

GENOA TOWNSHIP
PLANNING COMMISSION
MAY 10, 1999
WORK SESSION
6:30 P.M.
MINUTES

The work session of the Planning Commission was called to order by Chairman Bill Colley at 6:30 p.m. The following commission members were present constituting a quorum for transaction of business: Bill Colley, Don Pobuda, Barbara Figurski, Jim Mortensen, and Gary McCririe. Also present was Michael Archinal, Township Manager; Jeff Purdy and Caryn Champine from The Strader Group; and Melissa Talley from McNamee, Porter, & Seeley. There were several persons in the audience.

Items scheduled for action during the regular session of the commission were discussed. No formal action was taken.

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

The regular session of the Planning Commission was called to order by Chairman Colley at 7:00 p.m. **Moved** by Pobuda, supported by Figurski to approve the Agenda as presented. **Motion unanimously carried.**

A call to the public was made to discuss items not on the agenda with no response. (The Board will not begin any new business after 10:00 p.m.)

- 1) OPEN PUBLIC HEARING #1..REVIEW OF A SPECIAL USE APPLICATION, AND AN ENVIRONMENTAL IMPACT ASSESSMENT FOR 3535 GRAND OAK DRIVE, 3.5 ACRES IN SECTION 08, PETITIONED BY LIVINGSTON COUNTY TO CONSTRUCT A PUBLIC SAFETY RADIO TOWER.
 - A. RECOMMENDATION REGARDING SPECIAL USE APPLICATION.
 - B. RECOMMENDATION REGARDING IMPACT ASSESSMENT.

Mr. Robert Block, County Administrator, stated the County is working with the State to provide an 800 MHz frequency system for public safety. With the current system, there are "pockets" in the county where police and other public safety "prep units" cannot get a signal, thus are rendered useless. With help from a specialized engineering firm, the County has tried to find a tower location to "fill in the gaps". It was deemed that the

tower needed to be in Livingston County. The site for the proposed 419' tower is 100' x 100', located behind the Livingston County Road Commission's parcel along Grand Oak Drive. This location is in an industrial area, provides higher ground and would seem to be the least intrusive to the area. Also, a prefabricated concrete building (12' x 28') to house the electrical equipment is proposed. The tower would provide co-location for other public antennae. They aren't interested in marketing the tower for commercial uses.

Commissioner Pobuda asked about the age of other County equipment and the life of this particular equipment? Also, is this FAA approved?

Mr. Block answered that currently, there is no other County equipment in the area. The County contracts with the State police system. While he couldn't give a definite number of years for life expectancy, generally, these are long-lived technologies. This tower would allow all public safety units to address a single frequency to converse. The State is looking to put up this system all over Michigan. Regarding the FAA, they will consider the location after local approval is granted. But, he did not see any problems.

Mr. Jeff Purdy stated the Planning Commission has the discretion to waive the brick requirement for the building.

Chairman Colley noted that the building will not be seen from any roads.

Mr. Purdy noted that while there is a demonstrated public need for this tower, he wasn't sure it would fall under "an essential public service" under the new ordinance. He suggested the site needed a special land use permit. Also, he suggested a written agreement to allow future co-location providing it doesn't conflict with the public safety use of this tower. He noted the lighting would include a strobe light during the day and a red beacon at night. The plans should also indicate what color the tower will be painted.

Ms. Melissa Talley stated that from an engineering standpoint, she is comfortable with the site.

Mr. Block clarified that they felt the tower was indeed "an essential public service". And, while they are willing to provide co-location for public uses, they are not interested in any commercial uses.

Chairman Colley stated he didn't understand the hang up. Obviously, the County would have priority usage. The size of the tower is such that co-location should be encouraged to limit the number of towers in the township.

Mr. Block stated the County does not want to get into the "rent-a-tower" business, but finally agreed that some type of caveat could be worked out.

Chairman Colley made a call to the public at 7:20 p.m. with no response.

Commissioner Pobuda asked if there was any kind of "rebate" program to local municipalities for allowing this in the township?

Mr. Michael Archinal stated there is no precedent for a "franchise fee" for something that is not on township property.

Commissioner Mortensen stated he had some reservations about the tower. He wondered if this was the only technology available to solve the problem?

Mr. Block stated the intent is to eventually blanket the entire state with 800 MHz service and to provide subscription services to area agencies. It is part of a state-wide program.

The Commissioners agreed that the color of the tower should not be red and white, if at all possible, but similar to the tower near the Cracker Barrel. Because of the approach area of the Livingston County Airport, this will have to be cleared by the FAA.

