

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
May 9, 2016
6:30 P.M.
MINUTES**

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

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA: **Moved** by Commissioner McManus, seconded by Commissioner Grajek, to approve the agenda as presented. **The motion carried unanimously.**

CALL TO THE PUBLIC: The call to the public was made at 6:32 pm.

Mr. Dan Wholihan of PO Box 182, Brighton is concerned about Item #1 on tonight's agenda. He is not sure there is room for 16 units to be developed in this area as most of it is swamp land. Ms. VanMarter showed Mr. Wholihan where the property is located. He is satisfied as he believed it was in a different location.

The call to the public was closed at 6:35 pm.

OPEN PUBLIC HEARING #1...Review of a request for an extension to the Mountain Top Estates Site Plan dated 3-17-06 and Impact Assessment dated 4-20-06 for a proposed 16-unit, single-family site condominium located north of Cunningham Lake Road and east of Sundance Trail, known as Mountain Top Estates. The request is petitioned by Robert Moore. This project has been granted extensions by the Planning Commission on 5-14-07, 4-13-09, 4-12-10, and 3-25-13.

Planning Commission disposition of petition:

A. Disposition of Site Plan Extension

Chairman Brown noted that in addition to the extensions stated on the agenda, other administrative extensions have been granted for this project.

Mr. Moore stated he has owned this property for 30 years and it was purchased by Doyle Homes, who was going to develop the proposed site plan. Because the economy went down in 2008, it was not done. Mr. Moore has since purchased the property and taken on the project. Now that the economy has turned around, he would like to once

again sell the property to someone who will develop it. Mr. Moore addressed the concerns of the planner, engineer and the Brighton Area Fire Authority's review letters.

Mr. Borden stated he is recommending approval of the extension; however, he wants the applicant to be aware that if any changes to the ordinance are made in the future, they will need to be addressed and the site plan will need to be amended.

Commissioner Mortensen asked Mr. Moore if he is agreeable of not allowing parking on any street. He stated he is and it will become part of the master deed.

Commissioner Mortensen stated that the item noted in the Brighton Area Fire Authority's letter regarding the on-site water needs and the suggestion of the Township requiring well-filled cisterns should be determined by the developer and property owners and not part of the site plan approval.

The call to the public was made at 6:46 pm with no response.

Moved by Commissioner Mortensen, seconded by Commissioner Figurski, to approve the Site Plan Extension for Mountain Top Estates with the following conditions:

- The master deed will be amended to prohibit on-street parking.
- The letter from Ace Civil Engineering, Inc. shall be reviewed by the Township engineer to ensure it meets their requirements.
- The requirement for on-site water, such as cisterns, will be optional and be considered by the developer and home owners.

The motion carried unanimously

OPEN PUBLIC HEARING #2...Review of an Impact Assessment and Site Plan and for the proposed Misty Meadows Drive private road located on the west side of S. Latson Road, south of Crooked Lake Road. The private road will serve nine lots. The request is petitioned by GFG Investments Properties.

Planning Commission disposition of petition:

- A. Recommendation of Environmental Impact Assessment (3-23-16)
- B. Disposition of Site Plan (4-20-16)

Chairman Brown stated that the Site Plan does not need to be approved by the Planning Commission as it meets the requirements of the Subdivision Act. The private road needs to be approved.

Mr. Brent LaVanway of Boss Engineering and Mr. Guy Genzel, the property owner, were present.

Mr. LaVanway gave a brief history and description of the property and project. He stated the Livingston County Road Commission has approved the location of the road. He addressed the cistern requirement in the Brighton Area Fire Authority's letter. He would like to address this at a later date to determine if the demand is there, and if so, then it can be installed. They will install evergreen trees as a buffer between the road and the property to the south as requested by Mr. Borden. They can submit a plan to staff for their review.

Mr. Borden feels the conditions are present that warrant consideration of a private road not built to Road Commission standards. He also recommended that a "Private Road Maintenance Agreement" be provided. He noted that this was given to the Commissioners by the applicant this evening.

Commissioner Grajek questioned the need for cisterns for homes greater than 3,600 square feet as recommended by the Brighton Area Fire Authority. Commissioner Mortensen stated he has been on the Planning Commission for 20 years and the Township has never required a cistern. He would recommend making this optional for consideration by the developer and future homeowners. Commissioner Grajek wants to ensure that the Township is in compliance with the BAFA. Commissioner Mortensen stated the Fire Authority is making a recommendation.

Ms. VanMarter stated that this comment on the letters from the BAFA for both items on tonight's agenda were a surprise to staff. She has set up a meeting with them to discuss these new requirements and to determine who has jurisdiction and how they should be addressed. She noted that adding municipal water and sewer to these developments could change the rural nature of the Township.

Chairman Brown suggested that the applicant strike the second sentence to the response in Item "F" of the Environmental Impact Assessment. Mr. LaVanway agrees.

Moved by Commissioner McManus, seconded by Commissioner Figurski, to recommend to the Township Board approval of the Environmental Impact Assessment for Misty Meadows dated March 23, 2016 with the removal of the second sentence of the response to Item "F". **The motion carried unanimously.**

Moved by Commissioner Mortensen, seconded by Commissioner Lowe, to approve the Site Plan for Misty Meadows dated April 20, 2016 with the following conditions:

- The Private Road Maintenance Agreement provided this evening shall be reviewed and approved by the Township Attorney.
- Evergreen plantings shall be provided along the roadway adjacent to the road at the southeast corner of the property and reviewed and approved by Township Staff.
- The requirement in the Brighton Area Fire Authority's letter dated May 14, 2016, Paragraph 1, regarding the water related fire suppression issues are to be regarded as optional by the Township, subject to review by Township Staff and the Township Attorney.

The motion carried unanimously.

Administrative Business:

- Staff Report

Mr. VanMarter stated there will be two items on next month's agenda.

- Approval of the April 11, 2016 Planning Commission meeting minutes:

It was noted that Commission McManus was present at the meeting.

Moved by Commissioner McManus, seconded by Commissioner Lowe, to approve the minutes of the April 11, 2016 Planning Commission Meeting as amended.

The motion carried unanimously.

- Member Discussion:

Chairman Brown stated there is a possibility that Commissioner Mortensen will not be on the Planning Commission after November. He may not be re-elected as a Trustee or the new Township Supervisor may not appoint him as the liaison to the Planning Commission. Commissioner Mortensen makes a lot of the motions for the Commission so he would like others to begin making motions, specifically for site plan dispositions.

Commissioner Lowe believes all Commissioners have the ability to make motions.

Ms. VanMarter suggested that if a Commissioner feels he or she would like to make a motion on an item, they could alert the Commission during the discussion.

Commissioners McManus and Lowe will not be at the July meeting.

- Adjournment

Moved by Commissioner Lowe, seconded by Commissioner Figurski, to adjourn the meeting at 7:22 pm. **The motion carried unanimously.**