

**Charter Township Of Lyon
Planning Commission
Meeting Minutes
March 26, 2007**

Approved as written on April 23, 2007

Date: March 26, 2007
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)
Towne, Carl
Conflitti, Michael
O'Neil, Sean

Absent:

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

Guests: 6

Approval of Agenda

Mr. Hicks moved "to accept the agenda for Monday, March 26, 2007 as presented." Mr. O'Neil supported the motion.

Voice vote:
Ayes: all
Nays: none

Motion approved.

Approval of Consent Agenda:

None

Comments from public on Non-Agenda Items:

None

Public Hearings:

None

Old Business:

- 1. AP-06-37, Metro PCS Monopole, 58000 Eight Mile Road, site plan review to consider a request to construct a wireless communications facility (monopole); (Recommend addition tabled up to 60 days).**

Mr. Hicks moved “to table AP-06-37, Metro PCS for up to 60 days.” Mr. Towne supported the motion.

Voice vote:

Ayes: all

Nays: None

Motion approved.

New Business:

- 2. AP-06-68, Detroit Edison ITC, 52980 Nine Mile Rd, site plan review for addition at electrical substation.**

Mr. Acuff reviewed the comments in the McKenna Associates site plan review dated March 9, 2007.

Mr. Barber commented that the ZBA approved the variance. He also commented that he works for Detroit Edison and wanted to make sure that was not a conflict for anyone.

Mr. Towne commented that on the west side of the project there is a lot of scrub trees, and it looks terrible. The front of the building is great, but the Griswold side looks terrible. He suggested spreading some trees out to the west side or planting another 30 to 40 trees. Mr. Towne also commented that the expansion looks as if it is encroaching on the nearby property.

Mr. Hicks said that he would like to hear a response from ITC in regards to the McKenna letter.

Donna Zalewski 39500 Orchard Hill Place, Ste 200 Novi – Ms. Zalewski said that they own and operate the high voltage transition lines in the lower part of the state. They have an easement that was granted to them at the station located on Nine Mile Road. She also commented that they wish to expand the fence line to put the transformer in because they need to upgrade their capacity and reliability in the area. She said that they are willing to comply with the recommendations given by Giffels-Webster. She also said that as a goodwill measure, they decided they would plant trees in the front of the property as the Township recommended. They do not have the intention of redrafting the entire site plan. They brought a board that would show the expansion of the station.

Ms. James commented that the planners were correct in asking for a new site plan because the blueprints were of poor quality and cannot be read.

Mr. Olson also commented that when they have met in the past, there was going to be an attempt to remove some layers. Ms. Zalewski said yes, and they had it.

Ms. James asked what the minimum setback was. Mr. Olson said that for R-1 it is 75 feet, but that may not apply to public service type buildings. Mr. Acuff said that the front yard is 75 feet and the side yard is 30 ft. He also commented that on the southeast corner the fence line is close and it is difficult to tell what the distance is.

Mr. O’Neil asked Mr. Acuff to clarify item number 4, access drive elevation. He also commented that he is not inclined to support this because he cannot read the site plan.

Mr. Olson said that the issue is that it is a public utility and that does not excuse them from going through site plan. The area that they are going to disturb is minor compared to the rest of the site. One of the issues is if they are going to have a negative impact on the property to the north or to the properties to the southeast. We have discussed dressing up the site with foliage; that is the biggest thing. At a bare minimum, they should know that the Township is serious about its site plan standards. Hopefully, they will be quicker in the future to respond to these types of problems. He recommended approval with contingencies to the Planning Commission. Mr. Olson said specifically

there is a drainage issue, issues with the submitted plan, and the variance from barbwire, which has been taken care of.

Mr. Barber said that he did not think they needed to bring another plan in.

Mr. Towne asked if they could bring some trees in on the Griswold side. Ms. Zalewski said that they put a lot of trees on the other side, but they would be willing to move some of the trees around. She will have to get approval from Detroit Edison, and they planted the trees as a goodwill gesture. Perhaps they can transfer some trees to the other side. Mr. Towne also suggested wrapping some of the trees around toward the residential homes to the east. Ms. Zalewski said that they could do that.

Ms. James said that this area is prone to flooding. She said that she couldn't vote for this; it is the Planning Commission's duty to know what is going on.

Mr. Hicks clarified that the letter from ITC states that the expansion is on the west side and it is on the east side.

Mr. Hicks moved "to approve AP-06-68 contingent upon our engineers approval, satisfactory installation of the 90 evergreen trees, submittal of a clean copy of the site plan, and approval from McKenna Associates." Mr. Conflitti supported the motion.

Voice Vote:

Ayes: Barber, O'Neil, Hamilton, Hicks, Towne, Conflitti

Nays: James

Motion approved.

3. Discussion regarding a text amendment to the Zoning Ordinance to clarify the method of calculating net buildable area and permitted density for residential developments using the Open Space Preservation Option (Section 19.03.F.3)

Ms. Aniol reviewed the comments in the McKenna Associates site plan review dated March 24, 2007.

