addressed Ms. Sullivan's concerns. Mr. Novisky advised he does not have decibel levels for these wells; however, he has worked with them before and knows that normal audible levels are possible directly next to them. There is no intention of insulating the home at this time. He added that he could provide decibel levels if that is required.

Mr. Don Lund of TTMPs Engineers advised that the original site in Hamburg Township was not able to be used because Hamburg Township's position was that they would have to be the owner of the tower, which was unacceptable to the City of Brighton. He noted that the elevation of the site is not an issue now because they are proposing an underground tank and not a tower.

Mr. Nesbitt advised the proposal meets all of the criteria for a Special Land Use and they have no further issues. He noted that with a Special Land Use, the Township has the ability to apply conditions to the approval.

Ms. Huntley reviewed her letter of October 14, 2003.

1. A 25-foot wide permanent utility easement for the water main must be recorded by the City of Brighton while this site it is still under the jurisdiction of Genoa Township.
2. Approval from the Livingston County Road Commission may be required for connecting the driveway to Brighton Lake Road.
3. The driveway must be constructed to Genoa Township standards.

Chairman Pobuda asked the petitioner what landscaping is planned. Mr. Polmear showed the area of the site that will be cleared and what will be kept natural. Mr. Nesbitt suggested very low maintenance foundation shrubs and trees be planted in the front of the building. He would also like some soft screening of the turnaround because it is so close to the road. Commissioner Mortensen feels it should be normal residential landscaping, with irrigation, and the details could be decided administratively.

Commissioner Cahill is concerned about how the landscape requirements are not being specified this evening. Mr. Nesbitt feels his suggestions of foundation plantings and screening of the turnaround is sufficient. Commissioner Cahill would like it stated more clearly in the motion.

Chairman Pobuda asked about lighting. Mr. Novisky stated they are planning on installing one small residential light on the porch. Mr. Lund advised that the City of Brighton will ensure a security system is in place as they have at all of their other water treatment plants and facilities.

Moved by Mortensen, seconded by Litogot, to recommend to the Township Board approval of the Special Use Application for a residential appearing building for a water storage facility citing the following reasons:

1. This will provide essential public services to users of the City of Brighton water system.
2. It meets the conditions of Section 12.08 of the Township Ordinance.

Further, this recommendation is conditioned upon the following:

1. Resolution through documentation acceptable to the Township Attorney of how the land will be ultimately transferred to the City of Brighton.
2. Approval of the Amended PUD Agreement, Impact Assessment, and Site Plan by the Township Board
3. The noise of the project will be within the Township Ordinance.
4. Prior to submission to the Township Board, details of the security system and maintenance responsibilities by the City of Brighton shall be included.

The motion carried unanimously.

Moved by Mortensen, seconded by Figurski, to recommend to the Township Board approval of the Second Amendment to the PUD Agreement for a proposed ground water storage tank necessary to support the City of Brighton municipal water system, located in the southeast corner of Section 36 on the south side of Brighton Lake / Hamburg Road, petitioned by River Place / Abbey Homes with the following conditions:

1. An agreement will be executed with the City of Brighton regarding whether and how the land will be transferred to the City.
2. Maintenance and security for the land and the building shall be the responsibility of the City of Brighton.
3. The Agreement shall be reviewed and approved by the Township Attorney.

The motion carried unanimously.

Moved by Figurski, seconded by Mortensen, to recommend to the Township Board approval of the Impact Assessment dated October 2, 2003 (revision) for a proposed ground water storage tank necessary to support the City of Brighton municipal water system, located in the southeast corner of Section 36 on the south side of Brighton Lake / Hamburg Road, petitioned by River Place / Abbey Homes with the following conditions:

1. Review and approval of the Township Attorney.
2. An agreement will be executed with the City of Brighton regarding whether and how the land will be transferred to the City.
3. Approval by the Township Board of the Special Use Application, Second Amendment to the PUD Agreement, and Site Plan

The motion carried unanimously.

Moved by Mortensen, seconded by Figurski, to recommend to the Township Board approval of the Site Plan dated September 24, 2003 for a Maintenance and security for the land and the building shall be the responsibility of the City of Brighton with the following conditions:

1. Approval by the Township Board of the Special Use Application, Second Amendment to the PUD Agreement, and the Impact Assessment
2. The building materials shown this evening are acceptable and become the property of the Township.
3. The windows will be a clear glass with either Venetian blinds or draperies.
4. The landscaping will include plantings around the perimeter of the home, softening of the turnaround, screening of any utilities on the site, as well as several canopy trees added with final landscaping review and approval by the Township Staff.
5. The landscaped areas shall be irrigated.
6. A 25-foot wide permanent utility easement for the water main must be recorded by the City of Brighton while this site it is still under the jurisdiction of Genoa Township.
7. Approval from the Livingston County Road Commission may be required for connecting the driveway to Brighton Lake Road.
8. The driveway must be constructed to Genoa Township standards of 1.5-inches 36A for the wearing course, 1.5-inches 13A for the leveling course, and 6-inches MDOT 22A aggregate base course.
9. Any utility construction within Hamburg Road/Brighton Lake Road right-of way will require a permit from the Livingston County Road Commission. The LCRC may require the water main to be constructed by jack and boring or directionally drilling.
10. Construction plan approval will be required from the City of Brighton for the water main construction
11. The lighting will not exceed 0.5 footcandles at the property line.

The motion carried unanimously.

Moved by Figurski, seconded by Litogot, to approve the minutes of October 14, 2003 as corrected. **The motion carried unanimously.**

Member Discussion

All members except Commissioner Figurski advised they will be available for a December 22, 2003 Planning Commission meeting.

Commissioner Litogot noted that since Waldecker has increased their parking lot, they did not extend the sidewalk to that area.

Commissioner Figurski received a complaint about the lights at Kohl's. They can be seen from residences in Sunrise Park. Ms. Kolakowski is aware of this. She has not measured the footcandles, but knows that the fixtures are in compliance.

It was noted that the petitioner this evening did not have all of the necessary materials. There was no landscape plan or documents regarding the transfer of ownership of the site.

Ms. Kolakowski advised a petitioner has approached the Township about rezoning 95 acres in the Country Estates zoning to Rural Residential in order to build a church. Currently churches are allowed as a special use in all zoning areas except Country Estates and Agricultural. She feels it may be appropriate to allow churches as a special use in Country Estates zoning. Mr. Nesbitt does not feel it would be appropriate to allow churches in agricultural zone, but it may be appropriate in Country Estates. He noted that churches now are usually large buildings with more activities held on the site. They have been encouraging municipalities to have appropriate language regarding churches with regard to special criteria as a special land use (i.e. they must be on paved roads, they need to allow room for expansion, they cannot impact the surrounding sites, and they recommend water and sewer services). He also noted there is a new Federal ruling regarding how churches are handled by municipalities. That should also be part of the ordinance.

Commissioner Mortensen questioned if churches are currently being treated fairly because they are allowed in every zoning district but two. Mr. Nesbitt noted that no places of assembly are permitted in Country Estates currently.

Commissioner Mortensen suggested that the entire Church ordinance be reviewed. All agreed. Mr. Nesbitt will compile a report for submission to the Planning Commission.

The meeting adjourned at 8:13 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary