

GENOA CHARTER TOWNSHIP
Regular Meeting
August 4th, 2008
6:30 P.M.

AGENDA

Call to Order

Pledge of Allegiance

Call to the Public

Approval of Consent Agenda:

1. Payment of Bills
2. Request to approve minutes: 7-21-08
3. Request to amend the existing "Investment Policy Depository Resolution" as requested by the Township Treasurer.
4. Request to approve installation and repair of sidewalk at Genoa Charter Township Hall for the cost of \$975.00.
5. Request for approval for adjustment to the Lake Edgewood and Pine Creek water and sewer rates.
6. Request to authorize a publication and set public hearing for August 18th, 2008 at 6:30 p.m. for an update to the Ordinance addressing Floodplain Management Provisions of the State Code.

Approval of Regular Agenda:

7. Request for approval of Resolution No. 1 (to Proceed with the Project and Direct Preparation of the Plans and Costs Estimates and authorize the mailing of the notices for the first public hearing) for aquatic weed control to Round Lake.
8. Request for approval of special use application, impact assessment and sketch plan for a proposed contractors yard with outdoor storage located at 1088 Victory Drive, Howell, Sec. 5, petitioned by Ken Culver.
9. Request for approval of special use application, impact assessment and sketch plan for a proposed worship facility to occupy 7181 Grand River, Brighton, Sec. 13, petitioned by Lindhout Associates.
10. Discussion regarding clarification of the Township per diem policy.

Correspondence
Member Discussion
Adjournment

CHECK REGISTERS FOR TOWNSHIP BOARD MEETING

DATE: August 4, 2008

TOWNSHIP GENERAL EXPENSES; Thru August 4, 2008	\$449,554.00
July 25, 2008 Bi-weekly Payroll	\$38,624.26
August 1, 2008 Monthly Payroll	\$11,103.67
OPERATING EXPENSES; Thru August 4, 2008	\$72,438.27
TOTAL:	<u>\$ 571,720.20</u>

**First National
Direct Deposit
JULY 25, 2008
Bi-Weekly Payroll**

<u>Employee Name</u>	<u>Debit Amount</u>	<u>Credit Amount</u>
Adam Van Tassell		\$1,003.67
Amy Ruthig		\$940.06
Angela Williams		\$601.36
Barb Kries		\$961.57
Carol Hanus		\$1,176.68
Cinthia Howard		\$678.26
Dave Estrada		\$1,591.07
Deborah Rojewski		\$2,170.87
Genoa Township	\$24,664.51	
Greg Tatara		\$2,199.48
Judith Smith		\$0.00
Karen J. Saari		\$902.85
Kelly VanMarter		\$2,008.83
Laura Mroczka		\$1,219.09
Mary Krencicki		\$952.63
Michael Archinal		\$2,386.41
Renee Gray		\$1,087.88
Robin Hunt		\$1,223.69
Susan Sitner		\$506.02
Tammy Lindberg		\$919.57
Tesha Humphriss		\$2,134.52
Total Deposit		<u><u>\$24,664.51</u></u>

EFT #: _____
INTERNET: _____
CHECK BOOK: _____

Accounts Payable
Computer Check Register



User: sue

Printed: 07/18/2008 - 14:42

Bank Account: 101CH

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
24279	Administ	Total Administrative Services	07/25/2008		357.67
			Check 24279 Total:		357.67
9557	AETNA LI	Aetna Life Insurance & Annuity	07/25/2008		25.00
			Check 9557 Total:		25.00
9558	EFT-FED	EFT- Federal Payroll Tax	07/25/2008		4,022.69 2,086.77 2,086.77 488.03 488.03
			Check 9558 Total:		9,172.29
9559	EFT-PENS	EFT- Payroll Pens Ln Pyts	07/25/2008		678.90
			Check 9559 Total:		678.90
24280	Equitabl	Equivest Unit Annuity Lock Box	07/25/2008		620.00
			Check 24280 Total:		620.00
9560	FIRST NA	First National Bank	07/25/2008		250.00 2,325.00 22,089.51

Check 9560 Total: 24,664.51

24281 SOM-TRE State Of Mich- Dept Of Treasur 07/25/2008 3,105.89

Check 24281 Total: 3,105.89

Report Total: 38,624.26

**First National
Direct Deposit
AUGUST 1, 2008
Monthly Payroll**

<u>Employee Name</u>	<u>Debit Amount</u>	<u>Credit Amount</u>
Genoa Township	\$6,777.35	
Adam Van Tassel		\$508.55
Gary McCririe		\$1,741.75
H.J. Mortensen		\$498.69
Jean Ledford		\$465.14
Paulette Skolarus		\$3,080.19
Steve Wildman		\$316.80
Todd Smith		\$166.23
Total Deposit		<u><u>\$6,777.35</u></u>

Accounts Payable
Computer Check Register



User: sue

Printed: 07/25/2008 - 11:59

Bank Account: 101CH

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
24285	Administ	Total Administrative Services	08/01/2008		100.00
				Check 24285 Total:	100.00
9561	EFT-FED	EFT- Federal Payroll Tax	08/01/2008		2,071.04
					661.53
					661.53
					154.72
					154.72
				Check 9561 Total:	3,703.54
9562	EFT-PENS	EFT- Payroll Pens Ln Pyts	08/01/2008		193.33
				Check 9562 Total:	193.33
24286	Equitabl	Equivest Unit Annuity Lock Box	08/01/2008		20.00
				Check 24286 Total:	20.00
9563	FIRST NA	First National Bank	08/01/2008		6,727.35
					50.00
				Check 9563 Total:	6,777.35
24287	USTREASU	United States Treasury	08/01/2008		309.45

Check 24287 Total:

309.45

Report Total:

11,103.67

<u>Check Number</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Check Date</u>	<u>Check Amount</u>
24278	CorrCon	Corrigan Construction	07/18/2008	228,006.87
24279	Administ	Total Administrative Services	07/25/2008	357.67
24280	Equitabl	Equivest Unit Annuity Lock Box	07/25/2008	620.00
24281	SOM-TRE	State Of Mich- Dept Of Treasur	07/25/2008	3,105.89
24282	GENOA FI	Genoa Twp Fire Dev. #262	07/21/2008	150,000.00
24283	MI CHLOR	Michigan Chloride Sales LLC	07/23/2008	13,365.00
24284	Unum	Unum Provident	07/23/2008	1,044.60
24285	Administ	Total Administrative Services	08/01/2008	100.00
24286	Equitabl	Equivest Unit Annuity Lock Box	08/01/2008	20.00
24287	USTREASU	United States Treasury	08/01/2008	309.45
24288	ADT	ADT Security Services, Inc.	08/04/2008	223.22
24289	AMER IMA	American Imaging, Inc.	08/04/2008	206.53
24290	Americ G	American General Life Insuranc	08/04/2008	296.50
24291	ARCHINAL	Michael Archinal	08/04/2008	500.00
24292	AT&TLONG	AT&T Long Distance	08/04/2008	28.14
24293	ATT& IL	AT&T	08/04/2008	728.78
24294	BUS IMAG	Business Imaging Group	08/04/2008	77.51
24295	COMCAST	COMCAST	08/04/2008	94.04
24296	COXKRIS	Kristi Cox	08/04/2008	150.00
24297	DOUG COU	DOUG COUP	08/04/2008	1,646.00
24298	DTE LAKE	DTE Energy	08/04/2008	174.59
24299	EHIM	EHIM, INC	08/04/2008	671.73
24300	FED EXPR	Federal Express Corp	08/04/2008	51.00
24301	GENOA UT	Genoa Twp Public Utilities	08/04/2008	85.41
24302	Goodall	Diane Goodall	08/04/2008	20.00
24303	HUMPHT	Tesha Humphriss	08/04/2008	500.00
24304	HYSEN	THEODORE HYSEN	08/04/2008	20.00
24305	JIMSTREE	Jim Frakes	08/04/2008	300.00
24306	LAKESIDE	Lakeside Service Company, Inc.	08/04/2008	47.50
24307	LANGWORT	Langworthy Strader Leblanc	08/04/2008	2,801.33
24308	LCRC	Liv Cty Road Commission	08/04/2008	8,000.00
24309	MAA EDUC	MAA Education	08/04/2008	250.00
24310	MASTER M	Master Media Supply	08/04/2008	187.90
24311	MI Soc P	Michigan Association of Planni	08/04/2008	60.00
24312	Miller C	Miller,Canf,Paddock,&Stone,PLC	08/04/2008	3,100.90
24313	MUZZALL	Muzzall Graphics	08/04/2008	1,254.38
24314	Net serv	Network Services Group, L.L.C.	08/04/2008	2,272.50
24315	PLASLUM	THE PLASTIC LUMBER COMPANY	08/04/2008	277.37
24316	RUFFC	Connie Ruff	08/04/2008	360.00
24317	SELCRA	Selcra	08/04/2008	16,614.93
24318	SHELL	Shell	08/04/2008	789.82
24319	Tank	Richard Tank	08/04/2008	20.00
24320	Tetra Te	Tetra Tech Inc	08/04/2008	8,464.31
24321	VERIZONW	Verizon Wireless	08/04/2008	538.47
24322	WALMART	Walmart Community	08/04/2008	326.66
24323	MI CHLOR	Michigan Chloride Sales LLC	07/28/2008	1,485.00
Report Total:				449,554.00

10:50 AM
07/29/08

#504 DPW RESERVE FUND
Payment of Bills
July 16 - 29, 2008

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
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No Checks

10:52 AM
07/29/08

#503 DPW UTILITY FUND
Payment of Bills
July 16 - 29, 2008

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	07/16/2008	1075	U.S. POSTMASTER	MHOG Quarterly Billing	-1,219.19
Check			1076-1079-void		
Check	07/17/2008	1080	R&T UTILITIES	July 08 Meter Reads	-330.00
Check	07/17/2008	1081	BRESSER'S INFORMATION SERVICE	Cust No#0001982	-238.00
Check	07/17/2008	1082	CAVALIER	Acct#2119355	-32.15
Check	07/17/2008	1083	Carol Hanus	Internet Service/Final Billing Expenses	-130.78
Total					-1,950.12

10:48 AM
07/29/08

#592 OAK POINTE WATER/SEWER FUND
Payment of Bills
July 16 - 29, 2008

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	07/16/2008	1097	AT & T	07-07 thru 08-06-08	-329.44
Check	07/16/2008	1098	BRIGHTON ANALYTICAL LLC	lab costs	-629.00
Check	07/16/2008	1099	DTE ENERGY	05-29 thru 06-27-08	-175.19
Check	07/16/2008	1100	LIVINGSTON COUNTY DRAIN COMMISSION	Inv#1710	-1,980.32
Check	07/16/2008	1101	SEVERN TRENT ENVIRONMENTAL SERVICES,	INV#2037041&2037039	-30,115.72
Check	07/16/2008	1102	USA Bluebook	Inv#628401	-556.96
Check	07/28/2008	1103	AT & T	07/13 thru 08/12/08	-68.54
Total					-33,855.17

10:49 AM
07/29/08

#592 OAK POINTE -Capital Improvement WATER/SEWER FUND
Payment of Bills
July 16 - 29, 2008

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
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No Checks

10:58 AM
07/29/08

#595 PINE CREEK W/S FUND
Payment fo Bills
July 16 - 29, 2008

Type Date Num Name Memo Amount

No Checks

10:59 AM
07/29/08

#593 LAKE EDGEWOOD W/S FUND
Payment of Bills
July 16 - 29, 2008

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	07/16/2008	1340	AT&T	07-07 thru 08-06-08	-206.51
Check	07/16/2008	1341	GENOA TWP UTILITY FUND	03/31 thru 06/30/08	-17.11
Check	07/16/2008	1342	Consumers Energy	Electric Service05-30 thru 07-07-08	-191.91
Check	07/16/2008	1343	GEOTRANS, INC.	Inv#0000357274	-5,508.07
Check	07/16/2008	1344	Brighton Analytical L.L.C.	INV#0708-58651 & 0708-58711	-1,707.00
Check	07/16/2008	1345	BONK BROTHERS SUPPLIES INC	Inv#497 & 501	-156.00
Check	07/16/2008	1346	SEVERN TRENT ENVIRONMENTAL SERVICES,	Inv#2037040	-7,973.99
Check	07/23/2008	1347	AT&T	07/13 thru 08/12/08	-37.10
Check	07/23/2008	1348	City Of Brighton	4/1 thru 6/30/08 Water	-19,762.44
Check	07/28/2008	1349	GENOA TOWNSHIP-ADMIN FEES	04/01 thru 06/30/08	-1,072.85
				Total	-36,632.98

GENOA CHARTER TOWNSHIP
Election Commission Meeting
July 21, 2008
6:25 p.m.

MINUTES

Clerk Skolarus called the special meeting of the Election Commission to order at 6:25 p.m. The following commission members were present constituting a quorum for the transaction of business: Paulette Skolarus, Jean Ledford and Steve Wildman. Also present were township board members, Township Manager Michael Archinal, Township Attorney Rick Heikkinen and one person in the audience.

Approval of Agenda

Moved by Ledford, supported by Wildman to approve for action all items listed under the regular agenda. The motion carried unanimously.

1. Consideration of election officials scheduled to work the August 5, 2008 Primary Election.

A. Recommendation to the Township Board

Moved by Wildman, supported by Ledford, to recommend all officials for approval to the Township Board. The motion carried unanimously.

2. Consideration of salaries for officials working the August Primary and November General Election.

A. Recommendation to the Township Board

Moved by Ledford, supported by Wildman, to recommend approval of salaries for officials working the next two elections. The motion carried unanimously.

The special meeting of the Election Commission adjourned at 6:28 p.m.

GENOA CHARTER TOWNSHIP BOARD
Regular Hearing
July 21, 2008
6:30 P.M.

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following persons were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Todd Smith, Jean Ledford, Steve Wildman and Jim Mortensen. Also present

GENOA CHARTER TOWNSHIP BOARD – Election and Township Board Meeting –
July 21, 2008

were Township Manager Michael Archinal, Township Attorney Rick Heikkinen and one person in the audience.

A Call to the Public was made with no response.

Approval of Consent Agenda:

Moved by Ledford, supported by Smith, to approve all items under the consent agenda with the exception of the Minutes which will be moved to the regular agenda for discussion. The motion carried unanimously.

1. Payment of Bills

2. Request for approval for a proposal from ADT for the purchase of one (1) DVR security camera system at \$3,885.00.

3. Request for approval for the purchase of a wide format plotter at a cost of \$10,884.00 and a color printer at a cost of \$3,357.00

4. Request to approve the reappointment of Mike Howell to the Zoning Board of Appeals for a term ending 6/30/11.

5. Request to approve the reappointment of Diana Lowe and Dean Tengel to the Planning Commission for a term ending 6/30/11.

6. Request for approval of election officials scheduled to work the August 5, 2008 Primary Election.

7. Request for approval of salaries for officials working the August Primary and November General Election.

Approval of Regular Agenda:

Moved by Mortensen, supported by Smith, to approve for action all items listed under the regular agenda, with the addition of a Request for approval to transfer \$150,000.00 from the General Fund to the Fire Fund #262 and amending the budget for both funds to reflect the increase in the cost of the construction of the Nielsen Fire Station. The motion carried unanimously.

8. Request to approve minutes: 7-07-08

Moved by Ledford, supported by Mortensen, to approve the 07/07/08 minutes as presented. The motion carried unanimously.

9. Request for approval of an agreement with Fonson Construction for improvements to Brighton Road as described in the Tetra Tech Opinion of Probable Cost dated 3/13/08 at a cost of \$106,723.50.

GENOA CHARTER TOWNSHIP BOARD – Election and Township Board Meeting –
July 21, 2008

Moved by Skolarus, supported by Smith, to approve the agreement with Fonson Construction with a review of the contract by the Township Attorney. The motion carried unanimously.

10. Waste Management contract extension correspondence.

Moved by Mortensen, supported by Smith, to approve the Waste Management contract, dating the three-year contract 08/01/08. The motion carried unanimously.

11. Request for approval to transfer \$150,000.00 from the General Fund to the Fire Fund #262 and amending the budget for both funds to reflect the increase in the cost of the construction of the Nielsen Fire Station.

Moved by Smith, supported by Ledford, to approve the transfer and budget amendments as requested with Archinal providing the board with a cost analysis of the overrun. The motion carried unanimously.

The regular meeting of the board was adjourned at 6:55 p.m.



Paulette A. Skolarus
Genoa Township Clerk

(press/argus 08/25/08)

Date: August 1, 2008

To: Genoa Township Board

From: Robin L. Hunt, Treasurer

Please find attached requested changes to the "Depository Resolution" which is an addendum to the Genoa Township Investment Resolution.

At this time I am looking for Board Approval to add Chase Bank and remove Merrill Lynch.

Due to the current activities/concerns with the banking industry, the administrative committee is/will be working with our local banks to assure our funds are safe. We will also be reviewing our current status pertaining to township funds and the banking entities we are currently using.

Please let me know if you have any questions. Thank you!

Depository Resolution

WHEREAS, Public Act 77 of 1989, MCL 41.77 requires that the Township Board designate the depositories for money belonging to the Township,


BE IT FURTHER RESOLVED, that the Genoa Township Board approved the following financial institutions as depositories of Township Funds:

Bank One
Brighton Commerce Bank
Chase Bank
Comerica Bank
Fifth Third Bank
First National Bank of Howell
Flagstar Bank
Great Lakes Bancorp.
LaSalle Bank/ABN Ambro
~~Merrill Lynch~~
Michigan Class/MBIA
National City Bank
TCF Bank

BE IT FURTHER RESOLVED, that the Treasurer may continue to use these institutions and the subsequent successor if any experience name changes due to acquisition or merger.

MEMORANDUM

TO: Township Board

FROM: Mike Archinal, Manager 

DATE: 7/31/08

RE: Township Hall Sidewalk Connection

Please find attached a quote from Ray Lanning for concrete sidewalk repair and installation. The concrete walk between the parking lot and the landscape berm has two broken sections. With the installation of the asphalt walking path there exists a 27' gap between the concrete and asphalt walks. The proposed work will repair the broken sections and connect the two walks. A map follows showing the new installation. Please consider the following action:

Moved by _____, supported by _____, to approve the Township Hall sidewalk installation and repair as proposed by Ray Lanning at a cost of \$975.

Ray Lanning
6740 Herbst Rd.
Brighton, MI 48114 (810) 227-5380
State of Michigan License # 2101072380
Can provide certificate of liability insurance.

Proposal to install sidewalk at Genoa Township Hall

Job description:

Remove and replace 2 flags of existing walk (7'x10'@ 4" faced on one side) Haul away broken concrete.

Connect existing concrete walk to asphalt pathway. (7'x27'@ 4")

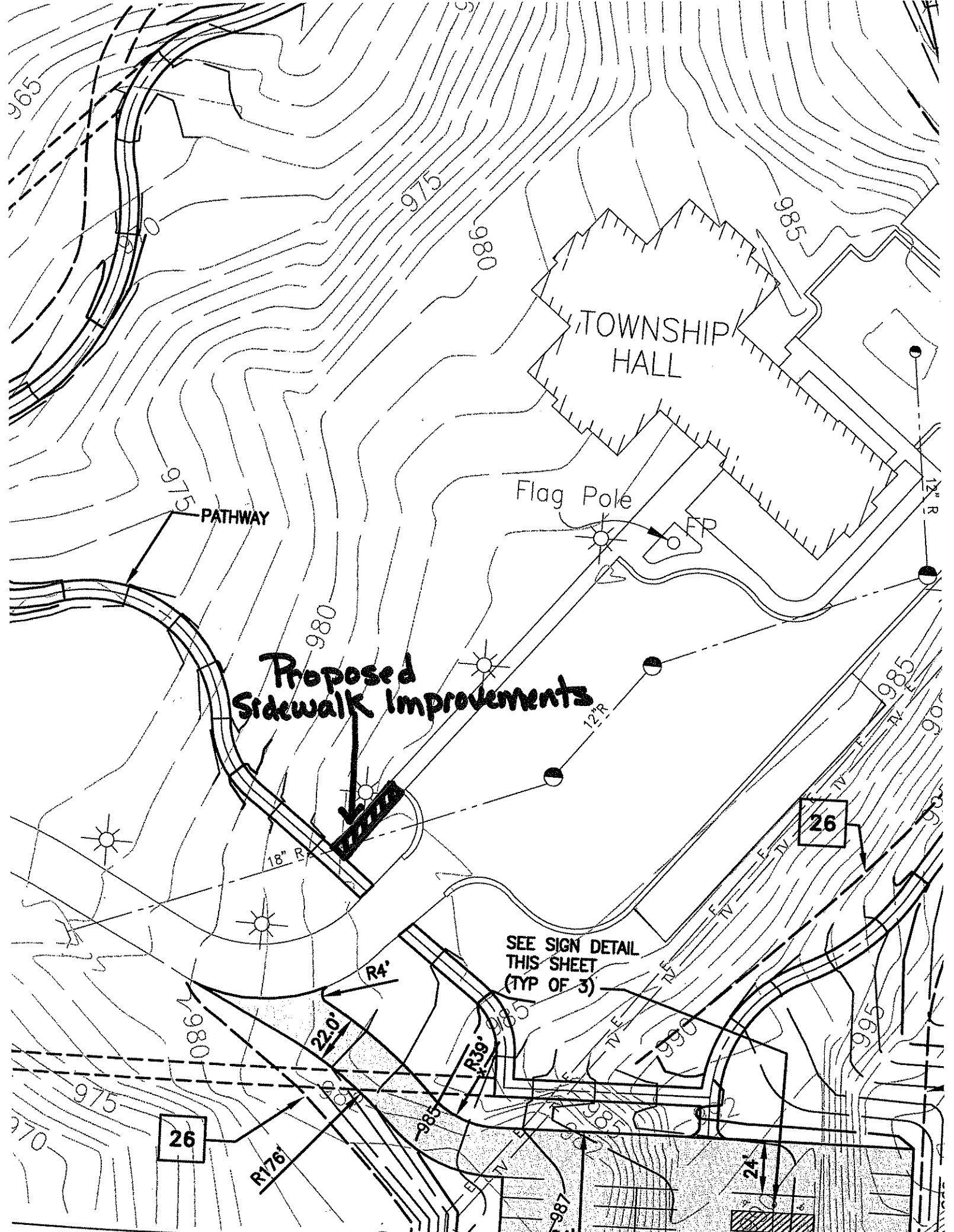
Concrete to be 6 bag limestone mix

Price includes all prep work, material and labor.

