

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
March 3, 2025

MINUTES

Call to Order

Supervisor Spicher called the regular meeting of the Genoa Charter Township Board to order at 6:30 pm at the Township Hall.

Invocation

Supervisor Spicher led the invocation for the Board and the members of the public.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call

The following members were present constituting a quorum for the transaction of business: Kevin Spicher, Janene Deaton, Candie Hovarter, Robin Hunt, Bill Reiber, Rick Soucy, and Todd Walker.

Also present were Township Manager Kelly VanMarter, Township Attorney Joe Seward, and 30 people in the audience.

Call to the Public

The call to the public was opened at 6:32 pm.

Ms. Melanie Johnson of 3990 Chilson appreciates that the Board is taking another look at the Master Plan as public interest has changed.

Ms. Deb Beattie of 3109 Pineview Trail stated that this agenda is so full of important items. She is disappointed.

Mr. Jeff Dhaenens of 5494 Sharp Drive spoke about the wage issue discussed at the last meeting. There are many qualified and talented men and women who work at the Township. Development is here, and he appreciates the process of keeping it controlled, but the Latson Road item is not a matter of what, but a matter of when. He is in support of the phone system upgrade. The request by Mr. Reiber is a great use of this boardroom.

Ms. Deb Towles of 3210 Pineview Trail expressed her gratitude to the Board to take another look at the Master Plan. There are a lot of voices who want to be heard. The Planning Commission decided that the Latson Road PUD was not a fitting use. She asked the Board to take their recommendation.

Ms. Colleen Quinn of 4042 Brookstone Court hopes the zoning of the area for the Latson PUD stays as Country Estates. She is anxious to hear the legal opinion. She supports the Township looking at the Master Plan again.

Ms. Barbara Tonkovich of 472 Newton Road does not want to see the station or the PUD. The Board should support the Planning Commission's recommendation for denial.

The call to the public was closed at 6:41 pm.

Approval of Consent Agenda:

Moved by Hunt, supported by Soucy, to approve the Consent Agenda as presented. **The motion carried unanimously.**

- 1. Payment of Bills: March 3, 2025**
- 2. Request to approve the February 17 Regular Meeting and February 25, 2025 Special Meeting Minutes.**

Approval of Regular Agenda:

Moved by Hunt, supported by Walker, to approve the Regular Agenda as presented. **The motion carried unanimously.**

- 3. Public hearing on the proposed planned unit development rezoning Ordinance Number Z-25- 03 and consideration of a recommendation for denial of the rezoning, environmental impact assessment, planned unit development (PUD) agreement, and conceptual PUD plan to rezone 7.44 acres from Country Estates (CE) to ICPUD (Interchange Commercial Planned Unit Development). The property is located on the east side of Latson Road, between Beck Road and the CSX Rail line. The request is petitioned by Todd Wyett.**
 - A. Call to the Public**
 - B. Disposition of Rezoning Ordinance Number Z-25-03 (Roll Call, requires 2/3 vote)**
 - C. Disposition of Environmental Impact Assessment (9-27-24)**
 - D. Disposition of PUD agreement**
 - E. Disposition of Conceptual PUD plan (11-13-24)**

Mr. Brad Strader with MKSK Studios, Mr. Jarred Haines of Atwell, and Mr. Todd Wyett, the property owner, were present.

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Mr. Strader addressed the issues to support the rezoning. This use has been consistent with the Master Plan for 10 years, the uses they are promoting are very different from the businesses on Grand River, the minimum lot size for a PUD is 20 acres; however, there are reasons why this requirement can be waived, typically residential is not developed next to the freeway because of the noise, their property has easy access on and off the freeway, there are residents who live south of I-96 and they would use this gas station instead of traveling to the ones north of I-96, only 18 percent of the traffic would be new because of this development, and a PUD is an advantage for the Township because additional items can be requested and negotiated with the applicant, such as landscaping, permitted uses, design guidelines, offsite improvements, etc.

Mr. Haines reviewed the utilities that are available for this site. There was a discussion regarding the sewer for this site being processed by the station being proposed in the PUD on the west side of Latson.

Ms. Hunt noted that the difference between the 20-acre minimum and this request is a lot.

Mr. Reiber noted there are a lot of reasons stated in tonight's packet as to why the Township Planning Commission and the County Planning Commission recommended denial of this request.

The call to the public was opened at 7:06 pm.

Mr. Matthew Hurley of 4070 Brookstone Court stated the entire area should be reviewed at the same time and not this piece separate from the one on the other side. He does not agree with another gas station being built in this area.