Moved by Pobuda, supported by McCririe to recommend to the Township Board approval of the special use for Livingston County for a public safety radio tower at 3535 Grand Oak Drive at a maximum height of 419', and that it be sky white, similar to the Cracker Barrel, unless another color is required by the FAA. **Motion carried - 4 yes, 1 no with Figurski dissenting.**

Moved by McCririe, supported by Pobuda to recommend to the Township Board approval of the Impact Assessment for Livingston County as presented. **Motion carried - 4 yes, 1 no with Figurski dissenting.**

Moved by McCririe, supported by Pobuda to recommend to the Township Board approval of the site plan for a 419' tower on the Livingston County Road Commission site with the following conditions:

1. Township Board approval of the Impact Assessment as presented.
2. Township Board approval of the special use permit as recommended by the Planning Commission in the motion tonight.
3. No strobe lighting shall be used on the tower in the evening.
4. There shall be no signage on the tower.
5. Subject to FAA and FCC approval.
6. Petitioner shall provide an agreement, satisfactory to the Township Board and township attorney, that allows co-location for public uses and for private uses as space is available.
7. Petitioner shall not be required to landscape or brick the structure associated with the tower.

Motion carried - 4 yes, 1 no with Figurski dissenting.

- 2) OPEN PUBLIC HEARING #2...REVIEW OF A FINAL SITE PLAN AND CORRESPONDING ENVIRONMENTAL IMPACT ASSESSMENT FOR NORTH SHORE PHASE VII; SECTION 20: NORTH SHORE DEV./BOSS ENGINEERING.
 - A. RECOMMENDATION REGARDING IMPACT ASSESSMENT.
 - B. RECOMMENDATION REGARDING SITE PLAN.

Mr. Dave LeClair of Boss Engineering introduced Mr. Eric Small from North Shore Development. Mr. LeClair stated this phase is the final single-family phase of the PUD. There are 28 single-family lots at the northeast of the development. There are two direct access lake lots, and six indirect, riparian lots. The roads are public. Approval has been received from the Road Commission and the Drain Commissioner. He presented a copy of a letter, dated May 7, 1999, from Mr. Thomas Kolhoff of the DEQ, granting an extension of their permit. He noted the DEQ's preference is for wood chips along the path. The Master Deed and By-Laws have been submitted.

Commissioner Pobuda complimented Mr. LeClair on the completeness of the By-Laws.

Mr. Purdy briefly reviewed The Strader Group letter of March 17, 1999. The Commissioners agreed that wood chips along the path would be appropriate to be consistent with the other phases of the development. Agency approvals have been granted and the By-Laws have been approved by the township attorney. The only remaining issue is the tree survey (the number and kinds of trees to be removed for roads, etc.).

Mr. LeClair stated that one was not done because this development falls under the old ordinance and a survey was not required then.

Chairman Colley and Commissioner Figurski stated they would like to see one.

Mr. LeClair stated the only trees that might be impacted are along Aspen Ridge Ct. (lots 140-143). He noted that sheet 4 of the site plan shows the grading limits.

Mr. Purdy stated they have somebody on staff with experience in construction practices who can go out to the site to make sure certain trees are not impacted.

Chairman Colley made a call to the public at 7:40 p.m.

Ms. Pat Tasich of North Shore Woods voiced her concern with the trees on the south side of Crooked Lake Rd. With the changes in the topography, there is a group of trees that are standing in water now. The trees were not standing in water prior to the topography changes.

Mr. LeClair stated that is a detention area and during Phase IV the decision was made not to cut down some of the trees, realizing that some of them might die, in order to make it a more natural area.

The Commissioners asked Mr. Archinal to go out and take a look at this area and see if anything could be done.

With no other comments, Chairman Colley closed the call to the public at 7:45 p.m.

Ms. Talley stated more detail is needed as to whether the wetlands can support the storm sewer run-off. This can be handled at construction drawings, however.

Moved by Figurski, supported by Pobuda to recommend to the Township Board the approval of the Impact Assessment for North Shore Phase VII, revised 3/2/99, with the change on the Preface page, so it reads 124 detached condominiums not 125. **Motion unanimously carried.**

Moved by McCririe, supported by Pobuda to recommend to the Township Board final site plan approval for North Shore Phase VII with the following conditions:

1. Township Board approval of the Impact Assessment as modified.
2. Township engineer review and approval of all plans and specifications.
3. Township planner will monitor the grading around the tree stand in the area of lots 139-144 and lots 148-150 to comply with the limits of grading as depicted on the plan dated 3/1/99.

Motion unanimously carried.

3) OPEN PUBLIC HEARING #3...REVIEW OF A FINAL SITE PLAN AND CORRESPONDING ENVIRONMENTAL IMPACT ASSESSMENT FOR 25 DETACHED CONDO HOME SITES. NORTH SHORE PHASE VIII, SOUTH OF CROOKED LAKE BETWEEN NIXON AND SHARP; SECTION 20: NORTH SHORE LAND DEVELOPMENT/BOSS.

- A. RECOMMENDATION REGARDING IMPACT ASSESSMENT.
- B. RECOMMENDATION REGARDING SITE PLAN.

Mr. Dave LeClair of Boss Engineering stated this is the last detached condominium of the development with 25 single-family detached condos. The roads are private and 26' wide. There is a well house and sidewalks. Elevations have been submitted. The buildings will be identical to those in Phase II, except 2-4' wider.

Mr. Purdy reviewed The Strader Group letter of April 19, 1999. The major issues are the landscaping for the rear yards of lots 1-4 and language in the Master Deed and By-Laws regarding the 25' wetland setback.

Mr. LeClair stated language could be added to the Master Deed and By-Laws as requested by the planner. Regarding the landscaping, there is a Panhandle Eastern easement behind those units and they are prohibited from planting there.

Mr. Purdy suggested putting some evergreen trees along the south edge of the easement for privacy. The Commissioners agreed with Mr. Purdy's suggestion and wanted the planning consultant to review this to his satisfaction.

Commissioner Figurski stated she wanted to see as little tree clearing as possible. It seems like too many trees are always taken down.

Chairman Colley agreed that it would be prudent for the planner to review the tree clearing.

Commissioner Pobuda asked about the market for these units (empty nesters? first buyers?). He noted that the recreation areas are some distance from this part of the development.

Mr. Eric Small of North Shore Development stated he hopes the units will appeal to everybody. Currently, the entire development has a good mix of people and families. He noted there is some area in the northwest corner that can be used for recreation. But they want to see what the homeowners association wants to do with it.

Ms. Talley stated there are some storm sewer issues that can be addressed at the construction drawings phase.

Chairman Colley made a call to the public at 7:56 p.m.

Ms. Pat Tasich of North Shore Woods asked about this phase's connecting to the main roads. Will these people be utilizing the established roads to enter and exit?

Mr. LeClair answered "Yes" this phase will be serviced mainly by the second entrance on Crooked Lake Road.

Ms. Tasich also voiced her concern with the usage that the beach area gets, as well as the playground and nature areas. The beach area can get pretty crowded now. Some of these areas are being stressed. The bus stop is inadequate. The roads are getting very busy. There are no sidewalks and many children. She voiced her concern with their safety. More and more development seems to be added. More and more units are being added.

Commissioner Pobuda stated these are issues that need to be brought up with the homeowners association and the developer.

Chairman Colley explained that the entire development was reviewed and approved in concept as a total project. The phases were approved for road lay-out, lot lay-out, etc. Nothing is being "added" that wasn't already reviewed and approved. Now the Commissioners are looking at the details.

Ms. Tasich asked about any new development to the west.

Chairman Colley stated that as far as North Shore is concerned, this is it. They are done.

Ms. Ann Marie Sullivan from North Shore Woods stated the current play area only has two or three swings for almost 100 children. If more development is being added, then more area for the children to play should be added.

Commissioner Pobuda asked if the homeowners association has any residents on the board?

Mr. Small stated there are residents on the board, but North Shore still has the controlling vote. The "trigger" point has not been reached yet. They are willing to talk to the residents.

A resident from 320 Lake Wood Shores Drive stated the developer does have the controlling votes but the trigger point should come in with this last phase. He stated he was encouraged to hear that there needs to be some dialogue between the residents and the developer regarding more amenities.

With no other comments, Chairman Colley closed the call to the public at 8:07 p.m.

Commissioner McCririe noted that page 10 of the Master Deed needs language regarding the well isolation area's maintenance by the homeowner's association. This was required by the Township Board at the last approval.

Mr. LeClair stated he will check on this. This information was certainly relayed to their lawyer.

Moved by Figurski, supported by Mortensen to recommend to the Township Board the approval of the Impact Assessment for North Shore Phase VIII, dated 1/8/99. **Motion unanimously carried.**

Moved by McCririe, supported by Mortensen to recommend to the Township Board approval of the final site plan for North Shore Phase VIII with the following conditions:

1. Township Board approval of the Impact Assessment as recommended by motion this evening.
2. Township engineer review and approval of all plans and specifications.
3. Township planner will monitor the grading to comply with the limits

- of grading as depicted on the plan.
4. Developer shall landscape, in a manner satisfactory to the township planner, the area behind units 1-4.
 5. This phase shall be limited to 25 single-family detached condominiums.
 6. Master Deed shall contain language for the homeowner's association to maintain the well isolation area, and such language shall be available at the time of consideration by the Township Board, and satisfactory to the township attorney.
 7. Language shall be contained in the Master Deed providing the same protections for the wetland buffer areas as for the actual wetland area.

Motion unanimously carried.

- 4) OPEN PUBLIC HEARING #4...REVIEW OF REZONING APPLICATION, AND IMPACT ASSESSMENT FOR REZONING APPROVAL TO REZONE PROPERTY FROM CE (COUNTRY ESTATES) TO LDR (LOW DENSITY RESIDENTIAL) AT 4562 CROOKED LAKE ROAD, SECTION 21, PETITIONED BY NORTH SHORE LAND DEVELOPMENT/BOSS.
 - A. RECOMMENDATION REGARDING IMPACT ASSESSMENT.
 - B. RECOMMENDATION REGARDING REZONING REQUEST.

Mr. Dave LeClair of Boss Engineering stated that at the time of the North Shore PUD development, this parcel was owned by Mr. Bob McGillis and not available. Recently, they have purchased the property and wish to rezone it from CE to LDR. They would like to incorporate this parcel into the North Shore Woods development. The requested district permits a minimum lot size of one acre. However, there is not enough frontage on the road to split into three lots. The site will only allow for the creation of two lots.

Commissioner Pobuda asked Mr. LeClair what would be done with the parcel if the rezoning is not approved?

Mr. LeClair stated the parcel would be left as a non-conforming lot in the development. The McGillis home will be torn down.

Mr. Purdy noted that the rezoning would be consistent with the Master Plan and bring the property into conformance with minimum lot size requirements.

Ms. Talley stated traffic and utilities, etc. will have to be coordinated with the other phases if approved.

Chairman Colley made a call to the public at 8:15 p.m.

Ms. Ann Marie Sullivan of North Shore Woods voiced her concern with adding still more lots to this development. She wondered when it was going to be done? The amenities are stressed now.

Chairman Colley explained that this small parcel was not available at the time the PUD was approved. It is virtually land-locked. After this rezoning, if approved, North Shore will be complete. He reiterated that at the time of the PUD approval, this entire North Shore development was approved for density, road lay-out, etc. It always existed. The development was just done in phases, and the details approved in phases.

Ms. Sullivan asked if more property becomes available, could North Shore add more development?

Commissioner McCririe noted that North Shore is "tapped out" on their sewer and water capacity.

A resident noted that some of the development that was not part of the PUD was added later. They wanted assurances that there is some end in sight. The neighborhood is rapidly expanding.

Chairman Colley stated the development would be completed with this rezoning, if approved. With no other comments, the call to the public was closed at 8:20 p.m.

Moved by Mortensen, supported by Pobuda to recommend to the Township Board the approval of the Impact Assessment dated 3/15/99 for rezoning property from CE to LDR at 4562 Crooked Lake Road. **Motion unanimously carried.**

Moved by McCririe, supported by Mortensen to recommend to the Township Board the approval of the rezoning of the parcel, tax I.D. #11-21-200-009, from CE to LDR in that it meets the criteria of Section 22.04, 1 through 6. **Motion unanimously carried.**

5) OPEN PUBLIC HEARING #5...SPECIAL USE APPLICATION, SITE PLAN APPLICATION, ENVIRONMENTAL IMPACT ASSESSMENT, AND SITE PLAN FOR SKILLTECH EQUIPMENT, LOCATED ON THE WEST SIDE OF GRAND OAK DRIVE, SECTION 5, TO ADD A 35,100 SQ. FT. BUILDING AND OUTDOOR STORAGE AREA, PETITIONED BY SKILLTECH/BOSS.

- A. RECOMMENDATION REGARDING SPECIAL USE APPLICATION.
- B. RECOMMENDATION REGARDING IMPACT ASSESSMENT.
- C. RECOMMENDATION REGARDING SITE PLAN.

Mr. Bill Rotiers of Boss Engineering introduced Mr. Terry Brady, the builder. He explained Skilltech is proposing a 35,100 sq. ft. building constructed in two phases and a parking area for outdoor vehicle storage. There is an existing building on the site. There

will be a new access drive and the current access to the existing parking will be widened. The proposed use of the building addition is vehicle storage in support of the current use ongoing in the existing building on the site. The existing use is concerned with customized, prototype, and fleet vehicles for large automotive companies. He presented elevation drawings and building materials. The east end elevation includes two overhead doors. The building will be beige corrugated metal with concrete block at the bottom and a dark brown strip along the top.

Commissioner Mortensen asked it if was possible to turn the building so that the parking is behind the building and the building runs north and south, rather than east and west?

Mr. Brady answered that one of the problems with doing that is the elevation. There is a natural drainage pattern. He noted that the overhead doors will not be visible from the road as they will be screened by the existing building.

Ms Judy Smith of Skilltech stated Phase I construction would start immediately, and Phase II would start as soon as Phase I is completed. They are seeking approval for both phases. Phase II will be two identical sections added to the building, without the overhead doors. She noted they are very dependent upon the security of their buildings. When all phases are completed, there will be internal doors behind fire walls with a drive pattern going around inside the buildings.

Ms. Talley noted that she just received the drainage calculations today. The initial review, as a concept, looks acceptable, but she needs to review the plans further.

Mr. Archinal noted that he and Jeff Brown were out to the site last summer to review what the applicant wants to do. The site will be improved by this development.

Chairman Colley noted that the building is a fairly sterile industrial building. Will this building be seen from Grand River?

Mr. Brady answered "No" there is a detention area to the north, too.

Ms. Smith noted that they wish to maintain the integrity of their business and buildings as they have very high ranking executives from the automotive companies visiting their site. The fencing will be very similar to the storage area fencing, but there will be an alarm system and surveillance cameras. Cars parked outside will be brand new. There will be no signs and the lighting fixtures are noted on sheet #6.

Ms. Caryne Champine reviewed The Strader Group's letter of April 20, 1999, noting that the letter was written before meeting with the applicant. Several issues were resolved since then. However, she recommended evergreen trees instead of the deciduous trees behind the existing building to better screen the overhead doors and loading. Also, she recommended canopy trees, a minimum of 2 1/2" caliper, along Grand Oak Drive.

The Commissioners agreed with these suggestions and asked the applicant to work with the planner on this issue. Mr. Brady agreed to six (6) canopy street trees and replacing the deciduous trees with two evergreens behind the existing building. Mr. Brady noted that they are providing a very nice industrial area, and they are also providing \$50,000 worth of piping and drains for this site. Lots of landscaping is provided along the back, as well.

Commissioner Pobuda noted that the applicant seems to be "environmentally" conscious.

Chairman Colley made a call to the public at 8:50 p.m. with no response.

It was noted that a special use permit was never granted for the painting operations currently being done in the existing building. Mr. Purdy suggested it be included in the motion.

Moved by Pobuda, supported by Mortensen to recommend to the Township Board the approval of the special use permit for Skilltech Equipment, located on the west side of Grand Oak Drive, Section 5, for outdoor storage of cars and light trucks and limited painting operations, with painting limited to the building that is currently in existence, and shall not be expanded, meeting the requirements of MIOSHA, OSHA, EPA and DEQ. **Motion unanimously carried.**

Moved by Mortensen, supported by McCririe to recommend to the Township Board the approval of the Impact Assessment for the proposed Skilltech expansion, dated 4/5/99, with a revised date of 4/26/99. **Motion unanimously carried.**

Moved by McCririe, supported by Mortensen to recommend to the Township Board the approval of the site plan for Skilltech, specifically Phase I and Phase II, with the following conditions:

1. Township Board approval of the special use as recommended by motion this evening.
2. Township Board approval of the Impact Assessment as presented.
3. Township engineer review and approval of all plans and specifications.
4. Petitioner shall replace the two canopy trees directly behind the existing building with two evergreen trees, and six additional canopy trees, of a minimum of 2 1/2" caliper, shall be added along the Grand Oak Drive frontage with locations coordinated by, and approved by, the township planner.

Motion unanimously carried.

ADMINISTRATIVE BUSINESS

There was no Planner's Report.

Because the last pages of the April 12, 1999 meeting minutes were missing from everyone's meeting packets, the approval of the minutes will be done at the May 24, 1999 Planning Commission meeting.

The meeting was adjourned at 9:07 p.m.

Respectfully submitted,

Dia M. Moulton
Recording Secretary