

**Charter Township Of Lyon  
Planning Commission  
Meeting Minutes  
October 23, 2006**

Approved as written on October 23, 2006

Date: October 23, 2006  
Time: 7:00 PM  
Place: 58000 Grand River

Mr. Barber called the meeting to order at 7:00 P.M.

**Roll Call**

Present: Barber, Mike (chair)  
Hamilton, Jim  
Hicks, John (Board Liaison)  
James, Laura (Secretary)  
Soper, Ted (Vice-Chair)  
Conflitti, Michael

Absent:

Also present: Philip Seymour, Township Attorney  
Chris Doozan, Township Planner  
Michelle Aniol, Township Planner  
Al Hogan, Township Building Official  
Chris Olson, Township Superintendent

Guests: 20

**Approval of Agenda**

Ms. Aniol asked that the Planning Commission to add a number 6 under new business for discussion and possible scheduling of a public hearing for Copperwood Planned Development.

Mr. Soper moved "to approve the agenda for Monday, October 23, 2006 as written with the addition of adding an item to schedule a public hearing for Copperwood." Mr. Hicks supported the motion.

Voice vote:  
Ayes: all  
Nays: none  
Motion approved.

**Approval of Consent Agenda:**

Mr. Hamilton moved "to accept the consent agenda for September 25, 2006." Mr. Soper supported the motion.

Voice vote:  
Ayes: all  
Nays: none  
Motion approved.

**Comments from public on Non-Agenda Items:** None

**Public Hearings:**

- 1. AP-06-36, Dimoski Rezoning; Public hearing to consider rezoning request from R-1.0 Residential-Agriculture District to R-0.5, Single Family Residential District, 60475 Nine Mile Road, located on the south side of Nine Mile, east of Pontiac Trail; discussion and possible action on the request following the public hearing.**

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

Brent Lavanway, representing Rubin Dimoski – He explained that he is requesting a rezoning from R-1.0 to R-0.5. He wanted to point out that even though they are requesting the R-0.5, realistically they will be well below the density because of the detention basin. They are expecting a density of about 1.3 or 1.4 units per acre.

Ms. James said that she was concerned about the length of the road. Mr. Lavanway said that they have not spent much time on the concept plan yet. It was planned out that they would contact the people on the east or west and have the possibility to have an interconnection. Ms. James asked if there are any wetlands on the property. Mr. Lavanway said that they have not done a lot of evaluations, but the National Inventory Wet Land Map has not indicated any wetlands. Mr. Barber stated his concern about the length of the road. Ms. James asked if they have talked with the neighbors. Mr. Lavanway answered no.

Mr. Seymour pointed out to the Planning Commission that the application is defective if you look at Section 9.02. When you have a request for a rezoning for a specific parcel of property, you are supposed to submit a survey. The drawing submitted does not meet the requirements of Section 9.02. He suggested that the Planning Commission wait on any action until the proper information is submitted.

7:17 p.m. Public Hearing Open.

Carol Pickett 60608 Russel Lane – Ms. Pickett said that Russel Lane is a private road, and everyone on the road lives on one-acre lots. When they built their homes, they were only allowed to build three-bedroom homes because of the water table. Now she is hearing that this lot is going to be condominiums, which is going to be more than three bedrooms per acre. She also said that she would like it to stay a private road, and they do not want a lot of traffic. She also pointed out that there is a group home at the end of the street.

Mr. Doozan said that the development will be connected to the Township Sanitary Sewer. Ms. Pickett said that in 2002 or 2004, the Township agreed to take the easement off. She also said that she is concerned about the effect of the development on her driveway.

Doug Collier 60233 Nine Mile Road – Mr. Collier said that he understands people have the right to split their land. His understanding is that private roads have to be at least 600 feet apart. He said that he bought land in the country because he wants to live in the country and does not want to live in a subdivision. He also stated a concern about traffic.

Donna Collier 60233 Nine Mile Road – Ms. Collier said that she has a concern in regards to the distance between private roads.

Jim Lee 60632 Russell Lane – Mr. Lee said that he has children, and he is concerned about safety. He also stated a concern about the number of accesses on Nine Mile at that spot. It is a busy area, and the development would increase the number of trips coming in and out of Russell Lane. He said that he would like the road to stay a private road.

Rubin Dimoski 60475 Nine Mile – Mr. Dimoski suggested that they build an easement for emergency only. That would limit traffic in the area. He also said that traffic is a concern of his. He said that he is willing to work with the Township and neighbors, and he shares the same interest as the people in the area. He lives there as well.