Total Price \$ 975.00

Thank you Michael,

Ray



TOWNSHIP HALL

Flag Pole

PATHWAY

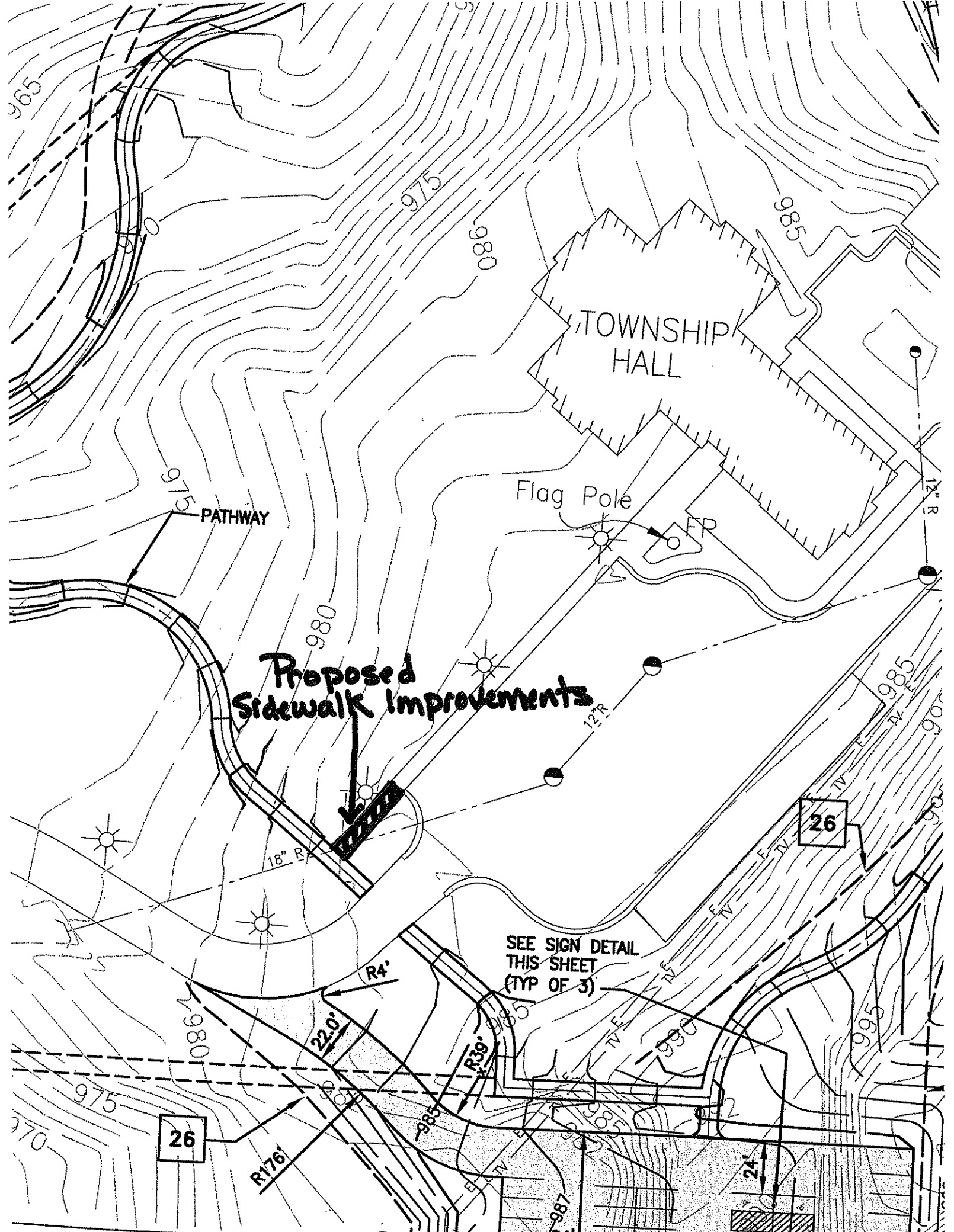
Proposed Sidewalk Improvements

SEE SIGN DETAIL THIS SHEET (TYP OF 3)

26

26

27



Memorandum

TO: Honorable Members of the Genoa Charter Township Board
FROM: Greg Tatara, Utility Director
DATE: July 31, 2008
RE: Rate Increases for the Lake Edgewood Water System and Pine Creek Water and Sewer System Served by the City of Brighton



For consideration at this evenings board meeting is a proposed rate increase for the Lake Edgewood Water System and the Pine Creek Water and Sewer System served by the City of Brighton. In the attached document, Pfeffer, Hanniford, and Palka, C.P.A (PHP) has reviewed the rate increase proposed by the City of Brighton and has made the following recommendation with regard to rate increases effective July 1, 2008. Staff has reviewed PHP recommendation and supports their proposed rate schedule.

Based on the above explanation and the attached documents, please consider the following motion:

Moved by _____, supported by _____ to increase the Lake Edgewood Conference Center Quarterly WaterUsage Fee to \$3.30/1,000 Gallons, the Lake Edgewood Other Quarterly Usage Fee to \$3.16/1,000 gallons, and Pine Creek Water Usage Fee to \$52.89/1,000 gallons and to increase the Pine Creek Connection Fees to \$2,345/REU for water and \$5,500 per REU for sewer.



PFEFFER • HANNIFORD • PALKA
Certified Public Accountants

John M. Pfeffer, C.P.A.
Patrick M. Hanniford, C.P.A.
Kenneth J. Palka, C.P.A.

Members:
AICPA Private Practice Companies Section
MACPA

225 E. Grand River - Suite 104
Brighton, Michigan 48116-1575
(810) 229-5550
FAX (810) 229-5578

June 30, 2008

Mr. Gregory Tatara
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

Dear Greg:

As you have requested we have reviewed the City of Brighton's revised fee schedule effective July 1, 2008 for Lake Edgewood Water and Pine Creek Water/Sewer.

Based on our review we recommend the following rate changes be implemented by Genoa Township.

1. Lake Edgewood - Conference Center Quarterly Usage Fee - Water
Increase the water fee from \$3.24 per 1,000 gallons to \$3.30 per 1,000 gallons.
2. Lake Edgewood - Other Quarterly Usage Fee - Water
Increase the water fee from \$3.10 per 1,000 gallons to \$3.16 per 1,000 gallons.
3. Pine Creek Quarterly Usage Fee - Water and Sewer
Increase the water fee from \$2.84 per 1,000 gallons to \$2.89 per 1,000 gallons.
Keep the sewer fee at 3.52 per 1,000 gallons.
4. Pine Creek Connection Fees
Increase the water connection fee from \$2,200 per REU to \$2,345 per REU.
Increase the sewer connection fee from \$5,500 per REU to \$5,855 per REU.

If you should have any questions please call.

Sincerely,

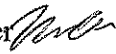
PFEFFER, HANNIFORD & PALKA
Certified Public Accountants

Kenneth J. Palka

KJP:em

MEMORANDUM

TO: Township Board

FROM: Mike Archinal, Manager 

DATE: 7/31/08

RE: FEMA Map Public Hearing

The attached memo from Adam VanTassell explains the need to update the Floodplain Management Ordinance. A public hearing needs to be set for this modification. Please consider the following action:

Moved by _____, supported by _____, to authorize a publication and set public hearing for August 18, 2008 at 6:30 p.m. for an update to the Ordinance addressing Floodplain Management Provisions of the State Code.

Memorandum

TO: Township Board

FROM: Adam VanTassell, Code Enforcement Officer

DATE: July 28, 2008

RE: August 4, 2008 Regular Board Meeting
Floodplain ordinance update

This ordinance was originally approved by the Township Board at the July 16, 2007 meeting. The ordinance was required to enroll the Township in the Federal Emergency Management Agency's National Flood Insurance Program. At the time, FEMA still had not completed the official mapping of Livingston County so the ordinance was approved based on preliminary maps dated April 13, 2007 which satisfied FEMA's enrollment requirements. FEMA has since finished mapping and has designated maps with an official date of September 17, 2008. To maintain compliance with the NFIP, Township Staff has updated the floodplain ordinance to reflect the new official map dates. No other changes have been made.

Resolution No. 1
(to Proceed with the Project and Direct Preparation of the
Plans and Cost Estimates)
For aquatic weed control to Round Lake

Public Act 188 of 1954 Proceedings
Genoa Charter Township
Livingston County, Michigan
Excerpts from Minutes of a Regular Meeting of the Township Board held at the
Township Hall on August 4, 2008

Members Present: McCrie, Skolarus, Hunt, Mortensen, Ledford, Wildman
and Smith.

Members Absent:

The supervisor reported that Petitions had been filed with him for weed control to Round Lake under authority of Michigan Public Act 188 of 1954, as amended.

The supervisor further reported that the assessing department had checked the signatures on the Petitions, the record owners of land within the township contained within the district described above and had prepared and filed his Certificate setting forth the percentage of record owners of lands by area within the District, who signed the Petitions which amounted to not less than 62.9 percent.

Motion was then made by _____, seconded by _____, and unanimously carried that the Petitions be received by the township board and the Supervisor's Certificate pertaining thereto be filed as part of the Minutes of the meeting.

The Round Lake aquatic weed control report was received showing the improvement, the location thereof and an estimate of the costs of the same. These plans and estimates were then presented to the board for their consideration. The total estimated cost was in the amount of \$10,000.00 annually for five consecutive years. Approximately 100% of assessable area exists within the area of the proposed improvement.

Motion was next made by _____, seconded by _____, and unanimously carried ordering the plans and estimates to be filed with the township clerk for public examination.

Motion was then made by _____, seconded by _____, to adopt the following Resolution:

RESOLUTION

BE IT HEREBY RESOLVED that the township board does hereby tentatively declare its intent to establish the Round Lake Aquatic Weed Control special assessment district within the following described area:

(All properties surrounding Round Lake with lake access), all within the proposed district in accordance with the Petitions of the Property owners therefor.

(list parcels by tax identification numbers)

4711-22-302-089	4711-22-302-136	4711-27-105-024
4711-22-302-090	4711-22-302-137	4711-27-105-025
4711-22-302-091	4711-22-302-138	4711-27-105-029
4711-22-302-092	4711-22-302-139	4711-27-105-030
4711-22-302-093	4711-22-302-140	4711-27-105-031
4711-22-302-094	4711-22-302-141	4711-27-105-032
4711-22-302-095	4711-22-302-142	4711-27-105-033
4711-22-302-096	4711-22-302-143	4711-27-105-034
4711-22-302-097	4711-22-302-144	4711-27-105-035
4711-22-302-098	4711-22-302-146	4711-27-105-036
4711-22-302-099	4711-22-302-147	4711-27-105-037
4711-22-302-100	4711-22-302-148	4711-27-105-038
4711-22-302-102	4711-22-302-149	4711-27-105-039
4711-22-302-103	4711-22-302-150	4711-27-105-040
4711-22-302-105	4711-22-302-151	
4711-22-302-106	4711-22-302-207	
4711-22-302-107	4711-22-302-208	
4711-22-302-108	4711-27-100-018	
4711-22-302-109	4711-27-100-038	
4711-22-302-110	4711-27-100-039	
4711-22-302-113	4711-27-105-003	
4711-22-302-114	4711-27-105-004	
4711-22-302-115	4711-27-105-006	
4711-22-302-116	4711-27-105-007	
4711-22-302-117	4711-27-105-008	
4711-22-302-118	4711-27-105-009	
4711-22-302-120	4711-27-105-010	
4711-22-302-121	4711-27-105-011	
4711-22-302-122	4711-27-105-012	
4711-22-302-123	4711-27-105-013	
4711-22-302-125	4711-27-105-014	
4711-22-302-127	4711-27-105-015	
4711-22-302-128	4711-27-105-016	
4711-22-302-129	4711-27-105-017	
4711-22-302-130	4711-27-105-018	
4711-22-302-131	4711-27-105-019	

4711-22-302-132	4711-27-105-020
4711-22-302-133	4711-27-105-021
4711-22-302-134	4711-27-105-022
4711-22-302-135	4711-27-105-023

BE IT FURTHER RESOLVED that the township board does tentatively designate the Special Assessment District against which the costs of the improvements is to be assessed as Aquatic Weed Control to Round Lake, which shall include the lands and premises more particularly described above.

BE IT FURTHER RESOLVED that a hearing on any objections to the Petitions, to the improvement, the estimate of costs, and to the Special Assessment District proposed to be established for the assessment of the costs of such improvement, shall be held on Monday, August 18, 2008; at a regular meeting of the township board at Genoa Township hall at 2911 Dorr Road, Brighton, Michigan 48116, commencing at 6:30 p.m. o'clock p.m.

BE IT FURTHER RESOLVED that the clerk be instructed to give the proper notice of such hearing by mailing and publication in accordance with law and statute provided.

BE IT FURTHER RESOLVED that all Resolutions and parts of Resolutions insofar as they conflict with the provisions of this Resolution be and the same are hereby rescinded.

Upon roll call vote, the following voted "Aye": Ledford, Smith, Hunt, Mortensen, Wildman, Skolarus and McCririe.

The following voted "Nay": None.

The supervisor declared the motion carried and the resolution was duly adopted.

Township Clerk Signature _____

Date: August 4, 2008

CERTIFICATE

I, Paulette A. Skolarus, the duly elected and acting clerk of the Township of Genoa, hereby certify that the foregoing constitutes a true copy of an Excerpt of the Minutes of a regular meeting of the Genoa Charter Township Board, Livingston County, Michigan, held on August 4, 2008, at which meeting all members were present as indicated in said minutes and voted as therein set forth; that said meeting was held in accordance with the Open Meetings Act of the State of Michigan, and the foregoing Excerpt contains all material pertinent to the _____.

Paulette A. Skolarus, Township Clerk

Public Act 188 of 1954 Proceedings
Notice to property owners of the Round Lake
Aquatic Weed Control Project and Public Hearing

Genoa Charter Township
Livingston County, Michigan

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE GENOA CHARTER
TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AND ANY OTHER INTERESTED
PERSONS:

PLEASE TAKE NOTICE that as a result of petitions of property owners within the township signed by the record owners of land whose area constitutes more than 62.9% of the total area of the hereinafter described as the Round Lake Aquatic Weed Control Improvement Project Special Assessment District to contract for the aquatic weed control improvement project with a special assessment for the recovery of the cost thereof by special assessment against the properties benefited therein.

(The project will consist of Fluridone to be applied as permitted by the MDEQ when a permit is secured, with additional years of treatment to patches of Milfoil re-growth using 2,4-D off shore, with the shoreline being treated for algae using copper sulfate as requested.)

PLEASE TAKE FURTHER NOTICE that the District within which the foregoing improvements are proposed and within which the cost thereof are proposed to be assessed is more particularly described as follows:

4711-22-302-089	4711-22-302-136	4711-27-105-024
4711-22-302-090	4711-22-302-137	4711-27-105-025
4711-22-302-091	4711-22-302-138	4711-27-105-029
4711-22-302-092	4711-22-302-139	4711-27-105-030
4711-22-302-093	4711-22-302-140	4711-27-105-031
4711-22-302-094	4711-22-302-141	4711-27-105-032
4711-22-302-095	4711-22-302-142	4711-27-105-033
4711-22-302-096	4711-22-302-143	4711-27-105-034
4711-22-302-097	4711-22-302-144	4711-27-105-035
4711-22-302-098	4711-22-302-146	4711-27-105-036
4711-22-302-099	4711-22-302-147	4711-27-105-037
4711-22-302-100	4711-22-302-148	4711-27-105-038
4711-22-302-102	4711-22-302-149	4711-27-105-039
4711-22-302-103	4711-22-302-150	4711-27-105-040
4711-22-302-105	4711-22-302-151	
4711-22-302-106	4711-22-302-207	
4711-22-302-107	4711-22-302-208	
4711-22-302-108	4711-27-100-018	
4711-22-302-109	4711-27-100-038	
4711-22-302-110	4711-27-100-039	
4711-22-302-113	4711-27-105-003	
4711-22-302-114	4711-27-105-004	
4711-22-302-115	4711-27-105-006	
4711-22-302-116	4711-27-105-007	

4711-22-302-117	4711-27-105-008
4711-22-302-118	4711-27-105-009
4711-22-302-120	4711-27-105-010
4711-22-302-121	4711-27-105-011
4711-22-302-122	4711-27-105-012
4711-22-302-123	4711-27-105-013
4711-22-302-125	4711-27-105-014
4711-22-302-127	4711-27-105-015
4711-22-302-128	4711-27-105-016
4711-22-302-129	4711-27-105-017
4711-22-302-130	4711-27-105-018
4711-22-302-131	4711-27-105-019
4711-22-302-132	4711-27-105-020
4711-22-302-133	4711-27-105-021
4711-22-302-134	4711-27-105-022
4711-22-302-135	4711-27-105-023

PLEASE TAKE FURTHER NOTICE that the township board has received an estimate of the cost in the amount of \$10,000.00 from the Round Lake Association, and has passed a Resolution tentatively declaring its intention to make such improvement and to create the aforementioned Special Assessment District and has further tentatively found the Petitions for the improvement to be in compliance with statutory requirements.

PLEASE TAKE FURTHER NOTICE that said proposal, Special Assessment District and Petitions may be examined at the office of the township clerk from the date of this Notice until and including the date of the public hearing hereon and may further be examined at such public hearing.

PLEASE TAKE FURTHER NOTICE that a public hearing upon such Petitions, Plans, District and Estimate of Costs will be held at the Genoa Charter Township Hall at 2911 Dorr Road, Brighton, Michigan 48116 within the township commencing at 6:30 o'clock p.m. on Monday, August 18, 2008.

At such hearing, the board will consider any written objections to any of the foregoing matters which might be filed with said board at or prior to the time of said hearing as well as any revisions, corrections, amendments, or changes to said Plans, Estimates and Costs or the said Special Assessment District.

All interested persons are invited to be present at the aforesaid time and place to submit comments concerning any of the foregoing.

Township Clerk Signature: _____
Paulette A. Skolarus

Township Address: 2911 Dorr Road
Brighton, Michigan 48116

(PA 08/08/08 & 08/15/08)

TO: Township Board
FROM: Kelly VanMarter, Planning Director
DATE: July 31, 2008
RE: 1088 Victory Drive, Culver Special Land Use

Based on a recommendation from the Planning Commission, staff suggests the following action regarding the proposed Special Land Use, Impact Assessment and Site Plan for outside storage located at 1088 Victory Drive:

Special Use Permit: approval with the following conditions:

1. The materials stored outside will not exceed a height of 6 feet above grade.
2. The outside storage area is approved for a gravel base however the limits of the proposed gravel area shall be shown on the plan.
3. The special use is made because it is consistent with the industrial use in the area and with the requirements contained in Section 19.03 of the Township Ordinance.

Impact assessment (dated 7-28-08): approval.

Site Plan (dated 7-28-08): approval with the following conditions:

1. The materials stored outside will not exceed a height of 6 feet above grade.
2. The limits of the proposed gravel area shall be shown on the plan and approved by Township staff prior to issuance of a land use permit.
3. The location of the natural sediment basin(s) will be shown on the plans and approval from the Township Engineer will be obtained prior to land use permit.
4. An approval from the Brighton Area Fire Department addressing the items in their July 9, 2008 letter shall be submitted prior to issuance of a land use permit.

**GENOA TOWNSHIP
APPLICATION FOR SITE PLAN REVIEW**

TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:

APPLICANT NAME & ADDRESS*: Ken Culver (address is the same as Owner)

OWNER'S NAME & ADDRESS: Ken Culver, 4575 Eleanor, Fenton 48430

SITE ADDRESS: 1088 Victory Drive PARCEL #(s): 11-05-303-022

APPLICANT PHONE: (313) 938-9237 OWNER PHONE: (313) 938-9237

LOCATION AND BRIEF DESCRIPTION OF SITE:

The parcel is 5.04 acres and is located on the west side of Victory Drive south of Grand River. The warehouse portion of the existing building is 11,960 SF and the office is 2,440 SF.

BRIEF STATEMENT OF PROPOSED USE:

The proposed use is a Contractors yard with outdoor storage of materials and equipment. Thompson Pump Midwest will occupy the facility and use the building for maintenance and testing.

THE FOLLOWING BUILDINGS ARE PROPOSED:

No new buildings are proposed. A separate application is being submitted for Special Use Permit for proposed Outdoor Storage. Equipment and pipe will be stored in the proposed Outdoor Storage Area.

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: *Ken Culver*

ADDRESS: 41800 Eleven Mile Road, Suite 204, Novi Michigan 48375

** If applicant is not the owner, a letter of Authorization from Property Owner is needed.*

Contact Information - Review Letters and Correspondence shall be forwarded to the following:
1.) Mark Schafer of Lee & Associates of Michigan at (248) 351-3508
Name Business Affiliation Fax No.

FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

SIGNATURE: *Mark Schafer* DATE: June 18, 2008
PRINT NAME: Mark Schafer PHONE: (248) 567-8007
ADDRESS: 41800 Eleven Mile Road, Suite 204, Novi Michigan 48375

**APPLICATION FOR SPECIAL LAND USE
GENOA TOWNSHIP**

APPLICANT NAME* & ADDRESS: Ken Culver (address is the same as Owner)

OWNER NAME* & ADDRESS: 4575 Eleanor, Fenton, Michigan 48430

SITE ADDRESS: 1088 Victory Drive PARCEL #(s): 11-05-303-022

APPLICANT PHONE: (313) 938-9237 OWNER PHONE: (313) 938-9237

Location and brief description of site and surroundings:

The parcel is 5.04 acres in size and located between Kicks & Sticks and ISCO on the west side of Victory Drive. The warehouse has constructed in 1998 and the office in 1992. The previous occupant, Culver Construction, vacated the building in spring 2007. +

Proposed Use:

The request is to expand the use of the facility to allow outside storage for the proposed Tenant, Thompson Pump Midwest.

Describe how your request meets the Zoning Ordinance General Review Standards (section 19.03):

- a. Describe how the use will be compatible and in accordance with the goals, objectives, and policies of the Genoa Township Comprehensive Plan and subarea plans, and will promote the Statement of Purpose of the zoning district in which the use is proposed.

The property is located near the southerly end of Victory Drive. Site is fenced and the proposed outside storage area is entirely in rear yard. There will be minimal impact on public services due to the low employee count and the fact that most business operations take place off site.

- b. Describe how the use will be designed, constructed, operated, and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity.

The rear yard of the site is fenced with an 6' high chain like fence. There is an natural landscaping buffer to the north and all outside storage will take place in the rear yard. Crushed aggregate is proposed to placed on the ground in the storage area. Storage requested to 6' above grade only.

- c. How will the use be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, water and sewage facilities, refuse disposal and schools?

The building is existing and the proposed use is similar to the previous occupant. There are no process water requirements for manufacturing and sewer discharge will be limited to domestic effluent.

- d. Will the use involve any uses, activities, processes, or materials potentially detrimental to the natural environment, public health, safety, or welfare by reason of excessive production of traffic, noise, vibration, smoke, fumes, odors, glare, or other such nuisance? If so, how will the impacts be mitigated?

The site will have pumps that run with internal combustion engines. They will be maintained and tested on site. The maintenance and testing will take place inside the building.

e. Does the use have specific criteria as listed in the Zoning Ordinance (sections 3.03.02, 7.02.02, & 8.02.02)?
If so, describe how the criteria are met.

The proposed use ("Contractor yard with outdoor storage of equipment and machinery") meets to minimum lot size, maneuverability requirement, office space requirement, setback requirement, and the material being stored is not loose and/or granular.

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I AGREE TO DESIGN, CONSTRUCT AND OPERATE, AND MAINTAIN THESE PREMISES AND THE BUILDINGS, STRUCTURES, AND FACILITIES WHICH ARE GOVERNED BY THIS PERMIT IN ACCORDANCE WITH THE STATED REQUIREMENTS OF THE GENOA TOWNSHIP ZONING ORDINANCE, AND SUCH ADDITIONAL LIMITS AND SAFEGUARDS AS MAY BE MADE A PART OF THIS PERMIT.

THE UNDERSIGNED KEN CULVER/Mark Schafer agent STATES THAT THEY ARE THE FREE OWNER* OF THE PROPERTY OF PROPERTIES DESCRIBED ABOVE AND MAKES APPLICATION FOR THIS SPECIAL LAND USE PERMIT.

BY: *Ken Culver* *Mark Schafer*

ADDRESS: 41800 Eleven Mile Road, Novi, Michigan 48375

*Submit a letter of Authorization from Property Owner if application is signed by Acting Agent.

Contact Information - Review Letters and Correspondence shall be forwarded to the following:		
1.) <u>Mark Schafer</u>	<u>of Lee & Associates</u>	at <u>(248) 351-3508</u>
Name	Business Affiliation	Fax No.

Note: This application must be accompanied by a site plan review application and the associated site plan review submittal requirements. (The Zoning Administrator may allow a less detailed sketch plan for a change in use.)



FEE EXCEEDANCE AGREEMENT	
As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.	
SIGNATURE: _____	DATE: _____
PRINT NAME: _____	PHONE: _____
ADDRESS: _____	

This recommendation is made because this use is compatible with the use of the building and meets the general requirements of section 19.03 of the Township Ordinance. Support by Barbara Figurski. **Motion carried unanimously.**

Motion by Barbara Figurski to recommend that the Township Board approve the environmental impact assessment and the hours and days should be noted expressly in it. The Planning Commission waives the traffic study. Support by Diana Lowe. **Motion carried unanimously.**

Motion by James Mortensen to recommend to the Township Board approval of the sketch plan for The Well Church, subject to:

1. Approval of The Board of the use permit and environmental impact assessment;
2. Services provided by the church beyond those envisioned in the impact assessment will require a parking space review by the Township staff;
3. One barrier free parking space will be established adjacent to the church;
4. The waste receptacle from the northwest corner of the site will be enclosed with treated wood;
5. The requirements of the Township Engineer as stated in the letter of July 8, 2008 will be complied with;
6. Requirements of the Brighton Fire Department letter of June 17, 2008 will be complied with.

Support by Barbara Figurski. **Motion carried unanimously.**

OPEN PUBLIC HEARING #4...Review of special use application, impact assessment and sketch plan for a proposed contractors yard with outdoor storage located at 1088 Victory Drive, Howell, Sec. 5, petitioned by Ken Culver.

Mark Schafer of Lee & Associates of Novi, Michigan, addresses the Planning Commission on behalf of the petitioner. He indicates the office was constructed in 1990 and the warehouse was added on in 1998. The property had been marketed has having outside storage and petitioner found that there was, in fact, no outside storage. A prospective tenant has been located, but they will need outside storage.

Sedimentation and water flow was discussed by petitioner. He suggests that additional lighting is not proposed. The berm and fence would be maintained. The berm is natural. The outside storage would be within the "toe" of that berm. There is a natural gas pipeline that runs along Victory Drive. This is the reason for the setback. All landscaping, etc. has to be kept clear of that. Chairman Brown asks why petitioner doesn't want to change the lighting. Petitioner indicates it is not offensive and therefore, there is no reason.

Tesha Humphriss indicates there were a few items from the original plan that were not installed as it relates to water drainage. Petitioner disagrees with the Township Engineer's letter and requests that the existing drainage patterns be maintained. He would request that the sedimentation be controlled by a sedimentation basin. There are no catch basins or storm sewer lines. New drains and lines would require the concrete to be removed. Tesha Humphriss indicates that the items she requested would not impact off-site properties. Her concerns that will impact other sites are the gravel at the back of the property and the impervious area is being increased. She feels points three and four are not deal breakers. Point five should be indicated on the record. Petitioner indicates six to eight inches, but it depends on how the equipment moves on it. It could be five inches.

The entire area is fenced in on all four sides.

The LSL letter is addressed by the Brian Borden. He feels the site is deficient in landscaping on all four sides. Mr. Schaefer did note that there is a large easement running through the front of the property that causes some limitations. The specific use standards require a buffer zone "b" on the sides and "a" to the rear. The top priority is to protect the residential property to the south. The lighting applies to this, as well. There should be no large, intrusive, flood lights. The widths of the buffer zones are fine. The amount of plantings is deficient.

Petitioner suggests that there is already a 6' berm inside the buffer zone. The tree counts given were probably not accurate, but given out of convenience. The numbers came from the landscaping rendering done 10 years ago. The trees planted then have grown to maturity and there is no visibility to the northeast. The southern view has fewer trees, but the adjoining property is an industrial yard.

Petitioner wants to limit outside storage to the toe of the berm. He does not want to go any further to the west. Brian Borden indicates storage cannot be in the setbacks. The toe of the berm varies, but it is 2' to 3' below fence floor.

Petitioner's objection to the landscaping is cost and tenant maintenance. The berm is easier to maintain. Petitioner is willing to increase the height of the berm and work with LSL to come up with a landscaping plan that they are satisfied will meet with the intent of the ordinance. James Mortensen indicates that he feels that the economic times warrant becoming lax on some requirements, but not all and landscaping is something that is necessary to shield outdoor storage. Kelly VanMarter is comfortable with this.

Petitioner indicates that any gasoline and/or chemicals will be appropriately handled if there is a spill. There will be no changes in the impact between Culver and Thompson, other than outdoor storage.

There is no fire suppression in the building. It is serviced by a domestic well. Petitioner has no issue if the fire department requires a suppression system. Kelly VanMarter indicates she has phoned the fire department, but has not heard back yet. The building is less than 12,000 square foot and therefore, is exempt from suppression under S-1 use.

Barbara Figurski asks if there is a lot of noise. Petitioner indicates it will be under the decibel allowances at the property lines.

Jim Lumley of Kicks & Sticks addresses the Planning Commission. They plan to expand their facility. They are hoping to add an outdoor soccer facility with possibly a building over it. This would require the removal of some of the trees. The majority of the trees are on their side of the property line. The gravel trains would no longer travel the property. Kelly VanMarter indicates that Kicks & Sticks would be bound by the same landscaping requirements. The petitioner has agreed to meet with the consultants and come up with a mutually agreeable landscaping plan for this joint property line, as well.

Kelly VanMarter suggests that the west buffer zone is the most important one to address. Landscaping should address the west and north property lines.

Planning Commission disposition of petition

- A. Recommendation regarding special use application
- B. Recommendation regarding impact assessment
- C. Recommendation regarding sketch plan

Motion by James Mortensen to recommend to the Township Board approval of the special use permit to allow Thompson to have outdoor storage on gravel at the site located at 1088 Victory Drive, subject to:

1. Approval by the Township Board of the site plan and environmental impact assessment;
2. The items in outside storage will not exceed the height of the 6' chain link fence.

This recommendation is made because it is an appropriate use in this industrial area and is consistent with the requirements for special use permits contained in section 19.03. Support by Barbara Figurski. **Motion carried unanimously.**

Motion by Barbara Figurski to recommend to the Township Board approval of the impact assessment amended June 18th, subject to:

1. Dust control measures are to be added;
2. The dates should all reflect the amended date of June 18th.

Support by Diana Lowe. **Motion carried unanimously.**

Motion by James Mortensen to recommend to the Township Board approval of the site/sketch plan for Thompson at 1088 Victory Drive, drawn on a site plan dated August 4, 1998 and reviewed with the Township Planning Commission this evening, subject to:

1. Approval by the Township Board of the special use permit and impact assessment;
2. The gravel will be 21AA aggregate;
3. Landscaping to the west and north of the outdoor storage area will be reviewed by the petitioner with Township staff with the objective of conforming to the Township ordinance, although berming may be substituted for some of the plantings;
4. The items in outdoor storage will not exceed the fence height;
5. The requirements of the Township Engineer set forth in the letter of July 8, 2008 will be complied with, except items three and four;
6. The requirements set forth by the Brighton Area Fire Department in their July 9, 2008 letter will be complied with or acceptable alternatives found that are acceptable to the fire department.

Support by Barbara Figurski. **Motion carried unanimously.**

OPEN PUBLIC HEARING #5...Review of sketch plan for a proposed replacement of an existing showroom with a 2,680 sq.ft. addition located at Krug Ford, 2798 E. Grand River Ave., Howell, Sec. 6, petitioned by Rand Construction.

Mike Krug, Tom Dumond, Andy Kline, David Haskins and Tony of Cityscapes are all present to address the Planning Commission.

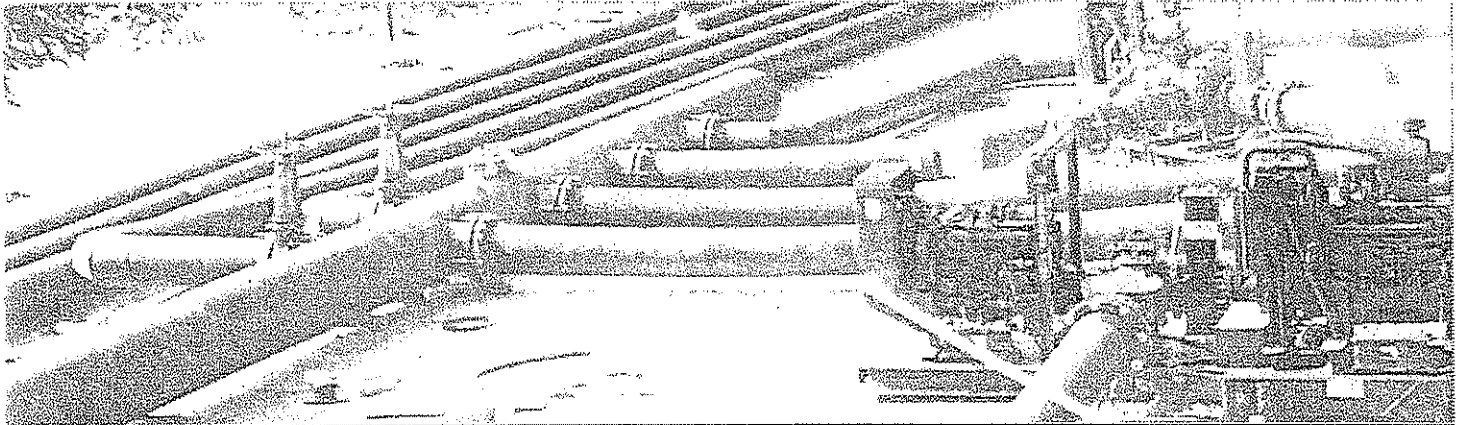
Mr. Dumond addresses the Planning Commission and indicates an updated showroom is necessary to draw business. It would increase it to over 8,000 square feet, which would move the building closer to Grand River. They will address the ZBA tomorrow evening.

The letter from the Township Engineer was addressed by Mr. Dumond. He finds there is nothing in the letter that cannot be complied with. The LSL letter was addressed, as well. The opposing drive is addressed. There is a large utility pole that would necessarily have to be moved to accommodate an opposing driveway. Additionally, it would not be the best route to his service area. James Mortensen indicates this driveway situation has been discussed for hours and hours with regard to Auto Zone (across Grand River). James Mortensen indicates that the driveways are in the best possible position as they currently are. Brian Borden indicates a potential resolution would be to limit that drive to right turns only for both in and out. An island in the middle that prohibits left turns



BYPASS AND DEWATERING SPECIALISTS

HOME ABOUT US SERVICES SOLUTIONS EQUIPMENT CONTACT



Services

Our Services

High-Volume Diesel Trash Pumps - Fully Automatic 2" to 18" Flows to 12,000 GPM Each

Head Diesel Trash Pumps - Fully Automatic 2" to 18" Heads to 400' Each

Dewatering Systems - 4" to 12" Rotary and Vacuum Wellpoint Systems

Electric Submersible Pumps - 2hp to 100hp Flows to 10,000 GPM Each

Hydraulic Submersible Pumps - 3" to 60" Flows to 63,000 GPM Each

Lansas Sewer Plugs - 2" to 14" Dia. Multi-Size Dome/Disk Plugs

Galvanized Steel Discharge - Thompson Pipe 2" to 12" Quick Disconnect

Discharge Hose - Thompson Rubber 2" to 12" Quick Disconnect

Generators - Temporary Power 15KW to 1meg

HDPE Pipe and Fusion - Inquire

Engineering and CAD - Design and Project Management Services

24 Hours Turn Key Service - 7 Days a Week Guaranteed

Technical Services

Thompson has staff engineers that can provide cad drawings, system design and other project support. Furthermore, our sales engineers offer free consulting to clients to support their bid needs.

Equipment Rental

One of the Largest Portable Rental Pump Fleets in North America.

Sewer Bypass

Site Dewatering

Dredging

Sludge Removal

Temporary Power

Quarry Dewatering

Pulp and Paper

Coffer Dam Dewatering

Support

Genuine service and replacement parts are stocked at our warehouse. With over \$1 million in spare parts inventory, there are more than enough parts to meet our customers demands.

Genuine TPM Parts

Service and Preventative Maintenance Programs

Rental Fleet

Partner Support Program



LSL Planning, Inc.

Community Planning Consultants

July 8, 2008

Planning Commission
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

Subject:	Thompson Pump Midwest Outdoor Storage – Special Use and Site Plan Review #1
Location:	1088 Victory Drive – west side of Victory Drive, south of Grand River Avenue
Zoning:	IND Industrial District
Applicant:	Ken Culver 4575 Eleanor Fenton, MI

Dear Planning Commissioners:

At the Township’s request, we have reviewed the edited site plan (originally dated 8/4/98) and special land use application for a contractor’s yard with outdoor storage for the existing industrial building at 1088 Victory Lane. The site is located on the west side of Victory Lane, south of Grand River Avenue, and is currently zoned IND Industrial District. The request has been reviewed in accordance with the Genoa Township Master Plan and Zoning Ordinance.

A. Summary of Issues

1. The Township may allow a gravel surface for all or part of the storage area based upon a finding that surrounding properties and the environment will not be negatively impacted.
2. The landscaping is deficient by 6 trees and a hedgerow for the front yard greenbelt.
3. The side and rear yard buffer zones are deficient in terms of required plantings and screening. The outdoor storage must be screened from the residential zoning district to the west.
4. The Planning Commission may request lighting details to determine if current Ordinance requirements are met.

B. Proposal

The applicant proposes an approximately 2-acre outdoor storage area in conjunction with the existing warehouse and office building. It is our understanding that the applicant has used this area for outdoor storage, but was unaware of the need for special use approval. The site was previously occupied by the applicant (Culver Construction), but this project is proposed for a new tenant (Thompson Pump Midwest). No external changes to the site or the existing building are proposed on the plan. Contractor’s yards with outdoor storage for equipment and machinery are special land uses in the IND District. The specific use standards of Section 8.02.02(a) also apply to the request.

The request for a new special land use for a developed site provides the Township with an opportunity to require improvements to current site design deficiencies, such as landscaping and lighting.

C. Special Use Review

The project has been reviewed in accordance with the review standards of Section 19.03.

1. **Master Plan.** The Master Plan and Future Land Use Map identify the site and adjacent properties to the north, south and east as Industrial, while the properties to the west are shown as Medium Density Residential. The Master Plan states of the Industrial classification, "the intent is to develop industrial uses such as research, wholesale and warehouse activities and light industrial operations which manufacture, compounding, process, package, assemble and/or treat finished or semi-finished products from previously prepared material." The proposed operation and outdoor storage area are consistent with this description; however, the specific use requirements must be met in order to protect the adjacent residential property.
2. **Compatibility.** The adjacent land uses are industrial in nature, including other outdoor storage uses south of the site. The vacant land to the west is zoned MDR Medium Density Residential. A site plan had been approved for a condominium project on this site, but it has yet to be developed. Required screening must be provided along the west side of the site to ensure the outdoor storage will not be visible from this area if it is developed with residential uses.
3. **Public Facilities and Services.** As a developed site intended for light industrial uses, necessary utilities are already in place, although the submittal notes the use of an on-site well for water. The project is not anticipated to create any adverse impacts upon public facilities and services; however, this standard is subject to review by the Township Engineer.
4. **Impacts.** Provided the specific use requirements for outdoor storage are met, the proposed project is not expected to adversely impact surrounding properties.
5. **Mitigation.** The Township may require that the applicant provide mitigation necessary to minimize or prevent negative impacts. We recommend the Township require design improvements as part of this special land use to bring the site closer to conformity with current Ordinance standards. Specific examples are described below in our review of the site plan.

D. Site Plan Review

1. **Specific Use Requirements.** In general, the specific use requirements for outdoor storage are met; however, the following items must be addressed.
 - a. Any stockpiles of loosely packaged materials must be covered or contained.
 - b. Outdoor storage areas are to be paved, while the applicant proposes a gravel surface. The Township Board, following a recommendation from the Planning Commission, may allow a gravel surface for all or part of the storage area based upon a finding that surrounding properties and the environment will not be negatively impacted.
 - c. A buffer zone "B" is required around the storage area. Also, buffer zone "A" is required where industrial adjoins residential zoning. The applicant indicates that existing plant material is to be preserved; however, the submittal does not provide enough information to determine whether this requirement is met along the rear/west lot line (which adjoins residential zoning).
 - d. The height of all materials stored shall not exceed the height of any landscape screening, wall or fence.

2. **Landscaping.** The following table summarizes the landscaping requirements for the site.

Location	Amount of Planting Required	Amount of Planting Provided	Additional Landscaping Required
Front Yard greenbelt	20' greenbelt; 6 canopy trees; 3' masonry wall OR hedgerow in front of parking	70' greenbelt	6 canopy trees; 3' masonry wall OR hedgerow in front of parking
Buffer Zone "B" (North)	20' greenbelt; 6' wall OR 3' berm; 11 canopy trees; 11 evergreen trees; 44 shrubs	25' greenbelt; 7 canopy trees; 7 evergreen trees	6' wall OR 3' berm; 4 canopy trees; 4 evergreen trees; 44 shrubs
Buffer Zone "B" (South)	20' greenbelt; 6' wall OR 3' berm; 12 canopy trees; 12 evergreen trees; 48 shrubs	25' greenbelt; 7 canopy trees; 7 evergreen trees	6' wall OR 3' berm; 4 canopy trees; 4 evergreen trees; 44 shrubs
Buffer Zone "A" (West)	50' greenbelt; 6' wall OR 4' berm; 11 canopy trees; 22 evergreen trees; 44 shrubs	None	(a)

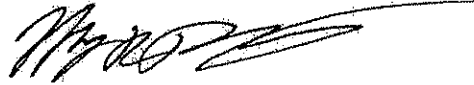
a. The plan notes existing vegetation to be preserved; however, there is a storm drainage easement across the rear of the property. The plan provides no detail as to the amount or type of vegetation in this area. The photograph provided by the applicant does not show any trees along the fence line. This information must be added to the plan to determine compliance and ensure that the outdoor storage will not be visible from the adjacent property, which, while vacant, is zoned and planned for residential.