Mr. Hicks commented that the cost savings is an incentive.

Mr. Olson commented that if you count the 25 percent for the wetlands for the first project, it got a 6 percent bonus from 16 to 17 and the second one got a 4 percent density bonus from 162 to 168. That is purely on a raw calculation. Ms. Aniol answered yes; this is not on a parallel plan. Mr. Olson asked if the Township requires a parallel plan with this. Ms. Aniol answered yes. Mr. Olson continued that those numbers are hypothetical. He also asked if the 50 percent open space could be in one piece or if it could be in multiple pieces. Ms. Aniol commented that the intent is for it to be contiguous.

Mr. Barber said that he is not concerned about whether a builder can build as many houses or not.

Mr. Olson commented that the Township needs to be relatively consistent in the ordinances. This is also a way to get builders interested in the open space program.

Mr. Barber said that developers get permission to start a development and take out all the trees, and no one is buying houses right now. We end up looking at mud piles, and he is in no hurry to see this.

Ms. James said that there are some properties with some very large wetlands, and they are going to develop it. We should specify what they can do.

Mr. O'Neil said, what if there was a property that was 100 acres and only 20 acres had a buildable outlet, and you were going to take 25 percent of that chunk, where does it stop with the density bonus? At what time does the parallel plan not work? Is that the cap on how much density you are going to have? Where do you reach the breaking point? Ms. Aniol said that is why it requires that you present it. The parallel plan has to take those calculations and put them into action. Mr. O'Neil asked if a developer is getting the bonus, are they able to show on

the parallel plan any of the parcels going out into the wetlands? Ms. Aniol answered no, the developers still have to meet all of the requirements of a conventional plan and wetlands cannot be part of a lot.

Ms. James suggested coming up with some text for this and putting this on the agenda.

Mr. Olson suggested looking at some parcels in the Township, such as 8 Mile, that could benefit from this.

Terry Sever 34436 Beachwood – Mr. Sever commented that Farmington went through this 20 years ago, and they ended up with smaller lots than they want.

Ms. James commented that the Township is trying to create more woodlands, trees, and she is not as concerned about lot size.

Ms. Aniol said that she would work on it and bring it back to the Planning Commission.

4. Request by Terry Sever to discuss 1) the limits of commercial uses on Pontiac Trail between Eight Mile and Nine Mile Roads, and 2) the transition from high density to moderate density residential development for 26 acres located on the west side of Pontiac Trail, north of Eight Mile Road.

Terry Sever – Mr. Sever said that he has met with Mr. Doozan in regards to finding something for this site. He said that he understands that commercial south of the Big Boy Restaurant in South Lyon is not the desire of the Township. He continued to discuss that he feels the commercial line is 230 feet south of his property line, directly across from the Auto Zone. He asked where the commercial non-residential mixture stopped. He also suggested that instead of having RM-2 there, a possible option was RM-1. Mr. Sever also suggested that putting duplexes in this area may be a good fit. Mr. Sever asked the Planning Commission to give him some help in determining the transitional use in the area. Mr. Sever continued to explain that if the Township believes in the domino effect going south from the discussed property to Allen, then there is also a domino effect coming from the north. Mr. Sever continued to say that he is trying to be open minded, fair, and object in trying to come up with something that will help the owners sell their property.

Mr. Olson said that he felt Mr. Sever was missing the fact that in other areas in the Township, specifically with the Elkow PD, duplexes were incorporated, but it was over 700 acres.

Ms. James commented that one of the concerns is not only the domino effect, but also the precedence. “You are not asking for commercial because you need it, you are asking for commercial because there is commercial to the north and east of you.” Ms. James also asked if Mr. Sever would be interested in a density transfer. Mr. Sever said that he would be willing to look into it. Ms. James also commented that she would never vote for a rezoning. It would have to be a PD.

Mr. Conflitti said that he felt it was an improvement from the fall.

Mr. Olson said that on the southwest sewer, there are some limitations to this area with the force main that will be serving this area once it is constructed. There is not a lot of excess capacity, if any at all for this area. Going to 2 ½ times the density plus a 2 ½ acre retail possibility is not something that was planned for in regards to the size of the sewer. In terms of lines: 1.) Pontiac Trail is a line as a major roadway. What is across the street may be considered, but it is not required to consider it. 2.) Quail Run is a condominium development in the city; this property is not directly contiguous to commercial. 3.) R 0.3 offers a lot of different options and possibilities. Mr. Olson said that he does not see how it can get any more dense than that. Mr. Olson said he does not see a reason, planning wise, to extend commercial.

Mr. Sever suggested having R-0.3 and commercial to the 200-foot line. Mr. Olson said that he has never seen an adequate reason to extend commercial other than the achievement of additional money for the sale of property.

Mr. Sever said that he appreciates the time the Planning Commission took to review the site.

Mr. Barber adjourned the meeting at 8:50 P.M.

Respectfully Submitted,
Catherine Culver
Catherine Culver
Recording Secretary