

GENOA CHARTER TOWNSHIP BOARD

Regular Meeting and Public Hearing

May 18, 2015

MINUTES

Supervisor McCririe called the regular meeting and public hearing of the Board to order at 6:30 p.m. The Pledge of allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Linda Rowell, Jim Mortensen, Todd Smith and Jean Ledford. Also present were Township Manager Michael Archinal; Township Attorney Frank Mancuso; Township Assistant Manager Kelly VanMarter; and approximately 30 persons in the audience.

A Call to the Public was made with the following response: Bud Clark – I live on Homestead Drive. I am here on behalf of my father. In 1986 a record of variance was granted by the ZBA. During the trial the township was unable to provide a copy of the variance. This is the root cause issue that we are requesting this board address. Please review the matter and respond accordingly. My father no longer has safe ingress and egress to his home.

Peyton Clark – Act 267 of 1976 states that the township has responsibility in retaining public record. Those records should have been available for the trial. I spent \$60,000.00 in legal fees trying to retain my rightful property. I would not have lost the court case if the documents had been available. I am asking the appropriate people within the township to draft a letter as to the township not being able to provide documentation for my court case – just a letter of explanation.

Lisa Clark – I am the daughter. I came to the township with a second request for the documents while the trial was in session and could not be found. Approximately twenty residents and neighbors of the Clark family stood in support of the request.

Approval of Consent Agenda:

Moved by Mortensen and supported by Smith to approve item 1 under the consent agenda and move approval of the minutes to the regular agenda. The motion carried unanimously.

1. Payment of Bills.

Approval of Regular Agenda:

Moved by Ledford and supported by Mortensen to approve for action all items listed under the regular agenda. The motion carried unanimously.

2. Request to Approve Minutes: May 4, 2015

Moved by Hunt and supported by Smith to approve the Minutes with minor corrections: Adding – The manager identified the west driveway with regard to Northshore. Further, correcting typographical errors. The motion carried unanimously.

3. Public Hearing on the Northshore Road Improvement Project.

A Call to the Public was made with no response.

Moved by Smith and supported by Hunt to approve Resolution No. 5 [Confirming the Special Assessment Roll] for the Northshore Road Improvement Project inserting language from Resolution No. 2 under Exhibit A. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None.

4. Request for approval of PUD agreement amendment, environmental impact assessment, and site plan for the proposed redevelopment of an existing outparcel to create two (2) outlots and construct a 4,283 sq. ft. restaurant building for Panera Bread, located at 3950 E. Grand River Avenue, Howell, Michigan 48843, parcel # 4711-05-400-047. The request is petitioned by RG Properties, Inc. previously identified as Bennigan’s Restaurant.

A. Disposition of PUD Agreement Amendment dated March 12, 2015.

Moved by Smith and supported by Mortensen to approve the rendering titled Option (A) for the Panera Bread Company (signed and dated by the petitioner) as submitted this evening and to approve the PUD Amendment as reviewed by the Planning Commission with the following conditions:

1. Subject to the review and approval of the Township Attorney.
2. The changes proposed in regard to the gateway sign after the Planning Commission Meeting are not approved.

The motion carried unanimously.

B. Disposition of Environmental Impact Assessment dated April 28, 2015.

Moved by Smith and supported by Hunt to approve the impact assessment as presented. The motion carried unanimously.

C. Disposition of Site Plan dated April, 28, 2015.

Moved by Smith and supported by Skolarus to approve the site plan with the following conditions:

1. The revised building elevation (Option A” reviewed this evening is approved.
2. Signage shall not be allowed on the patio tables or umbrellas.
3. The building depicted on lot 4B is regarded as conceptual and will be subject to the site plan approval process.
4. The requirements of the Township Engineer in the letter dated April 24, 2015 will be complied with prior to issuance of a land use permit.

5. The requirements of the Brighton Area Fire Department as stated in their letter dated April 22, 2015 shall be complied with prior to issuance of a land use permit.

The motion carried unanimously.

5. Consideration of a request to approve a special land use, environmental impact assessment, and site plan for a proposed remote bank ATM in an existing parking lot, located at 3599 E. Grand River Avenue, Howell, Michigan, parcel # 4711-05-400-031. The request is petitioned by Chase Bank.

A. Disposition of Special Land Use Permit

Moved by Rowell and supported by Smith to approve the Special Land request that complies with the standards provided in Section 19.03 and because the use is consistent with the services provided on neighboring properties in the Regional Commercial District. The motion carried unanimously.

B. Disposition of Environmental Impact Assessment dated 05-13-15

Moved by Ledford and supported by Rowell to approve the impact assessment as requested. The motion carried unanimously.

C. Disposition of Site Plan dated 05-13-15

Moved by Ledford and supported by Rowell to approve the site plan dated 05/13/2015 with the following conditions:

1. Two small signs on the ATM will be permitted: one on the east and one on the west. No roof canopy signs shall be allowed.
2. The proposed concrete curb shall be extended 2 feet to the east to prevent cars from hitting the ATM structure. This change in the site plan will be subject to review by Township Staff;
3. The requirements of the Brighton Area Fire Authority in their letter of 4/29/15 shall be complied with.

The motion carried unanimously.

6. Consideration of a request to approve the environmental impact assessment corresponding to a site plan for a 19,202 sq. ft. building addition and 152 new parking spaces, located at 7526 Grand River Avenue, Brighton, Michigan 48116, parcel # 4711-13-400-018. The request is petitioned by 2|42 Community Church.

Moved by Smith and supported by Hunt to approve the impact assessment dated 04-22-15 relative to the site plan dated 04/22/2015 with the following conditions:

1. The building additions will match the existing materials and the display board presented will become Township property.

2. The applicant will work with Township staff and the neighbors to the west to refresh or reinstate the plantings in the buffer zone.
3. The traffic management plan developed in the original project will be continued and enhanced as recommended by the March 24, 2015 traffic engineer's memo.
4. The Township is aware that the underground retention system in the site plan might be eliminated which would increase the timing of the flow to Morse Lake. This deviation shall be approved by the County, the property owners on Morse Lake, and Genoa Township, as well as any other necessary governmental unit.
5. The requirements of the Township Engineer in their letter dated 5/5/15 and the Brighton Fire Authority in their letter of 4/29/15 will be complied with.

The motion carried unanimously.

7. Introduction of a proposed rezoning and authorization of statutory notice for a public hearing on June 1, 2015 for parcels 4711-11-300-021, 4711-11-300-027, and 4711-11-300-028 totaling approximately 4.19 acres located in Section 11 at 6253 Grand River Avenue. The applicant has requested a rezoning to remove the Town Center Overlay District from the property which will change the zoning from General Commercial District/Town Center Overlay (GCD/TC) to General Commercial District (GCD). The request is petitioned by Chestnut Development, LLC.

Moved by Smith and supported by Hunt to approve the first reading introducing the rezoning request and setting the first public hearing for June 1, 2015. This request is related the property known as Crest Housing. The motion carried unanimously.

8. Discussion regarding Election Commission minutes.

McCririe asked for clarification. Skolarus – Reference is made to the Zoning Board of Appeals and Planning Commission minutes that may not be corrected by the Township Board. The Election Commission is also an independent board and corrections may only be made by members of that board.

9. Request for approval of contracts for the Assessor, Deputy Assessor, Assistant Township Manager/Community Development Director, and Township Manager.

Moved by Rowell and supported by Hunt to approve the contracts with minor corrections. *The H.R Generalist should have electronic responses from all employees, both staff and contractual with reference to the Personnel Handbook.* The motion carried unanimously.

10. Request to enter into a closed session to discuss pending litigation pursuant to MCL 15.268 § 8 (e).

Moved by Ledford and supported by Smith to enter into closed session at 8:00 p.m. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None.

The regular meeting of the board was resumed at 8:13 p.m.

- Smith advised the board that he would be bringing a Howell Parks and Recreation budget to the board.
- Attorney Mancuso will correspond with the Clark family as requested in their address to the board.

The meeting of the board was adjourned at 8:14 p.m.

Paulette A. Skolarus, Clerk

Gary McCrie, Supervisor