Charter Township Of Lyon
Planning Commission
Meeting Minutes
August 13, 2007

Approved: As Corrected September 24, 2007

Date: August 13, 2007
Time: 7:00 PM
Place: 58000 Grand River

Mr. Barber called the meeting to order at 7:01 P.M.

Roll Call

Present: Barber, Mike (chair)
O'Neil, Sean
Hamilton, Jim
Hicks, John (Board Liaison)
James, Laura (Secretary)
Conflitti, Michael
Towne, Carl

Absent:

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

Guests: 6

Approval of Agenda

Ms. Aniol asked to amend the agenda because there is no consent agenda for July 9th. She also asked that item number 5 be added to schedule a public hearing for Brandon Estates, AP-07-19.

Ms. James moved "to approve the agenda as changed." 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-07-06, Text amendment to Section 19.03 F.3 of the Zoning Ordinance to clarify the method of calculating net buildable area and permitted density for single family residential development using the Open Space Development Option, discussion regarding Township Board direction and possible scheduling of public hearing.**

Ms. Aniol reviewed the comments in the McKenna Associates letter dated August 9, 2007.

Ms. James said that the Planning Commission would really like to push the Board to put this density incentive in motion.

Mr. Towne said that he was surprised that the Board did not approve it and wanted to know why. It is obvious that no one uses the density bonus. Why would we wipe it out and get away with it?

Mr. Hicks said that the Township has to have some type of ordinance that says how to do this, because it is a state mandated option. He suggested having developers come to the public hearing to give their input.

Ms. James suggested also meeting with the Township Board.

Mr. O'Neil stated that if we do not have a density bonus for open space preservation, then it is a basic form of a cluster option. He also said that more people are using the planned development option, and he asked if that has made the open space option less attractive. Mr. Doozan said that might be true. Mr. O'Neil said that he agreed with Ms. James and would like to see the open space option available to developers.

Mr. David Goldberg, 28246 Franklin Rd – Mr. Goldberg said that the only reason to use an open space option without a density bonus is to cut down on infrastructure costs. That would be on a parcel-by-parcel basis. A density bonus as an incentive is better than no density bonus.

Mr. Doozan suggested getting additional input from other developers by sending something out. Mr. Seymour suggested getting the information from the builders and then scheduling a public hearing.

Ms. James moved, "to table this for 2 weeks." Mr. Hamilton supported the motion.

Voice Vote:

Ayes: all
Nays: none

Motion approved.

New Business:

2. **AP-07-17, Mitsumi Antenna Testing Facility, Industrial site plan review, located on the east side of Haas Road, between 12 Mile Road and Grand River Avenue.**

Ms. Aniol reviewed the comments in the McKenna Associates letter dated August 9, 2007.

Mike O'Leary – Lindhout Associates, 10465 Citation Dr. – Mr. O'Leary used a PowerPoint presentation to describe the project. He explained that the building they are proposing is about 1,800 square feet. They are also proposing 12 parking spaces. They have two detention ponds. He said that they are going to plant some sod and leave the existing berm. They will have landscaping in the front and along the parking lot. Mr. O'Leary explained and showed pictures of the machinery that would be used. He also said that the antenna will be twenty-five feet tall.

Mr. Barber asked if they would be disturbing the people living around the parcel. Mr. O'Leary said that they use a low level FM frequency. He also said that they have FCC clearance.

Mr. Towne asked if there was a way to put the doors to the back. Mr. O'Leary said that they want to maintain access to the front doors from the parking lot. He said that they are locked into the site design. The signal between the antenna and the turntable cannot be interfered with. Mr. Towne also asked if they could lower the twenty-five foot tower to twenty-two. Mr. O'Leary said that twenty-five is as low as they can go.

Mr. O'Leary wanted to address some things in the McKenna letter. He clarified that the height will be twenty-five feet, not fifty as mentioned in the August 9th letter. He said that in regards to the bike path, they are waiting for the price. They will either donate to the Township or build it themselves.

Ms. James said that she thought this was fantastic.

Mr. O'Neil asked about noise. Mr. O'Leary said that noise level is very low and there are not a lot of moving parts. Mr. O'Leary also said that there was no need for a car parking area because they would only have a few cars on the parcel at a time.

Mr. O'Neil commented that by the turntable area, there is a large area on either side by the stoned area. He asked if this was supposed to be exposed soil and if they are going to protect against grass and weeds. He has some soil erosion concerns. Mr. O'Leary said that they were going to put a weed mat down and stone. Mr. O'Neil asked if they would be able to flip the floor plan of the building to create a side entry. Mr. O'Leary said that the issue with that is the garage is the largest part of the building, and the width of the side of the building is not long enough to accommodate the garage.

Ms. James moved "to approve AP-07-17 with the conditions: 1. Township engineer approval, and 2. bicycle path contribution or construction." Mr. O'Neil supported the motion.

Voice Vote:

Ayes: all
Nays: none

Motion approved.

3. **AP-07-22, Text amendment to the private road ordinance, consider an amendment to the private road ordinance to allow for the use and sale of existing lots on existing nonconforming private roads in the Township.**

Mr. Doozan reviewed the comments in the McKenna Associates letter dated August 7, 2007.

Mr. Hamilton said that if someone bought a parcel of land and wanted to build on it, that person has to conform to the road and make it bigger for everyone else in the neighborhood. That is what some people are trying to get around. Mr. Doozan said that is exactly it. The issue is, why should one person be penalized and be told they cannot build on their property?

Mr. Seymour asked that the Township get some sort of inventory to get on idea of how many people will be affected. He also said that there is a concern of liability and if emergency vehicles will be able to get up and down these roads.

Mr. O'Neil said that his major concern is if emergency vehicles can get down the road. The Township does not want to make the issue worse.

Mr. Towne said that some homeowners do not want the right-of-way to make the road bigger. They have a right to protect their property.

Ms. James said that those people are preventing others from splitting and developing their property.

Mr. Conflitti said that he lives on a private road and he would not want to lose any of his property.

Mr. O'Neil moved "To table AP-07-22 for further research and consideration to await a study prepared by McKenna." Mr. Hamilton supported the motion.

Voice Vote:

Ayes: Barber, O'Neil, Hamilton, Hicks, James
Nays: Conflitti and Towne

Motion approved.

4. **AP-03-07, Meadowcreek of Lyon, Amendment to Approved Preliminary Planned Development Plan; and AP-07-20, approved tree preservation permit, located on the south side of Ten Mile Road, at the southwest corner of the intersection of Milford and TenMile Roads, discussion and possible scheduling of public hearing.**

Mr. Aniol reviewed the comments in the McKenna Associates letter dated July 23, 2007.

David Goldberg – Mr. Goldberg said that they have an approved PD, but they have no market to use it. While going through the process for the past three years, they had a national residential builder, Newman Homes, which was going to buy their land. Newman Homes is no longer buying the property; it is now three landowners. He said that he would like to discuss economics and setbacks. Mr. Goldberg said that they accepted a 14% density bonus with conditions, and those conditions have changed. They would like to pave from where the Griswold paving ends to the entrance of the subdivision. They are still paving 800 feet of road that is not their frontage. They do not want to pave the rest of the frontage, which is about 400 feet. The other issue is trees. They are taking out a significant amount of trees. They are also preserving 150 acres and 6,000 trees. They have a landscape plan that incorporates an additional 1,200 trees. They were under the impression that they would not have to replace the trees, but they do. Mr. Goldberg said that they are willing to put in 412 trees, about 2 additional trees per lot.

Ms. James moved "to schedule a public hearing for the second meeting in September." Mr. Hamilton supported the motion.

Voice Vote:

Ayes: all
Nays: none

Motion approved.

5. **Brandon Estates AP-07-19, schedule a public hearing.**

Ms. James moved "to schedule a public hearing for September 10, 2007." Mr. Hamilton supported the motion.

Voice Vote:

Ayes: all
Nays: none

Motion approved.

Mr. Barber adjourned the meeting at 8:55 P.M.

Respectfully Submitted,

Catherine Culver
Recording Secretary