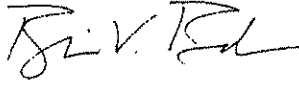
3. **Exterior Lighting.** No details are provided with respect to current exterior site lighting. The Planning Commission may request details to determine if upgrades are needed to meet current Ordinance requirements. Of particular concern is any existing or proposed lighting that would impact the adjacent residentially zoned property.

4. **Impact Assessment.** An Impact Assessment has been provided by the applicant. The Assessment states that the outdoor storage use will not create any adverse impacts upon the environment, public services, surrounding land uses or traffic.

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Sincerely,
 LSL PLANNING, INC.


 Jeffrey R. Purdy, AICP
 Partner


 Brian V. Borden, AICP
 Senior Planner



Genoa Township

2911 Dorr Road • Brighton, Michigan 48116 • (810) 227-5225 • Fax (810) 227-3420 • Email: www.genoa.org

Memorandum

TO: Genoa Township Planning Commission Members

DATE: July 8, 2008

RE: Culver Site, Victory Drive
Special Land Use

As requested, I have reviewed the above referenced special use application dated June 18, 2008, prepared by Lee & Associates of Michigan. The site is located on the west side of Victory Drive, south of Grand River. The petitioner is proposing to use the existing Culver Construction building for a proposed tenant, Thompson Pump Midwest. The petitioner is requesting to utilize the back (western portion) of the site for outdoor storage. To accommodate the outdoor storage area the petitioner has stated "crushed aggregate is proposed to be placed on the ground in the storage area". Please consider the following comments when taking action on this special land use:

DRAINAGE AND GRADING

The storm water from this site and any tributary area drains via sheet flow across the site, and outlets at the northwestern portion of the site. I have concerns with blocking the existing drainage pattern with the proposed addition of aggregate on the western portion of this site. I therefore recommend the following items be addressed on the plans:

1. The petitioner is proposing an increase in impervious area at the site. The impacts to the sites stormwater management system should be evaluated. We recommend, at a minimum, that a sediment trap be installed at the outlet point of this site.
2. Proposed grades within the outdoor storage area, including the tie in location to the existing parking lot, should be shown on the plans. It should be noted that the existing drainage pattern must be maintained.
3. The site plan, dated September 30, 1998, as prepared by Desine was submitted with the application. From a site visit it does not appear that the finished end section in the proposed outdoor storage area was installed. The petitioner should clarify if the finished end section was installed.
4. The above referenced site plan also depicts five (5) roof drains on the southern portion of the building discharging underground to the above referenced finished end section. From a site visit it does not appear that any of the underground storm sewer

Supervisor
Gary T. McCririe

Clerk
Paulette A. Skolarus

Treasurer
Robin L. Hunt

Manager
Michael C. Archinal

Trustees

H. James Mortensen • Jean W. Ledford • Todd W. Smith • Steven Wildman

was installed, the roof drains discharge directly to the pavement. The petitioner should clarify what was and was not installed from the 1998 approved site plan.

TRAFFIC/PAVEMENT

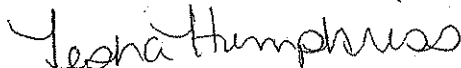
5. A cross section, or thickness and type, of aggregate to be added to the western portion of the site should be specified.

UTILITIES

6. The existing building is connected to municipal sanitary sewer and a private well for water. The petitioner states "sewer discharge will be limited to domestic effluent" therefore the change in use is not expected to have a negative impact on the municipal sanitary sewer system.

I recommend the Planning Commission consider the above listed items before acting on this special land use. Please feel free to contact me at (810) 227 - 5225 with any questions or concerns.

Sincerely,


Tesha L. Humphriss, P.E.
Genoa Township Engineer



Brighton Area Fire Department

615 W. Grand River

Brighton, Michigan 48116

810-229-6640 Fax: 810-229-1619

July 9, 2008

Kelly VanMarter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Culver Special Use
1088 Victory Drive
Site Plan Review

Dear Kelly:

The Brighton Area Fire Department has reviewed the above mentioned site plan. The plans were received for review on June 27, 2008 and the drawings are dated August 4, 1998 and include a highlighted area which is indicated as a new outdoor storage area. The application indicates that pipe, engines, and other associated equipment will be stored in the yard (less than 6' in height). The application indicates the equipment will be repaired and tested inside of the building.

The plan review is based on the requirements of the International Fire Code (IFC) 2006 edition. BAFA recommends conditional approval based on the following comments:

1. It appears the proposed use of the building is a change in occupancy from the previous use group. The building warehouse is 11,960 square feet (proposed S-1) and the office area is 2,440 square feet (proposed B). The IFC and MBC require automatic sprinkler protection in areas which utilize repair garages with a fire area of 12,000 square feet. The applicant shall provide sufficient information that the building is adequately separated or automatic sprinkler protection shall be provided in accordance with IFC 903.2.8.1 for a repair garage.
IFC 903.2.8.1
2. Access around building and into the storage area shall be provided. If improvements are made, it shall be based on emergency vehicles with a turning radius up to 55' wall to wall and a minimum vertical clearance of 13 ½ feet. The apparatus road shall be constructed so that it can support fire department apparatus.
IFC 503
3. Prior to occupancy of the building, a fire inspection shall be conducted by BAFA and any identified violations shall be corrected by the occupant. The inspection will be conducted based on the 2006 International Fire Code.
IFC 106
4. The building shall be provided with a knox box which shall be located adjacent to the front door of the structure.
IFC 506.1

5. The existing address shall be evaluated at time of final inspection.

IFC 505

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). If you have any questions about the comments on this plan review please contact me at 810-225-8033.

Cordially,

A handwritten signature in black ink, appearing to read "M. O'Brian".

Michael D. O'Brian
Fire Marshal



COMMERCIAL REAL ESTATE SERVICES

Lee & Associates® of Michigan
A Member of the Lee & Associates® Group of Companies

Amendment to
IMPACT ASSESSEMENT
For
1088 Victory Drive

Part of lot 11 and lot 12
Grand Oaks West Industrial Park
Genoa Township, Michigan

Introduction: This amendment is being submitted along with an Application for Site Plan Review and an Application for Special Land Use for the referenced property. The buildings will remain as proposed in 1992 (office) and 1998 (warehouse). We are requesting to be granted Special Use contingent upon meeting the criteria outlined in section 8.02.02 (a) of the Zoning Ordinance.

H. Special Provision: We are requesting the area west of the building, but not including the required side and rear setbacks, be allowed to be used for outside storage of equipment, pipe and fittings associated with use of the proposed tenant (Thompson Pump Midwest). This Outdoor Storage Area will be improved with imported crushed aggregate (gravel) to allow lift truck access to bundles of pipe. Dust control measures will be used during the installation of the aggregate.

The berm along the west property line will be increased in elevation so it is a uniform 5'-6' in height. Dust control measures will be used during the berm construction.

J. Restrictions: The height of the material stored in the proposed Outdoor Storage Area will be limited to 6' above grade. The rear yard is enclosed with a 6' chain link fence and all storage will take place within this enclosed area. No on-site fuel storage is proposed.

Prepared by:
Mark Schafer
Lee & Associates of Michigan
June 18, 2008
Revised July 28, 2008

Lee & Associates of Michigan

Detroit Metro Area Office:
41800 W. Eleven Mile Road, Suite 204
Novi, Michigan 48375
248.351.3500 • 248.351.3508 Fax

Livingston County:
8571 W. Grand River, Suite 400
Brighton, Michigan 48116
810.227.1404 • 810.227.8607 Fax

IMPACT ASSESSMENT
FOR
ADDITION
to
CULVER CONSTRUCTION FACILITY

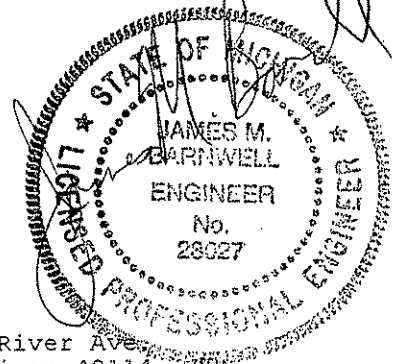
Proposed for
Part of Lot 11 and Lot 12
Grand Oaks West Industrial Park
Genoa Township
Livingston County, Michigan

Applicant

Mr. Ken Culver
7650 Owosso Road
Fowlerville, Michigan 48836
(517) 546-8660

Prepared by:

DESINE INC.
7011 W. Grand River Ave
Brighton, Michigan 48114



REVISED AUGUST 4, 1998

Amended June 18, 2008

Introduction

Pursuant to Article 13 - SITE PLAN REVIEW AND IMPACT ASSESSMENT of the Zoning Ordinance for the Township of Genoa, Livingston County this Impact Assessment has been prepared. This report addresses the impact of the proposed expansion of the Culver Construction facility located Victory Lane. Culver Construction is a General Contractor that is primarily involved with site improvements, Road Construction and mass earthwork. The existing building is primarily an office building with the proposed expansion consisting of an 11,960 sq. ft. warehouse and *inside* storage facility. This impact statement will review the impact of the construction on the natural features, economic condition and social environment of the Township. The site is located on the south part of Lot 11 and Lot 12 of Grand Oaks West Industrial Park, South of Grand River Avenue on Victory Drive. The total site is approximately 5.05 acres.

The applicant has caused to be prepared a site plan for the proposed development of the property. The property is currently zoned IND, Industrial.

The environmental, economic and social impacts of the proposed use are evaluated based on the site plan as prepared.

A. IMPACT ON NATURAL FEATURES

The site is located in Section 5 of Genoa Township, south of Grand River Ave. on the west side of Victory Drive. The total site is approximately 5.05 ± acres in size and is currently used as a contractors construction yard with an existing 2,400 sq. ft. office building located on the eastern portion of the site.

The existing topography of the site is relatively flat over a majority of the site. A gentle slope exists from the south to the northwest corner of the site. An existing small hill is located in the southwest corner of the site. An existing easement for public storm drainage is located along the west property line. Total elevation difference from the south property line to the northwest corner of the site is approximately 9 feet. The small hill is approximately 20 feet higher than the Northwest corner.

August 4, 1998

The eastern portion of the site has been developed with a parking lot and office building with the area in the immediate vicinity being landscaped. The area to the west of the office is used as a Contractors yard with occasional parking of equipment. Field grass is the primary ground cover over the area not currently being utilized in the central and northern portions of the site. Further to the west the property exhibits vegetation consisting primarily of scattered scrub brush and small trees. The existing topography of the site is shown on the Site Plan.

The soils as classified by the United States Department of Agriculture, Soil Conservation Service, "Soil Survey of Livingston County". The predominant soil types are:

Bronson loamy sand (Bw)
Miami loam (Mo)

Potable water is provided by an on-site well and the site is connected to the existing sanitary sewer system.

Improvements proposed as a part of the project include a 11,960 square foot block warehouse building with a bituminous parking lot, gravel *loading/unloading area* and related infrastructure. No wetlands are proposed to be disturbed as a part of the development of this project.

Areas which lie outside of the paved and *gravelled* surfaces of the site, which are disturbed during the course of construction will be seeded and a permanent ground cover established. No significant adverse impact to natural features is expected.

B. IMPACT ON STORMWATER MANAGEMENT

Earthwork will consist of grading adequate areas for the improvements and the directing of stormwater to the existing stormwater drainage and detention area located to the west and north of the subject parcel. Drainage of the site on the perimeter will continue to follow the general topography of the site. The runoff from the site will be increased as a result of the increase in impervious surfaces. Storm water runoff will be directed to the existing storm water drainage and detention system which were designed for the Grand Oaks West Industrial Park. The Livingston County Drain Commission regulations will be complied with in the stormwater management for this site.

August 4, 1998

Soil erosion control and sedimentation are controlled by the Soil Erosion Control Act No. 347 of the Public Acts of 1972, as amended. The Livingston County Drain Commission administers this Act. The improvement of the site will require compliance with all regulations including soil erosion control during and after construction.

Implementing Soil Erosion Control measures will minimize impact on the adjoining properties. Grading will be conducted such that grades are meshed with adjoining properties, no adverse impact is anticipated.

C. IMPACT ON SURROUNDING LAND USES

Existing zoning on the subject property is IND - Industrial District. Adjacent property to the north, south, east and west of the subject site is zoned IND - Industrial District.

The surrounding uses are KICKS AND STICKS to the north, an indoor soccer and rollerblade facility. To the south is Golf Course Construction which is a designer and builder of Golf Courses and to the west is Mark 1 Restorations, which is involved in restoration of existing buildings.

No manufacturing or processing will occur on the site that will emit pollutants to the air.

The proposed development will not have any significant impact on the surrounding land uses. The proposed use for the property will be compatible with the surrounding land uses.

D. IMPACT ON PUBLIC FACILITIES AND SERVICES

The proposed development of the site will not significantly impact the demand on public facilities and services, and is not expected to adversely impact services provided. No facilities are being proposed which will require or demand specialized or unique equipment or training for entities providing service to the site. Normal hours of operation are between 6:00 a.m. and 7:00 p.m. Monday through Saturday.

Approximately six (6) employees will be working at this location at any one time. The proposed development does not have retail or walk-in customers.

August 4, 1998

E. IMPACT ON PUBLIC UTILITIES

The existing facility is served with an on-site well to provide potable water. The site is currently served by sanitary sewer. No significant adverse impact to public utilities is expected.

The proposed addition will have one additional restroom to serve the employees. Minimal increase in flows are anticipated to be developed from the addition to this facility.

F. STORAGE AND HANDLING OF ANY HAZARDOUS MATERIALS

The proposed improvements on this property do not require the storage or handling of any hazardous materials which are not typically found in the development of an industrial building. The construction industry is regulated and is required to properly handle all dangerous and/or hazardous materials in accordance with industry safety standards. Rules and regulations of Genoa Township would regulate the proposed development of the property.

Materials which may be stored on-site intermittently will include greases, motor oil, solvents, and gasoline. Only limited sized packages of these products are proposed to be used in the warehouse area. These materials are primarily for use at off-site construction projects and for minor maintenance of vehicles on-site. If a release of these products occurs it is immediately cleaned up using absorbants suitable for the material spilled. An assortment of appropriate absorbants will be conveniently located and maintained in several locations within the warehouse area. Employees are trained to identify and clean up any spills using suitable absorbants. These materials are for use at off-site construction projects and for minor maintenance of vehicles on-site. Storage and handling of materials will comply with all Federal, State and Local codes, OSHA and MIOSHA regulations and Department of Environmental Quality regulations.

Fire Marshall shall review and approve the plans prior to the issuance of a land use permit.

Materials will be properly labeled and handled accordingly.

No production, generation, on-site treatment or disposal of hazardous materials waste will be performed on this site.

August 4, 1998

G. IMPACT ON TRAFFIC AND PEDESTRIANS

Traffic generated by this facility will be less than 30 directional trips during any peak hour and will not exceed 50 trips in an average day. No significant adverse impact to current or future traffic conditions is expected.

H. SPECIAL PROVISIONS

None

I. SITE LIGHTING

All lighting proposed for the site will be down directed lighting mounted on the building.

J. RESTRICTIONS

none

August 4, 1998

Amendment to
IMPACT ASSESSEMENT
For
1088 Victory Drive

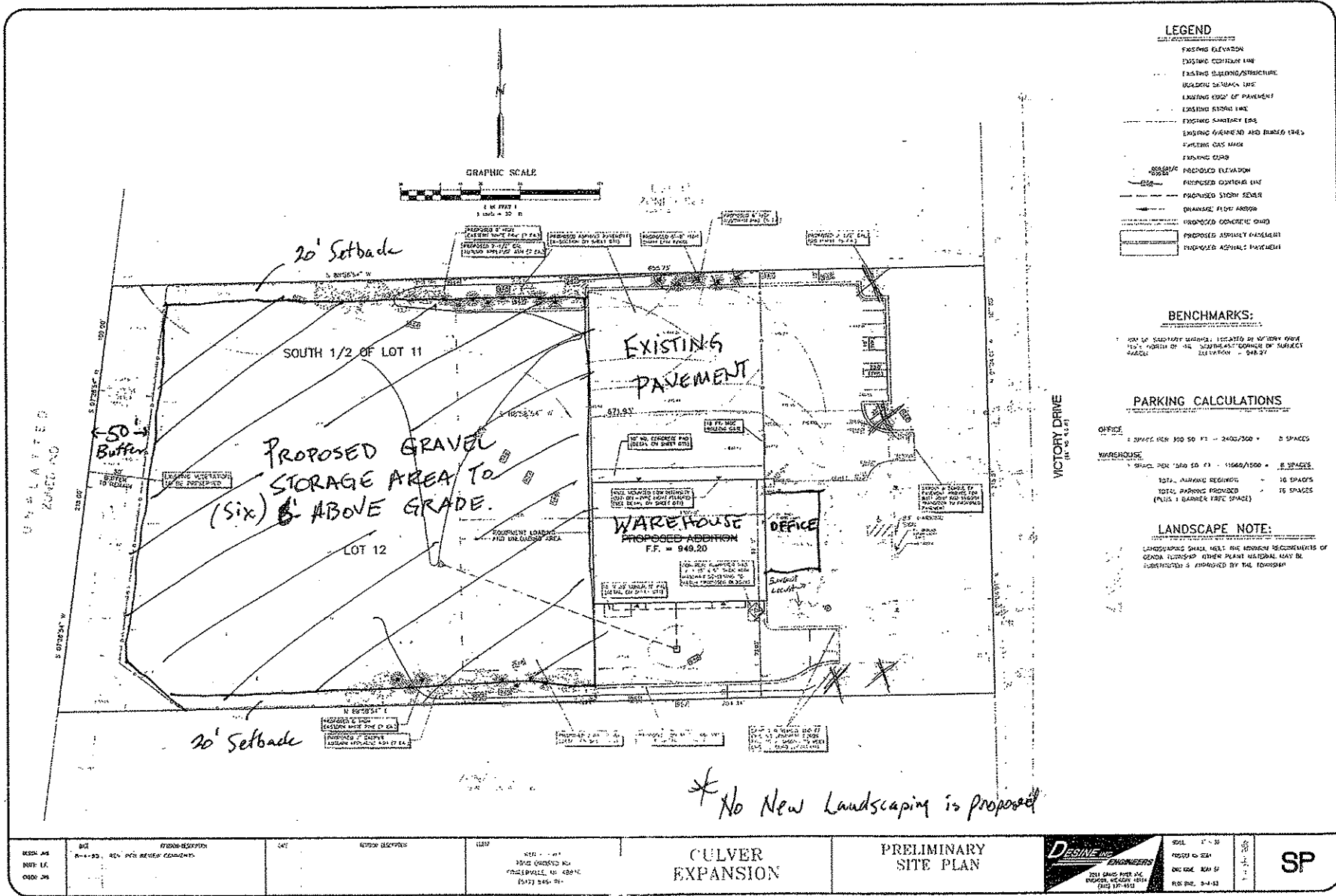
Part of lot 11 and lot 12
Grand Oaks West Industrial Park
Genoa Township, Michigan

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H. Special Provision: We are requesting the area west of the building, but not including the required side and rear setbacks, be allowed to used for outside storage of equipment, pipe and fittings associated with use of the proposed tenant (Thompson Pump Midwest). This Outdoor Storage Area will be improved with imported crushed aggregate (gravel) to allow lift truck access to bundles of pipe.

J. Restrictions: The height of the material stored in the proposed Outdoor Storage Area will be limited to 6' above grade. The rear yard is enclosed with a 6' chain link fence and all storage will take place within this enclosed area. No on-site fuel storage is proposed.

Prepared by:
Mark Schafer
Lee & Associates of Michigan
June 18, 2008



REVISION NO. 1 DATE 08/08/08	DATE 08/08/08 BY: [Signature] CHECKED BY: [Signature]	DATE 08/08/08 BY: [Signature] CHECKED BY: [Signature]	DATE 08/08/08 BY: [Signature] CHECKED BY: [Signature]	CULVER EXPANSION	PRELIMINARY SITE PLAN	DESIGN INC. ENGINEERS 2011 GRAND PRAIRIE AVE. CHICAGO, ILLINOIS 60631 (773) 371-4111	SHEET NO. 1 OF 1 PROJECT NO. 0808-01 DATE PLOTTED: 08/08/08 PLOT SCALE: 1" = 20' 0"	SP
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1088 Victory Drive Special Use Request Outdoor Storage

Subject Property



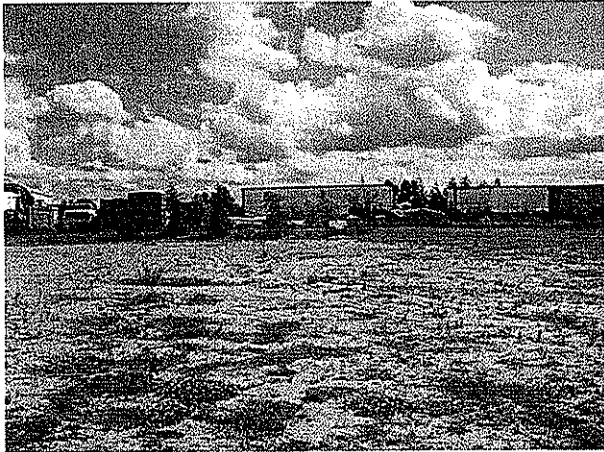
1

South Property Line



2

Looking North *South*



3

Looking Northeast



4

Looking Southeast



5

West of Westerly Fence



6

Kelly

From: Mark T. Schafer [mschafer@Lee-MI.com]
Sent: Friday, July 25, 2008 12:28 PM
To: Kelly
Cc: Kevin Brady
Subject: Culver draft

Thanks, for your help.

We will increase the berm to 5'-6' across the entire westerly property line and plant three (3) 4' evergreens to the north and five (5) 4' evergreens to along the west property line, biased to the north.

Our submittal will be in on Monday.

Mark Schafer
mschafer@lee-mi.com

LEE & Associates of Michigan
41800 Eleven Mile Road
Suite 204
Novi, Michigan 48375

(248) 351-3500 Office
(248) 567-8007 Direct
(248) 891-1990 Mobile

**GENOA TOWNSHIP
SITE PLAN APPROVED**
Kelly VanMarter
7/25/08

From: Kelly [mailto:Kelly@genoa.org]
Sent: Friday, July 25, 2008 12:19 PM
To: Mark T. Schafer
Subject: RE: Culver draft

Kelly K. VanMarter | Planning Director
Main: 810.227.5225 | Fax: 810.227.3420 | kelly@genoa.org
Genoa Charter Township
2911 Dorr Road | Brighton, MI 48116 | www.genoa.org

PLEASE NOTE: This message, including any attachments, may include privileged, confidential and/or inside information. Any distribution or use of this communication by anyone other than the intended recipient is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and then delete it from your system.

From: Mark T. Schafer [mailto:mschafer@Lee-MI.com]
Sent: Thursday, July 24, 2008 2:23 PM
To: Kelly
Subject: Culver draft

Good afternoon, Kelly:

We can tidy this up tomorrow.

7/25/2008

TO: Township Board
FROM: Kelly VanMarter, Planning Director
DATE: July 31, 2008
RE: The Well, Church in IND Special Land Use (7191 W. Grand River)

Based on a recommendation from the Planning Commission, staff suggests the following action regarding the proposed Special Land Use, Impact Assessment and Site Plan for a church located in the Industrial zoning district at 7191 W. Grand River:

Special Use Permit: approval because the use is compatible with the use of the building and meets the general requirements of Section 19.03 of the Zoning Ordinance.

Impact assessment (dated 7-28-08): approval.

Site Plan (dated 7-28-08): approval with the following conditions:

1. Services provided by the church beyond those envisioned in the Impact Assessment will require a parking space review by the Township Staff;
2. The waste receptacle enclosure will be constructed of a treated wood resembling a privacy fence and shall be approved by Township staff prior to issuance of a Land Use Permit;
3. Item number 2 from the Township Engineer's July 8, 2008 letter will be addressed on the plan;
4. Approval from the Brighton Area Fire Department regarding the requirements in their letter dated June 17, 2008 will be obtained prior to issuance of a Land Use Permit.

GENOA TOWNSHIP
APPLICATION FOR SKETCH PLAN REVIEW

RECEIVED
JUN - 4 2008
GENOA TOWNSHIP

TO THE GENOA TOWNSHIP PLANNING COMMISSION:

APPLICANT NAME & ADDRESS*: Lindhout Associates, 10465 Citation Drive, Brighton 48116

OWNER'S NAME & ADDRESS*: William R. and Carol M. Johns, 44700 Grossbeck HWY Clinton Twp, 48036

SITE ADDRESS: 7181 Grand River PARCEL #(s): 11-13-100-036

APPLICANT PHONE: (810) 227-5668 OWNER PHONE: (586) 469-3404

LOCATION AND BRIEF DESCRIPTION OF SITE: The site is located on the North side of Grand River, East of Pless Dr. and West of Euler Road, within the Planned Industrial District.

BRIEF STATEMENT OF PROPOSED USE: The space shall be used as a worship facility for a church named "The Well".

THE FOLLOWING IMPROVEMENTS ARE PROPOSED: The Well is not proposing any changes to the site or exterior building features, except for building signage & striping. The Well would like to make interior alterations to the lease space at the

North-West corner of the existing mixed-use building.
I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: HOLLY OSTERHOOT, LINDHOUT ASSOCIATES

ADDRESS: 10465 CITATION DRIVE BRIGHTON, MI 48116

**If applicant is not the owner, a letter of Authorization from Property Owner is needed.*

Contact Information - Review Letters and Correspondence shall be forwarded to the following:
1.) HOLLY OSTERHOOT of LINDHOUT ASSOCIATES at (810) 227-5856
Name Business Affiliation Fax No.

FEE EXCEEDANCE AGREEMENT

All sketch plans are allocated one (1) consultant review and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal for a Land Use Permit. By signing below, applicant indicates agreement and full understanding of this policy.

SIGNATURE: Holly Osterhout DATE: JUNE 4, 2008
PRINT NAME: HOLLY OSTERHOOT - LINDHOUT ASSOCIATES PHONE: 810-227-5668

**APPLICATION FOR SPECIAL LAND USE
GENOA TOWNSHIP**

APPLICANT NAME* & ADDRESS: Lindhout Associates, 10465 Citation Drive, Brighton 48116

OWNER NAME* & ADDRESS: William R. and Carol M. Johns, 44700 Grossbeck HWY
CLINTON TWP, 48036

SITE ADDRESS: 7181 Grand River PARCEL #(s): _____

APPLICANTPHONE: (810) 227-5668 OWNER PHONE: (586) 469-3404

Location and brief description of site and surroundings:

The site is located on the north side of Grand River, East of Pless Dr.
and west of Euler Road, within the Planned Industrial District.

Proposed Use:

The space shall be used as a worship facility for a church named,
"The Well".

Describe how your request meets the Zoning Ordinance General Review Standards (section 19.03):

- a. Describe how the use will be compatible and in accordance with the goals, objectives, and policies of the Genoa Township Comprehensive Plan and subarea plans, and will promote the Statement of Purpose of the zoning district in which the use is proposed.

The church use will promote the mixed-use development that the
Planned Industrial District strives to accomplish.

- b. Describe how the use will be designed, constructed, operated, and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity.

The intent of The Well is to leave all existing exterior features as
they are and to change only the interior configuration of the space.
Therefore the existing character of the general facility shall
remain unchanged.

- c. How will the use be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, water and sewage facilities, refuse disposal and schools?

The traffic flow, water, and sewage facilities will reach their peak
for a few hours on Sundays, a day when the use of these services are
typically at a minimum.

- d. Will the use involve any uses, activities, processes, or materials potentially detrimental to the natural environment, public health, safety, or welfare by reason of excessive production of traffic, noise, vibration, smoke, fumes, odors, glare, or other such nuisance? If so, how will the impacts be mitigated?

The proposed use does not involve any of the above potentially
detrimental impacts.

e. Does the use have specific criteria as listed in the Zoning Ordinance (sections 3.03.02, 7.02.02, & 8.02.02)?
If so, describe how the criteria are met.
Not Applicable

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I AGREE TO DESIGN, CONSTRUCT AND OPERATE, AND MAINTAIN THESE PREMISES AND THE BUILDINGS, STRUCTURES, AND FACILITIES WHICH ARE GOVERNED BY THIS PERMIT IN ACCORDANCE WITH THE STATED REQUIREMENTS OF THE GENOA TOWNSHIP ZONING ORDINANCE, AND SUCH ADDITIONAL LIMITS AND SAFEGUARDS AS MAY BE MADE A PART OF THIS PERMIT.

LINDHOUT ASSOCIATES,
THE UNDERSIGNED ARCHITECT FOR THE WELL STATES THAT THEY ARE THE FREE OWNER* OF THE PROPERTY OF PROPERTIES DESCRIBED ABOVE AND MAKES APPLICATION FOR THIS SPECIAL LAND USE PERMIT.

BY: HOLLY OSTERHOUT, LINDHOUT ASSOCIATES

ADDRESS: 10465 CITATION DRIVE BRIGHTON, MI 48116

*Submit a letter of Authorization from Property Owner if application is signed by Acting Agent.

Contact Information - Review Letters and Correspondence shall be forwarded to the following:

1.) HOLLY OSTERHOUT of LINDHOUT ASSOCIATES at (810) 227-5855
Name Business Affiliation Fax No.

Note: This application must be accompanied by a site plan review application and the associated site plan review submittal requirements. (The Zoning Administrator may allow a less detailed sketch plan for a change in use.)

FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

SIGNATURE: Holly Osterhout DATE: June 4, 2008

PRINT NAME: HOLLY OSTERHOUT - LINDHOUT ASSOCIATES PHONE: 810-227-5668

ADDRESS: 10465 CITATION DRIVE BRIGHTON, MI 48116

William R. Johns
44700 Groesbeck Highway
Clinton Township, Michigan 48036
(586) 469-3404 · Fax (586) 469-2084

June 9, 2008

Re: Property ID #4711-13-100-036

To Whom It May Concern:

We William R. Johns and Carol M. Johns give our consent to The Well to approach to Genoa Township to get its approval to lease the section of our building noted as 7191 Grand River for their intended use.

Respectfully,


William R. Johns


Carol M. Johns

Motion by James Mortensen to recommend to the Township Board the rezoning of the properties identified as parcels 3-10 in the LSL letter of 5/30/08 from industrial commercial, finding it is consistent with the Master Plan and meets the criteria of zoning in ordinance number 22.04. Support by Chris Grajek. **Motion carried unanimously.**

OPEN PUBLIC HEARING # 2...Review of request to rezone parcels 11-28-400-004 & 11-28-400-003 from MUPUD to LRR, petitioned by Genoa Charter Township.

Chairman Brown discusses the nature of the request. It is from mixed use to lakeshore resort residential. There was an error many years ago when Burroughs Farms was being sold to Oak Pointe. This request would correct that oversight.

Kelly VanMarter indicates that Mr. MacDonald was at last month's meeting and she exchanged emails with Mr. Price. She has heard nothing further, so assumes that their concerns are eased.

Planning Commission disposition of petition

A. Recommendation regarding rezoning

Motion by James Mortensen to recommend to the Township Board approval of rezoning the properties bearing tax ID numbers: 11-28-400-002 and 003 from MUPUD to LRR. This motion is made to correct an obvious error in zoning and is consistent with the existing zoning and Master Plan. Support by Chris Grajek. **Motion carried unanimously.**

OPEN PUBLIC HEARING #3...Review of a special use application, impact assessment and sketch plan for a proposed worship facility to occupy 7181 Grand River, Brighton, Sec. 13, petitioned by Lindhout Associates.

Architect, Piet Lindhout, Pastor Jeff Waterman and Holly Osterehout, who is an intern with Lindhout & Associates address the Planning Commission regarding this application. The proposed church is a daughter church to Cornerstone Church in Brighton.

Piet Lindhout addresses the LSL letter. The parking calculations seem to be correct. He supports the barrier-free area next to the church. Mr. Lindhout addresses the sidewalk request. He feels it is unfair to require this small tenant to provide sidewalks to a large complex where no other tenant is required to install the sidewalk.

James Mortensen indicates that this situation is unusual. He is willing to waive the sidewalk requirement.

Mr. Lindhout suggests that the landscaping is fairly well established. Chairman Brown addresses the dumpster being surrounded by vegetation. Items five and six should also be waived pursuant to Mr. Lindhout. Number seven has been taken care of pursuant to Chairman Brown. A variance was granted by the ZBA some time ago.

Mr. Lindhout addresses the Engineer's letter. The color of the striping will be added and it will match the color in front of the building.

Mr. Lindhout suggests that he has no issues with the requirements of the Brighton Fire Department and will comply with the items listed in their letter.

Brian Borden indicates that the Planning Commission should require something, and he suggests that it be the landscaping. It only would require 2 trees and a 3' hedge to screen the park along the full length of the lot. Light fixtures or waste receptacle enclosures would be acceptable, as well. Brian Borden suggests that sidewalks would be the most significant cost.

James Mortensen discusses the dumpster. Mr. Lindhout shows where that is in the plans. Brian Borden says they're on pavement, with no enclosure, no gate. The church will most likely use the dumpster closest to Pless Drive. Brian Borden suggests that the enclosure be made of treated lumber, rather than masonry to accommodate the cost issues. Mr. Lindhout has no objection to that. Barbara Figurski suggests that they clean up the existing landscaping and possibly make a street sign.

Petitioner indicates the use will be on Wednesday evenings and Sunday mornings. Sunday evenings may possibly continue, as well.

Planning Commission disposition of petition

- A. Recommendation regarding special use application.
- B. Recommendation regarding impact assessment.
- C. Recommendation regarding sketch plan

Motion by James Mortensen to recommend to the Township Board approval of the special use permit granting the right for The Well Church to occupy the northwest corner of 7181 Grand River, subject to the following:

1. The services will be as specified in the environmental impact assessment;
2. Approval by the Township Board of the environmental impact assessment;
3. Approval of the Township Board of the site plan.

This recommendation is made because this use is compatible with the use of the building and meets the general requirements of section 19.03 of the Township Ordinance. Support by Barbara Figurski. **Motion carried unanimously.**

Motion by Barbara Figurski to recommend that the Township Board approve the environmental impact assessment and the hours and days should be noted expressly in it. The Planning Commission waives the traffic study. Support by Diana Lowe. **Motion carried unanimously.**

Motion by James Mortensen to recommend to the Township Board approval of the sketch plan for The Well Church, subject to:

1. Approval of The Board of the use permit and environmental impact assessment;
2. Services provided by the church beyond those envisioned in the impact assessment will require a parking space review by the Township staff;
3. One barrier free parking space will be established adjacent to the church;
4. The waste receptacle from the northwest corner of the site will be enclosed with treated wood;
5. The requirements of the Township Engineer as stated in the letter of July 8, 2008 will be complied with;
6. Requirements of the Brighton Fire Department letter of June 17, 2008 will be complied with.

Support by Barbara Figurski. **Motion carried unanimously.**

OPEN PUBLIC HEARING #4...Review of special use application, impact assessment and sketch plan for a proposed contractors yard with outdoor storage located at 1088 Victory Drive, Howell, Sec. 5, petitioned by Ken Culver.

Mark Schafer of Lee & Associates of Novi, Michigan, addresses the Planning Commission on behalf of the petitioner. He indicates the office was constructed in 1990 and the warehouse was added on in 1998. The property had been marketed has having outside storage and petitioner found that there was, in fact, no outside storage. A prospective tenant has been located, but they will need outside storage.

Sedimentation and water flow was discussed by petitioner. He suggests that additional lighting is not proposed. The berm and fence would be maintained. The berm is natural. The outside storage would be within the "toe" of that berm. There is a natural gas pipeline that runs along Victory Drive. This is the reason for the setback. All landscaping, etc. has to be kept clear of that. Chairman Brown asks why petitioner doesn't want to change the lighting. Petitioner indicates it is not offensive and therefore, there is no reason.



LSL Planning, Inc.

Community Planning Consultants

June 13, 2008

Planning Commission
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

Subject:	The Well Church – Special Use and Sketch Plan Review #1
Location:	7181 Grand River Avenue – northeast corner of Grand River Avenue and Pless Drive
Zoning:	PID Planned Industrial District
Applicant:	Lindhout Associates 10465 Citation Drive Brighton, MI

Dear Planning Commissioners:

At the Township's request, we have reviewed the sketch plan (dated 6/4/08) and special land use application for minor exterior site improvements and a new church use for the existing building at 7181 Grand River Avenue. The site is located on the north side of Grand River, between Pless Drive and Euler Road, and is currently zoned PID Planned Industrial District. The request has been reviewed in accordance with the Genoa Township Master Plan and Zoning Ordinance.

A. Summary of Issues

1. The Planning Commission may grant up to a 30% reduction in the amount of parking required. If such a reduction is allowed, we recommend a condition that the parking be reviewed by the Planning Director to re-evaluate the parking calculations if they wish to add additional services.
2. We recommend at least 1 barrier free space be provided adjacent to the proposed church.
3. We recommend the required sidewalk be provided along Grand River Avenue.
4. We recommend an additional 2 canopy trees and hedgerow be provided for the Grand River greenbelt as required.
5. We recommend the required waste receptacle enclosures be provided.
6. The Planning Commission may wish to have the applicant provide lighting details to determine whether current standards are met.
7. A wall sign for the church on the Grand River façade is not permitted.
8. Details of the proposed wall signage must be provided.

B. Proposal

The applicant proposes to use a 5,637 square foot unit within the existing 54,414 square foot building as a church. There are no external changes proposed to the building itself. All other units in the building are occupied by light industrial/commercial tenants. Section 10.03 of the Zoning Ordinance states that all uses permitted in the Industrial and Office Service Districts are allowed in the PID. Churches are special land uses in the OSD, and are therefore, permitted in the PID with special use approval.

The request for a new special land use within an existing building and developed site provides the Township with an opportunity to require improvements to current site design deficiencies, such as lighting, landscaping, sidewalks and waste receptacle enclosures.

C. Special Use Review

The project has been reviewed in accordance with the review standards of Section 19.03.

- 1. Master Plan.** The Master Plan and Future Land Use Map identify the site and adjacent properties as Planned Industrial. The Master Plan describes this classification as an area that “should be developed as a light industrial/R&D/office park.” The description also notes the need for high quality building architecture and enhanced landscaping, especially along major thoroughfares. There is no mention of institutional uses in the description of this classification.
- 2. Compatibility.** The adjacent land uses are predominantly light industrial/commercial in nature with a mix of retail, office, and warehousing. In general, an institutional use such as a church would not be considered incompatible, nor would it be expected to adversely impact the existing uses given their intensity. Peak usage for the church would be on Sunday when most surrounding businesses are closed.
- 3. Public Facilities and Services.** As an existing development intended for light industrial uses, necessary utilities are already in place. The project is not anticipated to create any adverse impacts upon public facilities and services; however, this standard is subject to review by the Township Engineer.
- 4. Impacts.** The proposed church would be expected to generate a significant amount of traffic during service. As proposed, services will only be on Sunday’s, which will be the off-peak time for the roadway and adjacent uses.
- 5. Mitigation.** The Township may require that the applicant provide mitigation necessary to minimize or prevent negative impacts. We recommend the Township require design improvements as part of this special land use to bring the site closer to conformity with current Ordinance standards. Specific examples are described below in our review of the sketch plan.

D. Sketch Plan Review

- 1. Parking.** New parking lot striping is proposed along the rear of the building. This includes 9 new spaces within the wide drive aisle north of the loading zones. It appears the area along the property line is currently used as parking, but has not been striped. This improvement will prevent a haphazard parking arrangement. Although typical dimensions are not provided, the spaces appear to meet the dimensional requirements of the Ordinance.

In terms of the amount of parking provided, the sketch plan proposes a total of 124 spaces. Based upon the collective parking required for each use, a total of 177 spaces would typically be required. However, the Planning Commission may permit up to a 30% reduction in the total amount of parking required based upon shared usage and differing peak hours. The applicant states that the proposed church will see peak usage on Sunday’s, with an evening service and a potential morning service. Based upon differing peak usage, a 30% reduction results in the need for 124 spaces, which are provided. A potential concern over this arrangement is if the church ever proposed to extend its days and hours of operation. A parking problem could result if church services were to be held at the same time the six other businesses are open. If the Planning Commission is to grant the parking reduction,

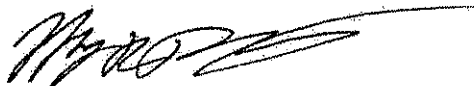
they may wish to include a condition that the owner must come back to the Planning Director to re-evaluate the parking calculations if they wish to add additional services.

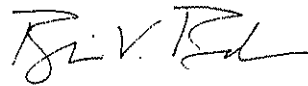
The sketch plan provides the 5 required barrier free spaces; however, none of these spaces are located in a convenient area for access to the proposed church. We recommend that at least 1 barrier free space be provided adjacent to the proposed church.

2. **Non-motorized Pathway.** Section 12.05 of the Zoning Ordinance requires a 5-foot wide concrete sidewalk along Grand River Avenue. There currently is no sidewalk for the site. There are existing sidewalks that end east and west of the site; however, the lots immediately adjacent to the site do not have sidewalks either. We recommend that the applicant provide the required sidewalk with a ramp at Pless Drive.
3. **Landscaping & Greenbelt.** The Pless Drive greenbelt planting requirement is met and the parking lot landscaping requirement appears to be met. However, the Grand River greenbelt is deficient by two canopy trees and a 3-foot tall hedgerow. The hedgerow is especially important given the fact that the existing parking encroaches into the required setback. We recommend the Planning Commission require the additional plantings to conform to current standards and meet the intent of the Future Land Use classification described in Section C of this review letter. Any dead or diseased trees and shrubs should also be replaced as part of this project.
4. **Waste Receptacle and Enclosure.** The sketch plan shows several dumpsters along the northerly property line. It is unclear whether any of the dumpsters are fully contained within enclosures as required by the Zoning Ordinance. We recommend that enclosures be provided if the dumpsters are not contained.
5. **Exterior Lighting.** No details are provided with respect to current exterior site lighting. The Planning Commission may wish to request details to determine if the current lighting meets Ordinance requirements. If it does not, upgrades may be required.
6. **Signs.** The sketch plan does not provide details of any signage as part of the project. However, a note on Sheet C1 states that new wall signs are proposed to replace the two existing signs used by John Deere. The note also states that one sign will face Pless Drive and the other will face Grand River; however, footnote (1) to Table 16.1 states that a sign may only be attached to a portion of the building that is occupied by the business. Based upon the sketch plan, the unit for the proposed church does not face Grand River and a sign would not be permitted on the façade facing Grand River. Details must be provided to ensure that the requirements of Article 16 of the Zoning Ordinance are met. Permits will be required for the new signage.
7. **Impact Assessment.** An Impact Assessment (not dated) has been provided by the applicant. The Assessment states that the change in use will not create any significant impacts upon the environment, public services, surrounding land uses or traffic.

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Sincerely,
LSL PLANNING, INC.


Jeffrey R. Purdy, AICP
Partner


Brian V. Borden, AICP
Senior Planner



Genoa Township

2911 Dorr Road • Brighton, Michigan 48116 • (810) 227-5225 • Fax (810) 227-3420 • Email: www.genoa.org

Memorandum

TO: Genoa Township Planning Commission Members

DATE: July 8, 2008

RE: The Well Church
Sketch Plan

As requested, I have reviewed the above referenced sketch plan dated June 4, 2008, prepared by Lindhout Associates. The site is located on the northeast corner of Grand River Avenue and Pless Drive. The petitioner is proposing to convert 5,637 square feet of the existing building into a church. The only site improvements proposed are stripping of the existing parking lot. Please consider the following comments when taking action on this sketch plan:

DRAINAGE AND GRADING

1. The petitioner is not making any site improvements, so no evaluation of the existing storm water management system for this site is required.

TRAFFIC/PAVEMENT

2. The petitioner is proposing to add stripping to the northeast portion of the parking lot. The proposed color of the stripping should be identified.

UTILITIES

3. The site is currently connected to both municipal sanitary sewer and water. The addition of the bathrooms to the building is expected to increase the use of both municipal sanitary sewer and water. The municipal sanitary sewer and water have capacity for the increase in use.

I recommend the Planning Commission consider the above listed items before acting on this sketch plan. Please feel free to contact me at (810) 227 - 5225 with any questions or concerns.

Sincerely,

Tesha L. Humphriss, P.E.
Genoa Township Engineer

Supervisor
Gary T. McCririe

Clerk
Paulette A. Skolarus

Treasurer
Robin L. Hunt

Manager
Michael C. Archinal

Trustees

H. James Mortensen • Jean W. Ledford • Todd W. Smith • Steven Wildman



Brighton Area Fire Department

615 W. Grand River

Brighton, Michigan 48116

810-229-6640 Fax: 810-229-1619

June 17, 2008

GENOA TOWNSHIP

JUN 23 REC'D

RECEIVED

Kelly VanMarter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Well Church
7181 Grand River
Site Plan Review

Dear Kelly:

The Brighton Area Fire Department has reviewed the above mentioned site plan. The plans were received for review on June 8, 2008 and the drawings are dated June 4, 2008. The project is based on an existing building that will have a 5,687 square foot building interior renovation. The plan review is based on the requirements of the International Fire Code (IFC) 2006 edition.

1. The existing water main location is not indicated on the submittal. Provide the location of the water main and the closest hydrant to the site. A hydrant shall be located within 100' of the fire department connection.

IFC 912.2
2. The proposed building shall be provided with an automatic sprinkler system in accordance with NFPA 13, *Standard for the Installation of Automatic Sprinkler Systems*.

IFC 903

 - A. The details on the existing fire protection lead shall be shown including; location, size, gate valve, and connection of the fire protection lead shall be indicated on the utility site plan.
3. Future project submittals shall include the address and street name of the project in the title block.

IFC 105.4.2
4. The building shall include the building address on the building. The address shall be a **minimum of 6"** high letters of contrasting colors and be clearly visible from the street. The location and size shall be verified prior to installation.

IFC 505.1

5. The location of a key box (Knox Box) shall be indicated on future submittals. The Knox box will be located adjacent to the front door of the structure.

IFC 506.1

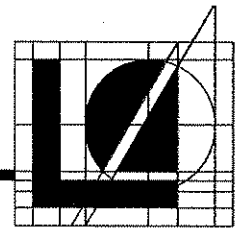
6. Prior to submission to the building department, a copy of construction drawings shall be submitted to the Brighton Area Fire Department for review and comments.

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). If you have any questions about the comments on this plan review please contact me at 810-225-8033 ext. 230.

Cordially,



Michael D. O'Brian
Fire Marshal

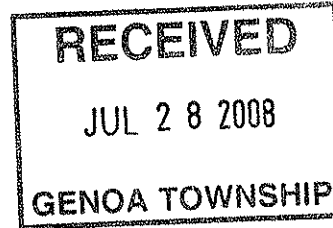


Our Mission

Integrity
in architecture and design
in client relationships
in employee relationships
in community relationships

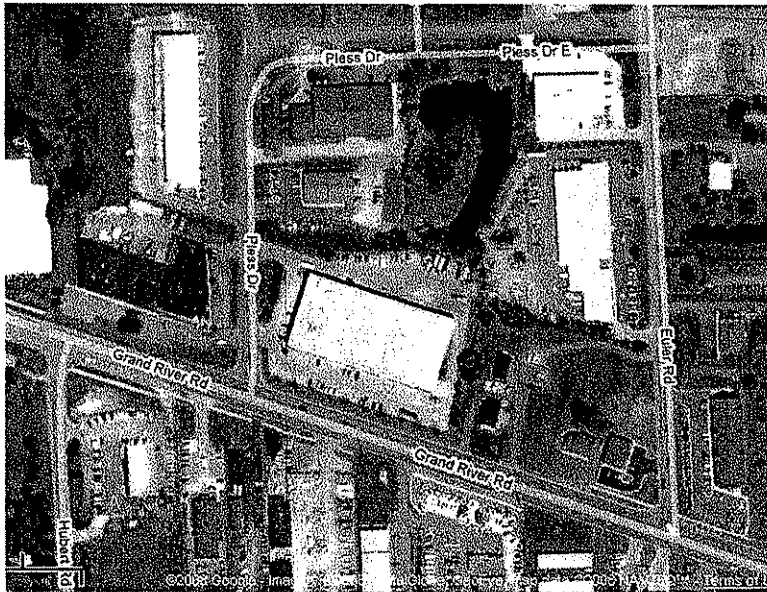
advancement
in all these efforts

Environmental Impact Assessment



Prepared by: Holly Osterhout
Intern Architect
Lindhout Associates
10465 Citation Drive
Brighton MI 48116

Location: 7181 Grand River Avenue,
Brighton Township
Northeast corner of Pless Drive and Grand River Avenue Intersection



The existing 54,414 square foot building is located on 3.68 acres adjacent to Grand River Avenue in Genoa Township. The site is zoned P.I.D. – Planned Industrial District, along with the property to the west, north and northeast. The site immediately east and southeast are zoned Industrial while the property immediately south across Grand River is zoned General Commercial. Existing wetlands are currently north of the site. Since The Well is not changing any of the existing exterior site features, the wetlands shall remain unchanged.

Impact on Natural Features: The proposed change of use will not impact the existing natural features at the site.

Impact on Storm Water Management: The project does not propose any changes to the existing storm water management, nor will the proposed change of use impact the storm system.

Impact on surrounding land uses: The proposed change of use will not have a negative impact on the surrounding land uses. The surrounding businesses may actually see an increase in customers as more people become familiar with the area through their use of the church.

The Well is a church that currently holds Sunday evening services at 6:30pm. In addition, the church is planning on starting a Sunday morning service at 10:00am. The peak usage of the site will therefore be on Sundays when

william p. lindhout
david a. richardson

frank l. pierron
michael j. o'leary

piet w. lindhout
bradley m. alford

robert j. king

michael j. kennedy

all but one of the remaining tenants on site are closed. The Well would use the space on the remaining days of the week for small meetings, youth activities and other church related functions.

The Planned Industrial District allows any use permitted in either the Industrial district or the Office-Service Districts, as well as any special land use allowed in either district. The proposed use conforms with the Master Plan in promoting a mixed-use site through the special land use approval of a church within the Office-Service District.

The church is not increasing the current light intensity at the exterior of the building, as no site improvements are proposed. There are also no proposed changes to the exterior façade of the building beyond wall signage, therefore any additional interior light that may be emitted from evening hour services and activities should be very minimal.

The church will have indoor music as a part of their worship services and possibly with other events as well. The noise level is not expected to exceed 65 decibels at the property line and will not impact the adjacent neighbors. The industrial area's ambient noise would most likely be greatest during an average weekday when activity within the proposed space will be at a minimum.

The use of the site as a worship facility has a lower intensity level for the items listed within the Performance Standards of Section 13.05 than the existing use.

Impact on public facilities and services: The Well will have a maximum capacity within the worship space of 273 people. In addition, the youth will gather within the meeting rooms of Insight, the small business networking group connected at the southeast corner of The Well's lease space. There is no anticipated impact on public schools, recreation facilities, police protection, fire protection or emergency services.

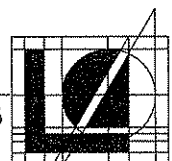
Impact on public utilities: The proposed change of use will not have a negative impact on the existing public utilities. As stated previously, The Well is not proposing to alter any of the exterior site features, thus the storm water systems on site shall remain unchanged. Although The Well is proposing to build two toilet rooms to serve its members, the peak usage will be for a few hours on Sunday mornings and evenings during a time in which the usage on the public water and sewage systems is typically very low. During the remaining portion of the week the impact will actually be less than that of a typical business given that the activities on site will most likely occur during the evenings and weekends.

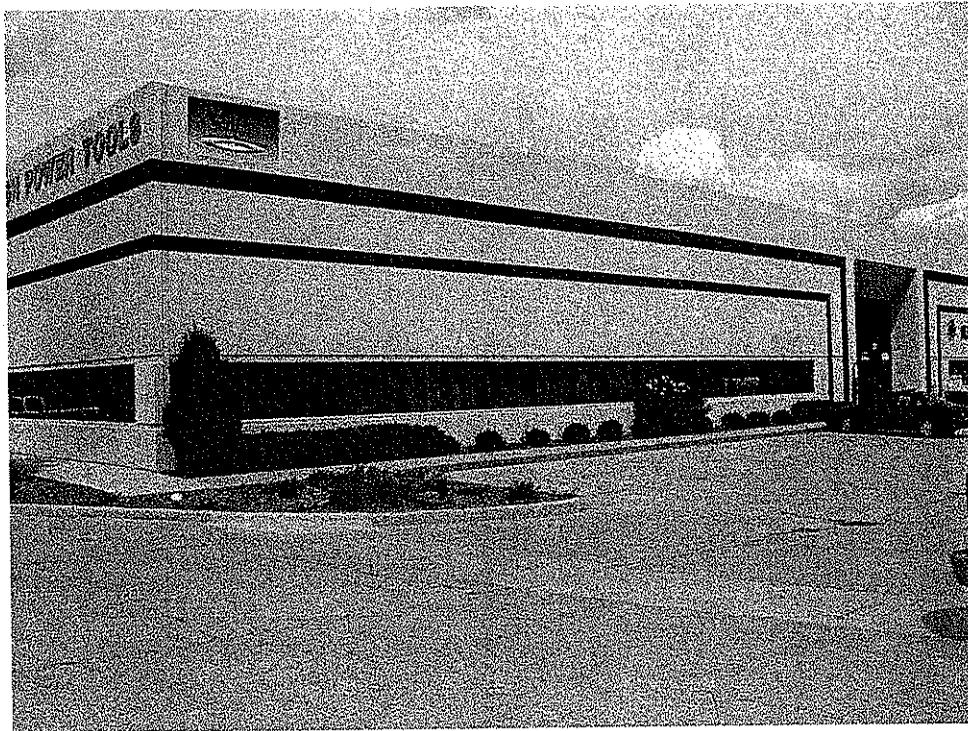
Storage and handling of any hazardous materials: No hazardous materials are to be used, stored or disposed of on the site.

Traffic Impact Study: Given that The Well's peak traffic volume will occur on Sunday mornings and evenings, times in which traffic to other parts of the site will be at their absolute minimum and that the site is located off of Grand River Avenue, a five lane roadway, The Well is asking the Township to waive the traffic impact study as stated in the Impact Assessment Requirements. During a preliminary meeting with Township staff a question was proposed of whether or not the cars turning into the site on a Sunday could get backed up along Grand River. As a potential remedy to this concern, The Well agreed that they could block off the first entry into the parking lot on Sundays, thereby guiding the vehicles to the second entry into the site, located further north, should the need arise. This would allow for more stacking of cars as they slow down to make the turn into the parking area.

Historic and Cultural Resources: This project does not involve the alteration or demolition of structures 50 years old or older or of any historical significance.

Special Provisions: No special provisions are included.





SOUTHWEST CORNER OF BLDG.- FRONT ELEVATION OF INSIGHTS (WALL SIGN FOR THE WELL TO REPLACE JOHN DEERE)
NO OTHER FACADE CHANGES PROPOSED



SOUTHWEST CORNER OF BLDG.- SIDE ELEVATION OF THE WELL & INSIGHTS (WALL SIGN FOR THE WELL TO REPLACE JOHN DEERE)
NO OTHER FACADE CHANGES PROPOSED

EXIST. ELEVATIONS WITH NEW SIGNAGE FOR THE WELL

0840



Lindhout Associates architects aia pc

10465 citation drive, brighton, MI 48116-9510
www.lindhout.com (810)227-5668 fax: (810)227-5855

SKETCH PLAN SUBMITTAL
Issued for

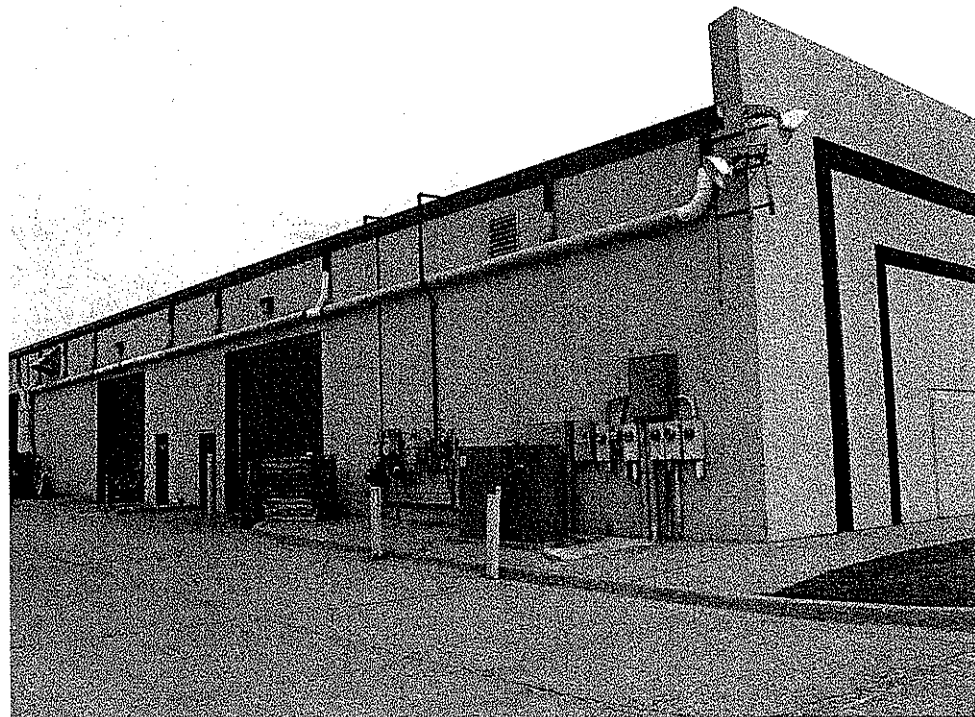
6-04-08
date

dr: HAO
app: d:

01



NORTHWEST CORNER OF BLDG.- SIDE ELEVATION OF THE WELL
 † INSIGHTS (WALL SIGN FOR THE WELL TO REPLACE JOHN DEERE)
 NO OTHER FACADE CHANGES PROPOSED



NORTHWEST CORNER OF BLDG.- REAR ELEVATION OF THE WELL
 NO FACADE CHANGES PROPOSED

EXIST. ELEVATIONS WITH NEW SIGNAGE FOR THE WELL

0840



Lindhout Associates architects aia pc

10465 citation drive, brighton, MI 48116-9510
 www.lindhout.com (810)227-5668 fax: (810)227-5855

SKETCH PLAN SUBMITTAL
 Issued for

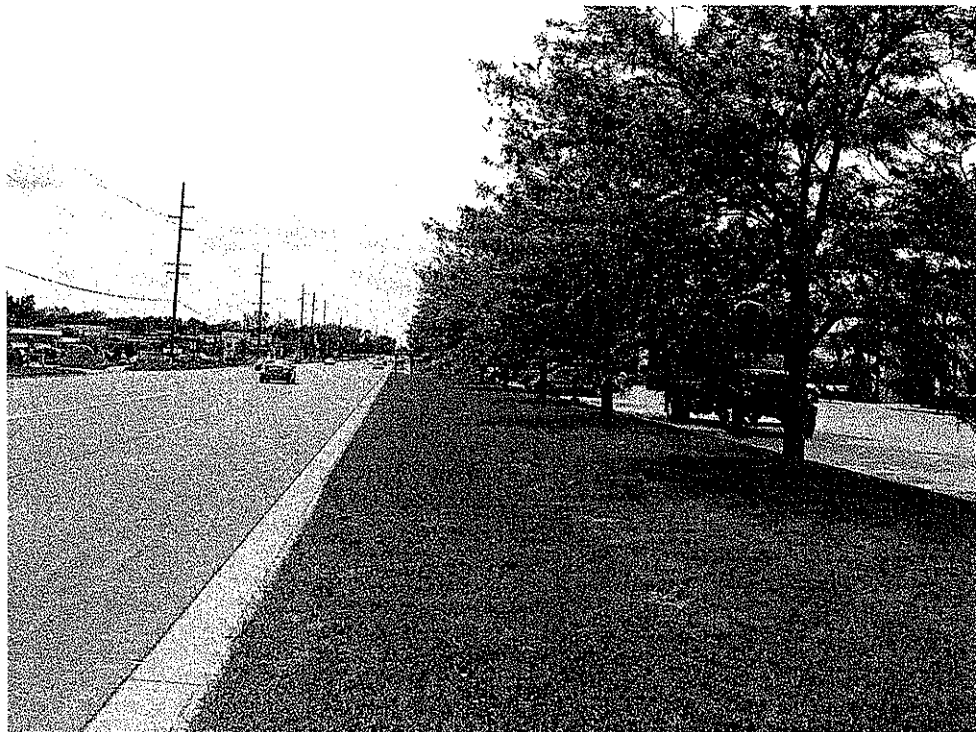
6-04-08
 date

dr: HAO
 app'd:

02



SOUTHWEST CORNER OF SITE- LOOKING SOUTHEAST ALONG GRAND RIVER AVENUE



SOUTHEAST CORNER OF SITE- LOOKING NORTHWEST ALONG GRAND RIVER AVENUE

IEWS ALONG GRAND RIVER AVENUE

0840



Lindhout Associates architects aia pc

10465 citation drive, brighton, MI 48116-9510
 www.lindhout.com (810)227-5668 fax: (810)227-5855

SKETCH PLAN SUBMITTAL
 Issued for

6-04-08
 date

dr: HAO
 app'd:

03



SOUTHWEST CORNER OF SITE- LOOKING NORTH



SOUTHEAST CORNER OF SITE- LOOKING NORTH

VIEWS ALONG EAST & WEST SIDES OF SITE

0840



Lindhout Associates architects aia pc

10465 citation drive, brighton, MI 48116-9510
 www.lindhout.com (810)227-5668 fax: (810)227-5855

SKETCH PLAN SUBMITTAL
 Issued for

6-04-08
 date

dr: HAO
 app'd:

04

GENOA TOWNSHIP
PER DIEM POLICY
DATED: FEBRUARY 21, 2005

The fee of a public official (per diem) in the form of an allowance for attendance at meetings, conferences or other special events authorized by the Genoa Township Board shall be periodically established. Currently the regular per diem for the Township Board Trustees is \$150.00; the regular per diem for the Planning Commission Members and Zoning Board of Appeals Members is \$125.00, with the Chairman of the Planning Commission and Zoning Board of Appeals receiving an additional \$5.00.

Per diems will be paid at the official's regular rate for the following:

1. Regularly scheduled meetings of the Township Board, Planning Commission and Zoning Board of Appeals.
2. Special meetings called by the Township Supervisor, Clerk or Treasurer.
3. Attendance as a Township representative at regularly scheduled meeting of a governmental body affiliated with the Township unless a per diem is paid by the governmental body.
4. Attendance at conferences or other events when approved by the Township Board. The participant shall be entitled to a per diem for each day of the conference or event including travel days.

Per diems will be paid at one-half of the official's regular rate for the following:

1. Staff meetings called by the Manager for other elected Township officials.

The motion carried unanimously.

9. Public hearing for consideration of the termination of a special use permit authorized for John Conely on April 5, 2004 and cited for violation in the Jan. 7, 2005 correspondence from Rick Heikkinen.

The board noted several issues and inconsistencies between the approved site plan and what has taken place on the property today. It was the consensus of the board to work with the petitioner and his counsel (Jeffrey Dobson) to resolve the outstanding issues. Moved by Mortensen, supported by Smith, to table the petition and allow the Manager, Supervisor and Township attorney to discuss the issues and come to an amicable settlement of the problem.

The motion carried unanimously.

10. Request for approval of a resolution of indemnification of township officers and employees as requested by Heikkinen.

Moved by Mortensen, supported by Ledford, to approve the indemnification resolution adding the following language: This resolution shall not diminish any protection otherwise provided by the Statues of the State of Michigan.”

The motion carried unanimously.

11. Request for approval of a per diem policy for township officials attending meetings and/or other approved events.

Moved by Smith, supported by Hunt, to approve the per diem policy as requested.

The motion carried unanimously.

12. Request for approval of Resolution No. 1 (To Proceed with the Project and approve the preliminary Plans and Cost Estimates and Establish the First Public Hearing) for Rolling Meadows Subdivision Road Improvement Project.

Moved by Skolarus, supported by Ledford, to approve resolution No. 1 setting the first public hearing for Monday, March 7, 2005 at 6:30 p.m. at the Genoa Township hall.

The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nay – None. Absent – None.

The clerk submitted articles for the next newsletter. The newsletter will be sent early in March.

The regular meeting of the township board was adjourned at 8:45 p.m.

Paulette A. Skolarus

Genoa Township Clerk



SOUTHWEST CORNER OF SITE- LOOKING SOUTHEAST ALONG GRAND RIVER AVENUE



SOUTHEAST CORNER OF SITE- LOOKING NORTHWEST ALONG GRAND RIVER AVENUE

IEWS ALONG GRAND RIVER AVENUE

0840



Lindhout Associates architects aia pc

10465 citation drive, brighton, MI 48116-9510
 www.lindhout.com (810)227-5668 fax: (810)227-5855

SKETCH PLAN SUBMITTAL
 issued for

6-04-08
 date

dr: HAO
 app'd:

03



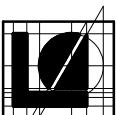
NORTHWEST CORNER OF BLDG.- SIDE ELEVATION OF THE WELL
 & INSIGHTS (WALL SIGN FOR THE WELL TO REPLACE JOHN DEERE)
 NO OTHER FACADE CHANGES PROPOSED



NORTHWEST CORNER OF BLDG.- REAR ELEVATION OF THE WELL
 NO FACADE CHANGES PROPOSED

EXIST. ELEVATIONS WITH NEW SIGNAGE FOR THE WELL

0840



Lindhout Associates architects aia pc

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 www.lindhout.com (810)227-5668 fax: (810)227-5855

SKETCH PLAN SUBMITTAL
 issued for

6-04-08
 date

dr: HAO
 app'd:

02



SOUTHWEST CORNER OF BLDG.- FRONT ELEVATION OF INSIGHTS (WALL SIGN FOR THE WELL TO REPLACE JOHN DEERE) NO OTHER FACADE CHANGES PROPOSED



SOUTHWEST CORNER OF BLDG.- SIDE ELEVATION OF THE WELL & INSIGHTS (WALL SIGN FOR THE WELL TO REPLACE JOHN DEERE) NO OTHER FACADE CHANGES PROPOSED

EXIST. ELEVATIONS WITH NEW SIGNAGE FOR THE WELL

0840



Lindhout Associates architects aia pc

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www.lindhout.com (810)227-5668 fax: (810)227-5855

SKETCH PLAN SUBMITTAL
issued for

6-04-08
date

dr: HAO
app'd:

01



SOUTHWEST CORNER OF SITE- LOOKING NORTH



SOUTHEAST CORNER OF SITE- LOOKING NORTH

VIEWS ALONG EAST & WEST SIDES OF SITE

0840



Lindhout Associates architects aia pc

10465 citation drive, brighton, MI 48116-9510
 www.lindhout.com (810)227-5668 fax: (810)227-5855

SKETCH PLAN SUBMITTAL
 issued for

6-04-08
 date

dr: HAO
 app'd:

04

Michael C. Archinal
GENOA TOWNSHIP
2911 Dorr Road
Brighton, MI 48116

July 11, 2008

Michael,

I would recommend starting with a 1# application of nitrogen to get the grass going, I also would want to do one or two soil test to determine if there is a shortfall with other nutrients. Having differences with one nutrient could negatively affect the expected results of the fertilizer applications delaying the progress of the fields. The next application or applications would be based on the results of the soil test to make sure all nutrients are brought up to adequate levels.

After the soccer fields have achieved a significant increase in the growth rate I would recommend a herbicide application to control the weeds that have established on the fields. Although summer is not the ideal time to do this application I would hope for about 85% control now with a follow up application in October.

The mowing height should be set at 2" starting now with one mowing a week and going to two mowings a week once the turf is growing more aggressively if possible, this will help with the density of the turf. The watering schedule is fine for now once the turf density increases once a day will be adequate.

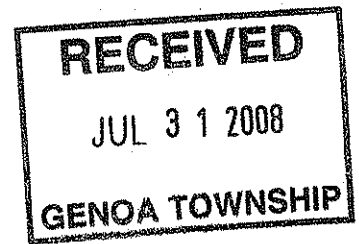
The first application of fertilizer will cost \$540.00. This would need to be watered in after application. The type of fertilizer used in subsequent applications will change based on the soil test results although I do not believe there will a large difference in cost unless there is a price increase from the manufacture. I would recommend 5-6 applications though October to try and force as much growth as possible by mid September.

Each herbicide application would cost \$630.00. One may be enough although I would plan on two. If the control is high enough spot spraying the weeds in the fall will also work and limit cost.

I would like to help you with this project as a consultant or as a consultant/supplier. The consulting fees would \$300.00 per month as long as you would like my services.

Regards

Dan Johanningsmeier
Cell (810)599-7619



Date: 2008.07.29

To: Genoa Township Board of Trustees

From: David and Carol Cary, Wade Ortwine, Craig and Judith Tolles, Ralph and Laura Christensen, Russell and Phillis Thomas, Tim Brown

Subject: Lot 2 Long Lake Shores Access

It has come to our attention that Daniel and Lisa Grassi are claiming access to Lot 2 Long Lake Shores. We have reviewed the board minutes of August 06, 2007, May 05, 2008 and July 07, 2008.

The facts as we know them:

1. We filed suit in Circuit Court against O'Keefe to secure our rights to use of Lot 2 of Long Lake Shores on 9/24/04.
2. We recorded a Lis Pendens against Lot 2 to notify the public that a lawsuit was in progress regarding this property on 9/28/04. See attached document.
3. A Consent Order on this case to partially quiet the deed to Lot 2 was made by Judge Reader on 6/24/05. The order among other things quieted "any present or future interests" by David and Dorothy Horne (owners of record of Lot 4 & 5 Chemung Lakeview), their heirs or assigns, grantors that the Horne's agreed to on 5/17/05. See attached document, pgs 3 & 4.
4. We settled the case 4/3/06. The attached "Stipulation" listed the parties involved in the case, the requirement of an easement agreement between those parties and Genoa Township. The attached "Order" again indicates the creation of an easement agreement between the parties and Genoa Township and a statement that the Court retains jurisdiction in disputes between the parties and Genoa Township. The attached "Easement Agreement" lists the parties this agreement pertains to. The Hornes/Grassi's are not listed. Agreement item 2 states that the grant is for those listed. Item 4 states that this grant supercedes any prior grant of easement by anyone in the chain of title. Item 6 states that the township cannot prohibit our listed uses. Item 9 states that the township cannot allow the public to use the premises. Item 12 states that the township will not disturb or otherwise interfere with our use of the premises as outlined nor eliminate or terminate this grant.
5. The Lis Pendens still remains recorded against Lot 2 LLS.

Based on the above facts we believe that the Horne's did relinquish their easement rights to Lot 2 prior to the sale of the property. We have been told by Dorothy Horne and the selling agent (see the listing attached) that this property was marketed as a "Lakeview" property and that "a public access boat ramp is 1/2 mile away". They have told us that they did not knowingly convey access to Lot 2 and in any case they did not have a right to pass this grant on due to the Consent Order.

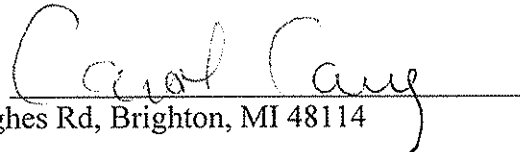
We strongly object to any additional grants and intend to defend our rights as necessary.

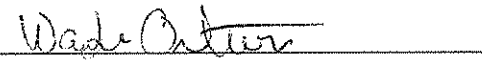
Date: 2008.07.29

To: Genoa Township Board of Trustees

SIGNATURE PAGE

David Cary 
1813 S Hughes Rd, Brighton, MI 48114


Carol Cary 
1813 S Hughes Rd, Brighton, MI 48114

Wade Ortwine 
1835 S Hughes Rd, Brighton, MI 48114

Craig Tolles _____
7831 Debora Dr, Brighton, MI 48114

Judith Tolles _____
7831 Debora Dr, Brighton, MI 48114

Ralph Christensen 
1789 S Hughes Rd, Brighton, MI 48116

Laura Christensen 
1789 S Hughes Rd, Brighton, MI 48116

Russell Thomas _____
22246 Virginia St. Eastpointe, MI 48021

Phillis Thomas _____
22246 Virginia St. Eastpointe, MI 48021

Tim Brown _____
1785 Hughes Rd, Brighton, MI 48114

Date: 2008.07.29

To: Genoa Township Board of Trustees


SIGNATURE PAGE

David Cary _____
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Date: 2008.07.29

To: Genoa Township Board of Trustees

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Russell Thomas _____
22246 Virginia St. Eastpointe, MI 48021

Phillis Thomas _____
22246 Virginia St. Eastpointe, MI 48021

Tim Brown  _____
1785 Hughes Rd, Brighton, MI 48114

STATE OF MICHIGAN JUDICIAL DISTRICT 44th JUDICIAL CIRCUIT COUNTY PROBATE	SUMMONS AND COMPLAINT	CASE NO. 04-20981-CH Judge
---	------------------------------	----------------------------------

Court address 204 S. Highlander Way, Howell MI 48843

Court Telephone no. (517) 546-9816

Plaintiff name(s), address(es), and telephone no(s).
 David V. Cary, Carol E. Cary, Wade Ortwine,
 Craig Tolles, Judith Tolles, Steven
 Zamper, Alicia Zamper and Timothy Brown
 c/o 110 North Michigan Avenue
 Howell MI 48843

V

Defendant name(s), address(es), and telephone no(s).
 John Dennis O'Keefe
 PO Box 60241, Boulder City, NV 89006

 Linda Kristine O'Keefe
 PO Box 60241, Boulder City, NV 89006

Plaintiff attorney, bar no., address, and telephone no.
 Richard A. Heikkinen P-14835
 THE HEIKKINEN LAW FIRM, P.C.
 110 North Michigan Avenue
 Howell MI 48843
 (517) 546-1434

JUDGE BURRESS
 P-11445

SUMMONS NOTICE TO THE DEFENDANT:

In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. YOU HAVE 21 DAYS after receiving this summons to file an answer with the court and serve a copy on the other party or to take other lawful action (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued 9/24/04	This summons expires 12/24/04	Court de MARGARET M. DUNLEAVY Clerk of Circuit Court Howell, Michigan 48843
-------------------	----------------------------------	---

*This summons is invalid unless served on or before its expiration date.

COMPLAINT Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form

Family Division Cases

- There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.
- An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.

The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
------------	-------	---------

General Civil Cases

- There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in _____ Court.

The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
------------	-------	---------

VENUE

Plaintiff(s) residence (include city, township, or village) Howell, Livingston County, Michigan	Defendant(s) residence (include city, township, or village) Howell, Livingston County, Michigan
Place where action arose or business conducted Howell, Livingston County, Michigan	

September, 2004

Date Signature of attorney/plaintiff Richard A. Heikkinen

You require special accommodations to use the court because of disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

(RETURN)

546-9816

COPY

STATE OF MICHIGAN

IN THE 44TH CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

DAVID V. CARY, CAROL E.
CARY, WADE ORTWINE,
CRAIG TOLLES, JUDITH
TOLLES, STEVEN ZEMPER,
ALICIA ZEMPER, and
TIMOTHY BROWN,

Plaintiffs,

Case. No. 04- 20986 -CH

vs.

Hon. Daniel A. Burress

JOHN DENNIS O'KEEFE and LINDA
KRISTINE O'KEEFE,

Defendants.

Richard A. Heikkinen P-14835

Attorney for Plaintiffs
110 North Michigan Avenue
Howell MI 48843
(517) 546-1434

Notice of Lis Pendens

Notice is given that an action has been commenced and is pending in court on a complaint filed by Plaintiff against Defendant for (1) the right of ingress and egress over the entire Lot 2 of Long Lake Shores for the purposes of recreational activities, swimming in the lake and erecting a dock and mooring boats and other normal

THE HEIKKINEN LAW FIRM
PROFESSIONAL CORPORATION
110 NORTH MICHIGAN AVE.
HOWELL, MI 48843-2298

(517) 546-1434
(517) 546-6775

and customary Riparian Rights, and (2) to confer title of Lot 2 of Long Lake Shores to the Plaintiffs.

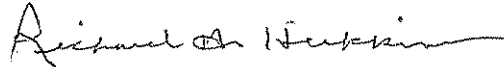
Notice is also given that the premises to be affected by this action is located in Genoa Township, Livingston County, Howell, Michigan and is described as follows:

Section 11, T2N-R5E, "Long Lake Shores", Lot 2 (0.17 acres more or less)

Tax Id No. 4711-11-305-002

Respectfully submitted,

THE HEIKKINEN LAW FIRM, P.C.



By:

Richard A. Heikkinen P-14835
Attorney for Plaintiffs

Dated: September 28, 2004



Recorded
9/28/04

THE HEIKKINEN LAW FIRM
PROFESSIONAL CORPORATION
110 NORTH MICHIGAN AVE.
HOWELL, MI 48843-2298

Upon Recording Return To: The Heikkinen Law Firm,
110 N. Michigan Avenue
Howell, MI 48843

(517) 546-1434

(517) 546-6775

JUN 24 2005

STATE OF MICHIGAN
IN THE 44TH CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

DAVID V. CARY, CAROL E. CARY,
WADE ORTWINE,
CRAIG TOLLES, JUDITH TOLLES,
STEVEN ZEMPER, ALICIA ZEMPER and
TIMOTHY BROWN

Plaintiffs/Counter Defendants,

v

Case No. 04- 20986 -CH
Hon. David J. Reader

JOHN DENNIS O'KEEFE &
LINDA KRISTINE O'KEEFE

Defendants/Counter Plaintiffs

AND

JOHN DENNIS O'KEEFE &
LINDA KRISTINE O'KEEFE

**CONSENT ORDER PARTIALLY
QUIETING TITLE TO REAL
PROPERTY**

Third Party Plaintiffs

v

DAVID C. HORNE, DOROTHYJ. HORNE,
JACK C. WEIMEISTER, MARY LOUISE WEIMEISTER,
LEGACY XIII LIMITED PARTNERSHIP, a MI Ltd. Partnership,
RUSSELL J. THOMAS, PHILLIS SUSAN THOMAS,
ROBERT M. REID, Trustee U/T/A dated
05/11/67 as amended 04/29/88
ROBERT E. STRONG, ELSIE STRONG,
HAGOP S. DERDERIAN and SIRAN DERDERIAN
And any and all lot owners in Chemung Lakeview Subdivision
and/or their unknown heirs, successors
and assigns of all parties listed herein,
Jointly and severally,

Third Party Defendants.

LIVINGSTON COUNTY CLERK
05 JUN 24 PM 3: 07

Richard A. Heikkinen (P14835)
 Attorney for Plaintiff
 110 North Michigan Ave.
 Howell, MI 48843
 Tel (517)546-1434
 Fax (517) 546-6775

David T. Bittner (P44948)
 BARLEY & BITTNER, P.C.
 Attorney for O'Keefe
 213 E. Grand River
 Howell, MI 48843
 Tel (517) 546-7363
 Fax (517) 546-5860

CONSENT ORDER PARTIALLY QUIETING TITLE TO REAL PROPERTY

AT A SESSION OF SAID COURT HELD IN THE
 COURTHOUSE IN THE CITY OF HOWELL,
 COUNTY OF LIVINGSTON AND STATE OF
 MICHIGAN THIS 24 DAY OF June 2005

PRESENT: HONORABLE DAVID J. READER
 44TH CIRCUIT COURT JUDGE

This matter having come before the Court on the consent of the undersigned parties and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED: That the real property that is the subject matter of this action is located in Genoa Township, Livingston County, Michigan and is more particularly described as:

Lot 2, Long Lake Shores, according to the plat thereof as recorded in Liber 2 of Plats, page 7, Livingston County Records.

IT IS HEREBY FURTHER ORDERED: That title to the above referenced real property is quieted in John Dennis O'Keefe and Linda Kristine O'Keefe, husband and wife, grantee, with respect to any present or future interest of Jack C. Weimeister and Mary Louise Weimeister, their heirs or assigns, grantors, by virtue of grantors' ownership interest in real property located in Genoa Township, Livingston County, Michigan more particularly described as:

Lots 5 and 8, Long Lake Shores, according to the plat thereof as recorded in Liber 2 of Plats, page 7, Livingston County Records.

IT IS HEREBY FURTHER ORDERED: That title to the above referenced real property is quieted in John Dennis O'Keefe and Linda Kristine O'Keefe, husband and wife, grantee, with respect to any present or future interest of Robert M. Reid, Trustee under Trust Agreement Dated May 11, 1967 as amended April 29, 1988, his heirs or assigns, grantor, by virtue of grantor's ownership interest in real property located in Genoa Township, Livingston County, Michigan more particularly described as:

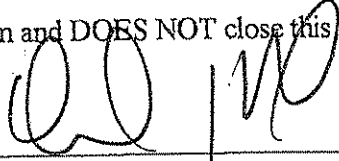
Lot 7, Long Lake Shores, according to the plat thereof as recorded in Liber 2 of Plats, page 7, Livingston County Records.

IT IS HEREBY FURTHER ORDERED: That title to the above referenced real property is quieted in John Dennis O'Keefe and Linda Kristine O'Keefe, husband and wife, grantee, with respect to any present or future interest of David C. Horne and Dorothy J. Horne, husband and wife, their heirs or assigns, grantors, by virtue of grantors' ownership interest in real property located in Genoa Township, Livingston County, Michigan more particularly described as:

Lots 4 and 5, Long Lake Shores, according to the plat thereof as recorded in Liber 2 of Plats, page 7, Livingston County Records.


IT IS HEREBY FURTHER ORDERED: That no costs or attorney fees are awarded to any party as a result of entry of this Order.

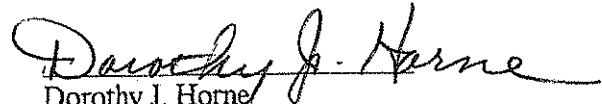
This order does NOT resolve the last pending claim and DOES NOT close this case



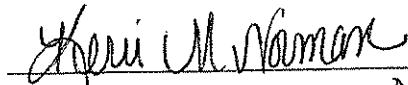
HON DAVID J. READER
44TH CIRCUIT COURT JUDGE

I HEREBY CONSENT TO ENTRY OF THIS ORDER WHICH IS APPROVED AS TO FORM AND CONTENT.


David C. Horne


Dorothy J. Horne

Subscribed and sworn to before me this 17 day of May, 2005 by David C. Horne and Dorothy J. Horne.


_____, Notary Public
Garland County,
Acting in Garland County
My Commission Expires: Nov 22, 2006

KERRI M. NORMAN
NOTARY PUBLIC - ARKANSAS
MY COMMISSION EXPIRES NOV. 22, 2006
GARLAND COUNTY

03 2006

STATE OF MICHIGAN
IN THE 44TH CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

DAVID V. CARY, CAROL E. CARY,
WADE ORTWINE, CRAIG TOLLES,
JUDITH TOLLES, STEVEN ZEMPER,
ALICIA ZEMPER, and TIMOTHY
BROWN,

Plaintiffs/Counter-Defendants

Case. No. 04-20986-CH

vs.

Hon. David J. Reader

JOHN DENNIS O'KEEFE and
LINDA KRISTINE O'KEEFE,

Defendants/Counter-Plaintiffs,

AND

JOHN DENNIS O'KEEFE and
LINDA KRISTINE O'KEEFE,

Third Party Plaintiffs,

vs.

DAVID C. HORNE, DOROTHY HORNE,
JACK C. WEIMEISTER, MARY LOUISE WEIMEISTER,
LEGACY XIII LIMITED PARTNERSHIP, a MI Ltd.
Partnership, RUSSELL J. THOMAS, PHILLIS
SUSAN THOMAS, ROBERT M. REID, Trustee
U/T/A dated 05/11/67 as amended 04/29/88,
ROBERT E. STRONG, ELSIE STRONG, HACOP S.
DERDERIAN and SIRAN DERDERIAN,
And any and all lot owners in Chemung Lakeview
Subdivision and/or their unknown heirs, successors
and assigns of all parties listed herein,
Jointly and severally,

Third Party Defendants.

FILED
LIVINGSTON COUNTY CLERK
06 APR -3 11 10:38

Richard A. Heikkinen P-14835
Attorney for Plaintiffs
110 North Michigan Avenue
Howell MI 48843
(517) 546-1434

David T. Bittner (P-44948)
Attorney for Defendants
213 E. Grand River
Howell MI 48843
(517) 546-7363

THE HEIKKINEN LAW FIRM
PROFESSIONAL CORPORATION
110 NORTH MICHIGAN AVE.
HOWELL, MI 48843-2298

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STIPULATION

STIPULATION

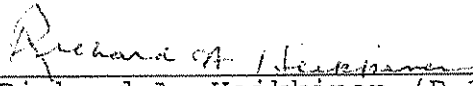
NOW COMES Plaintiffs and Defendants and do hereby stipulate and agree as follows:


1. JOHN DENNIS O'KEEFE and LINDA KRISTINE O'KEEFE are the owners of Lots 2 of Long Lake Shores.
2. The Genoa Township desires to acquire Lot 2 for the purpose of constructing an expansion of the existing open drain for stormwater discharge into Lake Chemung that is located on Lot 2 Long Lake Shores.
3. The Township of Genoa and the parties who claim a right to use the said Lot 2 for recreational purposes and access to Lake Chemung will execute an easement agreement clarifying the rights of Genoa Township and the parties desiring to use the said Lot 2.
4. Genoa Township and JOHN DENNIS O'KEEFE and LINDA KRISTINE O'KEEFE have agreed upon a consideration for the purchase.
5. JOHN DENNIS O'KEEFE and LINDA KRISTINE O'KEEFE, covenant that they have not encumbered the title to the said Lot 2 Long Lake Shores with any liens or mortgages or other encumbrances.
6. That JOHN DENNIS O'KEEFE and LINDA KRISTINE O'KEEFE will upon payment of the agreed upon consideration deliver to Genoa Township a duly executed Quit Claim Deed conveying title to the property to Genoa Township and they shall pay the County of Livingston and State of Michigan transfer taxes.
7. That upon completion of the foregoing items contained herein, the parties agree to execute through their attorneys, a Dismissal with Prejudice of the within litigation.
8. Ralph Christensen and Laura Christensen shall be added as party Plaintiffs for the reason that they purchased the real estate formerly owned by Steven Zemper and Alicia Zemper.

