

**CHARTER TOWNSHIP OF LYON  
PLANNING COMMISSION  
SPECIAL MEETING MINUTES  
August 24, 2004**

Approved as corrected August 30, 2004.

DATE: August 24, 2004  
TIME: 7:00 PM  
PLACE: 58800 Grand River

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

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

Absent: Laura James, Secretary  
Ted Soper

Also Present: Matthew Quinn, Township Attorney  
Chris Doozan, Township Planner  
Alexis Marcarello, Township Planner

Guests: 9

Mr. Hemker noted that he received a call from Mr. Soper who indicated that he would not be at the meeting this evening because he had to work late.

**1. APPROVAL OF AGENDA**

Mr. Barber made a motion to approve the agenda for Tuesday, August 24, 2004 with the changes noted. Ms. Williams supported the motion.

Voice Vote: Ayes: All  
Nays: None  
Absent: James, Soper

Motion approved unanimously.

**2. APPROVAL OF CONSENT AGENDA NONE**

**3. PUBLIC COMMENTS ON NON-AGENDA ITEMS:**

Karen Stutzman, Franklin Properties, requested that the Planning Commission schedule a special meeting to make a recommendation to the Board for the Lyon Ridge Development.

Mr. Doozan stated that he has a report from the sub-committee regarding Lyon Ridge Development. He stated that the sub-committee did meet three times with the Lyon Ridge folks on August 2, 13, and 19, 2004. He noted that on August 13th they visited the site. He stated that

the sub-committee and the developers feel that there is some agreement on what the proposal would be that is presented to the Commission. He stated that the bottom line is that the sub-committee did meet and come to some agreement with regard to reduction of lots and amenities that would be provided as part of the overall package. He stated that on this basis, Ms. Sussman is requesting a special meeting. He noted that this issue would probably not come back to the Commission until the October meeting.

Mr. Hemker questioned if new plans have been submitted to the Planners yet. Mr. Doozan responded that they have not been submitted yet. Ms. Sussman stated that they intend to submit updated plans within the required time frame prior to the special meeting. She stated that it could be as soon as one week from now. Mr. Hemker noted that they would have to be in two weeks prior to the meeting. Ms. Sussman stated that they are hoping to have the meeting somewhere mid-September.

Mr. Hemker stated that this is a decision that he would like to defer until they have a full Commission

present. He noted that their next meeting is on Monday, August 30th. Ms. Marcarello stated that she believed that they could wait until next Monday's meeting to make a decision and still have enough time to have a special meeting mid-September. Mr. Hemker stated that he would feel more comfortable doing it this way.

4. **PUBLIC HEARINGS:**                      **NONE**

5. **OLD BUSINESS:**

**AP-03-35, Hornbrook Estates Planned Development**, 11 Mile and Martindale Roads, Final Planned Development Review (continued for August 16, 2004)

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated August 13, 2004 regarding this issue.

Nick Mancinelli stated that he met with Michelle Aniol last week and went over the changes and agreed to them. He stated that they both felt it would be prudent not to make the changes until he came before the Planning Commission, just in case there were more changes that needed to be made.

Mr. Mancinelli stated that after the April 14th meeting when he was granted conditional approval they adjusted the site plan to try and coincide with the requirements that they thought were part of the approval. He stated that they reduced the lots from 79 to 73. He stated that one of the key items that the Planning Commission wanted was that lot 1 and 43 be removed, which they did. He stated that they took one lot from each street, on each side of the street and removed them and spread out the remaining lots. He stated that as a result the minimum lot size increased from 18,178 square feet to 18,672 square feet. The average lot increased from 19,223 square feet to 20,289 square feet. The minimum lot width increased from 100' to 102'. He noted that some of the lots are bigger than 102' but the minimum is 102'.

Mr. Mancinelli stated that with regard to the conditions indicated in the McKenna Associates, Inc. letter dated April 14, 2004 have been met. He stated that they have agreed, in principle, with the Elkow Group to have a draft of the agreement that needs some tweaking. He stated that Mr. Doozan has a copy of this draft from Mr. Cusineau. He stated that it will be finalized in the near future and a copy of it will be submitted to Mr. Quinn and Mr. Doozan for their comments and then they will be signing the agreement. He stated that the agreement basically states that they are going to share in the cost of approximately 600' of paving and water main from Hornbrook's east property line to Elkow's west property line. He stated that it will be done on a per unit basis. They

will add the number of lots west of Milford Road and divide it out to determine who pays what. He stated that he will be paying either 16% or 17% of the cost.

