

**Charter Township of Lyon
Planning Commission
Meeting Minutes
April 14, 2008**

Approved: May 12, 2008 as written

DATE: April 14, 2008
TIME: 7:00 p.m.
PLACE: 58000 Grand River

Call to Order: Mr. Barber called the meeting to order at 7:03 p.m.

Roll Call: Mike Barber, Chairman
Michael Conflitti
Jim Hamilton
Sean O'Neil
Chris Roberts, Board Liaison
Carl Towne

Absent: Laura James

Also Present: Phillip Seymour, Township Attorney
Chris Doozan, Township Planner

Guests: 20

1. APPROVAL OF AGENDA

Mr. Hamilton made a motion to approve the April 14, 2008 agenda as written. Mr. O'Neil supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

MOTION APPROVED

2. CONSENT AGENDA

Mr. O'Neil made one minor correction to the minutes and the Recording Secretary made those changes.

Mr. Hamilton made a motion to approve the March 10, 2008 meeting minutes as corrected. Mr. O'Neil supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

MOTION APPROVED

3. COMMENTS FROM PUBLIC ON NON-AGENDA ITEMS - No one wished to address the

Commission.

4. PUBLIC HEARINGS

AP-08-03, Rosey's Romper Room, Public Hearing to consider a Special Land Use request for establishing a Child Day Care Center in a RM-2, Multiple Family Residential, located at 27491 Pontiac Trail.

Representing Rosey's Romper Room: Joseph Guido, Guido Architects, 23419 Ford Road, Dearborn

Mr. Doozan reviewed the Special Land Use review letter dated March 20, 2008 and the Site Plan review letter dated April 1, 2008 with site plans dated March 21, 2008 from McKenna Associates.

Mr. Guido stated that they are proposing a 1-story day care center on an irregular "L" shaped lot. There were only a few ways to place the building, due to the odd-shaped parcel. They are proposing that the building be oriented east to west with the detention pond and play area at the rear of the building. They are proposing 74 parking spaces. He has no issues with the review and he would make the bike path 10' wide and adjust the sign to meet the ordinance. The building would be similar to the facility located in Canton. He continued that they do have a slight issue with the position of the dumpster enclosure because a portion does encroach into the wetland setback area, although not the wetland itself. He was at a loss as to a better place to locate it. He requested a waiver for that small area of the dumpster.

Mr. Barber questioned if the new trees would be 24" caliper. Mr. Guido stated yes, they would meet those requirements. Mr. Barber questioned the lighting and if there were wall packs. Mr. Guido stated that the hours of operation are 6 a.m.-6 p.m., so there would only be some low security lighting. There would be no wall packs, as all lights are down lights. Mr. Barber stated that there was 150 square feet per child, so he questioned how many children there would be there. Mr. Guido stated there would be about 220 kids, and it fluctuates in the ages of the children. Mr. Barber questioned how the play area works with the amount of children allowed in the play area at one time. Mr. Guido stated that it was limited to 65 children at one time, but in reality it would probably be lower. Ms. Rose Birdie explained how they fluctuate the times that the kids go out to the play area to make sure that the number is monitored.

Mr. Hamilton questioned how many days per week they operate. Ms. Birdie stated that they operate 5 days a week, Monday through Friday. Mr. Hamilton questioned if the applicant was aware that this building was once a truck repair maintenance facility and that there might be some hazardous waste there. Ms. Birdie stated that they were having it environmentally checked.

Mr. Conflitti stated that the applicant was not proposing a deceleration or acceleration lane at this time and to not have that there would be a hazard. Mr. Guido stated that they have made applications to the Road Commission and the Drain Commission. At this point, the trip generator didn't suggest that. If it came back in the review from the Road Commission, then it would be addressed.

In regards to the environmental question, Mr. Guido stated that they have had a Phase one and a Phase two BSA, and it really was not bad. There has been some clean up of the tanks, and they would probably be keeping some of the spoils on site.

Mr. Towne questioned if the applicant would be using local companies for the grass and trees. Mr. Guido stated that they do try to stay local and use local companies.

Mr. Barber opened the Public Hearing at 7:35 p.m.

Randy Say, 27483 Pontiac Trail – Mr. Say stated that he lives right behind the proposed building. He gave a brief history of how the property was zoned and how originally it was supposed to be rezoned in order to bring all the business to New Hudson. Mr. Doozan stated that they were not rezoning anything; a childcare center is a permitted use in an RM-2 district as a Special Land Use. Mr. Say stated that he was concerned with what happens if that day care center closed down. What would happen to the building then? Mr. Doozan stated that it could be

used for whatever is allowed in that district. Mr. Say stated that when he was rezoned, they were told it would be multiple, more residential, not a business. A childcare center is a business, 5 days a week, with people coming and going. They were once involved with the Saddle Creek development, and they got out of that because they brought in the sewers.

Tony Say, 27483 Pontiac Trail – Ms. Say stated that they have been dealing with this for 26 years. They have had offers 3 times over 8 years to get them to sell their property. They had lawyers look at the contracts, which cost them money. She was concerned with the cars coming in and shining the car lights at 6 a.m. in the morning and the traffic coming and going. Their master bedroom is located at the front of the house. She continued that they were stuck, but they are not against children and is also concerned with the dogs that they have.

Mr. O'Neil stated that the ordinance does allow a 6' fence and perhaps that would offer some more privacy for them. It would be helpful to separate the play area with the taller fence. Mr. Guido stated that they would be willing to put up a 6' foot fence located on the north and east property line. Mr. Say stated that he would be agreeable to that.

Ms. Say stated that she was concerned with the traffic and questioned their rights. Mr. Barber stated to contact the Oakland County Road Commission. Brief discussion continued.

Ms. Say stated that a letter was sent to them regarding the sewers. Mr. Guido stated that they are required to extend it to their north property line, and he did not believe the right-of-way has been dedicated as of yet.

Mr. Barber closed the public hearing at 8:04 p.m. due to no one wishing to speak.

Mr. O'Neil made a motion to recommend approval for the Special Land Use for Rosey's Romper Room, AP-08-03. Mr. Hamilton supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

MOTION APPROVED

Mr. O'Neil made a motion to approve AP-08-03 Site Plan Approval for Rosey's Romper Room subject to consultant recommendations from the letter dated April 1, 2008 and including a 6' privacy fence along the 211.94 feet of the east stretch of the Say home and along the 275.98 feet of the north stretch of the Say home and subject to getting a variance for the dumpster enclosure. Mr. Towne supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

MOTION APPROVED

5. OLD BUSINESS - None

6. NEW BUSINESS

a.) AP-07-21, Orchards of Lyon, Phase II, schedule a public hearing to consider an amendment to the Planned Development Agreement, located between Grand River Avenue and Pontiac Trail west of Milford Road.

Mr. Hamilton made a motion to set the Public Hearing date for AP-07-21 Orchards of Lyon, Phase II for May 12, 2008. Mr. Towne supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

MOTION APPROVED

- b.) Schedule a Public Hearing on the Special Land Use application submitted by Alan Dodds for Country Collision Repairs Shop on the north side of Travis Road, west of Milford Road.

Mr. Hamilton made a motion to set the Public Hearing for Alan Dodds, Country Collision Repair Shop for May 12, 2008. Mr. O'Neil supported the motion.

Voice Vote: Ayes: All
 Nays: None

MOTION APPROVED

- c.) Consider request for special Planning Commission meeting to consider the site plan for AP-08-06, Liberty Hyundai Auto Dealership, April 28, 2008.

Mr. O'Neil made a motion to approve a special Planning Commission meeting for site plan AP-08-06, Liberty Hyundai Auto Dealership for April 28, 2008, along with any other item that may be presented. Mr. Towne supported the motion.

Voice Vote: Ayes: All
 Nays: None

MOTION APPROVED

7. ADJOURNMENT

Mr. Barber adjourned the meeting at 8:12 p.m.

Respectfully Submitted,

Kellie Angelosanto
Recording Secretary