

**Charter Township of Lyon
Planning Commission
Meeting Minutes
August 11, 2008**

Approved: August 25, 2008 as revised

DATE: August 11, 2008
TIME: 7:00 p.m.
PLACE: 58000 Grand River

Call to Order: Mr. Barber called the meeting to order at 7:05 p.m.

Roll Call: Mike Barber, Chairman
Lise Blades
Michael Conflitti
Jim Hamilton
Sean O'Neil
Carl Towne

Absent: Chriss Roberts, Board Liaison

Also Present: Matthew Quinn, Township Attorney
Michelle Aniol, Township Planner
Amy Chesnut, Township Planner
Leslie Zawada, Township Engineer
Al Hogan, Building Official

Guests: 36

Mr. Towne made a motion to excuse Chriss Roberts's absence. Mr. O'Neil supported the motion.

Voice Vote:	Ayes:	6
	Nays:	0
	Absent:	Roberts

MOTION APPROVED

I. APPROVAL OF AGENDA

Ms. Aniol reviewed the changes to the August 11, 2008 agenda.

Mr. Hamilton made a motion to approve the August 11, 2008 agenda as revised. Mr. Towne supported the motion.

Voice Vote:	Ayes:	6
	Nays:	0
	Absent:	Roberts

MOTION APPROVED

2. CONSENT AGENDA

Mr. Hamilton noted that he would not vote on the Consent Agenda due to his absence at that meeting.

Mr. Towne made a motion to approve the July 14, 2008 minutes as submitted. Mr. Conflitti supported the motion.

Voice Vote:	Ayes:	5
	Nays:	None
	Abstain:	Hamilton
	Absent:	Roberts

MOTION APPROVED

COMMENTS FROM PUBLIC ON NON-AGENDA ITEMS

There were no comments.

4. PUBLIC HEARINGS

- A. AP-08-13, Continuation of a Public Hearing to consider a Special Land Use request for an outdoor patio at the New Hudson Inn, 56870 Grand River in the Town Center Overlay District.

Ms. Aniol reviewed the McKenna Associates memo dated August 5, 2008. As noted in the McKenna memo dated July 8, written documentation was required to address concerns they have raised about specific Special Land Use criteria, specifically the criteria dealing with the public (police) services, detrimental effects (noise), and documentation of need. The applicant should address these concerns before the Planning Commission takes action on this Special Land Use request.

Mr. Barber opened the Public Hearing at 7:10 p.m.

Chris Stone, 933 Hidden Hills, White Lake – Mr. Stone stated that his mother owns the New Hudson Inn, and he just found out that he needed this information in writing early last week. He has spoken with the Sergeant, and they do not have an inordinate amount of police calls. He has had 6 in one year. He pulled some information from FOIA requests, and it showed that the South Lyon Hotel had 65 calls per year, Applebee's had 35, and Chili's had 21. He had less than those establishments in the area. He felt that the previous owners of the bar had some issues, but that has been stopped. He shouldn't be penalized for what has happened in the past. Since they have owned the bar, they haven't had any problems, and he has never had an issue with bikers. They have cleaned up the inside tremendously. This patio would look like the streetscape and would improve it. He explained that there is not any residential zoning nearby, and he would agree to follow the ordinance and be done by 10:00 p.m.

Mr. Towne stated that they needed it in writing and in chart form. Mr. Stone questioned how that information would affect them having a patio. Ms. Blades stated that she did gather some statistics. According to the Oakland County Sheriff, there were only 6 calls to the New Hudson Inn, from January 1 to May 31. Four were made in June; one was a vehicle lock out, one was a miscellaneous, and one was an assault and a combined disorderly person. When she looked up the information for South Lyon Hotel from February to July 14, they had one assault, one trespassing, one vandalism, and one larceny. She felt that they couldn't say there was an inordinate amount of police activity and then make the applicant try to prove it coming from nothing. Mr. Towne stated that he would like to see it in writing; it was requested of the applicant.

Mr. Stone stated it wasn't requested. The question was asked how it would affect policing. He did not see how anything would change. Mr. Barber stated that there needed to be something in writing as to how they would keep the noise down and how would problems would be handled as they arose. Mr. Stone stated that they would handle problems from within. As far as the noise is concerned, they have a Noise Ordinance, and no entertainment that would be outside. He felt that the noise wouldn't be an issue at all.