Ms. Tracey Pardiak of 4312 Rurik stated this item should not be reviewed until the legal opinion of the validity of the PUD on the other side of Latson Road is determined. Nothing has changed since the Township Planning Commission and the County Planning Commission recommended denying it. She reviewed those reasons.

Ms. Melanie Johnson of 3990 Challis stated that when the current Master Plan was approved it said that ".....unless circumstances have changed", and they have changed. She is concerned that there are residential properties with wells next to this property. The proposed landscape buffer is not a transition area. This is the last piece of Country Estates zoning in the township.

Ms. Deb Beattie also questioned why this is on tonight's agenda when the validity of the other PUD has not been determined. The Board should agree with the Township Planning Commission and the County Planning Commission.

Ms. Deb Towles stated that this property is not adjacent to I-96. It is at Beck Road and there are residents who live in that area. She is also concerned about the water supply for the residents. There will be three traffic signals in this area and that will pose problems.

Ms. VanMarter stated that Elaine Samson of 6280 Sundance called today. She is against all of the PUD applications and wants it to be denied. She is upset that the original PUD was approved during the COVID lockdown.

Three letters were received today, and Ms. VanMarter provided a review. They were all given to the board before this evening's meeting.

Mr. Ben Tasich is against the PUD request. Ms. Denise Pollicella is against the PUD and stated the same reasons as many of the ones cited this evening. The Coalition to Stop the PUD also provided a letter in opposition to the PUD.

The call to the public was closed at 7:18 pm.

Supervisor Spicher stated that this item is on tonight's agenda before the decision regarding the validity of the other PUD has been determined because that is the process. The application was reviewed and recommended and then the Board must review and vote on it.

Moved by Soucy, supported by Hunt, to deny the adoption of Ordinance No. Z-25-03 to rezone Parcel 4711-09-300-046, vacant 7.44 acres, S. Latson Road located on the east side of S. Latson Road, between Beck Road and the rail line from Country Estates to Interchange Commercial Planned Unit Development. This action is based upon the proposed ICPUD rezoning which is found to not comply with the conditions of Sections 22.04.01, 22.04.02, 22.04.03 and the qualifying conditions of 10.02.03, 10.02.04 and 10.02.05 of the Township Zoning Ordinance such as:

- The proposed uses that are being requested are duplicate and not complementary to the Latson Road and the Grand River Corridor which is not consistent with the master plan.
- Developer has not demonstrated that the site's environmental features are compatible with the proposed uses since there is no attempt to integrate the wetlands that are located on the site into the site's design.
- There are occupied single-family residential units within 500 feet of the subject parcel. It may be reasonable to develop the site under the current zoning such as residential or other uses listed in table 3.03 of the Township Zoning Ordinance.
- The site does not meet the required 20-acre minimum.
- The proposed design elements are not integrated or consistent with the Master Plan due to ornamental street lighting along S. Latson and within the site.
- The Planning Commission did not find that the proposed ICPUD zoning provides a benefit not possible under the standards of another zoning district.
- The site lacks public sanitary sewer service.

The motion carried unanimously with a roll call vote (Hunt - yes; Reiber - yes; Walker - yes; Spicher - yes; Deaton - yes; Soucy - yes; Hovarter - yes)

Moved by Hunt, supported by Soucy, to deny the Environmental Impact Assessment dated 9-27-24 to rezone parcel 4711-09-300-046, vacant 7.44 acres, S. Latson Road located on the east side of S. Latson Road, between Beck Road and the rail line from Country Estates to Interchange Commercial Planned Unit Development. This action is based on the proposed ICPUD rezoning not complying with the conditions of Section 18.08.02, 18.08.05, 18.08.11, 18.08.19 and it fails to satisfy the requirements of 22.04.01, 22.04.02, 22.04.03, 10.02.03,

10.02.04 and 10.02.05 of the Township Zoning Ordinance. The following does not meet the aforementioned sections:

- The proposed site plan will not be harmonious with the existing uses in the immediate area.
- The non-regulated wetlands and soils located on the site are not preserved or modified in an acceptable manner.
- The proposed three driveways as indicated on the conceptual plan is not designed to minimize conflicts between vehicles and with traffic using adjacent driveways.
- The site does not provide a public sanitary sewer service.
- The reasons cited in the denial of the associated rezoning request.

The motion carried unanimously with a roll call vote (Reiber - yes; Walker - yes; Hunt - yes; Deaton - yes; Soucy - yes; Hovarter- yes; Spicher - yes)

Moved by Soucy, supported by Hovarter, to deny the Planned Unit Development Agreement to rezone parcel 4711-09-300-046, vacant 7.44 acres, S. Latson Road located on the east side of S. Latson Road, between Beck Road and the rail line from Country Estates to Interchange Commercial Planned Unit Development. This action is based on the proposed ICPUD rezoning not complying with the conditions of Section 10.02.03, 10.02.04, 10.02.05, 7.02.02 and Packet Page 19 10.07.01 and it fails to satisfy the requirements of 22.04.01, 22.04.02, and 22.04.03 of the Township Zoning Ordinance. The following does not meet the aforementioned sections:

- The Planning Commission determined that they did not find that the PUD conceptual plan provided a benefit not possible under the standards of another zoning district.
- The proposed design elements and access design are not integrated or consistent with the Master Plan due to ornamental street lighting along S. Latson and within the site and the proposed three driveways as indicated on the conceptual plan is not designed to minimize conflicts between vehicles and with traffic using adjacent driveways.
- A judicious effort to preserve the two wetlands on the site has not been made.
- The proposed three driveways are in violation of 7.02.02 (k) requirement of only one driveway is allowed for a gas station.
- Proposed height deviation request is not reasonable for the surrounding area.
- The reasons cited in the denial of the associated rezoning request.

The motion carried unanimously with a roll call vote (Walker - yes; Hovarter- yes; Soucy- yes; Deaton - yes; Spicher- yes; Hunt - yes; Reiber - yes)

Moved by Hunt, supported by Soucy, to deny the conceptual PUD plan dated 11-13-24 to rezone parcel 4711-09-300-046, vacant 7.44 acres, S. Latson Road located on the east side of S. Latson Road, between Beck Road and the rail line from Country Estates to Interchange Commercial Planned Unit Development. This action is based on the proposed ICPUD rezoning not complying with the conditions of Section 10.02.03, 10.02.04, 10.02.05 and 7.02.02 and 10.07.01 and it fails to satisfy the requirements of 22.04.01, 22.04.02 and 22.04.03 of the Township Zoning Ordinance. The following does not meet the aforementioned sections:

- The Planning Commission determined that they did not find that the PUD conceptual plan provided a benefit not possible under the standards of another zoning district.

- Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses is not met. Proposed uses are found to duplicate the existing uses in the Grand River Corridor area.
- The proposed design elements and access design are not integrated or consistent with the Master Plan due to ornamental street lighting along S. Latson and within the site and the proposed three driveways as indicated on the conceptual plan is not designed to minimize conflicts between vehicles and with traffic using adjacent driveways.
- A judicious effort to preserve the two wetlands on the site has not been made.
- The proposed three driveways are in violation of 7.02.02 (k) requirement of only one driveway is allowed for a gas station.
- Proposed height deviation request is not reasonable for the surrounding area.
- The reasons cited in the denial of the associated rezoning request.

The motion carried unanimously with a roll call vote (Reiber - yes; Walker - yes; Hovarter - yes; Soucy - yes; Deaton - yes, Spicher - yes, Hunt - yes)

The Board took a break from 7:35 pm to 7:45 pm.

- 4. Public hearing on the proposed Fiscal Year 2025/2026 Budget for funds 101, 202, 208, 212, 249, 401, 402, 464, 532, and 853.**
 - A. Call to the Public**
 - B. Board Discussion**

The call to the public was opened at 7:46 pm.

Ms. Deb Beattie wanted the Board to discuss the budget line-by-line so the people can understand it. She asked and the board answered questions she had regarding certain line items.

The call to the public was closed at 7:51 pm.

- 5. Consideration of approval for the general appropriation of funds for the fiscal year beginning April 1, 2025 and ending March 31, 2026 for budget fund numbers: 101, 202, 208, 212, 249, 401, 402, 464, 532 and 853.**

Moved by Hunt, supported by Walker, to approve the general appropriation of funds for the fiscal year beginning April 1, 2025 and ending March 31, 2026 for budget fund numbers: 101, 202, 208, 212, 249, 401, 402, 464, 532 and 853. **The motion carried unanimously.**

- 6. Request for approval of Resolution 250303A - 2025-2026 General Appropriations Act Budget for the Fiscal Year beginning April 1, 2025 and ending March 31, 2026. (Roll Call)**

Moved by Soucy, supported by Reiber, to approve and adopt Resolution 250303A - 2025-2026 General Appropriations Act Budget for the Fiscal Year beginning April 1, 2025 and ending March 31, 2026. **The motion carried unanimously with a roll call vote (Hunt - yes; Reiber - yes; Walker - yes; Hovarter - yes; Soucy - yes; Deaton - yes; Spicher - yes)**

7. Request for approval of Resolution 250303B - Wages and Salaries for Appointed Officials. (Roll Call)

Ms. VanMarter stated that there are no wage increases for appointed officials proposed for next fiscal year.

Moved by Reiber, supported by Walker, to approve Resolution 250303B - Wages and Salaries for Appointed Officials. **The motion carried unanimously with a roll call vote (Hovarter - yes; Soucy - yes; Deaton - yes; Spicher - yes; Hunt - yes; Reiber - yes; Walker - yes)**

8. Request for approval of Resolution 250303C - Salaries for Elected Officials. (Roll Call)

Ms. VanMarter stated that there are no wage increases for elected officials proposed for next fiscal year.

Moved by Walker, supported by Deaton, to approve Resolution 250303C - Salaries for Elected Officials. **The motion carried unanimously with a roll call vote (Hunt - yes; Reiber - yes; Walker - yes; Hovarter - yes; Soucy - yes; Deaton - yes; Spicher - yes)**

9. Request for the introduction of proposed Ordinance Number Z-25-04 and to set the meeting date for considering the proposed ordinance for adoption before the Township Board on Monday, March 17, 2025. The request for zoning map amendment involves rezoning of 127.57 acres from Agriculture (AG) to Low-Density Residential (LDR) with Residential Planned Unit Development overlay (RPUD) to allow for a proposed 55-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road. The proposed rezoning is for the following parcels: 4711-23-400-008, 4711-23-400-007, 4711-23-400-001 and 4711-23-300-003 and the request is submitted by Pulte Homes of Michigan.

Moved by Hunt, supported by Soucy, to introduce proposed Ordinance Number Z-25-04 and to set the meeting date to consider adoption before the Township Board on Monday March 17, 2025 for the purpose of considering the proposed Zoning Map Amendment. **The motion carried unanimously.**

10. Review of Fiscal Year 2024-2025 Third Quarter budget to actual report.

Ms. VanMarter stated this document was included in tonight's packet.

11. Consideration of a request to approve a proposal from Evolving Technologies / GoToConnect for the purchase and installation of a new phone system for the Township Hall with an initial outlay not to exceed \$2,200 from fund 101-261-751-000 and a 36-month service contract not to exceed \$517.37 a month from 101-265-850-000.

Ms. VanMarter reviewed the proposal, noting that this system best meets the township's needs, and it is a cost savings from the current program. Supervisor Spicher noted that the low bidder did not meet staff's needs.

Mr. David Pickett of 1017 Sunrise Park asked when the current contract expired. Supervisor Spicher stated it expired one month ago. Mr. Pickett asked why this was not done prior to the end of the contract. Ms. Deaton stated they were not aware it expired. She will be working on organizing all existing service contracts and their expiration dates.

Moved by Soucy, supported by Hovarter, to approve the proposal from Evolving Technologies / GoToConnect for the purchase and installation of a new phone system for the Township Hall with an initial outlay not to exceed \$2,200.00 and a monthly rate not to exceed \$517.37. **The motion carried unanimously.**

12. Request for approval of the closed session minutes from February 25, 2025.

- A. If necessary, consider motion to enter into closed session under the Open Meetings Act, MCL 15.268(1)(h) to consider material exempt from discussion or disclosure by state or federal statute. (Roll Call, requires 2/3 vote)**
- B. Consider motion to adjourn the closed session and reconvene in open session. (Roll Call)**

Ms. Deaton provided the minutes to the Board for review.

Moved by Soucy, supported by Hovarter, to approve the closed session minutes from February 25, 2025 as presented. **The motion carried unanimously.**

Items for Discussion:

13. Discussion of resident enrichment opportunities as submitted by Trustee Reiber.

Mr. Reiber stated this room is empty quite often. He would like to directly engage the township residents by holding training sessions, such as CPR, AED, administering NARCAN, emergency preparation, etc. Funds would be set aside for these trainings. The Board and staff discussed this suggestion. Mr. Reiber will investigate it further.

Board Comments

Mr. Soucy asked for an update on the MyGenoa App. Mr. Walker stated they have a meeting with the administrator of the app tomorrow.

Ms. Deb Beattie likes the idea. She questioned what notifications will be sent out and if the residents can choose what they receive.

Adjournment

Moved by Soucy, supported by Walker, to adjourn the meeting at 8:30 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas
Recording Secretary

Approved:


Janene Deaton, Clerk
Genoa Charter Township


Kevin Spicher, Supervisor
Genoa Charter Township