GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
AUGUST 11, 2025

MINUTES

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, Greg Rassel, Eric Rauch, and Bill Reiber. Also present were Planning Director Amy Ruthig, Brian Borden of Safebuilt, and Shelby Byrne of Tetra Tech.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

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

DECLARATION OF CONFLICT OF INTEREST: None

Commissioner McCreary stated that she does not have a conflict of interest; however, she has done business with ~~Carolyn~~ Catherine Riesterer in the past. Commissioner McBain stated she does not have a conflict of interest, but she has a relationship with Van Kennel.

CALL TO THE PUBLIC:

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

OPEN PUBLIC HEARING #1…Consideration for a PUD agreement, environmental impact assessment, final PUD plan to construct a 55-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road. The project includes the following parcels: 4711-23-400-008, 4711-23-400-007, 4711-23-400-001 and 4711-23-300-003. The request is submitted by Pulte Homes of Michigan.
A. Recommendation of Planned Unit Development Agreement
B. Recommendation of Environmental Impact Assessment (3-5-25)
C. Recommendation of Final PUD Site Plan (7-22-25)

Mr. Mike Noles of The Umlor Group, the engineering firm representing Pulte Homes, stated they are requesting approval of the final PUD site plan. This is their fifth meeting at the Township regarding this project. He understands that approval can be made with conditions, including approval from EGLE, the attorneys, and final comments from the Township's consultants.

He reviewed the items discussed at the prior meetings. He noted that the Planning Commission and the Township Board unanimously approved the preliminary site plan, and they have not made any changes to that plan. He provided a review of the site plan, wetland protection, tree

preservation, and the installation of an off-site walking path to connect to the existing path on Brighton Road.

Mr. Borden reviewed his letter dated August 5, 2025

Private Road Review:

1. There are conditions present that warrant consideration of private roads and the PUD Agreement identifies the roads as private. It was always presented as having private roads and there is verbiage in place in the agreement regarding this.
2. The applicant must provide a Private Road Maintenance Agreement.
3. The design and construction requirements are subject to review and comment by the Township Engineer and Brighton Area Fire Authority.
4. The applicant must maintain 15 feet of overhead tree clearance. The revised plan notes the clearance as 13.5 feet.

Final PUD/Condominium Plan:

1. The applicant must address any comments provided by Township staff and the Township Attorney on the condominium documents.
2. The road connection to Units #13-16 requires EGLE approval for encroachment into a wetland.
3. There are minor inconsistencies on the landscape plan that need to be corrected.
4. The Township may require the applicant to provide “mechanisms for the long-term funding of open space preservation”. Commissioner Rauch does not believe this is necessary since the preservation area is going to remain untouched and natural. Mr. Noles noted that there are open spaces that will need to be maintained, such as the property lots, the private roads, storm systems, and access to detention basins and those maintenance agreements are in the agreement.

   Commissioner Reiber questioned the possibility of flooding from the open spaces so he would like to know how it will be maintained. Mr. Noles stated that they will develop this site meeting the requirements of the Township’s ordinance and the Livingston County Drain Commissioner, but there is nothing to maintain within the preservation area.

5. The applicant must address any comments provided by staff, the Township’s engineering consultant, and/or Brighton Area Fire Authority.

Ms. Byrne reviewed her letter dated August 5, 2025.

General

1. The site plan includes stormwater and private road improvements within regulated wetland limits. An EGLE wetland permit will be required for this work and should be obtained prior to a land use permit being issued.

2. The proposed pathway along Challis Road is bituminous tying into an existing bituminous pathway. The Genoa Township Ordinance states that paths should be concrete but can be asphalt based on the recommendation of the Township Planner and Engineer. She supports the proposed bike path material, as it meets Township standards for bituminous sidewalk and is tying into an existing pathway of the same material.

Drainage and Grading

1. The proposed detention basin design includes upstream infiltration within storm pipes around the site with a rate of six inches per hour used. Infiltration testing should be completed to determine the actual infiltration rate for the infiltration locations, and this should be provided prior to final site plan approval so that the proposed storm systems can be reviewed. Infiltration testing should follow the requirements of LCDC standards, Appendix E. Mr. Noles stated this test is being done tomorrow.
2. There are multiple inverts and rim elevations that are given in the storm calculations that do not match what is given in the profile view. Update elevations accordingly.
3. The profile provided for structure 350-352 is titled incorrectly and should be updated. Additionally, there is a double label at structure 352 for the invert elevation that should be corrected.
4. On sheet 21, a tributary area for Structure 344 seems to be missing. This area should be included on the plans and other tributary areas adjusted accordingly.
5 The easement given for storm sewer from Structures 308-309 should be upsized to a 40-foot-wide easement based on the burial depth.
6. There is an unlabeled retaining wall on lot 31 that needs to be identified on the plans and details should be provided. Retaining walls over three feet tall shall be designed by a licensed professional engineer per Section 11.04.03.j of the Genoa Township Zoning Ordinance.
7. Structures 306-309 and 320-321 are in open areas. Per detail R-1 on Sheet 32 the type of cover would be a beehive grate. The drainage areas to these structures exceed the maximum drainage area for that cover type. Additional structures, alternative catch basin covers, or calculations should be provided to ensure no flooding while draining during a weather event.
8. The tributary area for Structure 331 differs from what is given in the plan view versus the chart. The area should be verified and updated accordingly.
9. The slope given for the outlet pipe of the detention basin outlet structure is 0.5% in the detail and 0.55% in the calculations. The slope should be verified and updated accordingly.

Private Road

1. The Petitioner is proposing 6-7.85% percent road grades at various locations throughout the site, which exceed the maximum 6 percent grade noted in the Genoa Township Engineering Standards. Due to the natural topography of the site, it would require a large amount of grading to reduce the slope of the private road, and we support this deviation subject to the input from the Brighton Area Fire Authority.
2. Dimensions for private road ROW are not centered on the road and should be adjusted.

The Brighton Area Fire Authority Fire Marshal's letter dated August 4, 2025 stated the following:

1. Fire protection water supply will be discussed further once the final site plan has been completed. The final design of the 15,000-gallon tanks was received after this submittal was submitted. The tank design meets BAFA standards; however, suction point orientation has not been finalized. A 12"x18" durable white reflective sign with red border and red lettering shall be installed at each tank, indicating the volume of water within. The sign shall include the universal draft suction symbol. Tanks shall be installed, filled, and usable before the arrival of combustible construction materials on site.
2. Provide additional details on the secondary access. Initial conversations stated that the access would be gated on both ends. The details shall be submitted and approved. The gates shall be secured with a Knox padlock in conjunction with the maintenance lock, so the access is maintained year-round. Additional details regarding the gates have not been provided.

Commissioner McCreary stated the BAFA letter stated 58 residential units, but there are 55.

Commissioner McCreary questioned what will be done to ensure trees that are to remain will be saved and an owner will not remove them. Mr. Noles stated this information is in the Master Deed and By-laws and in the disclosure document, including the penalties. He is not in favor of placing signs along the buffers to advise residents they cannot enter the preserved area. She asked how residents will know what fertilizers are not allowed. Mr. Noles stated this is also in the Deed and By-laws and in the disclosure document. She questioned how the radon testing will occur, and Mr. Noles provided her with the steps that will be taken for the testing and any remediation that is needed.

Commissioner Rauch asked how the seven low areas that will be used for managing the stormwater will be maintained. Mr. Noles explained how these areas are used and maintained. Commissioner Rauch would like it to be within an easement and the buyer be made aware of it. Ms. Byrne agrees and that will be required by the Drain Commissioner.

The call to the public was opened at 7:28 pm.

Ms. Debra Beattie of 3109 Pineview Trail likes the plan. She hopes the 100 foot buffer on Bauer will be natural and that trees will not be removed and new ones planted. She thinks the signs advising residents that they are not to encroach onto the preserved area should be installed.

The call to the public was closed at 7:30 pm.

Mr. Noles showed where trees will remain and where they will be cleared and replanted. They need to be removed to install the entrance drive, properly grade the site, install the stormwater management system, etc.

Chairman Grajek asked if any of the septic systems would need to be engineered. Mr. Noles stated they do not anticipate needing any engineered septic fields.

Commissioner Rauch commended the petitioner and the public. This is a good example of the process working well. The result of the conversations over the last year is a sign that preserves almost 70 acres of wetlands and many trees in the community and installs a walking path for the public.

Moved by Commissioner Rauch, supported by Commission Rassel, to recommend to the Township Board approval of the Planned ~~United~~ Unit Development Agreement to construct a 55-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road, including parcels 4711-23-400-008, 4711-23-400-007, 4711-23-400-001 and 4711-23-300-003, with the following conditions:

- The private road maintenance agreement shall be added to the Agreement.
- Easements for the low areas as part of the storm water management system shall be added to the Agreement.
- The applicant shall update the plans to show 15 feet of overhead tree clearance
- The applicant shall comply with all pertinent comments from the Township engineer, planner, BAFA, Livingston County Drain Commission, and EGLE
- Township staff and attorney comments must be incorporated in the PUD Agreement.

The motion carried unanimously.

Moved by Commissioner Rauch, supported by Commission Rassel, to recommend to the Township Board approval of the Environmental Impact Assessment dated March 5, 2025 to construct a 55-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road, including parcels 4711-23-400-008, 4711-23-400-007, 4711-23-400-001 and 4711-23-300-003. **The motion carried unanimously.**

Moved by Commissioner Rauch, supported by Commission Rassel, to recommend to the Township Board approval of the Final PUD Site Plan dated July 22, 2025 to construct a 55-unit single-family site condominium development located at the northwest corner of Challis Road and Bauer Road, including parcels 4711-23-400-008, 4711-23-400-007, 4711-23-400-001 and 4711-23-300-003, with the following conditions:

- The applicant shall comply with all pertinent comments from the Township engineer, planner, BAFA, Livingston County Drain Commission, and EGLE
- All stormwater easements shall be depicted on these plans.
- The parcels will need to be combined prior to the issuance of the Land Use Permit.

The motion carried unanimously.

OPEN PUBLIC HEARING #2…Consideration for a Special Land Use application, site plan and impact assessment for a drive through restaurant within a multi-tenant commercial building. The property is located at 1111 S. Latson Road (4711- 09-100-043), east side of Latson Road, south

of Grand River Avenue. The request is submitted by Kevin Bahnam A. Recommendation of Special Use Application.
B. Recommendation of Environmental Impact Assessment (5-27-25)
C. Recommendation of Site Plan (5-27-25)

Mr. Scott Tousignant and Ms. Catherine Riesterer, the applicant's attorney, was present. Mr. Tousignant provided a review of the project and the changes that have been made since the previous submittal, specifically the user being a fast food restaurant and not a coffee shop, and a reduction in square footage of the building. They have received approvals from all of the necessary outside agencies.

He addressed Mr. Borden's review letter comments. They have received ZBA approval for not meeting the 500-foot spacing requirement between drive-throughs. He provided the reasons for the deficiency in their landscape plantings, the length of the wall on the rear of the site, the signage, and the escape lane.

Mr. Borden reviewed his letter dated July 31, 2025

1. Special Land Uses (Section 19.03):
   A. The Special Land Use standards of Section 19.03 are generally met.
   B. In order to make favorable findings related to compatibility and impacts, the use conditions of Section 7.02.02(j) must be met to the Commission's satisfaction.
   C. The applicant must address any comments provided by the Township Engineer or Brighton Area Fire Authority regarding public facilities and services.
2. Drive-Through Use Conditions (Section 7.02.02(j)):
   A. The Planning Commission has the authority to waive or modify the 500-foot spacing requirement between drive-throughs. Mr. Tousignant stated they have received approval from the ZBA.
   B. The rear yard buffer zone provides the required plantings but is deficient in width and a full length screen wall or fence, which is what was in the previously approved plan.
   C. In his opinion, the plan may benefit from some additional directional signage or pavement markings to help patrons properly navigate the site.
   D. The plan provides a partial escape lane. The Planning Commission has the authority to waive or modify the escape lane requirement. He noted that the new use of a fast food restaurant is less of an impact than the originally proposed coffee shop.
3. Site Plan Review:
   A. Building materials and color scheme are subject to review and approval by the Planning Commission.
   B. The rear yard Buffer Zone B is deficient in width and screen wall or fence length; however, the Planning Commission has the discretion to modify these requirements, similar to the previously approved plans.

Ms. Byrne stated there have been no significant changes to the original plans, so she has no concerns.

The Brighton Area Fire Authority Fire Marshal's letter dated June 4, 2025, stated the following: "All previous concerns cited for the project have been addressed. The fire authority has no further concerns regarding the amended Special Land Use Change based on the recently submitted documents."

Commissioner Rauch addressed the deficiency in the buffer to the rear of the site, noting that the noise study shows it is below the Township ordinance.

Commissioner McBain is concerned with the safety of the outdoor seating. Mr. Tousignant stated that they can add signage and pavement markings in this area. There is also fencing delineating the seating area.

Commissioner McCreary is concerned with the safety of the traffic flow in, out, and within this site and the site to the north. Mr. Tousignant stated this was discussed when the adjacent site was developed, noting that it is a one-way in and out. Commissioner Rauch stated that the change in user from what was previously approved has decreased the amount of traffic, possibly in half. There are pavement markings at the entrance and exit as well as within the site.

The call to the public was opened at 8:13 pm with no response.

