

GREEN OAK CHARTER TOWNSHIP

10001 Silver Lake Road, Brighton Michigan 48116
(810) 231-1333 FAX (810) 231-5080

Regular Board Meeting January 2, 2013 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance to Flag
3. Roll Call of the Board
4. Approval of the Agenda
5. Public Comment, **Agenda Related Items Only.**
6. Consent Agenda
 - a) Approval of the December 19, 2012 Regular Board Meeting Minutes
 - b) Approval of the submitted bills list
7. Department Head Reports & Requests:
8. Public Hearing for Allor IFT
9. Business Items
 - A. Resolution 01-2013 Allor IFT Resolution
 - B. Fire Department Event Permit Form.
 - C. Fire Department Vehicle Replacement Request
 - D. Hidden Lake Request for Revised Setbacks
 - E. Budget Ammendments
10. Executive Session: For purposes of a legal opinion regarding litigation with Barnstormers.
11. Discussion:
12. Committee Reports: As needed
13. Public Comment
14. Adjournment on or before 10:30 p.m.

1 Green Oak Charter Township
2 Board of Trustees
3 Regular Meeting Minutes
4 January 2, 2013
5
6

7 Roll Call – Susan Daugherty, Treasurer, Tracey Edry, Trustee, Richard Everett,
8 Trustee, Rollin Green, Trustee, Jim Tuthill, Trustee, Michael Sedlak, Clerk, Mark St.
9 Charles, Supervisor

10
11 Guests: 15
12

13 **APPROVAL OF AGENDA**

14 Supervisor St. Charles added item 9G. Reappointments to the agenda and removed the
15 Executive Session.

16 **Motion by Edry, second by Tuthill**
17 **To approve the agenda as amended.**

18
19 **Voice Vote: Ayes: Unanimous**
20 **Nays: None**
21

22 **MOTION APPROVED**
23

24
25 **CALL TO THE PUBLIC**
26

27 **Rand Retzlaff, 10782 Sparkling Waters Court** - He commented that he disagrees
28 with giving anymore amendments regarding Hidden Lakes. He stated that allowing this
29 would take away residents pleasure of viewing the lake. There are no concrete plans
30 and no one knows what the developer wants to do. He stated that luxury condos are
31 selling and that is what the design was originally going to do.
32

33 Supervisor St. Charles closed the call to the public at 7:10 p.m. due to no further
34 comments.
35

36 **APPROVAL OF CONSENT AGENDA**
37

- 38 1. Approval of the December 19, 2012 Regular Board Meeting Minutes
39 2. Approval of the submitted bills list
40

41 **Motion by Edry, second by Daugherty**

42 **To approve the Consent Agenda as presented.**

43
44 **Voice Vote: Ayes: Unanimous**
45 **Nays: None**

46
47 **MOTION APPROVED**

48
49
50 **DEPARTMENT HEAD REPORTS**

51
52 **Treasurer – None**

53
54 **Clerk – None**

55
56 **Supervisor** – Supervisor St. Charles reported that he has 2 names for the
57 Compensation Commission and he needs the other names to be turned in a.s.a.p.

58
59 **Public Hearing for Allor IFT**

60
61 Representing Allor: Amy Perzanowski
62 Linda Chaney

63
64 Ms. Perzanowski explained that they are requesting an IFT for a project that Allor is
65 undertaking. She gave a brief history of the company and explained that they have
66 been located in Brighton since 1995. This IFT would allow them to update machines
67 and increase the number of machines in order to do the process in house instead of
68 outsourcing the work. There would be at least 2 new jobs created possibly 3.

69
70 Clerk Sedlak explained that an inspection was done and he is convinced that this would
71 be a good move for the Township.

72
73 Supervisor St. Charles opened the public hearing and closed it due to no one wishing to
74 comment.

75
76 **BUSINESS ITEMS**

77
78 **A. Resolution 01-2013 Allor IFT Resolution**

79
80 Supervisor St. Charles explained that he is in favor of the IFT. Clerk Sedlak
81 commented that the company has consistently come in without any fire violations.

82
83 **Motion by Sedlak, second by Edry**
84 **To approve Resolution 01-2013 Resolution approving the application for**
85 **Allor Manufacturing, Inc. an Industrial Facilities Exemption Certificate.**

86
87 **Roll Call Vote: Ayes: Unanimous**

Nays: None

MOTION APPROVED

B. State Fire Marshall Delegation of Fireworks Inspection Responsibilities

Chief Gentry explained that when the State passed the new fireworks law one of the requirements is that the firework vendors had to be inspected but only had about 18 inspectors for the entire State. This inspection was delegated to local municipalities and the Fire Department will now get to recoup the fees for these inspections. He felt it was a win/win situation.

**Motion by Sedlak, second by Edry
To direct the Clerk and Supervisor to sign the necessary paperwork in agreement to adopt Resolution 02-2013 Resolution adopting Delegation Agreement regarding Michigan Fireworks Safety Act.**

**Roll Call Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

C. Fire Department Event Permit Form

Fire Inspector Tim Kedzierski explained that this format has been followed in the past but this will provide a paper trail and add a control mechanism.

**Motion by Sedlak, second by Edry
To adopt the addition of the Fire Department event permit form adding to the special event form.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

D. Fire Department Vehicle Replacement Request

Chief Steele explained that the vehicle they are requesting to be replaced is 26 years old with 150,000 plus miles on it. Through the Macomb County bid process they are looking at a F350 truck which is a good size to do what's needed. The cost is \$25,240.00 with the addition of a plow which is \$5,600.00. The cost would be removed from the fund balance.

134
135 **Motion by Daugherty, second by Edry**
136 **To approve the purchase of a F350 pickup truck not to exceed \$30,858.00**
137 **which includes the B-plow and authorize the disposal of the used truck**
138 **through the State Bid Process.**

139
140 **Roll Call Vote: Ayes: Unanimous**
141 **Nays: None**
142

143 **MOTION APPROVED**
144

145
146 **E. Hidden Lakes Request for Revised Setbacks**
147

148 **Representing Hidden Lakes: Earl Lafave**
149 **Steven Lafave**
150

151 Supervisor St. Charles explained that Robert Burkowitz and Robert Moran sent letters
152 stating objections to the Hidden Lakes request for revised setbacks.
153

154 Mr. Lafave commented that their request is for clarification on the amount of units
155 currently under construction or to be constructed and deal with the amount of space
156 allowed to build a deck, either a wooden structure or a concrete terrace on the back of
157 the homes. Currently, the interpretation of the Township is that they are allowed to
158 protrude 6' into the rear yard setback for a porch. The decks typically cover over the
159 walk out level. His interpretation is that it could protrude into the rear yard setback up to
160 20' but not be closer than 5' from the water. Currently, he has homes that are
161 requesting to build decks and the permit applications were rejected due to the decks
162 being referred to as a porch. He is requesting to reduce the setback to 16' and not use
163 the entire 20'. Lots were identified. Lots were shallow with the home filling up the
164 building envelopes. He would like to amend the setback to allow these lots to have
165 decks within portions of the setback area.
166

167 Mr. Lafave commented that decks do not qualify as a porch. Mr. Lafave would like the
168 interpretation of what is allowed to extend into the setback area and to define
169 deck/porch.
170

171 Mr. Lafave explained that he looked at the units that had a building envelope and where
172 they could potentially exceed 6'. Many of the lots are very shallow. He objected to what
173 is defined as a deck and what is defined as a porch.
174

175 Mr. Wayne Jewell gave a short power point presentation that illustrated current homes
176 and their setbacks in the Hidden Lakes Development. There was discussion regarding
177 the interpretation of the code regarding Terraces, Patios, Porches and Decks. It was
178 the consensus of the Board to wait for an interpretation from the Zoning Board of
179 Appeals before going any further.

180
181 **Motion by Sedlak, second by Edry**
182 **To postpone until an interpretation is received from the ZBA.**

183
184 **Voice Vote: Ayes: Unanimous**
185 **Nays: None**

186
187 **MOTION APPROVED**

188
189
190 Mr. Lafave explained that when the economy tanked he had to look at another product
191 and what could be incorporated through different designs. He revised the plan for The
192 Villas to include 20 detached units and it was submitted to the Township for review and
193 a Master Deed with the layout was filed. Township Attorney Carol Rosatti explained
194 that if the concept plan is changed an amendment must be done in the Consent
195 Judgment.

196
197 Mr. Lafave explained that he waiting for information regarding the 4th building that has a
198 basement poured. He is hoping to rebuild it as a detached condo. He explained that
199 attached condos are not selling.

200
201 Supervisor St. Charles suggested tabling this item until the interpretation is received
202 from the ZBA. Trustee Everett agreed especially since there are 2 units that have some
203 issues with the setbacks with the porch/deck issue.

204
205 **Motion by Everett, second by Edry**
206 **To postpone until the ZBA makes a determination.**

207
208 **Voice Vote: Ayes: Unanimous**
209 **Nays: None**

210
211 **MOTION APPROVED**

212
213
214 **F. Budget Amendments**

215
216 Supervisor St. Charles reviewed the budget amendments. There were no concerns.

217
218 **Motion by Everett, second by Edry**
219 **To approve Resolution 03-2013 Resolution to approve the Budget**
220 **Amendments for fiscal year ending 3/31/13 as presented.**

221
222 **Roll Call Vote: Ayes: Unanimous**
223 **Nays: None**

224
225 **MOTION APPROVED**

226
227 **G. Appointments**
228

229 Supervisor St. Charles reviewed his memo dated 1/2/13 regarding the additional
230 appointments as follows:

231
232 Board of Review Lynn Gardell-2 year Reappointment Term ending 12/31/2014
233

234 Mr. Zultowski will be filling Russell Brooks unexpired terms for the following:
235

236 Historic District Commission -Term ending 12/31/2014

237 Historic District Study Committee - Term ending 12/31/2014
238

239 **Motion by Green, second by Tuthill**

240 **To approve the additional appointments as outlined.**
241

242 **Voice Vote: Ayes: Unanimous**

243 **Nays: None**
244

245 **MOTION APPROVED**
246

247
248 **EXECUTIVE SESSION** – None
249

250 **DISCUSSION**
251

252 Clerk Sedlak reported that the township board retreat has been scheduled for January
253 12, 2013 with SEMCOG as the facilitator.
254

255 **COMMITTEE REPORTS** - None
256

257 **CALL TO THE PUBLIC**
258

259 **Frank Palermo** – He explained that he lives in Falls II in Hidden Lakes and he is
260 opposed to allowing the decks since it will block the views and wood decks are also
261 unsightly and he asked that this be denied.
262

263 **Tom Schroder** – He stated that he is shocked that decks are being considered a porch.
264

265 **Wayne Hoskis** – He explained that he is the Association President of Falls II and he
266 has been working with Steve Crane and he did not want to see the community diminish
267 in value and they have rejected the plan. He would like to see the same thing built to
268 what exists now. Steve Crane agreed and was given 1 year to do so. He explained
269 that the basement that was already installed when the economy tanked and if it is still is
270 that way in a year then the foundation will need to be removed.
271

272 **Randy Retzlaff** – He commented that he doesn't know what's going in Hidden Lakes
273 and nothing has happened and he has seen no traffic. He asked that the Board
274 research this further and find out how many have been sold and what is going to be built
275 before making a decision.

276

277 **ADJOURNMENT**

278

279 The Board of Trustees meeting was adjourned at 9:02 p.m. due to no further business.

280

281

282

283 Respectfully Submitted,

284

285 *Kellie Angelosanto*

286

287 Kellie Angelosanto
288 Recording Secretary


289

290 Approved as submitted January 16, 2013

291

292

293

294 
295 Michael H. Sedlak, CMC
296 Township Clerk


Mark St. Charles
Township Supervisor