THE HEIKKINEN LAW FIRM
PROFESSIONAL CORPORATION
110 NORTH MICHIGAN AVE.
HOWELL, MI 48843-2298

(517) 546-1434

(517) 546-6775


Richard A. Heikkinen (P-14835)
Attorney for Plaintiffs
Dated: March , 2006
April 3rd


David T. Bittner (P-44948)
Attorney for Defendants
Dated: March 3rd, 2006
April

APR 03 2006

LIVINGSTON COUNTY CLERK
06 APR - 3 10:38

STATE OF MICHIGAN
IN THE 44TH CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

DAVID V. CARY, CAROL E. CARY,
WADE ORTWINE, CRAIG TOLLES,
JUDITH TOLLES, STEVEN ZEMPER,
ALICIA ZEMPER, and TIMOTHY
BROWN,

Plaintiffs/Counter-Defendants

Case. No. 04-20986-CH

vs.

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LINDA KRISTINE O'KEEFE,

Defendants/Counter-Plaintiffs,

AND

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LINDA KRISTINE O'KEEFE,

Third Party Plaintiffs,

vs.

DAVID C. HORNE, DOROTHY HORNE,
JACK C. WEIMEISTER, MARY LOUISE WEIMEISTER,
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Partnership, RUSSELL J. THOMAS, PHILLIS
SUSAN THOMAS, ROBERT M. REID, Trustee
U/T/A dated 05/11/67 as amended 04/29/88,
ROBERT E. STRONG, ELSIE STRONG, HACOP S.
DERDERIAN and SIRAN DERDERIAN,
And any and all lot owners in Chemung Lakeview
Subdivision and/or their unknown heirs, successors
and assigns of all parties listed herein,
Jointly and severally,

Third Party Defendants.

Richard A. Heikkinen P-14835
Attorney for Plaintiffs
110 North Michigan Avenue
Howell MI 48843
(517) 546-1434

David T. Bittner (P-44948)
Attorney for Defendants
213 E. Grand River
Howell MI 48843
(517) 546-7363

THE HEIKKINEN LAW FIRM
PROFESSIONAL CORPORATION
110 NORTH MICHIGAN AVE.
HOWELL, MI 48843-2298

(517) 546-1434

(517) 546-6775

ORDER

ORDER

A at session of said Court held in the City of
Howell, County of Livingston, State of Michigan
on this 3 day of ^{April} March, 2006

PRESENT: HON. DAVID J. READER, CIRCUIT COURT JUDGE

Upon the agreement of the parties to entry of this Order
and the Court being fully advised in the premises,

IT IS HEREBY ORDERED that all claims made by the parties
in the above captioned case are dismissed with prejudice.

IT IS FURTHER ORDERED that the rights of the parties and
Genoa Township regarding the use of Lot 2 Long Lake Shores are
memorialized in the Easement Agreement executed by the
parties.

IT IS FURTHER ORDERED that the Easement Agreement be
recorded with the Livingston County Register of Deeds.

IT IS FURTHER ORDERED that the Court shall retain
jurisdiction to settle any dispute between Genoa Township and
the parties regarding the interpretation of the Easement
Agreement.

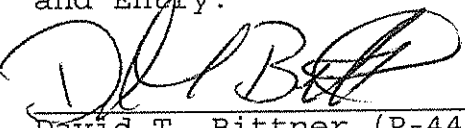
IT IS FURTHER ORDERED THAT Ralph Christensen and Laura
Christensen shall be added as party Plaintiffs for the reason
that they purchased the real estate formerly owned by Steven
Zemper and Alicia Zemper.

IT IS HEREBY ORDERED that this is a final Order and the
case is closed.



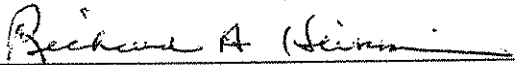
David J. Reader
Circuit Court Judge

Approved as to Form and Content
and Entry:



David T. Bittner (P-44948)
Attorney for Defendants

Prepared By:



Richard A. Heikkinen P-14835
Attorney for Plaintiffs

THE HEIKKINEN LAW FIRM
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110 NORTH MICHIGAN AVE.
HOWELL, MI 48843-2298

(517) 546-1434

X (517) 546-6775



* 2006R-009916 *

2006R-009916

RECORDED ON

06/29/2006 11:01:51AM

SALLY REYNOLDS

REGISTER OF DEEDS

LIVINGSTON COUNTY, MI 48843

RECORDING: 25.00

RENON: 4.00

PAGES: 6

6

HE

COPY

EASEMENT AGREEMENT

This Easement Agreement is made this 5th day of April, 2006, by and between Genoa Township, a charter township, with offices located at 2911 Dorr Road, Brighton, Michigan 48116, hereinafter referred to as "Grantor", and David V. Cary and Carol E. Cary, his wife, of 1813 Hughes Road, Brighton, Michigan 48114, Wade Ortwine, a single man, of 1835 Hughes Road, Brighton, Michigan 48114, Craig Tolles and Judith Tolles, his wife, of 7831 Debora, Brighton, Michigan 48114, Ralph Christensen and Laura Christensen, his wife, of 1789 Hughes Road, Brighton, Michigan 48114, Russell J. Thomas and Phillis Susan Thomas, his wife, 22246 Virginia Avenue, Eastpointe, Michigan 48021 and Timothy Brown, a single man, of 1785 Hughes Road, Brighton, Michigan 48114, hereinafter referred to as "Grantees",

RECITALS

WHEREAS, the Grantor is a charter township owning Lot 2 of Long Lake Shores located in Genoa Township, Livingston County, State of Michigan, which property is legally described as follows:

Lot 2 of Long Lake Shores, being a part of the Southwest quarter of Southwest quarter of Section 11, T2N, R5E, Michigan, as duly laid out, platted and recorded in Liber 2 of Plats, page 7, Livingston County Records, and

WHEREAS, David V. Cary and Carol E. Cary are the owners of Lots 1 and 2 of Chemung Lakeview, which property is legally described as follows:

Lots 1 and 2 of Chemung Lake View Subdivision as duly laid out, platted and recorded, Liber 7 of Plats, page 44, Livingston County Records, and

WHEREAS, Wade Ortwine is the owner of Lot 3 of Chemung Lakeview, which property is legally described as follows:

Lot 3 of Chemung Lake View Subdivision as duly laid out, platted and recorded, Liber 7 of Plats, page 44, Livingston County Records, and

WHEREAS, Craig Tolles and Judith Tolles are the owners of the following described property,

A part of the Southwest 1/4 of the Southwest 1/4 of Section 11, T2N, R5E, Genoa Township, Livingston County, Michigan described as follows: Beginning at a point South 00*20'00" East 228.97 feet (recorded as South 00*18" West) from the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section; thence continuing South 00*20'00" East 51.17 feet to the Northeast corner of Lot 1 of "Chemung Lakeview" a subdivision as duly laid out, platted and recorded in Liber 7 of Plats, page 44, Livingston County Records; thence North 71*13'00" West along the North line of said Lot; 329.69 feet (recorded as 329.55 feet) to the Northwest corner of said Lot; thence continuing North 71*13'00" West 33.87 feet to the centerline of Hughes Road; thence North 29*24'40" East 50.16 feet; thence South 71*03'59" East 337.20 feet to the Point of Beginning, containing 0.39 acres more or less and subject to the rights of the public over the existing Hughes Road. (Symbol * = degrees)

WHEREAS, Ralph Christensen and Laura Christensen are owners of the following described property,

Part of the Southwest 1/4 of Section 11, T2N, R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at a point distant North 00 degrees 17 minutes 19 seconds East 279.28 feet (previously recorded as North 00 degrees 20 minutes 00 seconds East 280.14 feet) from the Northeast corner of Lot 1 of Chemung Lakeview (Liber 7, page 44, Livingston County Records) to the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section 11; thence continuing from said point, South 00 degrees 17 minutes 19 seconds West (previously recorded as South 00 degrees 20 minutes 00 seconds West) 80.00 feet to the point of beginning of the parcel to be described; thence South 00*17'19" West (previously recorded as South 00*20'00" West), 148.11 feet; thence North 71 degrees 06 minutes 14 seconds West 337.12 feet (previously recorded as North 71 degrees 03 minutes 59 seconds West, 337.20 feet); thence along the

centerline of Hughes Road (66 foot wide Right-of-Way) north 30 degrees 14 minutes 12 seconds East (previously recorded as North 29 degrees 24 minutes 40 seconds East) 74.79 feet; thence North 88 degrees 48 minutes 22 seconds East 47.66 feet; thence South 88 degrees 51 minutes 07 seconds East 93.36 feet; thence South 81 degrees 27 minutes 29 seconds East 56.01 feet; thence South 79 degrees 06 minutes 29 seconds East 87.25 feet to the point of beginning. Also a non-exclusive 12 foot right of way across the North side of Lot 2 of Long Lake Shores, as recorded in Liber 2 of Plats, page 7, Livingston County Records. (Symbol * = degrees)

WHEREAS, Russell J. Thomas and Phillis Susan Thomas are the owners of Lot 6 of Chemung Lakeview, which property is legally described as follows:

Lot 6 of Chemung Lake View Subdivision as duly laid out, platted and recorded, Liber 7 of Plats, page 44, Livingston County Records, and

WHEREAS, Timothy Brown is the owner of the following described property.

Part of the Southwest 1/4 of Section 11, T2N, R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at a point distant North 00 degrees 17 minutes 19 seconds East 279.28 feet (previously recorded as North 00 degrees 20 minutes 00 seconds East 280.14 feet) from the Northeast corner of Lot 1 of "Chemung Lakeview" (Liber 7, page 44, L.C.R.) to the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section 11, and the Point of Beginning of the Parcel to be described; thence continuing from said point South 00 degrees 17 minutes 19 seconds West (previously recorded as South 00 degrees 20 minutes 00 seconds West) 80.00 feet; thence North 79 degrees 06 minutes 29 seconds West 87.25 feet; thence North 81 degrees 27 minutes 29 seconds West 56.01 feet; thence North 88 degrees 51 minutes 07 seconds West 93.36 feet; thence South 88 degrees 48 minutes 22 seconds West 47.65 feet; thence along the centerline of Hughes Road (66 foot wide Right-of-Way) North 30 degrees 14 minutes 12 seconds East (previously recorded as North 29 degrees 24 minutes 40 seconds East) 75.13 feet; thence South 87 degrees 31 minutes 09 seconds East 244.83 feet (previously recorded as 244.89 feet) to the Point of Beginning. Also a 12 foot Right of Way across the North side of Lot 2 of Long Lake Shores as recorded in Liber 2, page 7 of plats, Livingston County Records. (Symbol * = degrees)

WHEREAS, John Dennis O'Keefe and Linda Kristine O'Keefe, his wife were the owners of Lot 2 of Long Lake Shores, and

WHEREAS, a lawsuit in Livingston County Circuit Court wherein the above named persons have sued Dennis O'Keefe and Linda Kristine O'Keefe to obtain a Judgment establishing their right to go on Lot 2 of Long Lake Shores for recreational purposes, and

WHEREAS, the above named Grantees or their predecessors in interest have either erected or used a dock for mooring of boats that extends into Lake Chemung from Lot 2 Long Lake Shores, and

WHEREAS, a 10 foot wide open drain for storm water runoff as located on the North 10 feet of Lot 2 Long Lake Shores, and

WHEREAS, Lot 2 Long Lake Shores is 58 feet wide on the East boundary adjoining Hughes Road and 50 feet wide on the West boundary, and

WHEREAS, the Grantor desires to expand the storm water drain and increase the width of the drain by 12 feet, and

WHEREAS, Genoa Township has acquired the said Lot 2 Long Lake Shores from John Dennis O'Keefe and Linda Kristine O'Keefe and agrees to allow Grantees and their successors in interest to continue to use the remainder of Lot 2 Long Lake Shores for recreational purposes subject to the terms of this agreement.

WHEREAS, the Grantor and Grantees desire to establish and redefine the rights and duties of the Grantor and the Grantees vis a vis the subject Lot 2 of Long Lake Shores.

NOW THEREFORE, in consideration of the benefits received by all of the parties, IT IS AGREED as follows:

1. The Grantees shall dismiss their lawsuit filed in the 44th Circuit Court for the County of Livingston, State of Michigan, Circuit Court Case No.04-20986-CH.
2. The Grantor does hereby grant to the Grantees, their heirs, assigns and successors in interest shall have the right to use Lot 2 Long Lake Shores, except for the area taken by the open drain, as modified, for recreational purposes. This Grant of Easement shall run with the lands owned by the Grantees as hereinabove set forth.
3. Recreational purposes shall include sunbathing, game playing, picnicing, fishing, erecting a dock with seven slips (one per each of the owners of the seven parcels of real estate above described) for mooring of boats and in general obtaining access to Lake Chemung. Boats owned by persons other than the Grantees and their successors in interest shall not be launched or moored from the said Lot 2 Long Lake Shores. Boats owned by third parties may be temporarily docked but shall not remain overnight. Automobiles shall not be parked on the said Lot 2 Long Lake Shores. Boats and trailers may not be stored on Lot 2 Long Lake Shores except during the boating season. The invitees of the Grantees may, in conjunction with the Grantees' use of the property, use the property for recreational purposes excepting launching and overnight docking of boats.

4. This agreement granting an easement and defining Grantees' rights shall supersede any prior grant of easement made by person(s) in the chain of title granting rights to use the said Lot 2 Long Lake Shores or any part thereof for recreational purposes.
5. The Township hereby agrees, as fee title owner of the said Lot 2 Long Lake Shores to expand the width of the existing open storm water drain no more than an additional twelve feet.
6. The Township acknowledges that Grantees and their successors in interest may continue to use Lot 2 Long Lake Shores for recreational purposes as above described in perpetuity because the Grantees used Lot 2 Long Lake Shores for such purposes and such use was continual and uninterrupted for 30 years or more. Further, the Township acknowledges and agrees that it cannot prohibit the Grantees and their successor in interest from using Lot 2 Long Lake Shores for recreational purposes as herein defined.
7. The Township agrees that no structure shall be erected above ground on Lot 2 Long Lake Shores except for a storm water drainage apparatus to be located within the twenty-two foot (22') wide drainage area.
8. Grantees acknowledge, in connection with the construction and periodic maintenance of the expanded storm water drain, that the surface of Lot 2 Long Lake Shores may be disturbed by construction activity. The Township agrees to return any and all areas disturbed to a reasonable likeness of their condition prior to the beginning of the work.
9. The Township covenants and agrees that it will not, due to the location of the easement premises, permit the public to use the premises for recreational uses as defined herein and for any other use which inhibits the recreational uses enjoyed by the Grantees.
10. The Grantees acknowledge that the Township will not maintain the said Lot 2 Long Lake Shores and that the Livingston County Drain Commission shall have access over the lot for the purposes of maintaining the drain.
11. The Township agrees that the Grantees may maintain Lot 2 Long Lake Shores by mowing the grass areas of the lot and otherwise keep the premises free of debris and trash.
12. The Township does hereby covenant and agree that it will not disturb or otherwise interfere with the Grantees use of the remainder of Lot 2 Long Lake Shores and that their rights to continue the recreational uses on the remainder of Lot 2 Long Lake Shores shall not be hereafter eliminated or terminated.

13. The Grantees hereto do hereby acknowledge and agree that the Grantees and the Grantor have each received valuable consideration for the execution of this agreement.

The Grantor and the Grantees hereto have executed this Easement Agreement on the day and year as set forth.

GRANTOR:
GENOA TOWNSHIP

Dated:
April 5, 2006

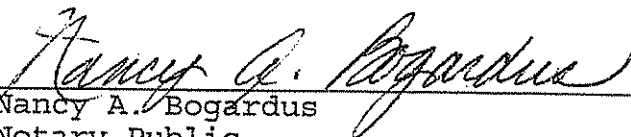
By: 
Gary T. McCririe
Its Supervisor

Dated:
April 5, 2006

By: 
Robin Lynn Hunt
Its Treasurer

STATE OF MICHIGAN]
] ss
COUNTY OF LIVINGSTON]

The foregoing instrument was acknowledged before me this 5th day of April, 2006, by Gary T. McCririe, Supervisor and Robin Lynn Hunt, Treasurer, -----on behalf of Genoa Township, a charter township, full authority to do so.


Nancy A. Bogardus
Notary Public
Livingston County, Michigan
My commission expires: 6/26/2011
Acting in Livingston County, Michigan

DRAFTED BY and RETURN TO:

Richard A. Heikkinen
THE HEIKKINEN LAW FIRM, P.C.
110 North Michigan Avenue
Howell MI 48843

Property Detail - Full Listing Report W/ Photo

[Back to List](#) [Select different flyer format](#)
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front

Click photograph to view all available photographs

#25024647	Ad: 1847 HUGHES RD	RES	SOLD	ERTS/FS	\$ 166,666 S
T: GENOA	48114	Map: N 16	Loc: N GRAND RIVER E	Area: 01111	
TWP			HUGHES		
Dir: FROM BRIGHTON, GO W ON GRAND RIVER TO HUGHES, N				Prot	
-HUGHES				Period: 180	
Lot	Acr: 0	Front Ft:	BR: 2 Bath: 2	Lavs: 0	
Size: 70X74X489X452					
Prop ID: 1111304004	Sch: HOWELL		MBR: 17x11 E	LR: 24x12 E	
Legal: SEC. 11 T2N, R5E, CHEMUNG LAKEVIEW LOT 4			BR2: 10x11 E	GR:	
Tax: Sum: \$560		Win: \$560	Assoc.	Homestead: N	BR3:
	Fee: \$				FR: 19x11 E
Year	Oth/Spc: 2625	SEWER/340	WEED	BR4:	LB:
Built: 1950					
Water Nm: CHEMUNG	Adl Doc: N	Pos: IMMED	BR5:	DR:	
Sq Ft: 1460	LSF:	Src: MEAS	BFT:	KT: 16x14 E	
Comp Arr:	Sub Agency: Y 3	Buyer Agency: Y 3	Transaction Coord.: Y 3		
185563	PREVIEW PROPERTIES.COM	810-220-0000	Cnt: BILL LANE	Ph: 810-220-0000	
BILL LANE		Agt: 810-220-1487	LD: 2/28/2005		
Co-List:	Co-List Ph:	Acc: LOCKBOX	Gar: Y	Ba: N	FP: N

Agent Only Remarks

This recently refurbished 2 bedroom, 2 bath ranch home has 1,460 sq ft & is on 1.25 acres of wooded & rolling land. This Lakeview property overlooks the southern end of Lake Chemung. A public access boat ramp is 1/2 mile away. Travel 1.5 miles to I 96. Also included is a 22x24 garage & 12x10 shed. Also PIN #111304005 (68x68x325x325).

LC: N
DWP:
PAY:
INT:
TRM:

Features

Exterior: BRICK, VINYL	Architecture: 1-ST	Style: RANCH
Site Desc: IRREG, WOODED	Terms: CONV, CASH	Heating: FRCD AIR
Fuel Type: GAS	Water Heater: GAS	Interior Feat: CABLE AVL

August 1, 2008

Dear Township Board Members:

Item 6 of the Aug. 6, 2007 township board meeting minutes state:

"Supervisor McCririe provides a background and explains that Mrs. Grassi has title work showing rights to the easement that the Township was unaware of when the original easement was granted. Mr. Heikkinen states that Cathy Riesterer has contacted him and she has indicated that there is a quitclaim deed showing that the original owner of Mrs. Grassi's property transferred the easements to the O'Keefe's. Mr. McCririe requests that Mr. Heikkinen perform additional research to determine whether or not this quitclaim deed exists. Mrs. Grassi agrees to submit a copy of her title work to the Township attorney for his review."

Questions:

1. What actual information did Attorney Heikkinen's research provide the township to lead to the Jan. 7, 2008 approval of "granting a non-exclusive easement agreement for Lot 2 Long Lake Shores Subdivision" - to parties not named in the original easement agreement?

Minutes read: "Moved by Ledford, supported by Skolarus, to approve the agreement with the following stipulation: The original parcel will be allowed one dock and since the split of that parcel didn't exist at the time of the lawsuit, the second parcel will be allowed access for recreational use but will not be allowed boat access. The motion carried unanimously."

Was the township feeling that the Hornes were overlooked some how in this?

Because they were not. They were invited to be part of the lawsuit and did not want to, and that is why they are not named with the group in the Easement Agreement dated April 5, 2006.

2. Are you aware of the "CONSENT ORDER PARTIALLY QUIETING TITLE TO REAL PROPERTY" filed on June 24, 2005? (Case No.04-20986-CH, 44th Circuit Court of Livingston County). This document appears to record that the Hornes relinquished all present and future interests in the lake access lot, known as Lot 2 Lake Shore Subdivision. Therefore the Grassi's purchase from the Hornes of Lots 4 and 5 of Chemung Lake View Subdivision, after June 24 2005, did not include any interests in Lot 2 Lake Shore Subdivision (the lake access lot).

3. If my interpretation of this CONSENT ORDER is accurate, and you were aware of it, then can you explain your decision to grant an easement agreement with the Grassi's? If you were NOT aware of this CONSENT ORDER, then the township should feel no obligation to provide easement with their property and could rescind the motion.

I would appreciate a response to all my questions. Please include in the minutes of your meeting.

I find it very disheartening that the township leadership lacked the desire and courtesy to inform the grantees of the original easement agreement concerning the changes being discussed and acted upon.



Judy Tolles
7831 Debora Drive
Brighton, MI
Owner of 1797 Hughes Road