

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
June 12, 2023**

MINUTES

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:40 p.m. Present were Chris Grajek, Diana Lowe, Marianne McCreary, Eric Rauch, Tim Chouinard, Jeff Dhaenens and Glynis McBain. Also present was Planning Director Amy Ruthig, Brian Borden of Safebuilt and Shelby Byrne of Tetra Tech.

Chairman Grajek stated there is an incident on Grand River where the road is closed, so the meeting was delayed to allow one commissioner and any members of the public to arrive who may have been detoured.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

Moved by Commissioner Dhaenens, seconded by Commissioner Lowe, to approve the agenda as presented. **The motion carried unanimously.**

DECLARATION OF CONFLICT OF INTEREST: None

CALL TO THE PUBLIC:

The call to the public was made at 6:41 pm with no response.

OPEN PUBLIC HEARING # 1... Consideration of special land use application, environmental impact assessment and sketch plan to allow for a proposed Bed and Breakfast located at 7854 Collingwood Drive, just west of Grand River Avenue. The request is petitioned by Nazmiye Yapici.

- A. Recommendation of Special Use
- B. Recommendation of Environmental Impact Assessment (5-14-23)
- C. Recommendation of Sketch Plan (5-17-23)

Ms. Yapici stated she would like to change her finished, walk out basement to a bed and breakfast. She has seen the review letters and believes there was a misunderstanding in the Fire Marshal's letter as the building department told her since there is an egress from the basement there does not need to be an egress from the bedroom. She has not spoken to him about the size of the one bedroom. She will comply with the other requirements.

Mr. Borden reviewed his letter dated June 6, 2023.

1. Special Land Uses (Section 19.03):

- a. The special land use standards of Section 19.03 are generally met.
- b. He requests the applicant provide the Township with their policies and rules to help mitigate disruptive guests.
- c. In order to make favorable findings related to compatibility and impacts, the use conditions of Section 3.03.02(b) need to be met to the Commission's satisfaction.
- d. The applicant must address any comments provided by the Township Engineer or Brighton Area Fire Authority regarding public facilities and services.

2. Use Conditions (Section 3.03.02(b)):

- a. The applicant must provide information demonstrating that the site can accommodate four parked vehicles outside of the required front yard setback, which is 40 feet.
- b. He was unable to identify any other bed and breakfast inns within 300 feet of the site; however, if there are concerns, the Commission may require additional information from the applicant.
- c. He is requesting the applicant add a statement to the application form or Impact Assessment acknowledging that meals and other services are only available for residents, guests and/or employees.

3. Sketch Plan Review:

- a. He is requesting the applicant explain how refuse removal will be managed.
- b. If the fencing depicted is proposed, he requests the applicant provide details and the applicant will need to obtain a separate fence permit.

Ms. Byrne reviewed her letter dated June 7, 2023.

1. The sketch plan is missing the following required sketch plan contents, such as a legal description of the property, existing building and parking dimensions, and setbacks.
2. The application notes that the new use will use the existing well and septic on site. The petitioner should provide documentation from the County Health Department documenting the suitability of the existing septic system for the increased use.

The Fire Marshal's letter dated June 5, 2023 states:

Unless modification of the proposed plan occurs under the design of an architect, and the residence provides a code compliant habitable space, the fire authority does not recommend approval of this special land use for the following reasons:

1. The interior-most bedroom is too small to be considered a bedroom per code. The minimum square footage is 70 square feet for a habitable room.
2. The basement bedrooms are not provided with required emergency escape and rescue openings as required. There are no escape/rescue openings proposed on the sketch plan.
3. Smoke alarms shall be provided in each of the basement bedrooms as well as the common area outside the bedrooms. The alarms shall be hardwired with battery backup and interconnected the smoke alarms installed in the primary residence.

4. Carbon monoxide alarms shall be installed within the common area of the residence and shall be hardwired with battery backup.
5. A minimum of one 10lbs. ABC dry chemical fire extinguisher shall be provided in the basement for occupant use. It shall be installed in an open and conspicuous location.

Chairman Grajek suggested that the applicant request to have this item tabled this evening due to the many outstanding requirements from the planner, engineer and fire marshal.

Ms. Yapici stated she has updated her application to address many of the planner's concerns. She has information from the health department regarding the septic system.

The call to the public was opened at 7:00 pm.

Mr. Jeff Koziara of 7806 Collingwood Drive asked if this could be a legitimate business in this area. He is not in favor of this. It is currently a quiet neighborhood.

An email was received on June 9, 2023 from David and Lisa Johnson of 7861 Herbst Road stating they are opposed to this request because they feel it will reduce their privacy and decrease the value of their property.

The call to the public was closed at 7:03.

Commissioner Chouinard would like to see more information on the egress window in the bedroom. This is going to be required by the building department and the fire department.

Commissioner Dhaenens asked who Ms. Yapici envisioned to be her customers. She stated there are people who are at the cancer center, the dialysis center, etc. in the area. He agrees with the requirements of the planner, engineer and the fire marshal. These issues must be met at the time this item is before the Commission again.

Commissioner McCreary advised the applicant that the requirements do not have to be completed prior to the next meeting, but there must be a commitment and plan to comply with those requirements.

Moved by Commissioner Lowe, seconded by Commissioner Dhaenens, to table the request for a special land use application, environmental impact assessment and sketch plan to allow for a proposed Bed and Breakfast located at 7854 Collingwood Drive, just west of Grand River Avenue for Nazmiye Yapici until the July 10, 2023 Planning Commission Meeting. **The motion carried unanimously.**

OPEN PUBLIC HEARING #2...Consideration of a Planned Unit Development agreement, final PUD site plan and environmental impact assessment to allow for 204 apartment units. The

property consists of two vacant parcels with parcel ID numbers 4711-11-300-014 and 4711-14-100-002 located on the southeast corner of Grand River and Dorr Road. The request is petitioned by Grand River Dorr, LLC.

- A. Recommendation of Planned Unit Development agreement
- B. Recommendation of Impact Assessment (5-3-23)
- C. Recommendation of Final PUD Site Plan (5-30-23)

Mr. Mark Kassab of Grand River Dorr, LLC and Mr. Jonathan Curry of PEA Group, the engineer, were present.

Mr. Kassab stated they have done and submitted an updated traffic study to include the hospital, they have spoken to the Drain Commissioner and Livingston County Road Commission regarding the storm water runoff, they spoke to the Township's DPW and have agreed to contribute toward the upgrade of a sewer pump station, they have moved the setbacks further away from Grand River, and they have added the wetland delineation signage.

Mr. Curry stated they are not discharging any more runoff onto Grand River than what it is currently and the drainage on the back of the site is oversized.

Mr. Borden reviewed his letter dated June 6, 2023. He noted that since the previous review letter, the applicant has addressed almost all his concerns.

1. The applicant must provide a revised PUD Agreement addressing comments provided to date.
2. Building design, materials, and colors are subject to review and approval by the Planning Commission; however, they are generally consistent with the approved conceptual PUD plan.
3. He requests the applicant add the Dorr Road sidewalk connection and crosswalk to the overall site plan. It is depicted on the landscape plan. Ms. Byrne noted that the Road Commission did not want that sidewalk installed as it does not lead to another sidewalk. After a brief discussion, the Commissioners requested that Township staff speak to the Road Commission to see if they will agree to allow the installation of the sidewalk.
4. The applicant must address any additional comments provided by the Township Engineer and/or the Brighton Area Fire Authority with respect to vehicular circulation and site engineering.

Ms. Byrne reviewed her letter dated June 7, 2023.

1. A private road is proposed. After final site plan approval, private road construction plans should be submitted to the Township for review and approval.
2. The petitioner has submitted plans to the Livingston County Drain Commissioner (LCDC) for review and approval. Comments in their letter dated May 9, 2023, should be addressed and approval from the LCDC should be obtained. Since remaining comments from LCDC are not major, we believe the drainage plan is adequate for Planning Commission and Board

approval. Approval from the LCDC should be provided to the Township prior to a Land Use permit being issued.

3. The petitioner is proposing multiple connections to the existing storm sewer on Grand River Avenue. The LCRC will need to approve all proposed connections to their storm sewer system and said approval should be provided to Genoa Township prior to a Land Use permit being issued.
4. The grading plan shows areas with slopes exceeding 1:4. Planning Commission approval is required for 1:3 slopes. Steeper slopes are required on this site due to the large change in grade across the site and the SESC plan shows soil erosion control blankets on all slopes exceeding 1:4; therefore, we have no objection to the 1:3 slopes.
5. The petitioner is proposing multiple retaining walls up to 14-feet high. Genoa Township's Zoning Ordinance requires that retaining walls over three feet tall be designed by a professional engineer, with design calculations demonstrating its structural stability being submitted as part of the site plan. This should be provided prior to a Land Use permit being issued.
6. Tetra Tech completed a utility study for the proposed development and recommended connection locations and necessary system improvements for both the proposed water main and sanitary sewer. The petitioner has included our recommendations in their utility plan and has agreed to pay for a portion of the recommended sewer collection system upgrades.
7. After final site plan approval, the petitioner will be required to submit construction plans to MHOG Sewer and Water Authority for review and approval of the proposed water main and sanitary sewer.

The Fire Marshal's letter from May 16, 2023 stated the following.

A minimum vertical clearance of 13½ feet shall be maintained along the length of all apparatus access drives. This includes but is not limited to porte-cochere, lighting, and large canopy trees. A number of trees must be relocated, the species modified, or the road width increased to not overhang the roadways. A note was provided to address plantings at final site and construction review on the previous submittal; however the artist rendering indicates over 400 large canopy trees lining the roadways throughout the development. As they grow and reach full growth, nearly all species will either partially or completely encroach the roadway. Additional consideration shall be made to placement and species and will require the ownership to include the overhead clearance requirement in the facility maintenance plan. The applicant remains committed to addressing the tree canopy concerns prior to construction approval through modification of locations and species of the trees. The Fire Authority did present an increase in drive width to 32 feet as an alternative.

Mr. Kassab stated they have spoken to the fire marshal and have agreed to plant a different type of tree that will not cause issues for their apparatuses.

Mr. Kassab stated he has received the letter from Ms. Kim Hiller of the Livingston County Road Commission dated April 21, 2023.

Commissioner Dhaenens thanked the developer for making the changes that were requested.

Commissioner Rauch agrees with Commissioner Dhaenens. Regarding the detention pond at the corner of Dorr Road and Grand River, noting it will not be a wet pond, and while there is a retaining wall and landscaping proposed, he was wondering if there could be something added to dress it up, such as signage for the development on top of the retaining wall. Mr. Kassab agrees and is willing to discuss it further with the township.

It was noted that the colored renderings and building material samples were included in the preliminary site plan submittal and are acceptable to the Planning Commission.

The call to the public was opened at 7:38 with no response.

Moved by Commissioner Rauch, seconded by Commissioner Dhaenens, to recommend to the Township Board approval of the Planned Unit Development agreement to allow for 204 apartment units on two vacant parcels with parcel ID numbers 4711-11-300-014 and 4711-14-100-002 located on the southeast corner of Grand River and Dorr Road for Grand River Dorr, LLC, contingent upon the following:

- The applicant shall address the conditions comments provided in the review letters of the engineer, planner, fire marshal, Drain Commissioner, and Livingston County Road Commission.

The motion carried unanimously.

Moved by Commissioner Rauch, seconded by Commissioner Lowe, to recommend to the Township Board approval Impact Assessment dated May 3, 2023 to allow for 204 apartment units. on two vacant parcels with parcel ID numbers 4711-11-300-014 and 4711-14-100-002 located on the southeast corner of Grand River and Dorr Road for Grand River Dorr, LLC. **The motion carried unanimously.**

Moved by Commissioner Rauch, seconded by Commissioner Dhaenens, to recommend to the Township Board approval of the Final PUD Site Plan dated May 30, 2023 to allow for 204 apartment units. on two vacant parcels with parcel ID numbers 4711-11-300-014 and 4711-14-100-002 located on the southeast corner of Grand River and Dorr Road for Grand River Dorr, LLC, contingent upon the following:

- The building design materials and colors presented in the preliminary site plan submittal are acceptable to the Planning Commission
- The Planning Commission requests that township staff and applicant work with the Livingston County Road Commission to determine if they will agree to allow the installation of the sidewalk along Dorr Road as depicted on the plan.
 - The applicant shall address the conditions comments provided in the review letters of the engineer, planner, fire marshal, Drain Commissioner, and Livingston County Road Commission.

- The Planning Commission approves the deviation for the height of the retaining wall for the detention pond on the northwest corner of Dorr Road and Grand River.
- The petitioner shall work with township staff to understand opportunities to add signage or entry features at the northwest corner of Dorr Road and Grand River.

The motion carried unanimously.

OPEN PUBLIC HEARING #3...Discussion regarding proposed solar ordinance

Mr. Borden presented the proposed amendments to the township's solar energy systems ordinance.

Commissioner Dhaenens understands the township's desire to not have solar panels allowed in the front yard; however, in some cases, the front yard is the only location for it to be effective. Mr. Borden stated there are some conditions and zoning districts where they are allowed in the front yard.

There was a discussion regarding the requirements regarding property size, setbacks, etc. and if any properties in the Township meet them. Commissioners were asked to send their comments to Ms. Ruthig, and Ms. VanMarter so they could address them and return to the Planning Commission with a final draft of the ordinance.

ADMINISTRATIVE BUSINESS:

Staff Report

Ms. Ruthig stated there will be two items on July's meeting agenda.

Approval of the May 8, 2023 Planning Commission meeting minutes

Moved by Commissioner McCreary, seconded by Commissioner Rauch, to approve the minutes of the May 8, 2023 Planning Commission Meeting as presented. **The motion carried unanimously.**

Member Discussion

There were no items to discuss this evening.

Adjournment

Moved by Commissioner Dhaenens, seconded by Commissioner McCreary, to adjourn the meeting at 8:06 pm. **The motion carried unanimously.**

Genoa Township Planning Commission
June 12, 2023
Approved Minutes

Respectfully Submitted,

Patty Thomas, Recording Secretary