Mr. Mancinelli stated that they have removed the picnic tables, gazebo and marking signs at the trail stop as recommended in the Planner's letter. He stated that the landscape plan at Eleven Mile and Martindale will be a continuation of the Elkow landscape plan, which he believed has been approved by the Planning Commission. He stated that they will continue the landscape plan along Eleven Mile Road and down Martindale Road.

Mr. Mancinelli stated that they have submitted the conservation easement draft, the woodlands draft as well as the Planned Development draft. He stated that they agree with the Township Planner on the few minor changes that were noted in their letter.

Mr. Hemker questioned if the Hornbrook house is sold in the future and developed, would they have access to the internal road within the Hornbrook development. Mr. Mancinelli responded that they would not. He stated that they are going to put landscaping in that area. He stated that if someone wanted to, in the future, take out the landscaping, they could access the road. Mr. Hemker questioned if there is an easement. Mr. Mancinelli responded that there is not. He stated that they were under the impression that the Planning Commission did not want this. Mr. Doozan noted that this would become a through lot if there was access to both the internal road and Martindale Road.

Mr. Hamilton questioned if there is going to be quite a few buildings left on the lot. Mr. Mancinelli responded that the house and garage will be the only buildings left, all the barns will be gone.

Mr. Hemker questioned if there will be a stub to Mr. Hornbrook's property for sewer. Mr. Mancinelli responded that they did not plan on it, but they could put one in. Mr. Hemker felt that would be a good idea. Mr. Mancinelli responded that it would not be a problem. He noted that they will be bring sewer down to accommodate the houses along Martindale Road. He noted that there will be two access points for sewer on Martindale Road. He pointed to the locations on the site plan that was displayed.

Mr. Barber questioned if there is a small development going in across the road. Mr. Mancinelli responded that there is. Mr. Barber questioned if they were going to help pay for some of the sewers. Mr. Mancinelli responded not that he knows of. Mr. Quinn stated that he spoke with the Engineers today about this. He stated that the other development is not going to be included in the current SAD because their time table is not that quick. Mr. Mancinelli stated that if the Planning Commission wants sewer and water to be there for in the future, it is not a problem.

Mr. Hemker stated that they would need two motions as recommendations to the Board:

1. Final Planned Development
2. Master Deed, Bylaws and Condominium Subdivision Plan

Ms. Williams made a motion to recommend approval of the final planned development to the Township Board for AP-03-35, Hornbrook Estates Planned Development, subject to the following:

1. The comments indicated in the August 13, 2004 McKenna Associates, Inc. letter.
2. A water and sewer stub for the Hornbrook house will be added per Engineer specifications.

Mr. Barber supported the motion.

Voice Vote:                      Ayes: All  
   Nays: None  
   Absent: James, Soper

Motion approved.

Ms. Williams made a motion to recommend approval of the Master Deed, Bylaws and Condominium Subdivision Plan to the Township Board for AP-03-35, Hornbrook Estates Planned Development, subject to the conditions noted in the August 13, 2004 McKenna Associates, Inc. letter. Mr. Hamilton supported the motion.

Voice Vote:           Ayes: All  
                              Nays: None  
                              Absent: James, Soper

Motion approved.

**6. NEW BUSINESS:**

**AP-04-26, Old Grand River Storage**, located on north side of Grand River, west of Napier Road. Request for extension of site plan approval. (Continued from August 16, 2004)

Ms. Marcarello reviewed the comments indicated in the McKenna Associates, Inc. letter dated July 23, 2004 regarding this issue.

Brenda Kassab explained that every summer they add onto the site. She stated that they are not sure how big the buildings will be until they see what the trend is.

Mr. Doozan stated that there is an issue with utilities. He noted that he received a letter a few days ago from the Drain Commissioner. He asked Ms. Kassab if she could address the issue. Ms. Kassab, using displayed plans, indicated the area in which the Norton Drain is located, which is the area she is in discussions about with the Drain Commission. She briefly explained what the problem was and what they need to do to fix the problem. She also discussed a problem with a culvert in the Norton Drain and bicycle path, which she had to remove. Mr. Hemker stated that as soon as this gets settled the bike path will connect again. Ms. Kassab responded that this is correct.