Moved by Commissioner Chouinard, supported by Commissioner Rassel, to recommend to the Township Board approval of the Special Land Use Application for a drive through restaurant within a multi-tenant commercial building. **The motion carried unanimously.**

Moved by Commissioner Chouinard, supported by Commissioner Rassel, to recommend to the Township Board approval of the Environmental Impact Assessment dated 5/27/25 for a drive through restaurant within a multi-tenant commercial building. **The motion carried unanimously.**

Moved by Commissioner Chouinard, supported by Commissioner Rassel, to recommend to the Township Board approval of the Site Plan dated 5/27/25 for a drive through restaurant within a multi-tenant commercial building. **The motion carried unanimously.**

OPEN PUBLIC HEARING #3… Consideration for a Special Land Use application, impact assessment, private road with a shared driveway for 7 new homes on 20.39 acres located at 6025 Brighton Road. Special Land Use is required for shared driveway crossing regulated wetland and 25-foot natural features buffer. The proposed development is for the following parcels: 4711-26-300-011 and 4711-27-400-012. The request is submitted by Boss engineering.
A. Recommendation of Special Use Application
B. Recommendation of Environmental Impact Assessment (5-20-25)
C. Recommendation of Site Plan (7-22-25)

Mr. Brent Lavanway of Boss Engineering and Mr. Kevin VanKannel, the property owner and developer, were present. Mr. Lavanway provided a review of the property and the proposed project. He stated they are requesting a Special Land Use for the crossing of the regulated wetland. They are working with the health department and the State of Michigan for the wetland crossing approval.

Mr. Borden reviewed his letter dated July 31, 2025.

Shared Residential Driveway (Section 15.04):
1. Construction is subject to review and comment by the Township Engineer and Brighton Area Fire Authority.
2. If necessary, the applicant must obtain a permit from the County.
3. The applicant must obtain a permit from EGLE for the wetland crossing.

Private Road Review (Section 15.05):
1. The Private Road Easement and Maintenance Agreement has been provided and is subject to review and comment by the Township Attorney.
2. The design and construction requirements are subject to review and comment by the Township Engineer and Brighton Area Fire Authority.
3. If favorable action is considered by the Township, it should be conditioned upon approval by the Livingston County Road Commission.

Special Land Use Review (Section 19.03):
1. As long as impacts to the wetland are minimized and properly mitigated to the Commission's satisfaction, the Township may find that the request is consistent with the Master Plan.
2. The applicant must address any comments provided by Township staff, the Township Engineer, and the Brighton Area Fire Authority.
3. The wetland crossing requires approval by the Planning Commission for activity within 10 feet of the wetland itself. He recommends that if this item is approved, this should be a condition of approval.

Ms. Byrne reviewed her letter dated August 4, 2025.
1. Section 15.05.03.d of Genoa Township's Ordinance states that for any single means of access serving more than five lots, it shall include a turn-around with a center landscaped island or continuous loop. A hammerhead turnaround is provided in the plan set. This ordinance requirement may be adjusted by the Planning Commission in particular cases. The BAFA has approved this, and she agrees.
2. Brighton Area Fire Authority has required that the width of the private road be increased to 26 feet wide from the 22-foot road width required in the Genoa Township Zoning Ordinance. Due to this, the gravel shoulder has been reduced from five feet to three feet wide and she has no engineering related concern to this reduced shoulder width.

The Brighton Area Fire Authority Fire Marshal's letter dated August 5, 2025, stated that all previous comments have been addressed in the recent submittal.

Commissioner McCreary is concerned about the wetland crossing. She asked if it would affect Baetcke Lake. Mr. LaVanway stated the disturbance is 1/100 of an acre. The application for the wetland crossing has been prepared and submitted to EGLE by Boss Engineering's wetland specialist. This is a very low impact project, and they do have a detention basin and forebay and will not affect that lake.

Commissioner Reiber asked why the road will be paved and not gravel. Mr. LaVanway stated that was considered, but because it comes off a paved road and the types and costs of the homes and the clientele it will attract, a paved road would be preferred.

Commissioner Rauch asked if the parcels utilize the hammerhead turnarounds as the beginning of their driveways. Mr. Lavanway stated they do not plan to use them as driveways. The Commission, Mr. Lavanway and Mr. VanKannel discussed the hammerhead turnarounds. Mr. VanKannel can revisit the turnaround design and the placement of the homes on the site, but he would not like to be limited at this time. Commissioner Rauch stated he would like to see the turnarounds used as driveways. Mr. Lavanway stated that due to the topography of the site, those locations may not be the best for installing the driveways.

