

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
January 12, 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, Eric Rauch, and Bill Reiber. Absent was Greg Rassel. Also present were Planning Director Amy Ruthig, Shelby Byrne of Tetra Tech, and Brian Borden of Safebuilt.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

ELECTION OF OFFICERS:

Ms. Ruthig stated that Chairperson, Vice Chairperson and Secretary need to be elected this evening.

Moved by McCreary, supported by Chouinard, to elect Chris Grajek as Chairman, Eric Rauch as Vice-chairman, and Marianne McCreary as Secretary. **The motion carried unanimously.**

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

CALL TO THE PUBLIC:

The call to the public was made at 6:33 pm.

Ms. Denise Policella of 4200 Sweet Road, representing the Genoa Coalition stated they have expanded their mission for the Township. They are having their first meeting of the year on January 29 at 6:30 at Aubrey's and she invited the Planning Commission members to attend.

The call to the public was closed at 6:35 pm.

OPEN PUBLIC HEARING # 1...Discussion of a special use, site plan and environmental impact assessment for proposed two (2) two-hundred and fifty (250) gallon above ground fuel storage tanks. The property is located at 2025 Euler Road, east side of Euler Road, north of Grand River Avenue. The request is petitioned by Merlo Construction Company, LLC.

Mr. Wayne Perry of Desine Engineering and Mr. Brian Misaras, the applicant, were present. Mr. Perry provided a review of the proposal for two above ground fuel storage tanks.

Mr. Borden reviewed his letter dated December 16, 2025.

1. The applicant must provide an updated Environmental Impact Assessment.
2. Special Land Uses (Section 19.03):
 - a. In order to make favorable findings related to compatibility and impacts, the conditions of Section 13.07 need to be met to the Commission's satisfaction.
 - b. The applicant must address any comments provided by the Township Engineer or Brighton Area Fire Authority.
3. Fuel Storage (Section 13.07):
 - a. The applicant must demonstrate that secondary containment is provided, as required.
 - b. The applicant must obtain any outside permits required for fuel storage.

He noted that the ordinance states a limit of 300 gallons of fuel storage is allowed; however, he interprets this request as being in compliance with the ordinance because the storage tanks are less than 300 gallons each. He recalls the Planning Commission had previously discussed changing the outdoor fuel storage ordinance with regard to number and size of tanks.

Ms. Byrne stated bollard details shall comply with requirements outlined in the review letter from Brighton Area Fire Authority.

The Brighton Area Fire Authority Fire Marshal's letter dated December 22, 2025, states the following:

The outdoor fuel storage complies with all Fire Code requirements, except for the item listed below.

1. Guard posts' details shall be updated to comply with all of the following requirements:
 - a. Constructed of steel not less than 4 inches (102 mm) in diameter and concrete filled.
 - b. Spaced not more than 4 feet (1219 mm) between posts on center.
 - c. Set not less than 3 feet (914 mm) deep in a concrete footing of not less than a 15-inch (381 mm) diameter.
 - d. Set with the top of the posts not less than 3 feet (914 mm) above ground.
 - e. Located not less than 3 feet (914 mm) from the protected object.

Mr. Perry stated he has received BAFA's letter and will comply with their requirements.

Mr. Rauch asked the applicant if they are going to provide the secondary containment details. Mr. Perry stated a double-walled tank meets the standards for secondary containment, and that is what they are proposing.

Mr. Rauch asked what other agencies will need to approve these tanks. Mr. Perry stated the local fire marshal, and the State of Michigan must provide approval. There was a discussion

regarding the possible ordinance change for outside fuel tanks and how that will affect how much fuel is allowed and the new setbacks.

Mr. Reiber questioned if when the site was approved, did it meet all of the requirements of the ordinance. Ms. Ruthig stated yes, there were no variances given. Because of the public comment letter in the packet, he would like to have the site inspected for violations. She noted that when the resident who wrote the letter was building their home, the township advised that their property abuts an industrial property. There have not been any complaints filed against this business until January 7, 2026. Mr. Misaras has spoken to the neighbor previously. He addressed her concern and advised her to contact him with any further issues.

Mr. Rauch would like assurances that the wetlands will be protected.

The call to the public was made at 7:12 pm.

Ms. Denise Policella of 4200 Sweet Road does not see a special use for a contractor's yard on this property. She suggested a berm as a buffer instead of vegetation. Ms. Ruthig stated they do have a special use permit that was approved in May 2024.

Ms. Deb Beattie of 3109 Pine View Trail stated the resident's letter and what is being said here this evening are contradictory. This is very close to the wetland, and the site drains toward the wetlands. The buffer does not mitigate any sight, noise or smell from the site to the residential property.

The call to the public was closed at 7:17 pm.

