

GENOA TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
March 26, 2001  
6:30 P.M.  
**MINUTES**

The work session of the Planning Commission was called to order by Vice-Chairman Bill Litogot at 6:45 p.m. The following commission members were present constituting a quorum for transaction of business: Jerrold Joseph, John Cahill, James Mortensen, and Bill Litogot. Also present was Michael Archinal, Township Manager; Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc.; and Mark Coleman 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 Vice-Chairman Bill Litogot at 7:03 p.m.

The Pledge of Allegiance was recited.

**Moved** by Joseph, seconded by Mortensen, to approve the Agenda with the following changes:

1. Open Public Hearing #3 is tabled because no one was present to represent the petitioner.
2. Open Public Hearing #4 will become Open Public Hearing #1
3. Open Public Hearing #1 will become Open Public Hearing #2
4. Open Public Hearing #2 will become Open Public Hearing #3
5. Open Public Hearing #5 will become Open Public Hearing #4
6. Open Pubic Hearing shall state "...5 buildings...", not "...6 buildings"

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 7:05 p.m. Vice-Chairman Litogot noted that the Board will not begin any new business after 10:00 p.m.

**OPEN PUBLIC HEARING # 1**...Review of request for an extension of site plan approval obtained on March 20<sup>th</sup>, 2000, for a 12,600 sq. ft. addition to Crash Tool, 1225 Fendt Drive, Lot 9, Gentech Industrial Park, Section 8, petitioned by Brivar Construction. (PC 00-01)

- **Planning Commission disposition of petition**
  - A. Disposition of extension request.

Mr. Stan Brish of Brivar construction to represent the petitioner. They are requesting an extension for the Crash Tool site plan approval they received in March, 2000. Economic conditions are causing the petitioner to postpone this project.

Vice-Chairman Litogot asked if there were any changes to the site plan. Mr. Brish stated there are no changes to the site plan. Vice-Chairman Litogot notified Mr. Brish that if there are changes, they need to come before the Planning Commission again. Mr. Brish understands.

Commissioner Cahill asked how long the extension is good for. Mr. Archinal stated it will be good for one year.

**Moved** by Cahill, seconded by Joseph, to approve the extension of site plan approval obtained on March 20<sup>th</sup>, 2000, for a 12,600 sq. ft. addition to Crash Tool, 1225 Fendt Drive, Lot 9, Gentech Industrial Park, Section 8, petitioned by Brivar Construction. (PC 00-01). **The motion carried unanimously.**

**OPEN PUBLIC HEARING # 2**...Review of revised site plan, and environmental impact assessment, for Intech Industrial Park, 5 buildings on 10.5 acres, an industrial complex with a total building area of 54,180 sq. ft. at the south west corner of Dorr Road and Sterling Drive, Section 15, petitioned by Mandell Bilovus Lenderman & Associates. (PC 01-09)

- **Planning Commission disposition of petition**
  - A. Recommendation regarding impact assessment.
  - B. Recommendation regarding site plan

Mr. Norbert Bowes, the developer, and Mr. Steve Lenderman, the architect for this project, were present to represent the petitioner. Mr. Lenderman viewed the changes they have made to the plans since their last appearance before the Planning Commission. They have reduced the size of Building A to 6,400 square feet and the total project is 54,180 square feet.

They have met the rear setback for Building E and were able to save the existing tree line.

Mr. Lenderman showed colored elevation drawings and material samples. Building A will have a shingled roof whereas the other four buildings will have flat

roofs. Building A will be brick on all four sides and the remaining four buildings will have brick on three sides, with a contrasting block on the back side.

Mr. Purdy reviewed his letter of March 5, 2001. Mr. Purdy stated this project will require a special land use due to the total square footage of the project. He also informed the petitioner that, depending on the types of tenants that they lease to, some may have to come before the Planning Commission to gain approval (i.e. companies handling hazardous waste, etc.)

The requestor is asking for one variance that will need to be a condition of the final approval.

There was a discussion regarding the backs of the buildings (except Building A) being a contrasting colored brick of gray limestone. The backs of all of the buildings will not be seen from Dorr Road. Mr. Purdy and all commissioners agreed to this proposal.

All rooftop equipment must be screened from view of Dorr Road as well as the interior drives. The petitioner will comply with this request. This will need to be noted on the site plan and be a condition of approval from the Planning Commission.

The Planning Commission is going to require a photometric grid at the time of final site plan approval.

Sign details can be handled administratively but the Planning Commission can require this for the final site plan approval. It was decided that the signs can be handled administratively.

The Township has not yet received copies of the Master Deed and By Laws as required. Vice-Chairman Litogot asked why the petitioner has not presented these materials. Mr. Bowes stated they have not completed this yet because of the pending sewer and water for this site. If sewer and water is added to this site, they will have to change the plans to reflect this. Mr. Purdy suggested having the Master Deed done as the project is proposed today and if the water and sewer is implemented, the Master Deed can be amended. Mr. Bowes stated that if sewer and water is implemented, the site plan itself will not have to change (i.e. grading, curbing, etc.). A larger parking area could be added to one area, but nothing else would change.

County Road Commission and DEQ wetland permits need to be obtained. Commissioner Litogot asked if the petitioner has submitted these permit requests. Mr. Bowes stated they have, but the wetland permits take a while to receive from the DEQ. Commissioner Cahill does not feel this can be approved tonight without the permits, Master Deed, and By Laws completed.

Mr. Bowes requested that the Planning Commission table this project this evening, but he would like to know the Commissioner's feedback/approval of the building colors, materials and site plan layout. They will go back and complete the By Laws, Master Deed, and obtain the permits and come before the Planning Commission again. They would like to have everything in order the next time they present their plan.

Commissioner Cahill asked about the tree line behind Building E. Mr. Bowes stated they cannot guarantee that the trees will live, but it is very likely that they will. Commissioners asked if trees that do not survive will be replaced. Mr. Bowes stated they will replace trees that do not survive. There was a discussion regarding if a tree survey should be required and/or what number and types of trees should be added to the tree line in the event some trees do not survive the construction phase. Mr. Purdy suggested one tree every 10 feet. Mr. Bowes stated they will work with this proposal and come back with this on their site plan for final approval. All commissioners agreed there was no tree survey needed.

Mark Coleman reiterated Mr. Purdy's concerns regarding wetland and road commission permits needing to be obtained.

Vice-Chairman Litogot gave the petitioner a copy of the Howell Fire Department's letter stating their concerns for this project. The road behind Building E should be at least 18' wide and this road, as well as the road coming in and the circle drive, shall be posed as "Fire Lane"

The call to the public was made at 7:47 p.m. with no response.

**Moved** by Cahill, seconded by Mortensen, to table Open Public Hearing #2 at the petitioner's request for review of revised site plan, and environmental impact assessment for Intech Industrial Park, 5 buildings on 10.5 acres, an industrial complex with a total building area of 54,180 sq. ft. at the south west corner of Dorr Road and Sterling Drive, Section 15, petitioned by Mandell Bilovus Lenderman & Associates. (PC 01-09). **The motion carried unanimously.**

**OPEN PUBLIC HEARING # 3...** Review of a site plan application, environmental impact assessment, site plan and PUD (Planned Unit Development) amendment, for a 296-unit apartment complex located on the north side of Grand River Ave, in the Lorentzen PUD, Sec. 4 & 9, petitioned by Singh Development Co. (PC 00-48)

- **Planning Commission disposition of petition**
  - A. Recommendation regarding PUD Agreement.
  - B. Recommendation regarding Conceptual PUD Plan.
  - C. Recommendation regarding impact assessment.

Paul Rizzardi of Singh Development, Madhukar Mahajan from Boss Engineering, and Mr. Todd Smith, a representative of the land owner, were present this evening.

Mr. Rizzardi stated they have revised their plans to address most of the concerns of the Township Planner and Planning Commission. They have made the following changes:

1. The pool cannot be seen from Grand River Avenue.
2. The streets have been widened and parking bays have been added for on-street parking
3. They have preserved the wetlands.
4. They will provide the rear service drive behind the commercial property
5. They will provide the drive connecting this property to the property to the north.
6. There will be no large public parking area. All units have one and two-car attached garages.

Mr. Rizzardi also noted that the traffic impact for this site has less impact if it is developed residential rather than commercial, which is how it is currently zoned. They will be saving the wetlands whereas the wetlands would not be saved if this property was developed commercial.

Mr. Rizzardi stated they are unable to meet the township ordinance of 4 units per acre for this site. It is not economically feasible for them to do so. They have tried to figure out what they can do to gain approval from the Township as well as meet the needs of the Township. They want to be a member of Genoa Township and feel they will be a benefit to the community. They have changed their plan to incorporate 264 units. They are asking for a recommendation of approval from the Planning Commission; however, if they do not receive this, they will proceed to the Township Board with their plan with hopes of gaining the Township Board's approval. They would like to hear the Planning Commission's comments on the other parts of the site plan (i.e. building materials, site layout, etc.)

They showed colored elevation drawings.

Mr. Purdy reviewed his letter of March 20, 2001. He stated that the petitioner has made significant improvements to the site. They have improved the circulation and provided connecting roads to the north and behind the commercial frontage. He feels that multi-family is a good use for this site at this time. He is very comfortable with the architecture; he feels it is of high quality.

He feels the density of this project needs to be addressed first. We recently approved the Stonegate subdivision to the east at 4.6 units per acre.

Commissioner Cahill feels residential is the right use for this property, but he has a problem with the density.

Commissioner Burchfield entered the meeting at 8:05 p.m.

Commissioner Joseph feels the petitioner has made dramatic improvements to the site since last time; however, he is not comfortable with the density.

Mr. Todd Smith stated that Ms. Lorentzen had four different offers to build on this property and they were all the same price. She chose to use Singh because of the high quality of their product. Commissioner Mortensen disagrees with Mr. Smith. Any plan brought before the Planning Commission would have to meet the Township ordinance for building materials and we do not have "cheap" standards.

Commissioner Joseph does not feel economics should be the Planning Commission's problem.

Mr. Mortensen feels the property density is a very big issue.

Vice-Chairman Litogot acknowledged that the density issue is a very big concern for the Planning Commission. He suggested Mr. Purdy continue with the review of his letter to give the petitioner feedback on site plan issues.

Mr. Purdy stated the Planning Commission could require an updated traffic study. After a brief discussion, it was decided a traffic study would not be necessary.

The responsibility for construction of the future phases of the internal road and pathway connection through the Detroit Edison easement should be established and stated in the PUD.

All shared private road access agreements will need to be recorded between all of the interconnected development. The petition will provide signed easements to the Township.

The drive of the bank off the rear service road needs to be removed from the plans. The petitioner will comply with this request.

The drive to the clubhouse should be relocated to be directly aligned with the bank driveway. The petitioner will comply with this request.

The petitioner is requesting an easement for the width of the roads; however, they are providing bump-outs for parking bays for on-street parking. Mr. Purdy feels this is meeting the intent to comply with the ordinance, but this needs Planning Commission approval.

The sidewalks must be provided on both sides of all roads. Currently the plan shows sidewalks on only side. Mr. Rizzardi stated they can look at amending the plan, but he would prefer to put street trees along that area instead of a sidewalk.

An eight-foot wide asphalt bike path is required along Grand River Avenue. The petitioner will comply with this request.

A woodland inventory is required at final site plan review for areas to be disturbed and protection methods must be detailed. The petition will comply only for areas adjacent to construction areas.

A 20-foot landscape buffer is required on the southern property line to separate the residential to commercial sites. The petitioner will comply; however, they will not add a buffer in front of Unit #23 because that is the entrance to that building and that would not be safe. Mr. Purdy is comfortable with this.

Mark Coleman reviewed his letter of March 21, 2001.

1. The existing utilities along Grand River need to be shown clearly on the plans.
2. Easements and utilities will need to be shown on the plan with adequate widths for access and maintenance.
3. The petitioner should provide a water main stub to the parcel to the east or to the parcel to the north in order to complete a looped system.
4. In order to calculate the REU's assigned to this parcel, the square footage of the pool and clubhouse need to be included in the plans.

Vice-Chairman Litogot noted the Howell Fire Department's letter stating there shall be no on-street parking. Mr. Rizzardi requested this issue be left open and they will discuss it with the Howell Fire Department.

The call to the public was made at 8:43 with no response.

**Moved** by Mortensen, seconded by Burchfield, to recommend to the Township Board that the PUD agreement for a 296-unit apartment complex located on the north side of Grand River Ave, in the Lorentzen PUD, Sec. 4 & 9, petitioned by Singh Development Co. (PC 00-48) not be revised to change the property from industrial commercial to residential use because the density of 264 units, as proposed, would be inconsistent with the original PUD concept plan as approved and inconsistent with other adjacent PUD densities.

There was a brief discussion. Commissioner Burchfield feels this property should be residential; however, he is not comfortable with the proposed density.

Commissioner Cahill is in favor of this property being residential. He feels this plan has a lot of benefits to the Township, but it is just too dense, although he is receptive to more than 4 units per acre.

**The motion carried unanimously.**

**Moved** by Mortensen, seconded by Joseph, to recommend to the Township Board that the conceptual PUD plan dated February 28, 2001 for a 296-unit apartment complex located on the north side of Grand River Ave, in the Lorentzen PUD, Sec. 4 & 9, petitioned by Singh Development Co. (PC 00-48) not be approved for the reasons cited in the above motion. **The motion carried unanimously.**

**Moved** by Mortensen, seconded by Burchfield, to recommend to the Township Board that the Impact Assessment dated February 27, 2001 for a 296-unit apartment complex located on the north side of Grand River Ave, in the Lorentzen PUD, Sec. 4 & 9, petitioned by Singh Development Co. (PC 00-48) not be approved for the reasons cited in the above motions. **The motion carried unanimously.**

**OPEN PUBLIC HEARING # 5**...Review of the following zoning text amendment: Section 3.27, Use: Riparian Lot Common Use (Keyhole), is proposed to be amended to specify the applicability of the regulations to easements and dockominiums and other riparian access by non-riparian owners.

- **Planning Commission disposition of petition**
  - A. Recommendation regarding Zoning Text Amendment

Mr. Archinal showed two samples of the proposed ordinance, one allows for access and easements by non-riparian owners to a riparian owner's property and one does not allow for non-riparian owners to have access to a riparian owner's property. The Township would like the Planning Commission's feedback on this issue.

Commissioner Mortensen asked if this is different than lake access. Mr. Purdy stated the keyhole applies to launching and docking boats under Section 3.2705.

Commissioner Burchfield stated according to the Township Attorney, a riparian use is different than a lake-front owner's use of his dock based on the fact that one created a property right and the other is a license issue.

Mr. Archinal stated they are trying to determine if they should regulate easements to non-riparian owners. Commissioner Burchfield would like to try to regulate, but not prohibit these types of uses. Mr. Purdy stated the ordinance does not prohibit, it applies standards and requires a special land use. Mr. Archinal added the Township is trying to regulate people granting easements to other people onto their property.

The call to the public was made at 9:27 p.m.

Mr. Steve Wysliak, the Vice President of the Lake Chemung Riparian Association, stated they are concerned about having the same problem happen on Lake Chemung that happened on Earl Lake or at Black Oaks. They had problems with other people parking their boats there. They do not want keyholing on Lake Chemung.

Mr. Bob Brant, President of Bibkey Lake Homeowners Association, stated keyholing is a sensitive issue to them. They are hoping this ordinance does not allow a weakening of the keyhole. He wants to protect riparians.

Mr. Archinal stated what is proposed is a strengthening of the ordinance.

**Moved** by Burchfield, seconded by Mortensen, to recommend to the Township Board, with the advice and consent of the Township Attorney, a favorable review of the proposed amendment to Section 3.27, Use: Riparian Lot Common Use (Keyhole). **The motion carried unanimously.**

**Moved** by Mortensen, seconded by Joseph, to approve the minutes of March 12, 2001. **The motion carried unanimously.**

The meeting adjourned at 9:36 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary