Charter Township Of Lyon
Planning Commission Special Meeting
Meeting Minutes
March 20, 2006

Approved as written on April 10, 2006

Date: March 20, 2006
Time: 6:30 PM
Place: 58000 Grand River

Mr. Barber called the meeting to order at 6:30 P.M.

Roll Call

Present: Barber, Mike (Chair)
Hamilton, Jim
Hicks, John (Board Liaison)
James, Laura (Secretary)
Williams, Laura

Absent: Dome, Jim
Soper, Ted

Also present: Jane Drumm, Township Attorney
Chris Doozan, Township Planner
Al Hogan, Township Building Official
Chris Olson, Twp. Superintendent

Guests: 20

Approval of Agenda: None

Approval of Consent Agenda: None

Comments from public on Non-Agenda Items: None

Public Hearings: None

Old Business:
1. AP-05-38, Shadow Wood, site plan review of residential development proposal located on the east and west sides of Chubb Road, between Eight and Nine Mile Roads.

Mr. Doozan reviewed the comments in the McKenna Associates letter dated March 14, 2006.

Gary Rentrop 39533 Woodward Ave, Ste 201, Bloomfield Hills, MI 48304 – Mr. Rentrop provided a power point presentation that provided information on the neighboring properties, pointed out that this property is within the R-0.5 district and complies with the R-0.5, they are not asking for density, discussed the criteria that they had to meet, showed first site plan that received a large amount of resistance and comments from the Planning Commission, showed the second plan that led to the building of a Planning Commission committee, showed the most recent site plan, discussed wet land concerns, discussed the differences between the three site plans, heavy landscaping along Eight Mile, contribution to the bike path fund, addressed issue of traffic on Chubb Road by offering to pave a portion of the road, offered to each neighboring property owner to provide landscaping of four 15 foot high trees (so far five people have replied to this), and notified the property owners of special meeting.

Joel Pascal- Mr. Pascal commented that the project has evolved significantly. There are around 87 acres on the site and a proposed 135 lots. The typical lot size is 90 feet by 167 feet. Mr. Pascal explained the site plan. It is basically a loop system. On the east side of Chubb Road is a single loaded road. Mr. Pascal continued to discuss the parks, entrances, landscaping, and detention ponds on the site. The landscaping plan has three parts: 1. General landscaping plans that address the requirements of the Township. 2. Tree replacements. They are proposing clusters of trees spaced about 15 feet apart. 3. Landscaping monuments. As Mr. Doozan mentioned they are providing an additional 3,477 inches in trees. They are proposing 387 trees, almost 5 times the amount that is required. In regards to landscaping, Mr. Pascal feels that they have gone over and above what is required.

Mr. Hicks had a question about the parcel on the west side of Chubb between the north and the south parcels.

Tyson Jewell 827 East Third, Royal Oak MI – Mr. Jewell clarified with Mr. Hicks that the middle section he was questioning was Martha Lane and there are about 5 or 6 different homes on that street. Mr. Hicks asked if Martha Lane was more than 600 feet away. Mr. Jewell answered no.

Ms. James commented that she wanted to describe what has happened up to this point. Ms. James, Mr. Hamilton, and Mr. Barber were appointed to work with these developers. "As we were going into the meetings with the developers, we knew that no matter what they came up with, we were going to have to approve it because legally speaking; they were within their zoning." Ms. James, Mr. Hamilton, and Mr. Barber tried to put themselves in the position of "what would I want if this was in my back yard." They came into the meetings with lists of things that they wanted the developers to do and actually got everything that they could think of. Ms. James mentioned that their primary goal was to keep this as rural looking as possible and to screen the neighbors with dense landscaping. Ms. James commented that someone wrote to the Planning Commission asking for berms. Ms. James explained that they were trying to stay away from berms because of the high death rate of the trees. Ms. James also commented that they tried to keep lighting low and asked them not to put an entrance on Eight Mile due to high levels of traffic. With the three meetings, the goal was to minimize the effects on neighbors and make it as unobtrusive as possible. Ms. James said that they came up with as much as they could. "Anything more then this would be not developing it at all. You tell us if we did enough."

Mr. Barber said that there was a few minutes until the next meeting and this is not a public hearing, but the Planning Commission welcomes any questions or comments.

Carol Panco 53353 Martha Lane – Ms. Panco has several concerns. Her concern is that she owns the entire strip to the south. What is going to happen to the existing trees? Mr. Jewell commented that it is in their best interest to save as many trees as possible. The only way they would have to remove the trees would be due to grating. Unfortunately they do not have much information on that now. If it is on the back part of the development and out of the building envelope, the trees will most likely stay. Ms. Panco said that she did not respond to the letter about the trees for many reasons. 1. They thought the neighborhood was going to get together to discuss that with Mr. Jewell. 2. They questioned where the four trees were going to be placed. Mr. Jewell answered that he would be willing to work with them on that. It has to be within reason. The deadline for that was today, but we can keep that open for as long as the Planning Commission wants. Ms. Panco also had a concern about the amount of water the development is going to bring to their property. Mr. Jewell answered the Giffels and Webster reviews this and will tell them if they have done what they need to in regards to drainage. Ms. Panco also asked which section would be developed first.

Ms. James commented that she has a list of all the trees that are protected on the development and she would be willing to give it to Ms. Panco.

Donald Keeney 53375 Martha Lane – Mr. Keeney commented that he is concerned about the property to the north. The property to the north also flows down into a pond and he did not see any retaining pond to the north of Martha Lane. Ms. James commented that there was a retaining pond; it was just green on the map. Mr. Jewell said that it would not hold water. Mr. Keeney's other concern is in regards to dead trees. He has dead trees all along the fence line. In past discussions Mr. Keeney got the impression that they were not going to do anything along the fence lines. He would hope that those trees would be taken out and replaced. Ms. James suggested that they leave them for the woodpeckers as long as they are not a hazard. Mr. Keeney had a concern that they would fall on a house or a garage. Mr. Barber said that Giffels and Webster would take a look at this.

Noah Birmelin 22736 Glenmore Heights, Farmington Hills – Mr. Birmelin commented that the detention basin will detain anything within the road system. Nothing is going to be draining off the site. Everything on the property is being focused into the detention basins. They are trying to keep all the water on the site.

Mr. Keeney also commented that he was concerned because the road is very close to Martha Lane. There is going to be accidents there all the time because they can't be more then 100 feet apart. He agrees that there should not be a road on Eight Mile, but why does it have to be so close to Martha Drive? Mr. Barber said that this is still a work in progress and the Township has engineers that will look at this. Mr. Keeney said that someone needs to or the Township is going to need to park an ambulance there.

Ms. James suggested that if someone is concerned about drainage, take a picture of your drainage situation once a week all spring. Document photos so that you can go to the engineers and Township for help.

Mr. Olsen commented that the Township engineers have their own storm drainage plan. If there are concerns with overland flow and run off issues, those can be addressed by a petitioning process with the drainage commissioner's office.

Mr. Doozan commented that there was a public hearing on September 26, 2005. Ms. James asked if the public would have a chance to comment when it goes to the Township Board. Mr. Doozan said that there is not a formal public hearing, so the question is if you want another public hearing. "Has the site plan changed significantly enough to have another public hearing?" Ms. James asked if the public would have time to speak at the final plan at the board level. Mr. Olsen said that the Township Board does not have to see the site plans. Mr. Doozan said that it does go before the board for lot averaging. Mr. Olsen said that it will be on the agenda and the Township Board will allow time for comments, but it will not be a public hearing. Ms. James asked if it would be in the paper. Mr. Olsen said typically, no.

Mr. Olsen commented that an engineering letter dated March 16th, discussed that the developer needs to provide details on proposed regional sanitary sewer and pump station systems prior to site plan approval. That is the recommendation of our engineers. This body has recommended approval and approvals have been granted pending public utilities to the site. There are a number of steps that need to be addressed.

Anthony Pilaraz 21520 Chubb Road - Mr. Pilaraz understood all the steps that needed to be taken, however, similar to the meetings with the developer, neighbors will have no input. The current development has changed significantly since the last time any of the neighbors have seen it. The traffic impact has changed. He believes it is necessary to have another public hearing.

Ms. James commented that she can appreciate why people are concerned, but Ms. James respectfully disagrees only because the developers have the right to develop this and a lot of the comments made here are not things that we can negotiate on. As far as the questions brought up tonight, we cannot turn this site plan down based on drainage concerns. We cannot vote no due to traffic. We do not have any real reason to say no. We may have concerns about traffic and drainage, but it does not give us the legal ability to say no.

Gary O'Donald 21922 Chubb Road – Mr. O'Donald said that the problem with this is Chubb Road is already a very bad road. There needs to be some talk about what happens to Chubb Road. Mr. Barber commented that they are paving Chubb Road. Mr. O'Donald asked how far it was going to go. Mr. Olsen commented that they were going to pave from their northern driveway all the way down to Eight Mile and then the corner will be realigned.

Ms. Drumm commented that there has already been a public hearing that was properly noted and the planner stated that it is up to the Planning Commission to determine whether or not this has changed so substantially as to require a new public hearing. "This is the same outline and format, however a smaller version then what was originally proposed. It is our opinion based upon legal aspects, that the Planning Commission has conducted a public hearing and there is no need for another one.

Ms. James made the recommendation "That we recommend approval under two conditions

1. The developer has to comply with all of the conditions outlined in the March 14, 2006 McKenna Associates letter as well as the March 15, 2006 letter from our Township engineer.

2. The developer gives all neighbors adjacent to the property an opportunity to respond to the offer to plant screening trees on neighbors property line and that offer be extended to the date of the Township Board Meeting." Mr. Hamilton supported the motion.

Voice vote:

Ayes: all
Nays: none
Absent: Mr. Dome and Mr. Soper

Motion passed unanimously.

New Business: None

Mr. Barber adjourned the meeting at 7:32 P.M.

Respectfully Submitted,

Catherine Culver
Catherine Culver
Recording Secretary