Leslie Williams 60658 Russell Lane – Ms. Williams said that she moved here because of the community. She is concerned because there are a lot of people in the area, and there is an accident everyday on Pontiac Trail. She said

that there is a need for road improvements before more homes are added to the area. She also said that she does not want a connecting road.

7:37 Public Hearing Closed.

Mr. Olson said that in 1999, the Planning Commission did not recommend the vacation of the easement. In 2000, the Board approved it. According to the Township records, the easement is vacated. He also said that Russell Lane did not get its next lift of asphalt, which creates a safety issue. He also said that Crystal Estates would be very close to Crystal Creek.

Mr. Hicks stated that he was opposed to the rezoning.

Mr. Barber said that they need to get their paperwork together.

Ms. James asked how vigorously the Township is enforcing the road length on private roads. Mr. Olson said that it is on new developments and especially on vacant pieces of property.

Ms. James said that the problem is not the density; it is the road.

Mr. Dimoski said that there are other options. He also said that the road issue may or may not be there. They are requesting the rezoning and understand that they will be back before the Planning Commission and Township Board multiple times. They also understand that they have limitations on the property but feel that it meets with the Master Plan. He also said that they are willing to work with McKenna and the Township.

Ms. James said that they cannot agree with the rezoning if it does not meet the safety requirements.

The Planning Commission discussed the possible actions they could take.

Mr. Hamilton moved "to reopen the Public Hearing." Mr. Soper supported the motion

Voice vote:

Ayes: all

Nays: none

Motion approved.

Mr. Soper moved "to continue AP-06-36 request to rezone to our November 27 meeting so that additional property data and surveying can be supplied to the Planning Commission." Ms. James supported the motion.

Voice vote:

Ayes: Barber, Hamilton, James, Soper, and Conflitti

Nays: Hicks

Motion approved

- 2. AP-06-40, Holdenberg Rezoning; public hearing to consider a request to rezone a portion of a 2.88 – acre parcel located at the southwest corner of the intersection of Grand River Avenue and Costello Drive from B-1, New Hudson Development District to I-1, Industrial District; discussion and possible action on the request following the public hearing.**

Mr. Seymour commented that he felt the application was defective because the seller should sign the application as well.

Ms. Aniol reviewed the comments in the McKenna Associates letter dated September 8, 2006.

Henry Holdenberg 30590 South Hill Road – Mr. Holdenberg explained to the Planning Commission the location of the parcel and that the rezoning would be for the back of the parcel. He also said that the building has been empty for 6 years.

Mr. Doozan said that the other alternative is to amend the Zoning Ordinance to allow this type of use as a special land use in the B-1.

Open Public hearing 8:11 PM

Ms. James put a statement on the record that the Planning Commission received a letter from Jerome Sheridan, who owns Jerry's Barber Shop, opposing the rezoning.

Close Public hearing 8:11 PM

Mr. Olson commented that last week the Township was served with a lawsuit from Quadrants on the adjacent industrial parcel. Mr. Olson said that his question is whether or not the I-1 use would be temporary or if there could be something else that could be considered in trying to rehabilitate the existing set of buildings. Mr. Olson also stated that the Holdens' have met Mr. Olson and Mr. Doozan multiple times and what they have planned for the site. In the short term, it is what the Township is looking for.

Ms. James asked if they would do better with a special use approach instead of rezoning. Mr. Olson said that he wondered if it would be better to change the wording.

Ms. James commented that they should formally deny the request for rezoning and have the applicant come back. Mr. Olson said that this may be a better candidate for a text amendment, similar to the General RV Property. Mr. Soper said that his concern is if they approve light industrial, any of the other things could come in later down the road. Mr. Soper said that with a special land use, if someone else goes, they have to come back in if they change the use, not if it changes ownership.

Ms. James said that this is not offensive to the overall plan.

Mr. Olson and the Planning Commission continued to discuss the area and parcel.

Mr. Soper said he would not want to put an industrial piece inside the Overlay District, but a special land use would be different. Ms. James also said that if it were a special land use, conditions can be put on it.

Mr. Olson also pointed out the possibility of conditional rezoning.

Mr. Doozan said that the best thing to do would be deny the rezoning. In regards to the text amendment, Mr. Doozan said that the Planning Commission could go ahead a schedule the Public Hearing tonight.

Ms. James moved "to recommend denial of the requested rezone for the reason that it would violate our future land use map for the New Hudson Town Center Overlay." Mr. Soper supported the motion.

Voice vote:

Ayes: all

Nays: none

Motion approved.

Lisa Holdenberg 30590 South Hill Road – Ms. Holdenberg said that they have been in the area for 28 years, and they know what the residents want because they want the same thing. She said that the front building is distressed, and they would like to revamp the front, add landscape, and have a sidewalk. They would like to renovate everything and make it look beautiful.

Mr. Soper moved "to set up the Public Hearing for a text amendment change for special land use so B-1 can be considered for the December meeting." Mr. Conflitti supported the motion.

Voice vote:

Ayes: all

Nays: none  
Motion approved.

**3. AP-06-47, Text Amendment to the Zoning Ordinance, public hearing to consider a text amendment to Section 16.05.C regarding flag signs and other signs discussion and possible action on amendment following the public hearing.**

Mr. Doozan reviewed the comments in the McKenna Associates letter dated August 10, 2006.

Open Public Hearing 8:33 PM

Close Public Hearing 8:33 PM

Mr. Hogan said that this will give him the opportunity to police the ordinance.

Ms. James moved “to recommend approval of the new sign ordinance.” Mr. Soper supported the motion.

Voice vote:  
Ayes: all  
Nays: none  
Motion approved.

**Old Business:**

**None**

**New Business:**

**4. AP-06-41, Carriage Creek Planned Development, Conceptual Plan Review, 58000 W. Eight Mile Road, east of Griswold Road.**

Mr. Doozan reviewed the comments in the McKenna Associates letter dated October 6, 2006.

Mr. Barber said that he does not like the houses in the wetlands.

Jon Hutto 58000 W. 8 Mile - Mr. Hutto said that he does not have a problem with that. He also said that a lot of McKenna’s comments were consistent with their ideas. He reminded the Planning Commission that this was a conceptual plan. Mr. Hutto explained that some of the things proposed are allowed in the zoning, and some are not (for example, the single family lot size). Mr. Hutto explained that they were trying to get rid of renters. What they are changing is the end of the property. They are asking to go from renters to property owners and taxpayers. They are asking for a density reduction. He said that there is also some public benefit, as far as paving Griswold. He continued to discuss that if the assisted living facility is removed, it is 351 units on the site. They want to know if the Township is willing to be open-minded and willing to work.

Mr. Soper said that he applauded Mr. Hutto for going down with the zoning. Mr. Soper asked how much “some” of Griswold Road was. Mr. Hutto said that it depends on the tree ordinance. On the property there are about 4,100 trees. They would like to save as many as possible, but that is a factor. Mr. Hutto also discussed the factor of the bike path and if it was the right way to go for public benefit. He suggested getting a committee to work with Salem and some business owners to work together for a bike path from 9 Mile to 8 Mile. Mr. Hutto also stated that they were an important factor in the southwest sewer SAD.

Ms. James said that this will be a huge density increase assumption, and she has a problem with that. She continued to say that they are asking the Planning Commission to give a 25-acre density bonus from industrial to high-density residential. Ms. James also asked about including the farmhouse. Mr. Hutto said that they have tried to work with the owner, and the owner was unreasonable. Ms. James said that it is a shame to have a farmhouse isolated like that.

Mr. Hutto said that the square footage on the duplexes were around 1600 square feet. The condo units are going to be 1200 or 1500 square feet.

Mr. Hicks said that he liked the overall density; it provides a transition from the mobile home zoning to the R-1.0 zoning from the west. He also said he liked the paving of Griswold and the street layout. It addresses the need for affordable housing and provides an additional tax base. He also feels that the assisted living is needed. He said that his concerns are the lot sizes, distance between the units, loss of trees, and lack of open space.

Mr. Hutto said that they would like the price for a single-family house to start at \$170,000 and stop at \$230,000. The condominiums would be around the 160's, and the duplexes would be in the \$160,000 to \$260,000 range.

Ms. James said that she is very concerned about houses in the area and their property value. She stated the importance of natural buffering. Mr. Hutto said that they agreed.

Tad Kreer – Mr. Kreer said that this is a conceptual plan, and they understand the need to naturalize and have natural buffers. They will bring more things forward as the process goes. He also pointed out that they believe that they will be able to exceed the open space requirements. He also discussed the cross connection.

Mr. Hamilton said that he liked the idea of having tennis courts and basketball courts.

Mr. Conflitti asked them to elaborate on paving Griswold. Mr. Kreer said that the ordinance requires the entrance be paved. He continued to show to the Planning Commission the possible areas that could be paved. Mr. Barber said that the people in their development would benefit from it.

They discussed working together and the option of forming a subcommittee and decided to wait on the subcommittee.

Ms. James was excused from the meeting at 9:35 PM.

**5. AP-06-43, South Lyon Two, L.L.C. (General RV site), Grading Site Plan Review, north side of Grand River Avenue, east of South Hill Road.**

Ms. Aniol reviewed the comments in the McKenna Associates letter dated October 19, 2006.

Mr. Barber asked if the soil was being moved from the parcel. Ms. Aniol said no; the soil is being moved from one area of the site to another.

Mr. Hicks asked if there were any plans to address the buildings on the site. Ms. Aniol said not at this time.

Mr. Hamilton asked if they gave a reason for the grading.

Tim Hader 51331 Pontiac Trail - Mr. Hader said that the reason they are seeking the grading permit is because M-Dot is currently giving grading permits in right-of-ways. If they did not grade property on the 26-acre parcel itself, they would have to add storm water to the M-Dot right-of-way.

Mr. Barber asked if they were building a retention pond. Mr. Hader said that would be fine. Mr. Barber asked if soil is going to remain on the site. Mr. Hader said yes.

Mr. Olson said that there was a comment in the planner's report that makes reference to truck routes. Mr. Olson also asked if all soils were going to remain on site, or if they were going to be removed. Mr. Hader said that all soils are going to remain on the site. He also said that he felt the comment about restoring the driveway makes sense. In 12 to 18 months, it will be plowed over. They do not have a problem seeding the larger portion. They do ask that they do not have to work on the drive.

Mr. Hamilton asked if they were going to reinforce the driveway. Mr. Hader replied no.

Mr. Olson asked what they wanted to do to the driveway if they did not want to seed it. Mr. Hader said that they wanted to leave it. He said that trucks will not be taking the same route to go to a site. Mr. Olson asked what would happen to the access road. Mr. Olson also said that the property is not occupied, so he asked if there was going to be a gate or security measures. Mr. Hader said that it is going to be open. They are not looking to make a road. Mr. Olson asked how the property was going to be secured. He noted that the parcel is a 27 acre parcel; it would seem to be an attractive area for underage drinking or vandalism. Mr. Hader said it would be possible for that now. There are two homes on the site. Mr. Olson said that if there is going to be an access and an established truck route that is going to be stoned up and into the property that it should be gated off at the end of the day. Mr. Hader said that the truck route will not be stoned.

Mr. Olson asked Mr. Hader if it is still possible that General RV will develop the property. Mr. Hader answered yes. Mr. Olson said that relative to the plans that have been previously examined for this site, where we specifically discussed what will be visible from the freeway. He also said that he understands that they would like to level the area, and we have had distinct discussions about screening the ocean of RV's that are prevalent on all General RV site. If this grading is designed to layout this site and take a nibble toward that end, Mr. Olson would like there to be a condition placed on this approval that future screening (if this is to be developed into a General RV) of the outdoor storage be put back into place.

Mr. Hicks said that he understood what Mr. Olson was saying, but was not sure it was the appropriate time to it. Mr. Olson said that if this property should be developed there should be advanced notice to the property owner that if this site is going to be developed, they cannot take the flat conditions and layout 15 or 20 acres of asphalt and park RV's on the entire site.

Mr. Soper asked why they are grading this now. Mr. Hader said that they want the right of way. Mr. Hogan said that it is his understanding that they want to grade the M-Dot right-of-way while they can, to flatten it out to make it more appealing from the expressway.

The Planning Commission continued to discuss why they needed to grade now.

Mr. Soper said that by allowing this, they are opening up a can of worms. He said he did not understand why they were allowing this to happen. There are no plans for buildings. There is no logic.

The Planning Commission discussed a past issue the property had with the tree protection ordinance. They also discussed the houses that were on the property.

Mr. Hamilton asked Mr. Hader to elaborate on what M-Dot wants to do. Mr. Hader said that they cannot add additional storm water to the right-of-way, and grading the M-Dot road would mean that its property would be lower than the 26 acres, and storm water would flow from the 26 acres north into the right-of-way.

Mr. Hicks said that they are making the M-Dot property lower.

Mr. Conflitti moved "to accept AP-06-43, South Lyon Two, L.L.C. graded site plan review with the conditions set forth in the McKenna Associated letter dated October 19 2006 with the added condition that screening for outside storage along the I-96 corridor shall be restored for all future occupants." Mr. Hicks supported the motion.

Voice vote:

Ayes: Mr. Hamilton, Mr. Barber, and Mr. Conflitti

Nays: Mr. Soper, Mr. Hicks

Motion approved.

## **6. Discussion and public hearing to Copperwood Planned Development.**

Mr. Soper moved "to schedule a public hearing for December 11, 2006." Mr. Hamilton supported the motion.

Voice vote:

Ayes: all

Nays: none  
Motion approved.

Mr. Barber adjourned the meeting at 10:20 P.M.

Respectfully Submitted,  
*Catherine Culver*  
Catherine Culver  
Recording Secretary