

**Charter Township of Lyon
Planning Commission
Meeting Minutes
November 14, 2005**

Approved as corrected on December 12, 2005

Date: November 14, 2005
Time: 7:00 PM
Location: 58000 Grand River

Call to Order: Chairman Barber called the meeting to order at 7:00 P.M.

Roll Call: Present: Michael Barber, Chair
 Jim Hamilton
 John Hicks, Board Liason
 Laura James, Secretary
 Laura Williams

 Absent: Jim Dome
 Ted Soper, Vice-Chair

 Also Present: Philip Seymour, Township Attorney
 Chris Doozan, Planner
 Michelle Aniol, Planner

 Guests: 38

Approval of Agenda

Mr. Hicks made a motion to approve the agenda for Monday, November 14, 2005 as modified. AP-05-47, Pulte Land Development was tabled until 11/28/05. The discussion site plan review required for accessory structures (item six) was tabled as well. Shadowwood was added to the agenda. They want the Planning Commission to form a subcommittee to address concerns they have with trying to put together a development that meets the Planning Commissions needs. Mr. Hamilton supported the motion.

Voice Vote: Ayes: all
 Nays: None
 Absent: Dome and Soper

Motion approved unanimously by those present.

Approval of Consent Agenda:

Ms. Williams motioned that the October 10, 2005 meeting minutes to be approved as written. Mr. Hicks supported.

Voice Votes: Ayes: All
 Nays: None
 Absent: Dome and Soper

Motion approved unanimously by those present.

Comments from public on Non –Agenda

Mitchell Zalewski 62041 Tayberry Circle

Had a question on item 6. His first question was in regards to the section on accessory building structures and uses. He found that appearance seems to have a different definition depending on who you talk to (his definition is different than the Planning Commission). His last question was on setbacks. There is no provision given in setbacks when someone's rear meets someone's side. He wanted to know when accessory buildings are built close (10 feet to the lot line) how should it be addressed when it is adjacent to the home structure?

Public Hearing:

1. **AP-05-39, Leduc**, Public hearing to consider a request to rezone 201.59 acres on the east side of Milford Road and north side of Twelve Mile Road from R-1.0 Residential-Agricultural District to R-0.3, single family Residential District; discussion and action on rezoning request to follow the public hearing.

Mr. Doozan reviewed comments indicated in the McKenna Associates Inc. letter dated November 10, 2005.

Bill Brownfield 32355 Alvine Trail Beverly Hills, MI

Stated that the property should be rezoned. First he said that the property on the southeast corner of Twelve Mile and Milford is zoned in part R0.3 and multiple family. Properties east of South Hill Road that are single family R1.0 are buffered from the industrial by a new transitional industrial district that Lyon Township has. This adds to the reasons why Mr. Brownfield thinks the property should be rezoned.

Mr. Brownfield also argued the initial zoning of R1.0 is not appropriate for this land. He suggests that for three basic reasons.

One: It is immediately adjacent to industrial property. There is no transition from the industrial land to the highest and least intensive residential use.

Second: there is no transition from the Mill Creek area to the R1.0 property of Coyote Gulf Course. He said this is actually a change of zoning and needs to be recorded on the zoning map

and in the master plan. If the township agrees to a consent judgment that land is zoned. It is not anything else but zoned for how it is used. Mill River is a high-density residential area; there is no transition across Twelve Mile from Mill River to the Coyote property.

