

**CHARTER TOWNSHIP OF LYON
PLANNING COMMISSION
SPECIAL MEETING MINUTES
April 14, 2004**

Approved as corrected May 10, 2004.

DATE: April 14, 2004
TIME: 6:00 PM
PLACE: 58000 Grand River

Call to Order: Chairman Hemker called the meeting to order at 6:09 pm.

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

Also Present: Matthew Quinn, Township Attorney
Chris Doozan, Township Planner
Chris Olson, Township Superintendent
Bill Erwin, Zoning Board of Appeals Chairman

Guests: 28

1. APPROVAL OF AGENDA

Mr. Barber made a motion to approve the agenda as written. Mr. Hamilton supported the motion.

Voice Vote: Ayes: All
Nays: None

Motion approved unanimously.

2. APPROVAL OF CONSENT AGENDA NONE

3. PUBLIC COMMENTS ON NON-AGENDA ITEMS: NONE

4. PUBLIC HEARINGS:

AP-03-35, Hornbrook Estates Planned Development, 11 Mile and Martindale Roads, Public Hearing to consider Preliminary Plan Review.

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated April 14, 2004 regarding this issue.

Nick Mancinelli, developer, thanked the Planning Commission for allowing them to have this special

units

meeting to discuss his development. He briefly discussed the development. He stated that the size of the homes will be 2,400 to 3,000 square feet and the price range will be \$280,000 to \$390,000. He noted that the overall density will be below 1.2 units per net acre and the overall density is 1.46 per acre.

Mr. Mancinelli distributed and discussed a hand out indicating the Community Benefits this development proposes.

Mr. Mancinelli stated that they are requesting a favorable vote tonight from the Planning Commission subject to conditions one through five cited in the McKenna Associates, Inc. letter.

Mr. Olson pointed out that within this development it does provide a critical infrastructure link from Pontiac Trail all the way over to Ten Mile Road in terms of other developments gaining access to the water and sewer utilities. This would also tie in with the Township's overall Master Plan particularly with the set of border parcels. He stated that this is one consideration that was listed on the financial review that part of this development would have sewer mains that would like that. He stated that this would be well in excess of \$200,000 of public benefit to the credit of the Township to secure the linkage. There was further discussion regarding the sewer and water issue.

Mr. Hemker opened the public hearing at 6:22 PM.

A resident, Martindale Road, stated that his concerns are in regard to the landscaping and trees in the northwest corner of this development. Mr. Mancinelli stated that this area is wooded and will not be lighted. He noted that there will only be a couple of benches and possibly one picnic table which will be located right off the trail.

Shirley Baker, 27239 Stancrest, questioned who would be responsible for maintenance of the gazebo and picnic area. Mr. Mancinelli responded that it will be in the Association By-Laws that this area must be maintained. He noted that the developer will be responsible until it is turned over to the Association. Ms. Baker noted that between this site and her property there are deciduous trees. She stated that she would like to see pine trees planted to give her more privacy.

Ms. Baker questioned what the requirements are for mandatory connection to the sewer system. Mr. Olson explained what the criteria is for mandatory connection.

Darcy Hollon, 24300 Martindale Road, stated that overall it seems like this is a pretty decent plan, but she felt that the density bonus is too high. She stated that if these were one acre lots with septic, then sewers would not be needed.

Mr. Hemker closed the public hearing at 6:45 PM.

Tony Kopello, 60320 Trubor Drive, stated that he has a concern, not with the development itself, but with the inconvenience of the water and sewer coming down their road. He stated that they are being burdened for quite sometime by this and that they don't get any benefit from this at all. He felt that a benefit to him and his neighbors would be for the developer to pave their road.

Ms. James stated that the list of benefits is not worth a 19% density bonus. She stated that she does not like the layout of the plan, it is not an open space plan. She noted that the tree protection information has not been provided. Mr. Mancinelli stated that the cannot provide the tree protection replacement information prior to getting preliminary approval because they need to have engineering plans in order to know what trees may or may not come out. He stated that this

is something that is normally given before final approval.

Mr. Hemker was also concerned with the tree removal and replacement. Mr. Mancinelli noted that there are a lot of dead trees and Ash trees on this property. There are also a lot of Hickory and Oak trees. He stated that if they remove a 12" tree then it will be replaced by either three 4" trees or four 3" trees. He stated that a development of this size cannot be done without removal of some trees. Mr. Hemker stated that he cannot support a 19% density bonus. Mr. Mancinelli stated that they understand. He noted that it has been Mr. Hemker and Ms. James' position all along.

Mr. Barber stated that he is not happy with the amount of density. He felt that some of the lots could be larger.