Ms. Blades stated that she didn't need anymore information. McDonald's was the only outside eating that was offered in the entire overlay district. Mr. Stone stated that he went to the Township many times and he was told that he had to be

rezoned. He then went to the ZBA, and they informed him that he didn't need to be there; he was misinformed. This should have been handled awhile ago. Mr. Stone stated that this would be done first class.

Mr. O'Neil questioned how long the applicant has owned the bar. Mr. Stone stated 3 years. Mr. O'Neil asked if there is a reputation that precedes their ownership. Mr. Stone stated that he gets that all the time, but it's not like that anymore. They have improved everything and have not had any issues with bikers. Ms. Blades stated that it was inaccurate to say there are inordinate amount of calls in the planning letter; it was unfair to have the applicant prove it when there are not inordinate calls. It's a statement that was a perception. She felt they were doing the applicant a disservice; he has tried to follow the policy. She failed to understand why they needed to see a spreadsheet when the data was not there to support it.

Ms. Aniol stated that historically this particular location has had, at times, an inordinate amount of activity. That does not mean that they were implying it was happening under the new ownership, but it does have a history behind it. It was the Township's responsibility to make sure that they are comfortable that those types of nuisances won't happen with this additional use that the applicant wants. It was not a slight on the applicant.

Mr. Hamilton stated that he would like to know what the record has been over the 3 years since they took over ownership. Mr. Stone stated that they haven't had any issues; it has been down every year.

Mr. Towne stated that in a letter dated July 8, 2008 the applicant was requested to put it in writing and address a number of items. He questioned if there would be lights on the patio. Mr. Stone stated there would be no lights, just solar lights, if any.

Mr. O'Neil questioned if there was any outdoor seating at the present time. Mr. Stone stated they have a porch, but there is no outdoor service. Mr. O'Neil stated that they are looking for more information. If down the road they were to encounter problems, then the Township Board has the ability to revoke the Special Land Use. He suggested that the applicant provide the information that was requested prior to being placed on the Township Board agenda.

Kelly Blades, 29885 Glynn Lee Court - Mr. Blades commented about how Lyon Township wants to have a walking downtown and have a jewel in New Hudson. It seemed like a good idea to promote the businesses within and support the people who are trying to make this Township better. He continued that his family would be here for a long time, and he would be all for having these businesses raise the standard. He grew up here and has visited that bar many times. It's not a bad biker bar anymore, and he thought they should support the people who really want to make a difference here.

Anita Marcott, 21881 Griswold - Ms. Marcott felt that they put people through so much to get something through here that they give up and go somewhere else. The place does look better, and they want to improve the community. To have a family place vs. a biker bar would be a benefit. She asked that they give them some consideration.

Nick Meonus, 3570 Walnut, West Bloomfield - Mr. Meonus questioned what would happen if they pulled out of the bar business, moved away, and left that historical building up to someone else to run. What would the repercussions be of turning this project down? The menu has improved, the back room has been updated and redone with plasma TVs and Wii games, it's clean, the bathrooms are clean, and they have new tables. They have already made so much progress. He did not think the applicant should have to answer how he would handle a problem from 5 years ago. In regards to the noise, he thought it was more common sense; he would not know how loud 14 people's voices are on a Wednesday night. The other questions are reasonable; he can acquire 2 more years of hard facts. This would beautify the bar. It is a historical building, and the patio would not be done cheaply; it will be done beautifully.

Mr. Barber closed the Public Hearing at 7:38 p.m.

There was brief discussion with regard to documentation of need and what would be acceptable for the applicant to provide.

Ms. Blades made a motion to recommend that the Board approve AP-08-13, with the conditions that the Board receive statistics from the police for 3 years and a statement which identifies there will be no speakers and no lighting, and a documentation of need which could be a statement that there is no other outdoor seating within the overlay district. Mr. O'Neil supported the motion with the following amendment that they provide the time of 10:00 p.m., which was discussed, and the noise must be kept at an acceptable level per the Zoning Ordinance. Ms. Blades agreed with the amendment.

final approval than preliminary approval. At this point, they are not moving forward with a lot of these items because they cost a lot of money, and they don't have any right to do this unless they receive preliminary approval.

Mr. Hutto stated that the statistics of the Tree Ordinance on this property was the largest tree conservancy in the State of Michigan. They identified every tree and came out with 3,243 protected trees on the property. That converts to a replacement caliper of 20,231"; they are required with a development of this size to provide 727 trees on the property without paying any attention to the Tree Ordinance. With the Tree Ordinance factored in, they are required to put in around 8,000 trees. This was a 103-acre development that would result in about 80 trees per acre. Mr. Hutto stated this just wouldn't work. They have proposed putting in the 727 trees required by Ordinance and, in addition, they have proposed to put in 1,337 trees for a total of 2,064 trees, or 5,160" of caliper.

Mr. Barber questioned if there were any regulated wetlands on the property. Mr. Hutto stated that there are. They used to have retention ponds in them, but they decided to remove them. They eliminated 5 lots to take out the retention ponds. The wetland that was in the center was not a regulated wetland. Mr. Hutto referred to the DEQ letter dated December 11, 2007. They know from experience that they never want to build a house near a wetland, regardless of if it was regulated or not. They decided to use the wetland as an amenity.

Mr. O'Neil asked if they still do not know what the number was for the density. Mr. Hutto stated that there have been 3 different calculations from McKenna Associates on this. However, in all fairness, they have said that they were not supplied with the number of net buildable acres. He would note that the 150 units are single bedrooms and not full size homes with the congregate care; they don't merge when comparing the single beds to a full size home. McKenna agreed with the latest calculations that they meet the current zoning and the Master Plan. Mr. Hutto stated that he was very confident that they would show the number was closer to 600 units that would be allowed. Mr. O'Neil stated that his concern was that some Commission members had not seen the plans before, and the applicant has not been back since 2006. He did not feel comfortable going forward when there were critical pieces of information missing.

Ms. Blades questioned if they could meet the Tree Ordinance with the parallel plan. Mr. Hutto stated that if they proceeded with the parallel plan, they would not be able to conform to the Tree Ordinance with that plan either.

Ms. Chesnut stated that the applicant had the option to increase the size of the trees or pay into the tree fund. Mr. Hutto stated that it was not possible, his direction was to put as many trees as feasible on that property at the 2.5" mark, and he cannot go further on it. If he went further, the project would sink. Mr. Hutto explained that they have not been before the Commission for a year and half because they spent quite a bit of time waiting for the DEQ and meeting with the Board and the community; it was all time consuming and a long process. With regards to density, they are proposing 352 single-family units with the additional 150 beds within an assisted living facility.

Ms. Zawada stated that if they calculate by sewage usage with the senior center, they multiply the units by .6, which would equal 90 residential units. If added to the 352, they would end up with 442 residential equivalent units.

Ms. Chesnut stated that the PD Ordinance does not address senior units; the ordinance only addresses residential units. She also thought they would have some discretion in how they wanted to consider that part of the development. In their calculations, they came up with 445 units, which would fall within. Mr. Hutto stated that his numbers are higher by about 5%. In addition to the wetlands, they did have many meetings with the Township Attorneys, Engineers, and Planners within the last year and half; it took that long to evolve this project. Mr. O'Neil stated that he did not suggest otherwise, but there are several members on the Commission that were not here when the first plan came around. He would like to have as much information as possible before moving it along, especially with density. Mr. Hutto stated that they needed to know this was a project that they can agree with; they understand there was a long way to go.

Mr. Towne questioned the phasing. Mr. Hutto stated that the pond was central to the whole development, so it has to go in first before anything else on the site is built. After that, their intention is to start on 8 Mile. Mr. Towne stated that they would like the avenues cleaned up, in case the project does not go. Mr. Hutto stated that they have no issue in putting the landscaping in along 8 Mile. Mr. Towne questioned if they were paving all of Griswold. Mr. Hutto stated that they would pave Griswold the extent of their property to 8 Mile, in phases. He has explored option sin seeking outside funds to contribute to paving it all at once. Mr. Towne stated that if they change from duplexes, that would change the density. Mr. Hutto stated that one duplex unit would yield 2 residential units.

Mr. Barber confirmed with Ms. Zawada that they have sewer. Mr. Barber continued that he was happy with the density.

Ms. Blades stated that there was no park property on the south side of the Township, and she really liked that provision

in the plan. She questioned how the recreation would be delineated to the public; would she be able to go skating or fishing there? Mr. Hutto stated yes. Ms. Blades continued that she really liked the flexibility of the plan as well.

Mr. O'Neil questioned what kind of buffering they would be offering from the property to the east. Mr. Hutto stated that along the railroad track, there is a heavy tree line. They would be adding additional landscaping to the multi-family that abuts it when it was time to develop on that piece. Behind the duplexes, they have put in plantings in addition to what was there. The property to the east was owned by them as a mobile home park, as renters. Mr. O'Neil stated that anytime they are transitioning, usually there is buffering that would make the transitioning easier. Mr. Krear stated that it was a double edge sword; if there is not adequate buffering, they wouldn't sell.

Mr. O'Neil stated that he would like them to explore the suggestion of using larger caliper trees in order to help meet the ordinance. Mr. Hutto stated that he agreed, but they would like to also see even more diversity in tree sizes and start at 1" and go up to 3"-3.5". However, the ordinance does not give any credit for anything under 2.5", which was why they didn't do it.

Mr. O'Neil stated that he would like to see the subcommittee spend some time on that and discuss it thoroughly. He continued that his fear was that they would go in and clear the area, aside from phase one which was the pond, and phase two was the most marketable part of the property, and then it would sit. He liked the project, and he would love to see them succeed, but didn't know if it would happen on an acceptable timescale. Mr. Hutto stated that the R-2 zoning allows for the congregate care, so they can come in with a plan that met the ordinance for the front portion and have senior housing by right. They feel very certain that single-family housing with a reasonable price point is in demand. Mr. O'Neil stated one thing that was interesting and exciting about this project was that if someone wanted to move to this area and locate in a single family home, they could spend their entire lives on those 100 acres. As they move through life, they would have different products available to them. He appreciated that.

Mr. Hamilton stated that he liked the project, but he had concerns with the 15' between the residential and the duplexes. He questioned if they felt it was a safe distance for emergency vehicles. Mr. Hutto stated that they do feel it is safe. Mr. Hamilton questioned the proposed square footage of the single family. Mr. Hutto stated that the minimum would be 1,000' sq. ft., which would be rare; the average would be up to 1500'-2200' sq. ft.

Mr. Barber questioned if the homes would be all vinyl sided. Mr. Hutto stated that they have the ability to all be different.

Mr. Barber opened the public hearing at 9:25 p.m.

Doug Schilbe, 59440 Fox Point Lane – Mr. Schilbe commented that he moved out of 50' lots in Westland many years ago because he didn't like it. He was concerned with the number of vehicles that would be coming in and out of there per day, and he wondered if the number that was given before of 2,500 vehicles per day is still correct. He expressed concern that people would be using Griswold to bypass Pontiac Trail once it was paved, and he questioned if there would be traffic lights installed at 9 and 10 Mile Roads. There is no comparison to 4' diameter tree. He stated that moving the houses back amount to a smaller back yard and he questioned who would be responsible for the pond upkeep.

Scott Wilder, 59324 Wood Farm – Mr. Wilder did like the plan, and he lives in the area. There are a lot of options that could happen instead of this. It appears to be well thought out, and they have done their homework. He had no concerns.

Tammy Simms, 59065 8 Mile Road – Ms. Simms urged them to carefully consider the rezoning at 8 Mile and Griswold. She was concerned with the density; it was extreme and unacceptable to her. The impact on traffic was also a concern. She expressed the concerns of noise and pollution created by the trucks and heavy equipment during construction, and her property value that may be further reduced. She questioned who would purchase these homes when there are so many foreclosures in today's economy. She saw the possibility of a stalled project. She was also concerned about the displacement of wildlife. She moved here for the rural setting. The issue of the Tree Ordinance was also a concern.

Ms. Zawada commented that the total new trips with the existing zoning would be 2,26. With the proposed development, it would be 3,141, approximately 900 additional trips.

Sharon Sutton, 59019 8 Mile Road – Ms. Sutton lives directly across from Griswold Road, and many times she has to turn right when she really wants to go left because she can't get out. She grew up here and understands that change is necessary, but to drive down the road and see all of the vacancies and the homes that were supposed to be built and were not, it is sad. She did not see these homes selling for a very long time; they don't need it right now with the economy the way it was. The residents that live in the mobile home parks would be using the pond; it's not a lake, it's only 8 acres. She

expressed concern regarding the trees. She was never consulted about this project. She wanted to keep the rural environment.

Nick Mancinelli, 18177 Sherwin Court – Mr. Mancinelli has measured many subdivisions, and there are several in the community with only 20' between the houses. He wanted to commend Mr. Hutto for a very thorough and professional presentation. If they wanted anything to happen with this property, he would advise them to try and work out something because it looked like a nice project. Regarding density, 7.5 acres equates to 150 units of assisted living at the current allowable density of 20 units per acre for assisted living. By 2010, there would be a need for 3,000 units of congregate care facilities for the seniors in this community. If there is a committee for the Tree Ordinance, he would like to be a part of it.

Doug Smith, 59360 Fox Pointe – Mr. Smith found it disconcerting to have 2 acres when everyone around him has somewhere between 1.5-3 acres and then have the 50'x110' lots go in. He understood it was zoned for multiple units, and the applicant had the right to develop his property, he had no objection to that. He would rather that than apartments. He would ask that the Tree Committee stick close to what was required; he would like to replace all that they can and hold them accountable. As far as the pond goes, it was nice, but he would put the greenbelt along the Griswold side. 8 acres isn't a lake, and it wasn't desirable to see the backs of homes on the other side. It would be in the best interest of the community if the lots were larger. He would prefer that if it went through. He would like to see Griswold paved from 8 Mile to 9 Mile Road. He also expressed the concern with the traffic impact.

Anita Marcott, 21881 Griswold – Ms. Marcott lives across the street and owns the horse farm. She expressed concern over the well being of her property and land. She has had her income tax check stolen from kids that live in the high density area, and she has the liability of someone getting hurt on her property or by one of her animals. She chose not to live in the surrounding cities because she did not want that kind of environment, and then to come out here and have that across the street from her was not something she chose. She felt there was a safety issue with the open pond and kids drowning. She questioned who would be policing that area and taking the liability for those issues. There would also be older people, which would increase the need for EMTs. She noted that there are an abundance of homes available in foreclosure; she didn't understand how these would sell.

Ms. Wilder, 59324 Wood Farm – Ms. Wilder stated that she was in favor of moving the project forward. She realized the traffic issues, but those were already here. She didn't want them to lose sight of this opportunity. As far as the safety of the children, it is the parents' responsibility to supervise their children. She encouraged them to allow the applicant to proceed.

Hugh Watters, 21005 Griswold – Mr. Watters commented that he lives across from where the senior housing would be. He moved here for the spacing and the environment. He had a few issues regarding the density. There are 70 homes in the Park Place subdivision. He felt that 50' lots were really small. The overall opinion from the residents that attended the meeting with the applicant was that they could not believe something that small would fit in with this community. He didn't think that the applicant took that into consideration; his explanation was that it didn't meet his goals. He expressed concern over the traffic and safety.

Jane Watters, 21005 Griswold – Ms. Watters understood the need for development, but her concern was with the density and the rural atmosphere of the community. One of the main concerns during the election was to maintain the rural atmosphere of the Township. By putting in so many houses with thousands of cars coming and going in this small space, she did not see how that maintains the rural feel of this community. She grew up in Dearborn Heights and moved out here because of the rural feel. Some of the concerns that were raised during the meeting were fire, neighbor relations, traffic, smells, sounds, and the pond. With the assisted living complex, there would be smells coming from the dining area in that complex; it is essentially a restaurant. She was concerned with the ambulances and the sounds from those. There is a Zoning Ordinance, and it states how far apart a home should be, and this developer was trying to throw that out and make it half that size because it was not profitable for him. If he can't do it that way, then he can't do it. She asked that the Commission maintain the integrity of the Zoning Ordinance and the rural atmosphere of the community.

Mr. Barber closed the Public Hearing at 9:55 p.m. due to no one else wishing to address the Commission.

Mr. Barber stated that the Road Commission would determine if a traffic light was needed at 9 Mile or 10 Mile Road. Regarding the open pond and the safety of children, he didn't have an answer. There are already so many open ponds and detention ponds in the community. They have not had a problem as of yet, and he hoped it would stay that way. Regarding the amount of foreclosures, they don't sell homes. They don't get involved with that. They have to stay within what the ordinance says. Their job was to look at the betterment of the whole community. The utilities would not be

exhausted with this development.