Third: R1.0 does not meet the intent of Lyon Township's Zoning Ordinance. The intent of section 23.01, which is the R1.0 agricultural/ residential is," Primarily to accommodate residential development at a low density for residents who prefer ex-urban sustained living and are willing to assume the costs and efforts of providing many of their own services and amenities. It is intended that the purpose of the land be for single family dwellings although agricultural uses are permitted recognized in the real characters of many areas zoned R1.0. The standards in this district are intended to assure that residential and agricultural uses peacefully coexist." He continued to mention that the Coyote property is within 4,000 feet of the New Hudson corners. It is not at the south end of the township where the other R1 properties exist. It is in an urban area and does not meet the intent of the ordinance. It is adjacent to Mill River and also the County had put in plans that Milford Road be made to three lanes. Where else should a higher density area be than close to the downtown area and close to other high-density areas? The R1.0 site compared to other R1.0 sites in the township is a second-class site. Due to this, its relationship to the downtown area it will not possess the amenities that other sites to the south do. Also, because of the industrial on one side, Mill River on the west side, and the R0.3 properties on the south side of Twelve Mile it loses any type of R1.0 amenities. Therefore, Mr. Brownfield believes it should be zoned R0.3. "It better meets the intent of the zoning ordinance." The R0.3 is a transitional zoning. It would be a transition from the industrial to the single family R1.0 that is on the South side of Twelve Mile Road. It would be similar the Mill River, but less. There are other R0.3 properties in a similar situation in Lyon Township. For example, on the north and west side of the old railroad tracks there is very little R-1.0 in the area and the township has found it necessary to zone it R-0.3. It is closer to the downtown area and is appropriate. The property does have the necessary utilities to accommodate a R-0.3 density and if it were impossible to extend sewer because of lack of capacity a developer could place in his own sewer treatment plan and provide his own water. The rezoning would promote the highest amount of health, safety, and general welfare for the residents. It is in an area that would expect a higher density and allow for proper traffic controls onto the enlarged street. It would also have a greater marketability then selling a R1.0 lot. He believes that "rejecting the R0.3 is a discriminating move by the township. The property is very similar to other properties marked R0.3 in the township and therefore he would recommend that the property be rezoned."

Ray Leduc, Engineer Representing Leduc, Incorporated

Mr. Leduc says that there are many zoning issues that the township should correct.

The first issue is that Mill River to the west of Coyote Golf Course is a 187-acre parcel that has been approved via consent judgment. The consent judgment was made as a result of two sides disagreed with each other. They ultimately came to an agreement on how to revise the parcel rezoning, the township master plan, and township zoning maps. "The agreement resulted in 264 multi family condominium units, 74 attached duplex units, and 97 single-family site condos, 56 small lot single-family site condo, and 150 senior living units for a total of 641 units on 140 acres. It created 20 acres of B2 zoning which entailed 30,000 square feet of office space, a

25,000 square foot daycare center, and a 27,000 square foot possible library.” This decision to enter a consent judgment may have cost the township 4 million dollars, but has caused a hardship to the surrounding areas, which must be addressed. The master plan was not amended to take into effect the surrounding properties, mostly the Coyote Golf Course. The sewer and water needs of the Mill River project was not taken into account upon the master plan and potentially future users will not have the capacity when it becomes their turn to use the system.

Issue two: industrial zoning to the north has over 3,300 feet of frontage on the subject parcel. “This is the single most parcel frontage of any use of industrial zoning in the entire township. Industrial zoning is the most intensive use in the township with 3,300 feet of frontage on a property that is zoned R1.0, the lowest actual residential use in the township. Nowhere in the township is there a subdivision zoned R1.0 with any significant number of homes with this amount of frontage adjacent to industrial zoning. One acre lots next to industrial zoning is not only economically infeasible, but a marketing nightmare.”

Issue three: the township has master plans east to the subject parcel, a large track of parcels, to “future special industrial transitional area” this is defined as “The future land use map designates industrial land with in approximately one half mile of Twelve Mile as a special industrial transition area to recognize the needs to alleviate the impact of industrial growth on existing residential uses.” Mr. Leduc said that it is clear that the intent of the master plan statement is to provide for transition from industrial to the north and R1.0 residential to the south. He feels that their petition meets the goal of the master plan.

Issue four: industrial zoning is the predominate zoning of the major corridors of travel in the township. Industrial zoning has 2 miles of frontage on I-96 and over 5 miles on Grand River, 1 mile on the east and west side of Milford Road. This area of industrial zoning is approximately 2,000 acres. The properties that border this industrial zone have in all cases one or many transitional zones prior to touching R1.0. This created a necessary buffer for transition that planning would dictate, except proper zoning was never placed on the subject parcel. This was discussed at several meetings with the township and the consensus was that the golf course was overlooked during the master plan analysis. Mr. Leduc also said good planning would dictate that in high intensive use, like industrial zoning, a step zoning would provide the best protection to all zoning classifications. Therefore, from a township wide over all land use it is best to shield, buffer, step, or transition from your most intensive zoning use to your least intensive zoning use.

Issue five: The planners report states, preserving the townships rural environment is identified in the master plan as one of the greatest challenges faced by the township officials. To meet this challenge, one of the goals of the master plan is to concentrate on higher density development in and around the New Hudson area. The New Hudson area is planned for higher density, mixed density, and mixed uses consistent with the traditional downtown character. This leaves remaining parts of the township for lower density development at about one unit per acre. “The subject parcel is not in the New Hudson area or rather in the Northern edges of the area that is planned for lower density development. This is the opposite of what is happening. The residential downtown area has been shifted to Mill River. The subject parcel will become part of the new residential downtown area.” Mr. Leduc says the solution is correctly zoning this property given all of the above stated inequalities. “Please rezone the subject parcel to R0.3 and

work with the community and developer to create the open spaces, visual vistas and buffers to the north and west high intensive uses and then transition to the east and south to low density residential. This would be the perfect opportunity to utilize these 200 acres to create a master plan that would solve all of the township and developers concerns.”

Open public hearing at 7:38 P.M.

Tom Cater 56777 Twelve Mile Road – The subject parcel is in his front yard. He agrees with Mr. Doozan in that it will create an unreasonable burden on the community facilities. He says that it is inconsistent with the property around it. To the east is a horse farm and he lives to the South. It also sets an inappropriate precedent for rezoning. If this is able to be rezoned, why couldn't he or anyone else rezone their property? He does not think that the proposal should be accepted. He also said that he agreed with everything that was on Mr. Doozan's report.

Mark Smith 55901 Twelve Mile Road – He lives across from the golf course. His concern is Twelve Mile. Twelve Mile last winter was almost impassable at times. They had traffic down to five miles an hour with the chuckholes. That would add a significant amount of traffic to an already bad situation. He also wanted to know if the residents would be assessed for the cost of road improvements.

Marge O'Donnell 26966 South Hill Road – Disappointed that her neighbors did not come. She understands why. Every few months they come in to face a developer with the impression that they are entitled to get their property rezoned and residents get tired of coming a talking over and over again. She admits that property owners have the right to develop their property. She says that as much as she would like to see it stay rural, it is their right to develop it within its zoning. She does not feel that they are entitled to come in and request rezoning that is going to create the most beneficial economic situation for them. They purchased the property knowing that it was zoned R1.0 residential. Our township has invested a lot of money into creating a master plan that takes into account the way the township should be developed that provides an equal balance of industrial, commercial, and residential growth. They are not entitled to R0.3, they are only entitled to R1.0 and she hopes that the planning commission takes that into account when reviewing all the information tonight.

Jerry Meloche 56701 Twelve Mile – This is his front yard. He stated that he thought it was disheartening that people would stop coming to meetings and stop speaking. He hopes that the zoning commission would take peoples feeling into consideration. The people who set up the master plan have zoning background and a lot of people are expressing their personal feelings (what should happen). He would like to trust that the building commission already took that into consideration. He worries about Twelve Mile, he is not happy about the construction traffic that goes by now. The trucks are not supposed to be allowed on the road and the sign have been removed and now double tandem gravel haulers are flying down the road. He thinks that everyone would like to see it the way it is and he hopes that the zoning board takes their thoughts into consideration.

Karolyn Karnafel 56205 Twelve Mile Road – She moved into her house about one year ago and was not expecting this. She is concerned about the property value of her house and being able to sell her house. She also stated that the last thing that we need is more traffic.