Ms. Williams made a motion to approve a one year site plan extension for AP-04-26, Old Grand River Storage, with the following changes for Phase II:

1. increase of square footage of Building A;
2. decrease of square footage of Building B.

Mr. Barber supported the motion.

Voice Vote:           Ayes: All  
                              Nays: None  
                              Absent: James, Soper

Motion approved.

**AP-04-27, Saddle Creek Condominium**, Pontiac Trail between 11 Mile Road and Silver Lake Road, First Phase Condominium Subdivision Plan (Exhibit B), Master Deed and Bylaws Review. (Continued from August 16, 2004)

Ms. Marcarello reviewed the comments indicated in the McKenna Associates, Inc. letter dated August 10, 2004 regarding this issue.

Mr. Hemker questioned that status of the SAD for Trebor Lane. He stated that the plan was to put it down the middle of the road instead of through the backyards. Mr. Quinn responded that

from the Engineer's standpoint, this is still the plan. Mr. Hemker stated that he knows the residents of Trebor Lane had some concern that their road would be torn up. Mr. Quinn stated that he is not sure if the Engineers have had a meeting with the residents or not. Rick Genrich, Mutli-Building Company, stated that it is his understanding that Giffels-Webster is leading on this issue and that they are kind of in the backseat. He noted that it is progressing.

Ms. Williams made a motion to recommend approval the Master Deed, Bylaws and Condominium Subdivision Plan (Exhibit B) for AP-04-27, Saddle Creek Condominiums to the Township Board subject to approval by the Township Attorney. Mr. Bisio supported the motion.

Voice Vote:           Ayes: All  
                              Nays: None  
                              Absent: James, Soper

Motion approved.

Mr. Genrich stated that he would like to let the Commission know that it has been a pleasure working with the Commission, Township staff, McKenna Associates, Inc. and Matt Quinn. He felt that they are an extremely, competent special group of people who do a great job representing the Township.

Mr. Bisio questioned if Multi-Building will be the sole developer in this development. Mr. Genrich responded that they be the sole developer and builder in this development.

**AP-04-28, Family Video**, East side of Pontiac Trail, north of Marjorie Ann Street, Site Plan Review. (Continued from August 16, 2004)

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated August 12, 2004 regarding this issue.

Todd Bezenah, Regional Director of Family Video, stated that he is here to answer any questions that the Commission may have. He distributed a pamphlet describing the Family Video Corporation. He stated that they have had two meetings with McKenna Associates, Inc., Michelle and Chris. He stated that they did receive a letter with comments and have addressed everything on that letter. He stated that they did resubmit another set of plans, which is in front of the Commission this evening.

Mr. Bezenah stated that they do have to go to the Zoning Board of Appeals for a variance for a rear yard setback. He briefly discussed why they need a variance.

Mr. Bezenah stated that they have no problem with any of the comments in the Planner's letter dated August 12, 2004. He stated that they will address all the issues.

Mr. Hemker questioned if a driveway will be maintained on Marjorie Ann. Mr. Bezenah responded that they will have a curb cut there.

Mr. Bezenah stated that they are ready to begin as soon as they get approvals. Mr. Hemker stated that the only problem he has with this is that he does not like approving anything before the ZBA sees it. He stated that he is not comfortable granting any type of conditional approval and sending it to the ZBA. He stated that he knows that the ZBA doesn't like getting something that is already approved conditional upon them acting on something. There was further brief discussion. It was determined that this issue would be tabled and placed on the agenda for the September 13th Planning Commission meeting as the first item under Old Business.

Ms. Williams made a motion to table this issue until the September 13, 2004 meeting to allow the applicant time to go before the ZBA on September 7, 2004 for a variance. She noted that this issue should be placed as the first item under Old Business on the September 13th agenda. Mr. Hamilton supported the motion.

Voice Vote:                   Ayes: All  
                                      Nays: None  
                                      Absent: James, Soper

Motion approved.

**7. MISCELLANEOUS DISCUSSION           NONE**

**8. ADJOURNMENT:**

Mr. Hemker adjourned the meeting at 8:12 PM.

Respectfully Submitted,

*Deby Cothery*

Deby Cothery  
Recording Secretary