Mr. Hamilton asked if they would be able to keep the pond level and if there would ~~there~~ be a problem with scum buildup. Mr. Hoffset from Zeimel-Wozniak Engineers stated that they expect to hold it at the design elevation; in the event it did not stay up, they would supplement it with the well. The pond is intended to be constructed first; if there is a problem with scum or irrigation, they could resolve it.

Mr. Hamilton asked if they were to approve this, and the applicant began the congregated living, would they keep the other soil in agriculture until they got to the point that they would develop it? Mr. Hutto stated that it would be financially advantageous to do that; if they don't have to disturb an area, they won't. Mr. Hamilton stated that he felt the pond usage should be subject to the site and not to the area because of the road. There would only be a two-lane road. If there were cars parked along there, it causes a safety hazard. Mr. Hutto stated that if it was decided that was not a wanted amenity, they had no problem limiting it.

Mr. Towne stated that everything comes down to the zoning, and it does not fit the zoning rules. He can't see it going forward.

Mr. Conflitti stated that he liked the look of the site plan, but he had two issues. One issue is the trees, and the other is that the lot size was not acceptable. He could not support the plan at this time.

Ms. Blades confirmed that the applicant could place the senior housing under the current zoning. Mr. Hutto stated that is correct.

Ms. Chesnut stated that based on their calculations, the applicant was not violating density but they do want that confirmation from the applicant.

Mr. O'Neil stated it was their job to sort through all of these items. Sending 9 pages of comments to the Township Board was not being responsible. He did not want to stall the process, but they needed more information. Mr. Hutto stated that they don't have an issue with 85% of those comments, but they needed a clear indication of the Tree Ordinance, the setbacks, the spacing between buildings, and the lot sizes. Clearly, they would never be in compliance on those issues.

Mr. Hogan commented for the Commission to keep in mind that the cottages at Mill River are 15' between homes. This development would be similar.

Ms. Blades stated that she grew up in Redford, and they worked really hard to move here. If there had been a development like this at that time, they would have moved here sooner; she liked the concept. She understood the 50' lot, but she felt it would be good for the community and get people here.

Mr. Barber commented that he liked the plan, and there was a need for more affordable housing. In this economy, people are losing their jobs and their homes. If they had an affordable home perhaps, they would stay here instead of leaving Michigan. Having the convenience of being able to have parents or grandparents close in a senior housing facility would be a benefit. If the lot was too small for some people, they could buy another house. The parks and ponds were a benefit, and he considered the SAD very seriously. He would vote for it.

Mr. O'Neil stated he did not object to the plan. The concept was good, but the bottom line was that they still had key issues that needed to be addressed. Mr. O'Neil stated that having a special meeting would be an option too.

Mr. Hutto stated that he would like to form the committee before going to the Board, but in the meantime he would like a clear indication if they do want to see this development so they are not wasting time. 30 days on an SAD was \$45,000.00, and that was a problem for them.

Mr. Frank Hutto, 58000 8 Mile Road – Mr. Hutto stated that he would request a special meeting and that would keep them on line for the September Board meeting.

Ms. Aniol stated that all of the information would need to be into the Township no later than August 15, 2008.

Regarding lot size and setbacks, the following Commissioners were in favor of what was being proposed:

In favor: O'Neil, Hamilton, Blades, Barber
Not in favor: Conflitti and Towne.

Regarding the building separation, the following Commissioners were in favor of what was being proposed:

In favor: Blades, Hamilton, Barber and O'Neil
Not in favor: Conflitti, Towne

Ms. Aniol stated that the Board would ultimately decide on the Tree Ordinance. Ms. Chesnut stated that they are required to have roughly 7,700 replacement trees, and they are proposing roughly 1,300. In earlier discussion, it sounded like the Commission would be willing to work with them if the developer would work with the sizes of the trees to be more in compliance with the ordinance. The Commission agreed that they would be willing work with the applicant on the Tree Ordinance.

Mr. Towne stated that he was surprised that there was not a better way to keep that whole area interconnected so the wildlife would stay in. He would like to keep the greenbelts connected so the wildlife can travel within the area.

Mr. Hamilton made a motion to set a special meeting for August 25, 2008 at 7:00 p.m. Ms. Blades supported the motion.

Voice Vote:	Ayes:	6
	Nays:	0
	Absent:	Roberts

MOTION APPROVED

C. AP-08-17 Public Hearing to consider a request by WIN3 LLC, to rezone a portion of parcel 21-25-100-015 from R-1.0, Residential Agricultural to O-1, Office, site located on the south side of Ten Mile Road, west of Johns Road.

Representing AP-08-17: Nick Mancinelli
Tom Prendergast, WIN3 LLC

Ms. Aniol reviewed the McKenna Associates memo dated July 23, 2008, which recommended that the Planning Commission recommend approval of the proposed rezoning of a portion of parcel #21-25-100-015, encompassing 5.541 acres, from R-1.0, Residential Agricultural District to O-1, Office District to the Township Board, subject to the applicant submitting the information required per Section 9.02 and obtaining a variance from Section 9.02(D). Ms. Aniol stated that based on the Meijer proposal and the ZBA's ruling that a detention basin had to be on the property that the development was on, the applicant revised their survey so the detention basin would now be within the area that would be developed for senior housing.

Mr. Mancinelli stated that this was a rezoning request. They put the retention pond on the assisted living land, and they will apply to the ZBA for the variance. Mr. Prendergast stated that it was a good use for the land. Ms. Blades confirmed that it would not be a pediatric office. Mr. Prendergast stated no, maybe a geriatric office.

Mr. Barber opened the Public Hearing at 10:48 p.m. and closed it due to no one wishing to comment.

Mr. Hamilton made a motion to recommend approval for AP 08-17 to the Board subject to the conditions in the July 23, 2008 McKenna Associates memo. Mr. O'Neil supported the motion.

Voice Vote:	Ayes:	6
	Nays:	0
	Absent:	Roberts

MOTION APPROVED

5. OLD BUSINESS

- A. AP-07-21, Orchards of Lyon, Phase II, PD amendment, west of Milford Road between Grand River Avenue and Pontiac Trail (tabled for up to 90 days on May 8, 2008; recommend additional table up to 90 days)

Mr. Towne made a motion to table AP-07-21, Orchards of Lyon Phase II up to 90 days. Mr. O'Neil supported the motion.

Voice Vote: Ayes: 6
 Nays: 0
 Absent: Roberts

MOTION APPROVED

- B. AP-07-25, Meijer, Inc. – ITEM WAS TABLED UNTIL THE NEXT MEETING.

6. NEW BUSINESS

- A. AP-08-12, Lyon Copperwood, LLC Shoppes of Copperwood – ITEM WAS TABLED UNTIL THE NEXT MEETING.

- B. AP-08-19, VS-17, LLC (William Clark) Schedule a public hearing to consider a rezoning request.

Mr. O'Neil made a motion to schedule a public hearing for September 8, 2008 for AP-08-19, VS-17, LLC (William Clark). Mr. Hamilton supported the motion.

Voice Vote: Ayes: 6
 Nays: 0
 Absent: Roberts

MOTION APPROVED

- C. AP-08-20.b, Cambrian of Lyon, schedule a public hearing.

Mr. Hamilton made a motion to schedule a public hearing for AP-08-20.b, Cambrian of Lyon for September 8, 2008. Mr. O'Neil supported the motion.

Voice Vote: Ayes: 6
 Nays: 0
 Absent: Roberts

MOTION APPROVED

- D. AP-08-18, Oakland SWA Partners, LLC, schedule a public hearing.

Mr. Towne made a motion to schedule a public hearing for AP-08-18, Oakland SWA Partners, LLC for September 8, 2008. Mr. Conflitti supported the motion.

Voice Vote: Ayes: 6
 Nays: 0
 Absent: Roberts

MOTION APPROVED

- E. AP-08-21, Fellowship Evangelical Presbyterian Church, schedule a public hearing.

Mr. Quinn recommended not taking any action on this item at this time due to the fact the Township had not yet received approval from the County Boundary Commission.

Mr. Towne made a motion to table AP-08-21 until further notice.

Voice Vote:	Ayes:	6
	Nays:	0
	Absent:	Roberts

MOTION APPROVED

7. ADJOURNMENT

Mr. Barber adjourned the meeting at 10:55 p.m.

Respectfully Submitted,

Kellie Angelosanto
Recording Secretary