

**CHARTER TOWNSHIP OF LYON  
ZONING BOARD OF APPEALS  
MEETING MINUTES  
July 21, 2008**

Approved: October 20, 2008 as written

**DATE:** July 21, 2008  
**TIME:** 7:30 p.m.  
**PLACE:** 58000 Grand River Avenue

Call to Order: Mr. Erwin called the meeting to order at 7:30 p.m.

Present: Mike Barber, Planning Commission Liaison  
William Erwin  
Michael Hawkins  
John Hicks, Township Board Liaison  
Tony Raney  
Paul Fransway, Alternate

Also Present: Phillip Seymour, Township Attorney

Guests: 7

**1. APPROVAL OF THE MINUTES**

Mr. Barber made a motion to approve the minutes of June 16, 2008 as submitted. Mr. Hawkins supported the motion.

|                    |              |             |
|--------------------|--------------|-------------|
| <b>Voice Vote:</b> | <b>Ayes:</b> | <b>All</b>  |
|                    | <b>Nays:</b> | <b>None</b> |

**MOTION APPROVED**

**2. PUBLIC HEARINGS**

A. C. Brian James, 1863 Vinsetta Boulevard, Royal Oak , MI 48073. Property located at 21376 Pontiac Trail. Sidwell #21-32-300-001, #21-32-300-008, and #21-32-300-018.

1. **Timing of Appeal.** Pursuant to Section 8.04(E), the ZBA must decide whether the appeal was filed in a timely manner.
2. **Pursuant to Section 8.02(A), the ZBA is asked to interpret the Zoning Ordinance and its application to the Meijer site plan with respect to the following issues:**

- **Outdoor Storage Requirements**
- **Porous Pavement**
- **Stormwater Discharge**
- **Impact on Wells from withdrawal of water**
- **Trees on parking lot islands in the Michigan Consolidated Gas Company Easement**
- **Cost of connecting to the sanitary sewer**
- **Approval of the private water system**

Mr. James stated that it was his understanding that the Planning Commission determined there would not be any outside storage. Meijer originally asked for porous pavement and for concessions with respect to the size of the detention pond. They were not given the concession, and, as a result of that, they got rid of the porous pavement and changed their site plan to build a bigger basin. He stated that all of the issues were addressed.

Mr. Erwin opened for public comment.

Mr. James stated these items were moot, and he agreed with Mr. Seymour. He was fine with whatever formal action the Township felt they needed to take to finish this.

**Mr. Hawkins made a motion regarding C. Brian James in regards to the issue of timing of appeal. Mr. James representing the residents did appeal the approval of the Site Plan within a reasonable amount of time through their actions relative to questioning the decision of the Planning Commission through Oakland County Courts. Mr. Raney supported the motion.**

**Voice Vote:                      Ayes:                      4  
   Nays:                      0  
   Abstained:                Hicks, Barber**

**MOTION APPROVED**

**Mr. Hawkins made a motion in regards to the applicant C. Brian James with regards to ~~Pursuant to~~ Section 8.02(A), the ZBA is asked to interpret the Zoning Ordinance and its application to the Meijer site plan with respect to the following issues:**

- **Outdoor Storage Requirements**
- **Porous Pavement**
- **Stormwater Discharge**
- **Impact on Wells from withdrawal of water**
- **Trees on parking lot islands in the Michigan Consolidated Gas Company**
- **Easement**
- **Cost of connecting to the sanitary sewer**
- **Approval of the private water system**

**Decisions and recommendations were made by the Planning Commission relative to the approval of these items; the Zoning Board supports these decisions and recommendations relative to these items and references the letter from Giffels Webster and McKenna Associates with their interpretation of these items. Mr. Raney supported the motion.**

**Voice Vote:                      Ayes:                      4  
   Nays:                      0  
   Abstained:                Hicks, Barber**

**MOTION APPROVED**

**3.        ADJOURNMENT**

Mr. Erwin adjourned the meeting at 7:45 p.m.

Respectfully Submitted,

Kellie Angelosanto

Recording Secretary