Ms. McBain confirmed with Ms. Ruthig that no complaints were received from the neighbor until January 7, 2026. Mr. Rauch confirmed this is still an active construction site so the activities on this site will not be the normal business operations when the construction is complete. He explained how the petition is controlling the stormwater drainage and it was approved with their plan.

Moved by Commissioner Rauch, seconded by Commissioner Reiber, to table Open Public Hearing #1 until the February 9, 2026 Planning Commission meeting. **The motion carried unanimously.**

OPEN PUBLIC HEARING # 2...Discussion of a special use, site plan and environmental impact assessment for a proposed family day care home (up to 14 children) located 554 S. Hughes Road on the west side of Hughes Road, south of Golf Club Road. The request is petitioned by Jennifer Duncan.

Ms. Jennifer Duncan and Ms. Elizabeth Stowe were present.

Mr. Borden reviewed his letter dated January 6, 2025.

1. Special Land Uses (Section 19.03):

- a. Provided the Commission finds that the proposal will uphold the overall goals of the plan, the proposal may be viewed as compatible with the Township Master Plan.
 - b. In order to make favorable findings related to compatibility and impacts, the use conditions of Section 3.03.02(k) 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.
2. Group Day Care Homes (Section 3.03.02k):
- a. The applicant must demonstrate that there is not another group day care home within 1,500 feet of the subject site.
 - b. The plan must be revised to provide a fenced-in area of at least 1,500 square feet.
3. Additional Considerations:
- a. The applicant must identify the number of clients and employees to ensure compliance with the parking requirements.
 - b. We suggest that issuance of a State license be included as a condition to a favorable recommendation and that copy be provided to the Township as it will be issued after the township's approval.

Ms. Byrne reviewed her letter dated December 30, 2025.

1. The petitioner should provide documentation from the Livingston County Health Department documenting the suitability of the existing well for the increased use. The existing residential home is connected to the existing municipal sanitary system with adequate capacity on the west side of the site, so no impact to a private septic system needs to be considered.
2. The existing driveway has six parking spaces, as shown on the provided site plan. Additionally, the existing driveway is over 300 feet long and has a turnaround near the house. Therefore, it is not anticipated that the proposed use will cause any traffic impacts to Hughes Road.

The Brighton Area Fire Authority Fire Marshal's letter dated February 8, 2026, states the following:

1. It is unclear if the residence is being converted to a stand-alone daycare or will maintain its residential status. Please provide clarification.
2. The daycare shall comply with the applicable edition of the State of Michigan LICENSING RULES FOR FAMILY AND GROUP CHILD CARE HOMES.
3. The driveway width is unclear and needs to be provided at a minimum of 12'.
4. Both sides of the driveway shall be marked as a fire lane with approved signage. Please provide sign details.
5. Parking shall be limited to the shown parking spaces only. Provide dimension of the depth of the spaces. They shall not obstruct the required access width.
6. Please provide details on the scope and level of interior renovation.
7. The daycare shall be provided with interconnected smoke alarms throughout.

The following will apply if the building is no longer used as a residence and will be used only as a daycare.

8. The drive width will be required to be improved to a clear width of 20'. It will also require an approved turnaround for emergency vehicles.
9. The building will be required to meet the Michigan Building Code.
10. The building will be required to be provided with a means of providing fire flow applicable to the structure use and building type.
11. 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's, lighting, and large canopy trees.
12. The location of a Knox Box shall be indicated on future submittals. The Knox box shall be located adjacent to the structure's main entrance, in a location coordinated with the fire authority.

Ms. Duncan provided the requirements from the State of Michigan for a day care home.

Ms. Duncan stated she will be residing in the home with her husband so items #8 through #12 of the Fire Marshal's letter do not apply.

The commission discussed the parking requirements, square footage required and location of the play area. Mr. Rauch asked if this submission meets the requirements. Ms. Ruthig stated yes; she has followed the precedents that have been set by other homeowner run daycares.

Mr. Chouinard visited the site and there is not a way for two vehicles to be on the driveway at the same time. Ms. Duncan will have the drop off and pick up times staggered to avoid this.

Ms. McBain confirmed that the resident who sent a letter opposing this request lives on the side of the property that is heavily wooded and the play area will also be on the opposite side of their property.

The call to the public was made at 7:45 pm with no response.

The commission advised Ms. Duncan that a new site plan must be submitted and shall include the fenced in play area and that all of BAFA's requirements are met.

Moved by Commissioner McCreary, seconded by Commissioner Chouinard, to table Open Public Hearing #2 until the February 9, 2026 Planning Commission meeting. **The motion carried unanimously.**

OPEN PUBLIC HEARING #3...Discussion of a special use, site plan and environmental impact assessment for a proposed indoor dog park, coffee shop and bakery. The property is located in

the existing Country Corners shopping center, 4060 Grand River Avenue, on the south-east corner of Grand River Avenue and Latson Road.

Ms. Stacie Phillips, the applicant, and Mr. John Eckstein of Lindhout Associates were present. Ms. Phillips provided the details of the proposed business.