Mitchell Zalewski 62041 Tayberry Circle – He does not live anywhere near the subject property, but he has the same concerns about the Erwin Orchards and their planned rezoning. He thinks that we need to be careful so we do not lose our master planning zoning because of rezoning properties. He also thinks that traffic is already bad with Mill River there, with this it will be impassable. There is no way that density adds to tax base, it subtracts from it. We are already building a second high school, we will be building a third if we keep allowing this to happen.

Dorothy Foley 56525 Twelve Mile Road – She likes twelve mile the way that it is today. She sees too much traffic today with the Mile River development going on. She is also concerned about the number of residences that the developer has proposed and the townhouses. She would like to see similar homes in her neighborhood, not townhouses. She is not against a development; she is against a big development. She does not like the idea of Mill River and another big development across the street from them. She would like to see the R1.0 consistency throughout the township.

Greg Smith 27530 Henry – He does not like the R0.3 size. He does not agree with their comment on not selling property, he bought his 2 acre property with no problem. He is worried about the value of his property. He is also worried about traffic. He says it is ok to build houses there, but not that many.

Tim Schoenborn 28415 Coyote Court – He lives on the golf course. The thing that troubles him is the conditions that the developers want. There are some large homes on large lots over by the area with water and an equestrian facility. They just had some good sized homes sell with no problems. This type of development is not going to keep in theme with what is back there. He also has concern with his property value. He agrees with what everyone has been saying and feels that they have valid concerns.

Frank Tundo 55550 Lee Drive – He has 10 acres about 300 feet east of the golf course and 2 homes on the golf course. He built one of the homes that sold for 600,000 dollars and there is another one going up right now. There is no problem with density and larger lots and selling them. The issues that were brought up about density and Milford Road and Twelve Mile are all true. If you put in 456 homes you will never be able to get anywhere. It is only going to make it worse. It will also affect everyone's property value. He likes the rural. He can live with 1 acre, but R0.3 is a stretch.

Close public hearing at 7:56 P.M.

Ms. James commented that the subcommittee meets with the developers to discuss a plan that would work out a nice development with some extra density that was sensitive to the area and the developer flat out refused to even discuss changing their plans. They stated that they were going to sue the township. That is why they have a court reporter here. She stated that the township has been doing pretty good at the courthouse and she feels the township is on some solid footing.

legally. She also stated that they are looking for a consent judgment, like Mill River. She believes that the current board has the guts to say no.

Rebuttal: Mr. Leduc stated that he never said that he would sue and that Ms. James was the one that suggested he sue the township.

Ms. James argued that that was not a true statement. “The statement that was made at the subcommittee meeting was that you were going to seek a consent judgment. You only get a judgment when you go to court and sue. I never suggested that you pursue a consent judgment because I don’t think you are going to get one.”

Mr. Barber commented that Mr. Brownfield said that Milford Road would be increased to three lanes to accommodate this development. One thing that he has admitted is that there is a problem with traffic. He stated that he does not know how that is going to happen, there are people living on both sides of Milford Road. It has been a problem for everyone. It was a problem for Mill River. Mr. Barber stated that it is a straight rezoning and a special privilege for the developers. We have Engineers that have worked on our master plan. We change it every five years and keep it up to date. We are going to stay with it.

Mr. Hamilton said he feels that the township and the planning commission have put together this master plan and he does not think that they should move from it.

Mr. Hicks said that Mr. Leduc made a comment about how he looked forward to developing this with transitional zoning to the east and landscape zone buffering on Milford Road. However Mr. Hicks feels that is not what Mr. Leduc is asking for. What they are asking for is a straight rezoning that does not give the township the opportunity to work with any of the items mentioned. The township has demonstrated with several quality developers that if they come to us with a reasonable plan and offer some benefit to the township, then we will work with them. We have done this with many instances. That is how we have gotten some roads paved. Mr. Hicks also said, “ It is unfortunate that you are seeking a straight up rezoning and I can’t live with that.”

Ms. Williams commented that the township has spent many months working on the master plan and did take into account the consent judgment and spent a lot of time discussing all of the township and what the plan for it would be. The township did not overlook the consent judgment. The way to work with us and allow for buffering is not to ask for straight rezoning and R0.3, which is putting more houses up next to an I1.0 district as opposed to buffering. The plan development process could provide what you are looking for if you had chosen to look at that. “I think that it is telling that so many residents stated that they are not having any problem selling large properties.” She also commented on Mr. Doozan’s letter and how there is a lack of infrastructure to support the development (road and sewer).

Ms. James made motion that, we recommend that the township board deny the rezoning request for the following five reasons.

1. The reasons set forth in Mr. Doozan’s letter on November 10th.
2. The reasons set forth in Mr. Olsen’s memo on November 12th.

3. There are a variety of ways under current township law that a developer could use to obtain an increase in density and a reduction in lot size; for example, with a high quality plan that protects wetlands and woodlands, but this developer has refused to even consider earning a density bonus and clustering the homes as other developers have done.
4. We must draw the line between high density and low density somewhere and this developer has not offered compelling reasons for us to move the line to his benefit and to the detriment of the large acreage property owners and horse farms to the south and east.
5. Public opinion is against this proposal and under the law this is a factor that we may consider.

Mr. Hicks supported the motion

Voice vote:	Ayes: all
	Nays: none
	Absent: Dome and Soper

Motion approved unanimously by those present by those present.

Old Business:

2. AP-05-22, Speedway Gas Station and Convenience Store, 22380 Pontiac Trail, southeast corner of Pontiac Trail and Nine Mile Road, commercial site plan review and special use approval.

Mr. Doozan reviewed the comments indicated in the McKenna Associated, Inc. commercial site plan review letter dated November 9, 2005.

Ms. James noted that we have a lot of things on our plate tonight so can you just tell us the 10 conditions and if you can meet them?

Jason Bandy 539 South Main Street, Findlay Ohio,

Mr. Bandy had a few things that he would like to get some considerations on for other options. He agreed to prepare a cross access easement between the property owners to establish that there will be a future easement. However, to do the easement itself may not be the best idea. They established the general facility of the easement and have documentation on it, but as far as establishing exactly where it is going to be might not be the best idea depending on what the neighbor wants. As far as the exterior lighting, this sight will not look as bright as Sunoco for two reasons. 1: There sight has fixtures that are spotlights and you can actually see a light source on those fixtures. It appears to be brighter. The Speedway site will have recess fixtures that are going to be evenly distributed light and going to be safer because of the evenly distributed light and there will be no shadows.

Mr. Barber commented that the township accepts the dark sky ordinance. He also said, "We are not changing it. If we have to change for you then we have to change for the next person too."

Mr. Bandy then commented that the 26-foot candles do not take into consideration the maintained lumen levels. Maintained lumen levels are usually .72. He asked, "What does the township go by?"

Mr. Barber answered by saying "In regards to the surface we were measuring at the pumps with those spotlights lighting up the pumps. If it were one of those lights it would eventually lose its lumination. It would make it so you can see the numbers on the pumps and spot light the cars without having the light leave the perimeter of the property. We have allowed people to do that and you can do that too."

Ms. James commented that many people on the board are very educated on lighting. Some of them have gone out at night with a light meter. The township has adopted the California Outdoor Light Standards and they suggest 24-foot candles. Due to public health and safety issue. She also said, "When a driver gases up at night they lose their night vision for a significant amount of time. With 50-foot candles there is no way. It would take several minutes for them to recover their night vision once they are back on the road."

Mr. Barber also commented that because Speedway is right on the edge of the city, there is also other light sources so it will not be very dark.

Mr. Bandy also mentioned that he did not think they were going to be able to put the signs on a 45-degree angle. He mentioned that they are improving the intersection with the right-of-way tap. We have volunteered this right-of-way tap with Oakland County and he does not feel that Speedway should be punished for improving the intersection. If we did not put that right-of-way tap in we would be more then 15 feet from the right-of-way.

Mrs. James asked if he thought they should give an exception to the sign ordinance.

Mr. Barber asked if he took into consideration that 25-mile per hour is the maximum speed limit. He asked, "Why do you need two signs?"

Mr. Bandy commented that they have looked at that and have thought of doing an angled sign and have done it in a few places, but our operations will not accept them. They feel that people cannot see them when they are driving past it. Especially with only a 32 square foot sign, which is, below the townships allowance. He said, "We could change to meet your ordinance if we don't get variance, but can we go for a variance and get site plan approval contingent upon getting a variance?"

Mr. Doozan commented that you can always do that. You have the opportunity to go to the zoning board of appeals if you want.

Mr. Bandy asked if he could get site plan approval and then go before the Zoning Board of Appeals.

Mr. Barber suggested that it be tabled.

Mr. Doozan commented that there are a number of businesses that will leave their sign off of the site plan and then look at that separately. The township can grant the site plan approval without the sign approval and then deal with that with the building department.

Mr. Hicks said that recently he has seen the price signs up in the canopy.

Mr. Bandy said that that is common in Wal-Mart and Meijer stores. They are only allowed to have one sign they will put prices up on the canopy. They are not allowed to have a second sign for the gas station. For the second sign there is a question about 1608G - one gas no price sign per gas station - one of the signs was for cigarettes and we do not have to put gas prices in that if that is acceptable.

Mr. Barber had a question about the east wall. "The east wall that is right up on a residential neighborhood is that all brick? Does it match?"

Mr. Bandy said that the site plans suggest that the planning commission approve the building materials. They are proposing a decorative concrete wall, it matches the same pigment of the rest of the gas station and it looks like brick.

Mr. Barber said that the plans said a brick wall. Then he asked if they changed their mind after they went through their variance?

Mr. Bandy answered, "No, during the variance they said that it had to be a masonry type wall." He also commented that a poured brick wall would last longer and be more stable than a brick wall. They will match the color that the neighbor wants. The entire building will be in brick. He also asked if the enclosure fence still be chain linked. It will have white inserts that will match the fascia of the building. It will look like a white fence from a distance. It will hold up a lot better.

Ms. James asked Mr. Doozan if anything from his letter changed.

Mr. Doozan said he thinks we can approve everything excluding the signs and he can work with the building department on that.

Ms. James made the motion "to make a motion to approve the site plans for speedway gas station subject to the ten conditions outlined in the consultants letter of November 9' 2005 with the understanding that we are not approving the sign as submitted and the applicant is going to seek sign approval separately." Mr. Hamilton supported.

Voice vote: Ayes: all
 Nays: none
 Absent: Dome and Soper

Motion approved unanimously by those present.

Ms. James also made a motion that, “We recommend special land use approval subject to compliance with the conditioned site plan approval for the reason that it is already a gas station anyway.” Ms. Williams supported the motion.

Voice vote: Ayes: all
 Nays: none
 Absent: Dome and Soper

Motion approved unanimously by those present.

3. AP-05-46, Talon Development, (The Learning Experience Day Care at Woodwind), north side of Ten Mile, west of Johns Road, Proposed day care in the Woodwind planned development, site plan review.

Ms. Aniol reviewed comments indicated in the McKenna Associates Inc. letter dated October 31, 2005.

Ms. James commented that we gave the Speedway Gas Station a hard time about lighting and McKenna is suggesting that we allow the daycare to have higher foot-candles than our ordinance calls.

Ms. Aniol said that they are not comparable. “It is slightly higher; it is not going on any private property and is just on the Rosemont right-of-way.”

Ms. James asked, “Why not make them use a smaller light bulb.”

Ms. Aniol agreed that they could do that.

Steve Vanden Bossche from Talon Development said that he did not know what else he could embellish on from what has already been said in the past.

Ms. James asked if he followed the recommendations and Mr. Vanden Bossche answered yes.

Mr. Venden Bossche asked if there was anything else the planning commission would like to know.

Ms. James said that the major issues brought up last time was the side walk

Mr. Barber asked about the flooding in the playground.

Mr. Venden Bossche answered that he was talked with Leslie about this and will be very happy to work with the township engineer. “The one thing about adding more pipe is that then you have to add another inlet and if the inlet is a concern that adding more pipe is probably not the way to go. We can certainly handle the swales or improving the swales it is to the side of the play area and this is not a play area that will be used daily.”

Mr. Barber commented that they picked the spot and wanted to build there. The township just wants it to be safe.

Mr. Venden Bossche said that the inlet would be a flat inlet without a beehive so it would not be a tripping hazard.

Ms. James made the motion to “approve the site plan subject to the six conditions outline in the October 31 M^cKenna letter adding two more. Number seven the access lights will either be removed or the foot-candles will strictly comply with our lighting ordinance. Number eight, no signs are approved, but the applicant will be back before us on this issue.” Mr. Hicks supported the motion

Voice vote: Ayes: all
Nays: none
Absent: Dome and Soper

Motion approved unanimously by those present.

New Business

4. AP-05-46 Talon Development scheduled a public hearing to consider an amendment to Woodwind Planned Development plan to allow signage for the daycare site located on the north side of Ten Mile Road, west of Rosemont Drive. The public hearing is scheduled for December 12, 2005. Ms. James motioned to schedule that matter for the twelfth of December. Jim Hamilton supported.

Voice vote: Ayes: all
Nays: none
Absent: Dome and Soper

Motion approved unanimously by those present.

5. AP-05-49 Dennis Evans, D.E. Evans Construction/ Cross of Christ Lutheran Church, Site plan review located on 24085 Griswold Road, north side of Ten Mile Road, east of Griswold Road.

Mr. Doozan reviewed comments indicated in the McKenna Associates Inc. letter dated November 9, 2005.

Dennis Evans 55375 Park Place New Hudson –

Mr. Evans commented that it cost him \$3,400 dollars for this when he is going to pay \$15,000 to build the building. He thought paying \$3,400 dollars was to much money too pay the township.

Ms. Aniol said that the \$3,400 dollars is for the escrow to cover reviews and such. That is the amount. However, he is going to get a refund.

Mr. Evans said, "It was hard to explain to the church when you figure \$500.00 in a budget for them for doing a garage. He would not even have to do this if it was not for Casterline 10 years ago. Now I have water coming up the drive way and ruining the garage at the end of the driveway. It is a problem every spring. He felt like it was a lot of money and a waste of the board's time for a simple garage." He also agreed to everything within the letter.

Laura Williams made the motion to "approve the site plan subject to the items outlined in the M^cKenna letter dated November 9, 2005 for Ap-05-49." Mr. Hicks supported the motion.

Laura Williams also made the motion for final approval and Mr. Hicks supported the motion.

Voice vote: Ayes: all
Nays: none
Absent: Dome and Soper

Motion approved unanimously

6. Discussion site plan review required for accessory structures (section 5.02, sub-section 7) – tabled
7. AP-05-47, Pulte Land Development, site plan review of amendment to Pinehurst Planned to allow the relocation of lots #1 and #2 in order to construct a pool, clubhouse, tot lot and parking area. Laura James motioned to table AP-05-47 until November 28, 2005. Laura Williams supported the motion.

Voice vote: Ayes: all
Nays: none
Absent: Dome and Soper

Motion approved unanimously

8. Shadow wood is looking for a sub committee. They had a public hearing September 26th. Shadow Wood is between eight and nine mile on Chubb Road. There are 230 sites. The sub committee consists of Laura James, Mike Barber, and Jim Hamilton.

General Discussion: None

Adjournment:

Mr. Barber adjourned the meeting at 8:49

Respectfully Submitted,

Catherine Culver

Recording Secretary