Mr. Hamilton questioned what is being planned for the southwest corner. Mr. Mancinelli responded that they plan on landscaping it to the Township standards and putting a trail there so people can walk around it. It will just be open space. Mr. Hamilton questioned if the Association will maintain this also. Mr. Mancinelli responded that they will.

Mr. Soper stated that he is glad to see that they have moved the development further off of Martindale Road. He stated that this development does have some benefits, but not enough to warrant a 19% density bonus. He stated that he could justify an 8% to 10% bonus. He noted that some of the benefits are solely for the development and not the entire community.

Ms. Williams stated that the road and utility extension does warrant a bonus, but not 19%. She felt that 8% to 10% seems okay.

Mr. Bisio stated that he liked the Community Benefits hand out, it was really helpful. He stated that he felt that a 19% density bonus is too high and hoped that they could compromise on the number of units so that the density bonus could be brought down. He noted that he liked the proposed home product and cost of homes for this development.

Mr. Mancinelli stated that he would like to receive a conditional approval so that they can carry on with their engineering.

There was discussion with regard to reducing the density and what type of landscaping is going to be planted. It was noted that the landscape plan will be done for final approval. Mr. Mancinelli indicated that they don't know what type of grading they need to do at this point, therefore, they could not complete the landscape plans.

Mr. Soper stated that in looking at the amenities list provided, he felt that there are a few things that could be removed. He stated that he cannot approve this at 19%. He stated that he could approve this at 10%. He noted that Mr. Mancinelli has worked in the Township before and the Building Department speaks highly of him. He stated that they should work with him to get something that the Township can be proud of.

Mr. Barber stated that he could live with 75 homes since there is 75 acres. Mr. Bisio concurred. Ms. James stated that she does not want to approve anything without seeing the final layout.

Mr. Mancinelli stated that they would remove the first two lots and then widen the rest of the lots. He stated that this could be made part of the motion. He stated that they would work with Mr. Doozan.

Mr. Soper made a motion to approve AP-03-35, Hornbrook Estates Planned Development, subject to the following conditions:

1. Number of lots may not exceed 73.

2. Lots 1 and 43 are to be completely removed and the remaining lots upsized.
3. All conditions in the McKenna Associates, Inc. letter dated April 14, 2004 are met.
4. Remaining water line and paving be negotiated with the Elkows to complete the gap along Eleven Mile Road.
5. Remove the gazebo, picnic tables and marking sign as well as the entrance signs to Lyon Township as amenities.

Mr. Barber supported the motion.

Roll Call Vote: Ayes: Bisio, Barber, Hamilton, Soper
 Nays: Hemker, James, Williams

Motion approved.

AP-03-38, Freidlaender Planned Development, Pontiac Trail between 11 Mile Road and Silver Lake Road, Public Hearing to consider Preliminary Plan Review.

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated March 26, 2004 regarding this issue.

Richard Genrich, Multi Building Company, thanked the Planning Commission for allowing them to have a special meeting. He stated that with him this evening is Adriano Pacciocco, principle of Multi Building Company, Steve Deak, Landscape Architect with Robert Leighton Associates and Ray Maffazoli, Chief Financial Officer of Multi Building Company. He noted that they are all available to answer any questions the Commissioners may have. He gave a brief overview of the proposed development.

Mr. Hemker opened the public hearing at 7:45 PM.

Ed Hamlin, 27440 N. Dixboro, stated that he owns 17 acres abutting the western edge of the proposed development. His property is adjacent to the large wetland area. He stated that his primary concerns are with the wetlands and wildlife in the wetland area. He noted that in this corner there are a lot of very large trees and was concerned as to how many of them would be removed and how many would be saved. He stated that if too many of the trees are removed, it will dry out the wetlands.

Mr. Hemker closed the public hearing at 7:55 PM.

Mr. Deak stated that they are trying to preserve all the trees in that area. He briefly discussed the discussions they have had with regard to land conservancy.

Ms. James stated that she is in support of this plan at 10% density bonus. She noted that this plan has open space and that a conceptual landscape plan has been provided.

Mr. Bisio questioned the size of the homes, price of the homes and the percentage of brick on the homes. Mr. Pacciocco responded that the homes will be 2,300 to 3,100 square feet in size with the average price point at \$350,000. He stated that the homes will have approximately 50% brick on them.

Mr. Barber stated that there is a nice landscaping plan. He stated that he felt that 23 homes is too much. There are not any road improvements being done with this development. He recognized that the developer is extending the water. He stated that he would like to see larger lots.

Mr. Deak stated that they did not want to come in with a plan that requested a much higher

Respectfully Submitted,

Deby Cothery

Deby Cothery
Recording Secretary