Mr. Eckstein showed the building floor plan and photos of the outside area to address Mr. Borden's concerns.

The commission and the applicant discussed the outside area. The enclosed area should be shown on the resubmitted plan.

Ms. McBain likes the business idea but is questioning whether this is the best location. She is concerned with the noise and smell for the neighbors. Ms. McCreary agrees. She recommends this be in a stand-alone building. Mr. Rauch believes this is a good location for this business. He likes that an existing building is being used, especially in this strip mall. Mr. Chouinard agrees with the sound proofing that is being proposed.

Mr. Borden reviewed his letter dated January 6, 2025.

1. Special Land Uses (Section 19.03):

- a. In order to make favorable findings related to compatibility and impacts, the conditions of Section 7.02.02(w) must be met to the Commission's satisfaction.
- b. The applicant must address any comments provided by the Township Engineer or Brighton Area Fire Authority.

2. Pet Day Care Centers (Section 7.02.02w):

- a. There is a discrepancy in the hours of operation that must be corrected.
- b. There is a discrepancy in the maximum number of dogs allowed that must be corrected. The ordinance allows for one pet per 100 square feet, but the application shows this limit to be by two. The Planning Commission has the discretion to allow for more dogs.
- c. The outdoor play area is not surrounded by a 6 foot masonry wall, as required. There are references to fencing; however, none is depicted on the site plan. The commission discussed the requirement of masonry and did not believe it was necessary for this use.
- d. Clarification is needed on the surfacing of the outdoor play area. Mr. Rauch stated there is no sun in this area, so he recommends artificial turf.
- e. The submittal does not include approvals from outside agencies, as required. f. If the commission determines that additional or more detailed information is needed, the applicant must address any such concern.

Ms. Byrne stated she has no engineering concern with the proposed site plan and special land use.

The Brighton Area Fire Authority Fire Marshal's letter dated December 22, 2025, states the fire authority has no objection to the proposed special use for the existing tenant space. Further review will be required during the tenant construction application for a permit.

The call to the public was made at 8:17 pm.

Ms. Denise Pollicella of 2400 Sweet Road loves this business idea.

Mr. Jeff Dhaenens of 5494 Sharp Drive spoke about a similar business in Stevenson, Michigan. He hopes this is approved. There is no concern about the noise or the odor.

The call to the public was closed at 8:20 pm.

The commission requested that the applicant provide additional signage, what material will be used for the outdoor area, outside organization approvals as required, and proof that the outdoor area is secure, and the proposed material is approved. Mr. Eckstein stated they will reduce the maximum number of dogs allowed to meet the ordinance.

Moved by Commissioner McCreary, seconded by Commissioner Chouinard, to table Open Public Hearing #3 until the February 9, 2026 Planning Commission meeting. **The motion carried unanimously.**

The commission took a 10 minute break at 8:25 pm.

OPEN PUBLIC HEARING #4...Consideration of an ordinance amendment to Article 13 entitled "Environmental Protection Regulation" related to "Hazardous Materials and Fuel Storage and Wetland Protection Standards"

A. Recommendation of Zoning Ordinance Amendments to Article 13 entitled "Environmental Protection Regulations".

The planning commission and Ms. Ruthig discussed the proposed changes and agreed on additional needed changes.

The call to the public was made at 9:47 pm.

Ms. Denise Pollicella of 4200 Sweet Road thanked the commission for revising this ordinance. She provided additional information on this evening's discussion.

Ms. Deb Beattie of 3109 Pineview Trail suggested having the wetland setback increased to 50 feet.

Ms. Melanie Johnson of 3990 Chilson Road spoke about the wetland setbacks and suggested removing the word "regulated" and have the ordinance apply to all wetlands. She agrees with the signs delineating wetlands.

The call to the public was closed at 9:55 pm.

The commission decided to have Ms. Ruthig make the changes discussed this evening and present the revised document at the next planning commission meeting.

Moved by Commissioner Reiber, seconded by Commissioner McCreary, to table Open Public Hearing #4 until the February 9, 2026 Planning Commission meeting. **The motion carried unanimously.**

ADMINISTRATIVE BUSINESS:

Staff Report

Ms. Ruthig provided the Annual Report.

Approval of the September 8, 2025 Planning Commission meeting minutes

Moved by Commissioner McCreary, seconded by Commissioner Chouinard, to approve the minutes of the September 8, 2025 Planning Commission Meeting as presented. **The motion carried unanimously.**

Member Discussion

Ms. McCreary stated that both the senate and the house approved a maximum of ten land splits for one property. It was previously four.

Ms. McCreary attended the Michigan Association of Planners convention and attended many of the classes they offered.

Adjournment

Moved by Commissioner McCreary, seconded by Commissioner Reiber, to adjourn the meeting at 10:11 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary