

GENOA TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
September 25, 2000  
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, Jerrold Joseph, John Cahill, Gary McCririe, Bill Litogot and Ken Burchfield. Also present was Michael Archinal, Township Manager; Carol May and Kelly Schuler from Langworthy, Strader, LeBlance & Associates, Inc.; and Melissa Talley 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 7:05 p.m.

The Pledge of Allegiance was recited.

**Moved** by McCririe, seconded by Litogot to approve the Agenda with the following changes:

1. Delete Action A from Open Public Hearing #1.
2. Action A on Open Public Hearing #2 should be changed to "Recommendation regarding revision to conceptual PUD plan".
3. Open Public Hearing #3 is tabled at the petitioner's request.

**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 7:07 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 a special use application, a site plan, and environmental impact assessment for proposed Janet Henry Bed**

**& Breakfast located on the south side of Brighton Road, east of Chilson Road, Section 34 of Genoa Township, petitioned by Doyle Homes inc. (PC 00-33)**

- **Planning Commission disposition of petition**

- A. Recommendation regarding impact assessment.
- B. Recommendation regarding site plan.

Robert Doyle and Jeffrey Doyle of Doyle homes and Janet Henry were present to represent the petitioner. Robert Doyle reviewed the changes they made to the site plan as suggested by the Planning Commission. They changed the position of the driveway and added additional landscaping. They also made the suggested changes to the impact assessment. They submitted samples of building materials and lighting, building elevation drawings, and floor plans.

The call to the public was made at 7:12 p.m. Mr. Larry Morse of Pinewood Drive, the president of Mystic Pines subdivision, asked if Ms. Henry is going to comply with Title 3 of the American Disabilities Act, making the building handicap accessible. Jeff Doyle stated they have provided a handicapped parking space, but bed & breakfasts are specifically exempt from any further requirements. The call to the public was closed at 7:14 p.m.

**Moved** by Litogot, seconded by Cahill to recommend to the Township Board approval of the impact assessment dated September 20, 2000 for proposed Janet Henry Bed & Breakfast located on the south side of Brighton Road, east of Chilson Road, Section 34 of Genoa Township, petitioned by Doyle Homes inc. (PC 00-33). **The motion carried unanimously.**

**Moved** by McCririe, seconded by Litogot to recommend to the Township Board approval of the site plan for proposed Janet Henry Bed & Breakfast located on the south side of Brighton Road, east of Chilson Road, Section 34 of Genoa Township, petitioned by Doyle Homes inc. (PC 00-33) with the following conditions:

1. Township Board approval of the Special Use Permit as recommended by motion by the Planning Commission on September 11, 2000.
2. Township Board approval of the Impact Assessment as recommended by motion this evening.
3. The hedgerow shall be planted in mulch bedding.
4. Subject to Township Engineer's approval of all plans and specifications.
5. Petitioner shall attach to the final site plan the list of building materials and colors as contained in the Impact Assessment this evening.
6. This recommendation shall not be construed as any endorsement of the sign as shown on the site plan.

**The motion carried unanimously.**

**OPEN PUBLIC HEARING # 2... Review of a site plan amendment for a 38 unit site condominium project located on the south side of Grand River, west of Gray Road, Section 34, petitioned by Brookside Development, Chemung Highlands. (PC 00-37)**

- **Planning Commission disposition of petition**

A. Recommendation regarding revision to conceptual PUD plan.

Mr. Dan Schrauben and Ms. Jane Greenway from Equinox. The two property owners were there also. Mr. Schrauben reviewed the site. It is bound by the freeway to the south, Grand River to the north, wetlands to the east, and Champion Chevrolet to the west. It was originally zoned OSD, but the property owners felt it would be better to develop it residentially. They have used all of the upland and still meet the Township requirements. Subsequent to the last meeting with the Planning Commission, they went back and redesigned the site. They have added a 5-½ acre park and trail system to the site.

Mr. Schrauben reviewed the problems that were found with the original survey. He showed how some of the lots have shifted into the wetlands. He reviewed the changes they are planning to make with regard to the storm water management. They originally were at a 30-foot natural buffer with regard to the wetlands on Lots #5-11. They are asking to go back to the 25-foot buffer, which is the Township's requirement.

Chairman Pobuda asked about the "finger" (out lot) on the east of the property. The petitioner stated right now it is part of their property, but it is of no value to this site.

Chairman Pobuda asked about the change in the 30-foot buffer to the 25-foot buffer in regard to Lots #5-11. The petitioner stated they would like to go back to the 25-foot buffer, which is the Township requirement.

Chairman Pobuda notified the petitioner that there is a large concern from the Planning Commission on Lots #5-11's setbacks. He stated that a favorable response is not likely to be received tonight.

Commissioner McCririe feels with the right set of assurances and language within the PUD, he is satisfied that Lots #5-11 are not the lots that he would like them to be, but he could "live with them". His concerns are to what is going to be left in regard to trees and also the sewer system.

Commission Burchfield feels it is inappropriately configured and/or it is too dense. He likes the PUD concept because of the open space and type of residential development proposed, but he is not going to be able to support this.

Commissioner Joseph agrees with Commissioner Burchfield. His concern is for the wetland areas for Lots #5-11. He is not in favor of this plan as it is configured.

Commissioner Cahill has the same concerns as Commissioners Burchfield and Joseph. He asked what can be done to move these lots away from the wetlands.

The petitioner was informed they can take this plan to the Township Board without a positive recommendation and take their chances, but then it does have to come before the Planning Commission again for review.

The property owner pointed out they have met the Township's ordinance of 25 feet. Commissioner McCririe stated the site is at 65 percent upland, as opposed to 75 percent, which is the requirement. The petitioner would like to show the Planning Commission the types of homes that are able to be built on these lots. He feels the Planning Commission will be pleased with what they see.

Ms. Kelly Schuler reviewed their letter of September 20, 2000.

1. Lots #5-11 are plotted through the wetland area, making the site less than 65 percent upland, where the requirement is 75 percent. They would like to see that these sites are buildable. The petitioner will demonstrate the sites are buildable. Commissioner Burchfield stated this is not going to change his previous statement. He feels it needs to be revised. The petitioner stated they are asking for a trade off for the 65 percent upland because they developed the large, 5 ½ acre park. Chairman Pobuda stated it is his feeling the Planning Commission is not going to approve the 65 percent right now. Commissioner Cahill asked if Lots #5-11 were moved to the east, where the road is, how far would they have to be extended in order to meet the 75 percent upland requirement. Mr. Schrauben stated all of the lots are at the minimum square footage right now so it would be difficult to move them. Commissioner Cahill stated he would be willing to grant a variance in other areas instead of next to the wetlands. Mr. Schrauben stated he would have to reconfigure the plans and see if it was possible. There was a discussion regarding the wetlands, upland requirements, and lot width. Commissioner Joseph stated he has not heard any good arguments for the 65 percent upland; he would like to see the 75 percent. Commissioner Litogot wants the 75 percent upland, but he does not want any building on the park. He feels they should go back and reconfigure the plan. He agrees with Commissioner Cahill; he would prefer to give the inner lots variances as opposed to the lots on the wetland.

There was a discussion regarding the Planning Commission's preference on building on the park and what can be done to reconfigure the plans so as not to build on the park. Commissioner Joseph suggested taking out some of the lots. Commissioner Cahill suggested taking out Lots #27 and #38 and moving Lot #26 down and then moving the other lots away from the wetlands.

2. Currently, the grading on Lots #10 and #11 will encroach into the buffer strip and the silt fencing delineation does not follow the required 35-foot buffer.
3. The applicant must clarify the width of the private road cross section. The cross section detail shows 54 feet wide with 15 feet on each side for a private utility easement. They suggest a 24-foot pavement width be applied as being measured from front of curb to front of curb. There was a discussion as to what was approved at the previous meeting. IT was determined that 28 feet was approved at the meeting, but 24 feet is on the PUD.
4. Proposed Detention Basin A is located on an adjacent residential property. They suggest removing Lot #26 and placing the detention basin there. The Planning Commission's consensus was they would not approve the wetland easement if this proposed site for the retention basin is going to be permitted.

Ms. Talley reviewed her letter of September 19, 2000.

1. Ms. Talley asked if there is going to be any on-road parking permitted. The petitioner answered no. Chairman Pobuda asked if anything could be added in terms of a small parking area for special occasions.
2. The proposed grading on Lots #10-12 does not meet the Township's grading standards of 4 to 1.
3. In regarding to Lots #5-11, it appears that the sewer may need an easement wider than 15 feet and that would encroach into all of the lots and make their buildable area less. She would like the engineers to find out if the 15-foot easement is going to be adequate.

The petitioner showed two different plans for homes that would fit into Lots #5 – 11. The petitioner stated they feel it would be very difficult to reconfigure this property to meet the additional upland area; it would be next to impossible. He feels that after all of the discussions, meetings, time and compromises, they are only asking for special consideration on Lots #5-11. He feels the quality of homes as well as the park are beneficial to the people that will be living there. He does not feel that they are asking for that much in order to make this project work. He stated they do not want to build on the park; they would like to have the Planning Commission compromise in order to keep this park.

Chairman Pobuda reviewed the petitioner's options. They can go to the Township Board without recommendation from the Planning Commission or they can reconfigure the plans and bring it back before the Planning Commission.

The call to the public was made at 8:24 p.m. with no response.

**Moved** by McCririe to recommend to the Township Board approval of the revision to conceptual PUD plan for a 38 unit site condominium project located on the south side of Grand River, west of Gray Road, Section 34, petitioned by

Brookside Development, Chemung Highlands. (PC 00-37) as contained in the plans last revision date of September 13, 2000, specifically that the petitioner should be entitled to reduce the upland buildable areas contained in Lots #5-10 providing for not less than 50 percent of upland building area in order to preserve the planned park area. **Motion died for lack of support.**

**Moved** by Burchfield, seconded by Cahill, to not recommend to the Township Board approval of the revision to conceptual PUD plan for a 38 unit site condominium project located on the south side of Grand River, west of Gray Road, Section 34, petitioned by Brookside Development, Chemung Highlands. (PC 00-37) as presented at the Planning Commission meeting of November 25, 2000. **The motion carried (McCrie – N; Pobuda – N; Burchfield – Y; Joseph – Y; Cahill – Y; Litogot Y).**

**Moved** by Litogot, seconded by Cahill to approve the minutes of September 11, 2000. **The motion carried unanimously.**

### **Administrative Business**

Commissioner McCrie reminded the commissioners of the special meeting of the Planning Commission, Township Board, and Zoning Board of Appeals on Monday, October 30, 2000.

The meeting adjourned at 8:28 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary