

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
July 9, 2018
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, Jim Mortensen, Chris Grajek, Marianne McCreary, Eric Rauch and Jeff Dhaenens. Absent was Jill Rickard. Also present was Kelly VanMarter, Community Development Director/Assistant Township Manager, Joe Siwek of Tetra Teach, Brian Borden of Safebuilt Studio, and an audience of three.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

Moved by Commissioner Grajek, seconded by Commissioner Mortensen, to approve the agenda as presented.

CALL TO THE PUBLIC: The call to the public was made at 6:32 pm with no response.

OLD BUSINESS

OPEN PUBLIC HEARING # 1... Review of fence material change from the previously-approved site plan for Truck and Trailer Specialties. The property in question is located on a vacant 10-acre parcel located on the west side of Grand Oaks Drive, south of Grand River Avenue (Parcel #11-05-300-051). The request is petitioned by ACS Build, Inc.

A. Disposition of Site Plan Amendment

Ken McQuade and Brian McQuade of ACS Build, Inc. were present. They showed colored renderings of the building, including the proposed fence and additional landscaping.

Mr. Borden recommended the Planning Commission discuss the possibility of requiring some form of visual screening within the decorative front fencing to screen the rear of the site. Additionally, the amended landscape plan is deficient by three trees. The applicants advised they will add the three missing trees. They advised that their building sits below grade of the road and there is a berm in the front. They feel this will shield the rear of the site so no visual screening should be needed as noted by Mr. Borden.

Commissioner Mortensen likes the proposed fencing and does not believe there is additional screening needed.

The Call to the Public was made at 6:44 pm with no response.

Moved by Commissioner Grajek, seconded by Commissioner Rauch, to approve the proposed alternate fence, which is different than what was originally proposed, conditioned upon:

1. The planting of three additional trees

2. The new plan shall remove the display area that is still shown.

The motion carried unanimously.

OPEN PUBLIC HEARING #2... Review of a request of a site plan and impact assessment requesting preliminary site condominium approval for a proposed 25-unit site condominium. The property in question is located on approximately 74.8 acres involving Parcels #11-33-400-003 and #11-34-300-005 on the east side of Chilson Road, south of Brighton Road, along the southern Township boundary with Hamburg Township. The request is petitioned by Chestnut Development, LLC.

- A. Recommendation of Environmental Impact Assessment**
- B. Recommendation of Preliminary Site Plan**

Mike Bearman of Livingston Engineering and Steve Gronow, the owner, were present.

Mr. Bearman reviewed the changes they made based on the comments made at the previous Planning Commission meeting. The information regarding the groundwater has not been received as of yet. They are requesting to have this information submitted during final site plan approval. He stated that the DEQ has determined that Wetland C is not regulated.

Mr. Borden stated the applicant has addressed many of his concerns. He reviewed his additional comments from his June 26, 2018 letter.

1. The site plan approval is contingent upon the Township Board's approval of the rezoning
2. Condominium documents are required. Mr. Borden is recommending that the areas that are to be undisturbed and remain natural, as well as their maintenance plan, be clearly noted in these documents.
3. He would still like the building envelope shown for Lot #25.
4. There are encroachments into the 25-foot natural feature setback around the wetland areas, which will require special land use approval. It is also likely that building construction will result in at least temporary encroachment due to the configuration of several building envelopes. He encourages the applicant to minimize the number of units that encroach, even if temporarily, and requests that any such areas be repaired/restored to their prior condition.
5. The applicant should provide a copy of the MDEQ permit to the Township.
6. The applicant must provide a Private Road Maintenance Agreement, which includes the financial and maintenance assurances required by the Ordinance
7. The applicant shall provide proof that the park/open space requirements are met and their preservation must be shown in the condominium documents.

Mr. Siwek reviewed his letter from June 26, 2018. The applicant has addressed some of his concerns and others can be addressed during final site plan approval.

1. A final grading and site development plan must be submitted and comply with the Livingston County Drain Commissioner
2. They agree to allowing the 1,900 foot road. The natural features on this site would make it impossible to loop the road back to the entrance.
3. All drainage, grading, and soil erosion control measures must be approved by the Livingston County Drain Commissioner.
4. The applicant shall obtain an MDEQ permit to use the wetland as a detention pond.
5. A permit for the private road intersection with Chilson Road must be obtained from the Livingston County Road Commission.

He believes that preliminary site plan approval can be granted without the groundwater testing information being provided. This will be addressed during final site plan approval.

It was noted that the applicant has addressed all of the concerns of the Brighton Area Fire Authority's concerns.

Ms. VanMarter stated that although Wetland C is not regulated, it connects to Wetland E which is regulated. She has asked the DEQ for clarification if it changes the status Wetland C. If that is the case, then the same requirements for all wetlands shall also apply to Wetland C.

The call to the public was made at 7:39 pm with no response.

Moved by Commissioner Mortensen, seconded by Commissioner Grajek, to recommend to the Township Board approval of the Impact Assessment dated June 19, 2018 for Chestnut Springs, subject to the following:

1. Approval by the Township Board of the rezoning of the property from Agriculture to Low Density Residential
2. Approval by the Township Board of the preliminary site plan dated June 20, 2018.

The motion carried unanimously.

Moved by Commissioner Mortensen, seconded by Commissioner Grajek, to recommend to the Township Board approval of the preliminary site plan dated June 20, 2018 for Chestnut Springs, conditioned upon the following:

- 1) Approval by the Township Board of rezoning the property to Low Density Residential.
- 2) Approval of the Impact Assessment dated June 19, 2018.
- 3) Clarification to the Township Board regarding the location of the building envelope and setbacks for Lot #25.
- 4) Further acknowledgement by the petitioner of the following:
 - a) The requirements for the final site plan will, at a minimum, include the following:
 - i) Following all procedures of Article 13 of the Township Zoning Ordinance.
 - ii) Obtaining all other governmental regulatory approvals, including water quality from the Livingston County Health Department.
 - iii) Providing access easements for water testing and sampling by the Township.
 - iv) Providing an access easement for a groundwater monitoring well at a location determined by the Township Engineer.
 - v) Approval by the Township Attorney of the Master Deed, Bylaws, and covenants covering maintenance including, but not limited to, rights for Township inspection of wells, maintenance agreements of common areas, including a Private Road Maintenance Agreement, which includes the financial and maintenance assurances, and educating the property owners on the potential harm of using salt on paved areas.
 - vi) The condominium Master Deed and covenants shall clearly note the protected areas that are to be undisturbed and remain natural so the residents do not encroach.
- 5) Requirements of Tetra Tech's letter dated June 26, 2018 will be met.
- 6) Requirements of the Brighton Area Fire Authority's letter dated June 22, 2018 shall be met.

The motion carried unanimously.

OPEN PUBLIC HEARING #3... Consideration of Zoning Ordinance Text amendments to Article 10 of the Zoning Ordinance, entitled "Planned Unit Development" and Article 25, entitled "Definitions". The ordinance is proposed to be amended to add standards and definitions related to "Interchange Commercial PUD" and "Interchange Campus PUD".

A. Recommendation of Text Amendments

Ms. VanMarter reviewed the changes that she made based on feedback from the Planning Commission last month.

She added a new section entitled "Compatible Uses", which explains that uses which are not specifically listed in the ordinance will be considered based on the use, traffic impact, building specifications, etc.

The call to the public was made at 8:21 pm.

Rob Vedro of 4036 Sweet Road complimented Ms. VanMarter and the Planning Commission for the hard work that was done on the development of this zoning area.

Ms. VanMarter stated this item will go before the Livingston County Planning Commission for their recommendation to the Township Board.

Moved by Commissioner Grajek, seconded by Commissioner McCreary, to recommend to the Township Board and Livingston County Planning Commission approval of the Text Amendments to Article 10 of the Zoning Ordinance. **The motion carried unanimously.**

NEW BUSINESS

OPEN PUBLIC HEARING #4... Review and Discussion of Zoning Ordinance Text amendments to Articles 1-6.

Mr. Borden stated he and staff have been working on updating the entire zoning ordinance. They will be presenting it to the Planning Commission in small sections at this and future Planning Commission meetings.

Commissioners and staff discussed the proposed changes. Amendments will be made based on recommendations and brought back before the Commission.

ADMINISTRATIVE BUSINESS

Staff Report: Ms. VanMarter had nothing to report.

Approval of the June 11, 2018 Planning Commission meeting minutes:

Moved by Commissioner Mortensen, seconded by Commissioner Grajek, to approve the minutes of the June 11, 2018 Planning Commission Meeting with changes noted by Commissioner McCreary. **The motion carried unanimously.**

Member Discussion: There were no items discussed.

Adjournment

Moved by Commissioner McCreary, seconded by Commissioner Rauch, to adjourn the meeting at 9:28 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary