

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
JUNE 9, 2025
MONDAY
6:30 P.M.**

AGENDA

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:30 p.m. Present were Chris Grajek, Tim Chouinard, Glynis McBain, Marianne McCreary, and Bill Reiber. Absent were Eric Rauch and Greg Rassel. Also present was Planning Director, Amy Ruthig.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

Moved by Commissioner McCreary, supported by Commissioner Chouinard, to approve the agenda as presented. **The motion carried unanimously.**

DECLARATION OF CONFLICT OF INTEREST: None

CALL TO THE PUBLIC: *(Note: The Board reserves the right to not begin new business after 10:00 p.m.)*

A call to the public was made at 6:31 pm with the following responses:

Melanie Johnson, 3990 Chilson Road, she stated that she had a hard time hearing at the last meeting especially the applicants. She asked if everyone could keep their microphones close so that everyone at home could hear too.

Ben Tasich, 3492 Lakewood Shores Drive, he stated that he serves on the Livingston County Transportation Coalition and he is a strong supporter of public transportation. He reviewed the Township Master Plan and he could only find sidewalks, trails and roads. He asked why the Township does not have anything regarding public transportation. He would like to begin discussions on transportation in regards to whose responsibility it is to provide public transportation. He is hopeful that or did 19 other municipalities play a role in public transportation during the upcoming Master Plan update.

Call to the public was closed at 6:34 pm.

OPEN PUBLIC HEARING #1... (Staff is requesting the proposed amendment as a discussion item only)
Consideration of an ordinance amendment to Article 13 entitled "Environmental Protection Regulations."
A. Recommendation of Zoning Ordinance Amendments to Article 13 entitled "Environmental Protection Regulations".

Ms. Ruthig gave a brief overview of the proposed zoning ordinance amendments to Article 13. Staff was asked to put more standards in place in regards to tree clearing to be able to preserve the Township's landmark trees and woodlands. More guidelines were added to the wetlands section of Article 13 and to

clarify some issues regarding trails and recreational areas located in the 25-foot natural features buffer. Staff is requesting to add a requirement for permanent demarcation signs for the 25-foot natural features buffer. Additional requirements were added for above ground and below fuel storage especially in regards to increasing the allowed gallons and tanks. In addition, adding safety requirements for temporary above ground fuel storage during construction projects.

Ms. Ruthig stated Included in the amendment is increasing the number of tanks to two (2) 500-gallon size tanks in place of one (1) 300-gallon size tank. Applicants are still required to apply for special use approval for permanent fuel storage. Temporary storage would be required to receive a permit and comply with the proposed ordinance.

Commissioner McCreary asked if the definition of agricultural/farm use should include animals. Ms. Ruthig stated that she will have it match the Michigan Department of Agriculture definition.

Commissioner McBain read the draft ordinance amendment twice. She felt that it was pretty thorough. She wanted to clarify that residential occupied lots are exempt unless they remove more than 25% of 4-inch caliper trees or more would require a land use permit. If someone wanted to construct a pole barn, then the trees being removed in the building envelope would be exempt. Ms. Ruthig stated that is correct.

Commissioner Reiber asked for clarification on which takes precedence master deed and bylaws or the Township zoning ordinances. Ms. Ruthig stated that the Township cannot enforce the master deed and bylaws of a development.

Commissioner Reiber had concerns on the definition of trees which will be removed. Commissioner Reiber questioned what the purpose of a tree inventory is. Ms. Ruthig stated that the if a property owner requested to clear more than 25% of trees minus the proposed exemptions, a tree inventory would be required. He has concerns about the size in the caliber of a tree.

Commissioners discussed what tree caliber should be included on a tree inventory. Commissioner Chouinard stated that there should be a cutoff in the caliber size and if the caliber is smaller, it would make it more difficult and costlier for surveys. Staff was directed to review other communities' ordinance and reach out to the Township Attorney. Commissioner Reiber would like the amendment to be stricter in the removal of trees.

Chairman Grajek stated that typically people purchase property for the trees, do not cut them down. Property owners around lakes will cut down trees to have a view of the lake.

Ms. Ruthig stated that she would like to add pear trees to the list of prohibited trees.

Ms. Ruthig stated that included in the amendment for the natural features buffer is the requirement for demarcation signs and what type of trail would be allowed within the buffer. In addition, the requirement that fertilizers would not be allowed in the buffer.

Ms. Ruthig stated that included in the proposed amendment is the requirement for any structures of buildings will be required to be 35-feet from the regulated wetland. Commissioners agreed with the 35-foot setback for buildings and structures and the removal of allowing recreation areas in the buffer.

Commissioners requested that the required size, distance and number of signs be included in the amendment.

Ms. Ruthig stated that in regards to the performance standards as it relates to above ground and below ground fuel storage, the State of Michigan and International Fire Code has less strict requirements for fuel storage.

Commissioners were agreement with the proposed size of fuel storage tanks to allow two (2) 500-hundred-gallon tanks.

Commissioner Reiber asked if there are any requirements for the removal or moving of a tank. Ms. Ruthig stated that there is not currently.

Commissioners requested that requirements be added for tank removal such as moving an empty tank and it should be conducted by a licensed professional. In addition, a permit extension would be required for temporary fuel storage if it is over 12-months and must follow State of Michigan and Fire Department guidelines.

Commissioners requested a requirement that abandoned below ground tanks for more than a year. Must be removed.

A call to the public was called at 7:44 pm with the following responses:

Denise Pollicella, 4200 Sweet Road, she thanked the Commissioners for their review of the amendments. As a resident, she appreciates ordinances that protect the trees. She stated that the Livingston County Press and Argus recently conducted a poll of what residents like about living in the county. The number one answer was the rural nature of the community. She indicated that the definition of clear-cut is very narrow, it should be reviewed and made easier to enforce. Two things that should be thought about as far as enforcement would be putting in a provision that the homeowner would be required to pay a fine and cost of the enforcement. Not reading an ordinance is no excuse. People that do not want ordinances, should move to Texas since they do have ordinances. Ordinance tickets should be a misdemeanor on record, that might get someone's attention. Ms. Pollicella suggested reviewing Royal Oak's ordinance in regards to their tree ordinance. She requested that the 25-foot natural features buffer be increased to 50 feet and she would like to see better enforcement mechanisms for what happens if somebody doesn't move the underground storage wells. Currently there is no enforcement mechanism at the local municipal level, unfortunately it is up to the state, and respectfully they do a horrendous job.

Deb Beattie, 3109 Pine View Trail, she would like to know who would approve permits for the removal of landmark trees. In regards to the natural features buffer, she would like to see it increased to 100 feet and left completely untouched and no pesticides or fertilizers to be used. Would like as much protection from all water, wetlands and wells including smaller unregulated wetlands in regards to the below and above ground fuel storage. She stated that trees could be saved on in the building envelope by changing the building enveloped slightly.

Melanie Johnson, 3990 Chilson Road, she agrees with the prohibition of Bradford pear trees. She stated that Brighton Township attempted to adopt a tree ordinance after the Dominion clear-cut their subdivision and the residents were angry with the proposed ordinance. She recommended that the national wetland inventory maps are a good resource. She stated that the 7-11 in Brighton Township located at Pleasant Valley and Grand River had issues with their underground storage and to shut down for a year to install triple-lined tanks. She would like to see the 25-foot natural features buffer increased. When someone is cutting their grass, they are blowing it into the buffer. She asked if an emergency response plan was required.

ADMINISTRATIVE BUSINESS:

Staff Report

Ms. Ruthig stated that she will not be at the July 14, 2025 Planning Commission Meeting and there are currently Legacy Hills, final PUD approval, and 1111 S. Latson Road, next to Mister Car Wash, is seeking approval for a drive-through restaurant.

Approval of May 12, 2025 Planning Commission meeting minutes

Moved by Commissioner McCreary, supported by Commissioner Chouinard, to approve the May 12, 2025 Planning Commission meeting as submitted. **Motion carried unanimously.**

Member discussion

Commissioner McCreary inquired about the status of Mister Car Wash. Ms. Ruthig stated that she has not received any information since the accident.

Adjournment

Moved by Commissioner McCreary, supported by Commission Chouinard to adjourn the meeting at 8:15 pm.

Respectfully Submitted,

Amy Ruthig
Planning Director