The call to the public was opened at 8:43 pm.

Ms. Linda Rally of 5117 Forest View Court is concerned with drivers wanting to make left turns onto and off of Brighton Road. There are already concerns with the existing roads.

Ms. Debra Beattie of 3109 Pineview Trail is concerned with the small wetland. It appears to be a drain into the larger wetland. All of these new properties will be sending more water into the wetland. She does not believe the 10 foot encroachment into the wetland should be approved. She is not in favor of the types of turnarounds proposed.

The call to the public was closed at 8:46 pm.

Mr. VanKannel stated he understands the concerns with the left hand turns. He lives off of Old Hickory and does not experience problems. The wetland is just a four-foot wide flat piece of land that is mostly dry. Photos of the wetland were shown. Mr. Lavanway stated that this is Wetland A. Wetland B is the larger wetland. Commissioner Rauch stated that the Township has a responsibility to protect wetlands.

Moved by Commissioner Rauch, supported by Commissioner Rassel, to recommend to the Township Board approval of the Special Land Use for a shared driveway crossing regulated wetland and 25-foot natural features buffer for seven new homes on 20.39 acres located at 6025 Brighton Road for Parcels 4711-26-300-011 and 4711-27-400-012 as the Planning

Commission finds that the encroachment within the 25 foot natural features setback and crossing meet the intent of the Township Zoning Ordinance. **The motion carried unanimously.**

Moved by Commissioner Rauch, supported by Commissioner McCreary, to recommend to the Township Board approval of the Environmental Impact Assessment dated 5/20/25 for a private road with a shared driveway for seven new homes on 20.39 acres located at 6025 Brighton Road for Parcels 4711-26-300-011 and 4711-27-400-012. **The motion carried unanimously.**

Moved by Commissioner Rauch, supported by Commissioner McCreary, to recommend to the Township Board approval of the Site Plan dated 7/22/25 for a private road with a shared driveway for seven new homes on 20.39 acres located at 6025 Brighton Road for Parcels 4711-26-300-011 and 4711-27-400-012, with the following conditions:

- All conditions stated in the township engineer and township planner's review letters shall be met.
- The petitioner shall have receipt of a permit from EGLE for the wetland crossing prior to the issuance of Land Use Permit.
- The hammerheads for Parcels 3 and 4 shall be identified as being utilized for the driveways for their concurrent parcel.
- Delineation signs for the wetlands shall be added to the site plan prior to presentation to the Township Board.

The motion carried unanimously.

The Planning Commission took a break from 9:04 to 9:14 pm.

OPEN PUBLIC HEARING #4… Consideration of an ordinance amendment to Article 13 entitled Environmental Protection Regulations" and Article 21 entitled "Administration and Enforcement". STAFF REQUESTS ARTICLE 13 "**ENVIRONMENTAL PROTECTION REGULATIONS" TO BE POSTED TO THE SEPTEMBER 8, 2025 PLANNING COMMISSION MEETING.**

A. Recommendation of Zoning Ordinance Amendment to Article 21 entitled "Administration and Enforcement".

Ms. Ruthig stated that she is still working on Article 13, so she is requesting that it be postponed until the September meeting. She reviewed the changes proposed for Article 21. The Board, Ms. Ruthig and Mr. Borden discussed the amendments and additional changes that are needed.

The call to the public was opened at 9:26 pm with no response.

Moved by Commissioner Rassel, supported by Commissioner McCreary, to postpone Article 13 "Environmental Protection Regulations" until the September 8, 2025 Planning Commission meeting. **The motion carried unanimously.**

Moved by Commissioner Rassel, supported by Commissioner McCreary, to approve the changes to Article 21 “Administration and Enforcement”, with the changes discussed this evening. **The motion carried unanimously.**

ADMINISTRATIVE BUSINESS:

Staff Report

Ms. Ruthig stated the only item on September’s meeting will be the review of Article 13 “Environmental Protection Regulations" .

Approval of the June 9, 2025 Planning Commission meeting minutes.

Moved by Commissioner McCreary, seconded by Commissioner Rauch, to approve the minutes of the June 9, 2025 Planning Commission Meeting as presented. **The motion carried unanimously.**

Member Discussion

Commissioner Rauch stated that one of the objectives and goals of the previous Master Plan revision was to promote affordable housing. The revised tree ordinance adds costs to developers. When changes are made or additional requirements are added, they should not prohibit the Township from reaching this goal.

Adjournment

Moved by Commissioner McCreary, seconded by Commissioner Rassel, to adjourn the meeting at 9:38 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary