

**CHARTER TOWNSHIP OF LYON  
PLANNING COMMISSION  
MEETING MINUTES  
December 8, 2003**

Approved as submitted January 12, 2004.

DATE: December 8, 2003  
TIME: 7:00 PM  
PLACE: 58000 Grand River

Call to Order: Chairman Hemker called the meeting to order at 7:02 pm.

Roll Call: Present: Brent Hemker, Chairman  
Laura James, Secretary  
Ray Bisio, Trustee  
Jim Hamilton  
Ted Soper  
Laura Williams

Absent: Michael Barber, Vice Chair

Also Present: Matthew Quinn, Township Attorney  
Chris Doozan, Township Planner  
Megan Masson-Minock, Township Planner  
Chris Olson, Township Superintendent

Guests: 70

**1. APPROVAL OF AGENDA**

Mr. Soper requested the following changes to the agenda:

- Move Old Business 1 and 2 and New Business 2 up to be discussed before the Elkow Planned Development public hearing

Mr. Soper made a motion to approve the agenda as modified. Mr. Hamilton supported the motion.

Voice Vote: Ayes: All  
Nays: None  
Absent: Barber

Motion approved unanimously.

Ms. James made a motion to adjourn the meeting at 10:00 PM. Mr. Bisio supported the motion.

Voice Vote: Ayes: All  
Nays: None  
Absent: Barber

Motion approved unanimously.

**2. APPROVAL OF CONSENT AGENDA  
- November 10, 2003 Meeting Minutes**

Typographical errors was noted for the Recording Secretary to correct on the meeting minutes.

Ms. Williams made a motion to approve the November 10, 2003 minutes as corrected. Mr. Soper supported the motion.

Voice Vote:           Ayes: All  
                              Nays: None  
                              Absent: Barber

Motion approved unanimously.

**3. PUBLIC COMMENTS ON NON-AGENDA ITEMS:                   NONE**

**4. OLD BUSINESS:**

**AP-03-10, Copperwood Planned Development**, 10 Mile and Johns Road, Call for public hearing on preliminary plan.

Mr. Soper made a motion to schedule a public hearing for AP-03-10, Copperwood Planned Development for January 12, 2004. Mr. Hamilton supported the motion.

Voice Vote:           Ayes: All  
                              Nays: None  
                              Absent: Barber

Motion approved unanimously.

**AP-03-31, BMB Ventures, L.L.C.**, Call for public hearing on rezoning request from R-0.3 to O-1 for part of 58560 Grand River, west of Milford Road.

Mr. Soper made a motion to schedule a public hearing for AP-03-31, BMB Ventures, L.L.C., for January 12, 2004. Ms. Williams supported the motion.

Voice Vote:           Ayes: All  
                              Nays: None  
                              Absent: Barber

Motion approved unanimously.

**5. NEW BUSINESS:**

**AP-03-37, AIS Property**, Call for public hearing on rezoning request for 15 acres, Parcel #21-03-127-002, from RM-2, Multiple family to B-3, General Business, located south of Pontiac Trail, north of I-96.

Mr. Soper made a motion to schedule a public hearing for AP-03-37, AIS Property, for February 9, 2004. Ms. Williams supported the motion.

Voice Vote:           Ayes: All  
                              Nays: None  
                              Absent: Barber

Motion approved unanimously.

## 6. PUBLIC HEARINGS

**AP-03-09, Elkow Planned Development**, 11 Mile and Milford Roads, Applicants: Hitech Building, L.L.C. and Ivanhoe Huntley Holdings, L.L.C.

Ms. Masson-Minock reviewed the comments indicated in the McKenna Associates, Inc. letter dated November 24, 2003 regarding this issue.

Representing Elkow Planned Development this evening:

- Paul Knuth, Ivanhoe-Huntley
- Steve Deak, Robert Leighton Associates
- Brad Strader, Langworthy, Strader, LeBlanc
- Mark Young, Seiber, Keast Associates
- Ray Cousineau, Ivanhoe-Huntley
- Gary Shapiro, Ivanhoe-Huntley
- Rick Elkow
- Paul Elkow

Mr. Knuth introduced the members of his team that were present and noted that they will be available to answer any questions the Commission may have.

Mr. Deak gave a short presentation of the design of the site. He displayed several color renderings of plans and discussed each of them. He stated that he will not spend a lot of time going over all the changes, but will only highlight a few of the more significant changes.

Mr. Deak stated that a lot of the comments that they received at the conceptual review stage dealt with the size of the lots. He stated that they have modified all the 70' and 85' lots so that they are now 90' lots. He stated that another comment was with regard to open space. He stated that they have made every effort to have the lots backing up to open space rather than to another lot.

Mr. Deak stated that there was a lot of interest and need for condominiums. He stated that they have worked really hard to integrate the condominiums into the most appropriate spot. He stated that they have tried to contain the condominiums into one section and away from the residential homes. They worked around the woodlands and the wetlands and made some minor changes to the road patterns.

Mr. Deak discussed some other things that they added to the plans. He stated that they are proposing an 8' wood chip path throughout. They are proposing some linkages to the open space at the lake for the neighbors. He stated that in the larger areas, they are proposing several tot lot neighborhood parks along the trail system. He noted that on the Zape parcel they will have a conservation easement placed on it until the Township is ready to take it over. He noted that for all the frontage areas they will install a 10' bike path, as required. He stated that in the areas of the two drains, they would like to discuss some alternatives with the Township.

Mr. Deak stated that they will provide sidewalks throughout the single family portions of the development. In the condominium section they are proposing an open space path linkage to the trail along the drain. He stated that because of this, they do not feel that they need sidewalks in the condominium area.

Mr. Deak stated that they are still preserving a significant amount of open space even though they have increased the lots sizes. They were still able to keep the open space behind many of the lots. He stated that 32% of gross site area is open space. He noted that if you added in the lake and the wetlands that they are preserving, the open space would be 260 acres or 43% of the gross site.

Mr. Deak stated that the lake will be used as an aesthetic amenity and to help with storm water management. He stated that they will be paving Eleven Mile Road, as discussed, and will provide all the improvements other than the paving at all the access points to the site.

Mr. Deak briefly discussed the landscaping for the site. He noted that they will be landscaping the perimeter of the site in a natural fashion to tie into the surroundings.

Mr. Deak stated that they know that there are definite concerns with regard to their benefits versus the density they are proposing. He stated that they have tried to break it down to show where they stand. He displayed the breakdown chart and briefly explained how they arrived at the figures indicated on the chart. He stated that the density bonus amount is really isolated to the condominiums. He briefly discussed the zoning on the parcels that surround this site.

Mr. Strader discussed planning and land use issues as they relate to the proposed condominiums. He stated that he believes that this location is an excellent choice for the two unit duplexes because of the transitional uses and the higher density multiple family to the north. He noted that the density that they are proposing is much lower than what is to the north of this site.

Mr. Strader stated that this is a very viable, very popular type of development for communities to advocate because it provides a solid tax base, alternative housing for young people and for seniors who want to stay in the community. It provides a quality unit that will generate less traffic than single family. He felt that it is a real advantage to have a development that is well coordinated.

Mr. Strader distributed a copy of the Benefits of Elkow Farms PD. He went through the benefits listed and briefly discussed each one.

Ms. James questioned how many lots are involved in the floodplain issue. Mr. Deak responded that it is somewhere in the mid-twenties. He stated that they have two areas to mitigate for the floodplain per the DEQ requirements. Mr. Young stated that basically what the MDEQ is going to look for is compensating storage volume within the floodplain. If some portion of the floodplain is proposed for use in residential development, then they need to demonstrate to MDEQ that they can provide compensating volume of equal or greater on another portion adjacent to the floodplain. He felt confident that they can do this to MDEQ's satisfaction.

Mr. Soper questioned what other paving will be done besides Eleven Mile Road. He noted that there are entrances on Spaulding Road and also on Twelve Mile Road. Mr. Deak stated that at this point in time, they are proposing to pave Eleven Mile Road.

Mr. Soper stated that with regard to the proposed donation of the park land to the Township, he would prefer to see this as a conservation easement. He stated that he does not want the Township being liable for something that they are not using at this time. He stated that on that property there is an oil well at this time and questioned who is going to do the land survey and pay for the clean-up, if contamination is found. Mr. Knuth stated that it is his understanding that this would have to be taken care of even if the land is donated and put into a conservation easement.

Mr. Strader stated that there has been a Phase I Environmental Study done. He stated that there could be mechanisms in the development agreement that when the Township is ready to take the land, it has to be a clean site. He stated that they can provide the information they receive during

the Phase I Study. He noted that it is a clean site.

There was brief discussion regarding the Fiscal Impact Study that was compiled and distributed by Mr. Olson.

Rick Elkow discussed the phasing of the proposed development. He noted that his father is still very interested in farming his land. He stated that they promised him that he could farm this land as long as he wanted and when he was through, they would develop it. He stated that they will begin with the CM Elkow farm and the Sherman parcel as soon as they can get approvals from the Township. He stated that it will be anywhere from a five to eight year build-out.

Mr. Hamilton questioned how big the home farm is. Rick Elkow responded that it is approximately 200 acres. Mr. Hamilton questioned if there has been a traffic impact study done for this project for Milford Road and Eleven Mile Road. Mr. Knuth responded that there has been a traffic impact study done. He noted that the study indicates that at some point in the future Eleven Mile Road and Milford Road will need to be signalized. Mr. Soper questioned if they applicant is prepared to pay for this. Mr. Knuth responded that they are prepared to talk about this.

Mr. Hemker questioned if the traffic study addressed any other off site traffic problems, namely Milford Road and Grand River Avenue. Mr. Knuth responded that he does not know if it did, he would have to look at it.

Mr. Bisio questioned if they received a copy of the traffic study. It was noted that they Commission received it during conceptual review. Ms. Masson-Minock noted that since the number of units has decreased overall, the findings of that study would not be true. She stated that as the project moves along another traffic study may be necessary. Mr. Strader summarized some of the findings of the traffic study.

Ms. Williams questioned what the connection is to the Hidden Timbers development. Mr. Knuth responded that they recently talked to a member of the Hidden Timbers Association. He noted that there is a stub street there now. He noted that they are meeting with them and discussing the possibility of Hidden Timbers hooking into their septic sometime in the future if it is necessary.

Mr. Hemker opened the public hearing at 8:08 PM.

Judy Roscoe, 25700 Milford Road, was concerned with the Blackwood drain that runs through her property. She stated that she is concerned that once construction begins that her property might flood. She noted that they have had water problems in the past. She questioned where the water would come from for the lake that is going to be developed. She stated that when they did the de-watering for the subdivision that is being developed behind her some people lost their wells and had problems.

Roger Koski, 57670 Hidden Timbers, stated that they have several concerns. One is with the stub street, Ironwood. He stated that there is a concern with the lack of an entrance at this portion of the development, the southeast corner of Milford Road and Eleven Mile Road. He stated that

since

Hidden Timbers has access to Milford Road, they are very concerned with the amount of traffic

that

will be going through their subdivision. Ms. Williams questioned if it is a private or public road. Mr. Koski responded that he believes that it is a public road. He noted that there are no sidewalks in Hidden Timbers and there are a lot of kids. Another concern is the homes in Hidden Timbers that would directly abut the new development, there looks like there is a very limited border or no border at all between the two developments.

Mr. Koski stated that it was not really addressed during the developers comments, but questioned where they are in the process. Mr. Hemker responded that the CM Elkow property would be in the first phase of the development.

Steve Story, 57586, Hidden Timbers, questioned if the Township is going to do something about the construction traffic not coming through Hidden Timbers. He stated that if Eleven Mile is going to be paved, the construction traffic should be directed that way and not through Hidden Timbers. He stated that they don't want their streets being deteriorated from the construction traffic. Mr. Knuth responded that the stub street will be blocked off, there will not be any construction traffic allowed to go through Hidden Timbers to service this site.

Ms. James questioned if after construction, a break away gate could be installed so that there would not be any through traffic. Mr. Knuth responded that planning principles indicate connectivity, but if this is something that the Township would like them to look at, it would be fine. He noted that this street was put there for a reason. When Hidden Timbers was constructed it was intended for that development to connect to another one to the north. He stated that if it is a public benefit to blockade the road, then they will consider that. Ms. Masson-Minock stated that since the road is a public road, they would need permission from the Road Commission of Oakland County to install a break away gate.

Ms. James stated that in terms of backyard abutting, she is sure that the developer would be willing to do something with landscaping or something like that. Mr. Knuth responded that they would have to look at that.

Don Anderson, 57419 Hidden Timbers, expressed his concerns with regard to the break away gate and whether the road should be private or public.

Gary Shapiro, Ivanhoe-Huntley, stated that from experience, the County will not allow this. He stated that the County is going to want this to be a public road for health, safety and welfare. He stated that as good neighbors and developers they will do everything they can to maintain the safety and keep the construction off the road during that process. He stated that he isn't sure that the County will even allow a temporary blockade. He stated that they will do everything they can to make sure that the construction traffic comes in off the main road.

Walt Conrad, 27255 South Hill Road, questioned with regard to lot sizes, is there any community within the Township that has stuck to the one unit per acre or is it only individual home owners that are required to stick to that. He questioned if we are ever going to set precedent or is this just going to continue. He questioned what the size, price range and looks of the proposed homes will be. Mr. Soper noted that these items were addressed before so that it why they did not go over them again.

Al Johnston, 58699 Eleven Mile Road, stated that he concurs with the comment made by Mr. Conrad. He stated that this is a very nice development. He stated that the Township needs to look at this and decide what they want the Township to look like. It is important that everyone who is part of this community draw the line and keep the density down. He stated that his biggest concern is with traffic on Eleven Mile Road. He stated that the first two phases of the development have entrances onto Eleven Mile Road. He stated that he would oppose any density increase in that area because it will increase traffic.

Mr. Johnston stated that he has heard all the amenities that are being provided, but would be happy if the Commission told the developer to keep the amenities and to develop according to the Master Plan. He stated that on the plan it looks like the entrance in the southwest corner to Eleven Mile Road seems to be directly across from his driveway. He stated that he believed that there is future development in Carriage Club with an entrance approximately 200' east of this

entrance. He questioned why the entrances could not be aligned across from each other. He felt that the way the entrance is now, it could be very hazardous.

Bob Schram, 57562 Hidden Timbers, stated that this development will have an impact on Hidden Timbers. He stated that they just received notice of this on Wednesday and have not had a lot of time to review this. He stated that he is not here to support or disapprove of this project. He felt that he needs more information before making a decision. He implored the Commission to proceed with caution. He stated that he is also concerned with the traffic that will go through Hidden Timbers. He felt that 700 homes for this development is too many. He was also concerned with the fact that they are building a large home on a small lot and the felt that the setbacks were not large enough.

Shirley Baker, 27239 Stancrest, questioned what was going to happen at Milford Road and Eleven Mile Road to allow traffic to flow. She questioned if there will be a right turn lane, a left turn lane or if the developer is going to widen the road at this location. She stated that there are a lot of problems there now and if nothing is going to be done, it will be a mess. She stated that with regard to house sizes, if the Township had more reasonably prices houses, such as \$150,000, the Township wouldn't have as much trouble with trailer parks. She felt that the Township needs some starter homes. She stated that as this project moves along they should contact Oakland County to try and get them to do something with Eleven Mile and Martindale Roads. Mr. Olson responded that Oakland County has already been contacted.

Sharon Crispin, 27410 Sharrard Hill Court, asked for clarification of the connection to Sharrard Hill. She stated that with regard to the lot size, she feels that they need to be larger. Mr. Hemker stated that there is an easement on Kady Lane off Sharrard Hill Court that abuts this property. He noted that Kady Lane is private road and there may be a possibility of a break away gate at that location. Ms. Masson-Minock noted that the easement on Sharrard Hill extends south and abuts to this property.

Greg Gildersleeve, 58250 Eleven Mile Road, stated that he can't blame the Elkow's for what they want to do. He stated that he is not in favor of this just like everybody else. He stated that his concern would be with the size of the property and the size of the whole project. He stated that most of the residents who moved here like the serenity and open spaces. He questioned if there is any way that they could put time limitations on the when the work is being done. He would prefer that they not work during weekends or later into the evening. He questioned when Eleven Mile Road would be paved.

Mr. Bisio asked Legal Counsel to answer the question about the time limitations for construction. Mr. Quinn responded that it would be part of the development agreement. He stated that all improvements would have to be done in the first phase of the project. He stated that many cities have ordinances prohibiting construction on Sundays and after certain hours. Mr. Olson responded that the Township does have an Ordinance addressing this. Mr. Quinn stated that they can take a look at the Ordinance.

Craig Flusher, 57598 Hidden Timbers, stated that he would hope that the developers would take a hard look at putting up some kind of landscaping between this development and Hidden Timbers. He stated that the residents of Hidden Timbers will be looking at 1-1/2 lots behind their homes because the lot sizes are smaller.

Mr. Deak stated that in this particular location there is a 40' setback requirement. He stated that they have designed the plans so that the 40' is outside the lots. The north property line along Hidden Timbers there will a 40' landscaped buffer that will be provided with natural plantings.

Shannon Rosetto, 27380 Sharrard Hill, stated that she does not want her road to go through

because it is a private road. She stated that their road is privately maintained by the twelve homes that are on this road. She felt that South Hill Road should be paved because there will be a lot of traffic that will use South Hill Road rather than go to Milford Road. She noted that the lake is much closer to her house than it looks like. She stated that they are all on well and engineered fields and does not want anything to happen to either.

Mr. Hemker closed the public hearing at 8:46 PM.

Mr. Hemker noted that the Commission received letters from Christopher Green and Peter/Annette Benedict expressing their concerns with this development.

Paul Elkow addressed the questions and comments of the residents:

- The State of Michigan requires that any oil well that is vacated has to be left in the condition it was found in. There is a fund that can be used for this.
- The condominiums he considers as preservation of residents. He stated that when the kids finally move out and you want to have more time to play golf, that is what the condos are all about.
- The lake is dug in a gravel pit about 100' off South Hill Road. He stated that the ground water is there and that they won't be doing any damage to anybody's property or wells.
- The traffic signal – they have made efforts through traffic studies that have been done and will finalize on for Milford Road. He stated that he does not see this as a problem.
- Talked with Mrs. Rosetto regarding the lake and the drain and indicated that she was very comfortable with this. All they are going to do is enhance the drain.
- They are very aware that the traffic cut through to Hidden Timbers is a possibility. He stated there is nothing that they can do about this. Construction is the same way.
- The open space provision that the State of Michigan allows gives them the opportunity to build what they have on half the space. The Planning Commission has control over this by them doing a planned development.
- The amenities that they offer right now they believe are over and above what any other planned development has offered the Township. They are at an incredible expense to them, and they are willing to bare this. They feel that they will set a precedent of what a planned development should look like. They feel that by doing this and working with the citizens they will help to strengthen what has happened in this Township. They feel that they will strengthen the Township's Master Plan by what they are offering. He stated that they are not asking for anything outrageous.
- He briefly discussed lot sizes.
- With regard to the comments by Mr. Schram, they have been going through this process for over 1-1/2 years now. He stated that they feel that they have provided more information than anyone else has.
- They know that something has to be done to Milford Road, but Milford Road and Grand River is not them.
- They are fine with the Sharrard Hill Court issue.

Paul Elkow stated that everybody had some very good questions, but felt that there is nothing that they can't work beyond. He stated that it is time to get the Planning Commission to open up and let them get to a spot where they can do something and move along. He stated that they would like to move on to the Board so that they can continue and finish this project.

Ms. James asked Paul Elkow if he wants a vote of the Commission tonight. Paul Elkow responded that he does want a vote tonight.

Mr. Strader that with regard to the southwest corner access along Eleven Mile Road – they will look into the possibility of lining this up with the proposed access to Carriage Club. He stated that this certainly seems reasonable. He stated that they will get a copy of the plans for Carriage Club from

the Township or Mr. Doozan and take a look at this.

Mr. Strader stated that the traffic impact study did conclude that one travel lane each on Eleven Mile Road was all that was needed. He stated that it also indicated that at Milford Road and Eleven Mile Road intersection they need left turn lanes, they need a right turn lane on the southbound approach and would need a passing lane at the entrances.

Mr. Strader stated that they tried to answer the questions tonight, but if there are any others that come up or that they didn't get to, let them know and they will have the appropriate person answer them.

Ms. James stated that this is tough because the open space and the amenities of this plan are very compelling. She stated that when a developer talks about leaving hundreds of acres of open space in perpetuity, it really pushes our buttons. She stated that during the past year they have really been hit with huge density requests from a lot of different developers. She reviewed a chart that she compiled of all the proposals that they have had and the amount of density increase that they have asked for. Ms. Masson-Minock displayed a copy of this chart on the overhead for the residents to view.

Ms. James discussed the sewer capacity. She stated that even if they wanted to approve this project, which is wonderful, what is the Township going to do about the sewers. She stated that this is a question that they have hammered for a year and there really is no satisfactory answer. The capacity of the Township sewer plant is spread out throughout the Township for one acre lots. She stated that the Township does not have the money to build a new sewer plant. They could have a developer build a new sewer plant, but what kind of major density bonus would we be asked to give for that. She further discussed the sewer issue. She stated that even if she fell in love with this project, how could they possibly give this kind of sewer capacity to one development? She stated that this question really doesn't have an answer at this point. Without an answer to this, she did not know how the Planning Commission could recommend this.

Ms. James stated that the Township Board has the final say about density. It will be interesting to see what they do and how they handle it. She stated that if they approve this project with 36% density bonus, her concern is that they are setting a precedence.

Mr. Soper stated that the last 1-1/2 years the Elkow's have been before the Planning Commission at least six times and information about this development has been in the newspapers. He stated that most people should have heard about this development before tonight.

Mr. Soper stated that he has a real problem with density. His biggest problem is with the duplex units, there are way too many and they are too close together. He stated that he would like to hear the Fire Chief's comments regarding this.

Mr. Soper stated that with regard to the traffic issues, what they have done with other developments is put together a fund that the Township could use for lights to be installed where they are needed.

Mr. Soper questioned what size sewer mains are being proposed. Paul Elkow responded that there is a pump station already at the corner of Spaulding Road and Eleven Mile Road that is already sized for this. He stated that they have not looked at South Hill Road and Eleven Mile Road yet. He figured that they would have to work out something with the Sucher's and the Levy's about this, but will address this at that time, which is ten years out. Mr. Soper questioned if they are looking to put in just what is required for their development or are they going to help other developments. Paul Elkow responded that originally they thought that Mill River was going to come down Spaulding Road and connect to Eleven Mile Road, but it looks like in the consent judgement that

they are probably going to connect someplace close to Coyote. He stated that they will take gravity sewer north to their property line at Spaulding Road and that is where they will end.

Mr. Olson noted that along the mile roads it has to meet specifications for future developments down the road.

Paul Elkow stated that three years ago when the sewer issue came up his family granted three easements for all the sewer lines. He stated that they were very accommodating to this.

Mr. Soper stated that he likes the size of the development because of consistency. He stated that he would be concerned with a bunch of developers giving them smaller development pockets. He stated that he doesn't have a problem with the size, but he feels that there is way too many duplexes. He noted that 1-1/2 years ago when this began they wanted to see duplexes in the Township, but there have been a lot of them brought to the Township lately.

Mr. Soper stated that he agrees with Ms. James, he doesn't have a problem granting some density increase for some of the amenities, but some of the proposed amenities are a benefit for this development alone and not the whole Township. He stated that the bottom line is that the overall density needs to come down.

Mr. Hemker stated that he pretty much agrees with the comments made by Ms. James and Mr. Soper. He also feels that the multiple family area is too much. Originally this was supposed to be a transition area, but is now spreading all the way down and to Milford Road. He too, felt that there are too many of them and that they are too close together.

With regard to some of the comments by McKenna, he stated that the density is still too high. Mr. Hemker stated:

- The 90' lot widths are better than 70'
- It would be nice along the Hidden Timbers side to see lot sizes that match the ones in Hidden Timbers. He stated that 18 months ago there were larger lots along this edge.
- 15' between duplexes is just not enough room
- The long row of duplexes that has no outlet anywhere just will not work for the health, safety and welfare reasons
- He felt that there should be sidewalks along the duplex units
- With regard to the amenities, some of them benefit only this development and some of them benefit the whole Township
- Reduced sale price to the school – He stated that he would rather the property be sold at the regular price so that the whole school district pays for it and not just Lyon Township

Mr. Bisio stated that they have been discussing this for 18 months and could probably discuss it for another 18 months, because they really are not that close. He felt that the density is too high. He concurred with the comments that have already been made by the other Commissioners. He stated that he could not approve this tonight.

Mr. Hemker thanked the residents for coming out and expressing their comments and questions.

Ms. Williams concurred that the density is too high as well as with the comments that have already been made. She stated that she does like the park and the idea of putting it in a conservation easement. She stated that she likes the idea of this being one large development rather than many smaller ones. She stated that with regard to the water table issue, she would like to see engineering documents indicating that this will not be affected.

Mr. Hamilton stated that he is new on the Commission, but can visualize what is going on. He stated that he felt that the lots are too small. He stated that he does agree that there needs to

be more space between the duplex units. He stated that the density is his big issue.

Paul Elkow stated that when they began this process the main concerns were with trees, wetlands and open space. He stated that they have done a pretty good job protecting these. He stated that the density issue that he is hearing tonight is that it seems that the Commission can live with the single family density, but can't live with the condos. He stated that they are looking at \$1,200,000 to pave the road which will be paid by them without any help for anyone else. He stated that in order to do this they do need a density bonus.

Paul Elkow stated that they have to get to a meaningful spot tonight because they don't want to have to come back and spend over two hours discussing this again.

Ms. James stated that the sewer problem has been an issue for a while. She stated that she would be open to hearing any ideas that Paul Elkow had about this. Paul Elkow stated that there are 30 acres on the proposed park area that has been bored to 70' deep that would provide a dramatic amount of sewer discharge. Ms. James stated that she would want to see the analysis of this. Paul Elkow stated that Bob Harris has the information. Ms. James questioned if this could compensate for this project. Paul Elkow responded many times over.

Paul Elkow stated that they are offering a plan that can be defensible and that could be supportive. He stated that because it is so big, nobody else can match this. It will give the Township legal precedence to stand with this development. Ms. James disagreed with this.

Paul Elkow stated that where they are at in terms of time and effort, they feel that they deserve an answer. Mr. Bisio felt that they have given their answer by every one of the Commissioners giving comments.

Ms. Masson-Minock summarized the comments from the Commissioners. She noted that every Commissioner felt that the density is too high. She stated that they also felt that the space between the duplexes is too small and that the duplex units need to be pulled back from Milford Road. She noted that if changes are made to these, the density would decrease. She further discussed some of the other things that the Commissioners agreed on.

After further discussion regarding the comments that were stated tonight, Paul Elkow asked the Commission to vote them up or down and then they will come back with a final plan. Mr. Doozan stated that they want a vote of either approval or denial. Paul Elkow stated that by doing this they don't have to come back with preliminary again, they can go right to final. The Commissioners were not comfortable with doing this. They felt that it would be better to give the developer a list of what they want and have the plans fixed before they approve or deny the preliminary, therefore, they concurred to table the issue.

Ms. James made a motion to table AP-03-09, Elkow Planned Development, to the January meeting and gave a partial list of concerns at this time:

1. Density is still too high.
2. Flood plain issue – need something in writing on the DEQ approval for the 25 lots.
3. Setbacks – the setbacks on the lots are far below the Township standards.
4. It appears that the developer is not committed at this time to traffic signals and road improvements. She stated that they would need something in writing.
5. The defensibility of the Master Plan is also related to the density.
6. They do not have Township Engineer approval. She stated that the Township Board has hammered it into the Commission that they are not to approve anything without Township Engineer approval.

7. The road layout exceeds Township maximums for road lengths and capacity in terms of the number of houses on them.
  8. The connection to Milford Road being necessary, and is not on the plans.
  9. The tree assessment, which is a Township requirement, is not done.
  10. There is a question of additional paving on South Hill and parts of some other roads.
  11. A legal opinion is needed with regard to the oil well issue with some assurance about the possible contamination issues that might arise with respect to this.
  12. Multiple Family –
  13. Rural view shed along multi-family housing. The Township Ordinance requires a 250' to 300' road view shed.
  14. The residents have brought up a lot of issues including landscaping, backyard abutting existing subdivision, private road owners concerns regarding the impact of the development.
  15. The variety of lot sizes.
- Mr. Soper supported the motion.

Voice Vote:           Ayes: All  
                               Nays: None  
                               Absent: Barber

Motion approved unanimously.

A sub-committee comprised of Brent Hemker, Ted Soper and Laura Williams was created to further review the Elkow Planned Development before it comes back to the full Planning Commission.

**7. NEW BUSINESS:**

**AP-03-37, Hornbrook Estates Planned Development**, 11 Mile and Martindale Roads, Conceptual Review

Ms. James made a motion to table AP-03-37, Hornbrook Estates Planned Development, for two weeks. Mr. Soper supported the motion.

Voice Vote:           Ayes: All  
                               Nays: None  
                               Absent: Barber

Motion approved unanimously.

**AP-03-38, Freidlaender Planned Development**, Pontiac Trail between 11 Mile Road and Silver Lake Road, Conceptual Review, Applicant: Lyon Development Associates, L.L.C.

Ms. James made a motion to table Ap-03-38, Freidlaender Planned Development, for two weeks. Mr. Soper supported the motion.

Voice Vote:           Ayes: All  
                               Nays: None  
                               Absent: Barber

Motion approved unanimously.

**Discussion of Zoning Ordinance Amendments to limit impervious surface**

**8. ADJOURNMENT:**

Mr. Hemker adjourned the meeting at 10:00 PM.

Respectfully Submitted,

*Deby Cothery*

Deby Cothery  
Recording Secretary