

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
DECEMBER 8, 2014
6:30 P.M.
MINUTES**

CALL TO ORDER: The meeting of the Genoa Township Planning Commission was called to order at 6:30 p.m. Present were James Mortensen, Barbara Figurski, Chairman Doug Brown, Eric Rauch, Chris Grajek. Absent was John McManus. Also present were Kelly VanMarter, Township Community Development Director and Assistant Township Manager; Brian Borden of LSL.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Ms. Figurski moved to approve the agenda. The motion was supported by Ms. Lowe. Motion carried unanimously.

CALL TO THE PUBLIC: A call to the public was made with no response.

OPEN PUBLIC HEARING #1... Review of a sketch plan for a proposed 194.1 sq ft equipment shelter, located at the City of Brighton Water Tank at 7925 Conference Center Drive, Brighton, Michigan 48116, parcel #11-24-200-062. The request is petitioned by Verizon Wireless c/o Stephen Crane.

Mr. Mortensen addressed the potential for conflict of interest, as Commissioner Lowe is the Clerk for the City of Brighton and the tower under discussion is owned by the City of Brighton. Ms. VanMarter read the conflict of interest guidelines adopted in 2009. It was determined no conflict of interest was present.

Mr. Jonathan Crane, father to Stephen, addressed the Planning Commission on behalf of the petitioner. Mr. Jonathan Crane is a civil engineer and an attorney who practices at 1126 North Main in Rochester, Michigan. Mr. Crane indicated that they have approached the City of Brighton about collocating on the water tower. The City required that site plan review be approved first. They have worked with the City's attorney so that the City could lease a portion of the leased premises. The original agreement was for a water tower and they have extended that to allow cellular. The City requested that a fence be placed around the tower, 6' tall, wrought iron. A brick veneer will be placed outside the shelter. They will pay money to the City of Brighton, providing service for approximately two miles to increase capacity which is under a strain.

Mr. Mortensen asked if the antennas would be on the side of the tower. Is this equipment building of sufficient size to handle more than one carrier? Mr. Crane indicated it is for one carrier. The site is so small, there is no capacity for additional equipment. Mr. Mortensen asked whether another carrier might come along who wants additional storage. Mr. Crane indicated that the equipment is getting smaller and smaller. T-Mobile uses a 3' cube to store their equipment. Some locations have had 12'x30' buildings. Mr. Brown suggested that if another carrier comes along, we will need

to deal with the need at that time. Mr. Crane indicated that the easement area would have to be expanded. Cracker Barrel would need to be approached.

Mr. Borden indicated that the current applicant would not be responsible to provide space for future applicants. Future projects could be reviewed at the time they are needed with carriers approaching the Planning Commission with possible joint efforts for approval. There are specific ordinances in the township ordinance which could help direct future reviews of the site.

Mr. Borden indicated that the focus of this review is on the shelter; the antenna is a permit issue. This project is subject to setback standards, height standards, brick and fencing requirements, and a landscape plan requirement to help screen and beautify the area. The standards are met. There is some discretion allowed if the commission feels there is a need for additional landscaping.

Mr. Brown asked about what is allowed in the easement agreement. Mr. Crane indicated that the easement was strictly for the water tower. Mr. Brown asked Mr. Crane to ensure that Ms. VanMarter receives a copy of the agreement with the City of Brighton.

Mr. Rauch addressed the petitioner, expressing appreciation for the brick and wrought iron fencing. There are two air conditioning units and a cable bridge, with a large generator. Could additional evergreen trees help screen the building, one additional tree on the east and one on the west? It's conceivable that Cracker Barrel would cut the trees down.

Mr. Crane indicated that Cracker Barrel has been very cooperative. The bridge will be 7' high. Mr. Crane believes the evergreens will be 5' tall. Mr. Mortensen asked should we ask Cracker Barrel for an easement to include the trees? Mr. Crane indicated they would address this with Cracker Barrel and that in a few years the trees would grow and the building would not be seen. They use spruce trees. Mr. Brown indicated that he doesn't notice this structure when he is in the area and it is possible to overcrowd the area. Mr. Rauch indicated that one tree might be moved down slightly. Is the light on the building a security light or motion detector? Mr. Crane indicated that the light in the back could be removed for the benefit of neighboring residents.

Mr. Brown read the recommendation of the engineer and the fire department. Mr. Crane indicated the recommendation would be followed. Notice of dangerous materials will be given outside the building due to lead acid batteries.

Mr. Brown made a call to the public:

Ms. Laurie Sell asked if the trees would be watered the first year so that they would stay alive. Mr. Crane indicated that the nursery will provide watering for the first year. Mr. Jarrett Poppy asked how far the trees would be from the building. Mr. Crane indicated that the trees were 25' from the building. No other comments were made by the public.

Planning Commission disposition of petition

A. Disposition of Site Plan. (11-14-14)

Mr. Mortensen moved that we approve the sketch plan for a Verizon collocation facility near the city of Brighton water tower, dated November 14, 2014 subject to the following:

1. Two more evergreens will be added, one on the east and one on the west.
2. Prior to a land use permit being granted, documentation will be provided by the City of Brighton ensuring the Township that the evergreens on the Cracker Barrel property will be approved to exist. The form shall be in an amendment to the lease area or other documentation satisfactory to Township staff.
3. In the event that future needs require additional equipment shelter space, the applicant shall agree to cooperate with the City of Brighton on a possible expansion of the proposed shelter as needed and shall submit a statement to that effect in writing.
4. The requirements of the Township Engineer spelled out in his letter of Nov. 21, 2014 and the Fire Department letter from Nov. 21 will be complied with.
5. The light on the north building elevation shall be removed.
6. Genoa Township shall receive a copy of the proposed easement and/or agreement between the City of Brighton and Cracker Barrel.

Supported by Ms. Figurski. **Motion carried unanimously.**

OPEN PUBLIC HEARING #2... Review of a proposed third amendment to the Timber Green Planned Unit Development (PUD) site condominium and agreement for a proposed 1,440 sq ft overhang addition to the approved 5,760 sq ft accessory structure at the property located at 3800 Chilson Road, Howell, Michigan 48443, petitioned by Chestnut Development.

Ms. Laurie Sell addressed the Planning Commission on behalf of the petitioner. Ms. VanMarter indicated that the Planning Commission had approved a 5,760 sq ft building for his property but when the plans came through for a land use permit, the building plans included an overhang portion which is under the roof. The covered area exceeds the dimensions allowed in the previous approval.

Mr. Brown asked what would be stored under the overhang; what would be the reason for the overhang? Mr. Gronow was present by speaker phone and indicated that the overhang is for equipment storage, such as a snow blower and attachments. Mr. Grajek asked if there was any plan to enclose the overhang. Mr. Gronow said no, the overhang is for convenience with equipment. Mr. Brown indicated that this is a small change, given the size of the building already approved. The building is huge and well hidden. Mr. Rauch indicated that approving the storing of equipment outside may not be desirable. Mr. Brown indicated that additional buffering would be good. Mr. Grajek suggested that we should stipulate that the overhang cannot be enclosed.

A call was made to the public with no response.

Planning Commission disposition of petition

- A. Recommendation of PUD Agreement Amendment.

Mr. Mortensen moved that we recommend to the township board an approval of a third revision to the PUD agreement for Timber Green subject to the following change:

1. A parenthetical statement shall be added to the fourth paragraph on the second page of the agreement that no part of the overhang shall be enclosed. This recommendation is made because the Planning Commission believes it is a minor change to the existing amendments, all of which the Planning Commission believes is consistent with requirements of section 19.02 of the Township ordinance.

Supported by Ms. Lowe. **Motion carried unanimously.**

OPEN PUBLIC HEARING #3... Request to table rezoning, PUD amendment, site plan, and environmental impact assessment for a proposed 3,848 sq ft Red Olive Restaurant, located at 3838 E. Grand River Avenue, Howell, Michigan 48443, parcel # 4711-05-400-025. The request is petitioned by PKJJ, LLC.

Planning Commission disposition of petition

- A. Table request to January 12, 2015 meeting.

Mr. Grajek moved to table this public hearing at the request of the applicant.

Supported by Mr. Mortensen. **Motion carried unanimously.**

Administrative Business:

- *Staff report: Ms. VanMarter indicated that a redevelopment has been discussed on one of the most prominent intersections in the township, changing the status of the current Bennigan's location. Also, an office complex is proposed on Grand River and an addition is being proposed at the Battery Solutions location.*
- *Approval of November 10, 2014 Planning Commission meeting minutes. Motion by Ms. Figurski to approve the minutes as amended. Support by Mr. Rauch. **Motion carried unanimously.***
- *Member discussion*
- *Adjournment*