

**Charter Township of Lyon
Planning Commission
Meeting Minutes
November 10, 2008**

Approved: December 8, 2008 as written

DATE: November 10, 2008
TIME: 7:00 p.m.
PLACE: 58000 Grand River

Call to Order: Mr. Barber called the meeting to order at 7:00 p.m.

Roll Call: Mike Barber, Chairman
Lise Blades
Michael Conflitti
Jim Hamilton
Chris Roberts, Board Liaison
Carl Towne

Absent: Sean O'Neil

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

Guests: 19

1. APPROVAL OF AGENDA

Mr. Hamilton made a motion to approve the November 10, 2008 revised agenda as submitted. Mr. Towne supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None
	Absent:	O'Neil

MOTION APPROVED

2. CONSENT AGENDA

Mr. Towne made a motion to approve the October 13, 2008 as submitted. Mr. Hamilton supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None
	Absent:	O'Neil

MOTION APPROVED

COMMENTS FROM PUBLIC ON NON-AGENDA ITEMS

Mr. Towne explained that this was Mr. Roberts' last meeting, and he would like to extend his thanks and gratitude for his contributions to the Township. The Commissioners thanked Mr. Roberts for his service.

3. PUBLIC HEARINGS

- A. AP-08-24, Public Hearing to consider a Text Amendment to the Zoning Ordinance, Article 20.00, Performance Standards, Section 20.02 A, Noise, to establish provisions to regulate the maximum permitted average A-weighted sound levels for residential, commercial and industrial districts.

Mr. Doozan reviewed the McKenna Associates memo dated October 14, 2008, which outlined the proposed text amendments.

Mr. Doozan noted that all of the days of the weeks were not covered; he suggested it read, "Noise sensitive zone shall be prohibited between the hours of 8:00 p.m. and 7:00 a.m. on weekdays or Saturdays or any time on Sundays or holidays."

Mr. Towne stated that there was absolutely no time on a Sunday or a holiday. He felt it could be worded better; he wanted to make it clear that there was no work on Sundays or holidays.

Mr. Towne questioned the lawn care section under exceptions. He has a concern with the times, as he felt that 10:00 p.m. was too late; it should be 9:00 p.m. Mr. Doozan stated that lawn care would exceed the decibels. After brief discussion, the Commission decided to keep it at 10:00 p.m., in keeping with the surrounding communities.

Mr. Barber opened the public hearing at 7:15 p.m. and closed it due to no one wishing to address the Commission.

Ms. Blades expressed concern with the 70-decibel level for industrial. She felt that they are trying to promote a downtown feel and questioned if they really want to have the level at 70 if they want to get people to live in the downtown. Mr. Doozan explained that the industrial zoning is not located within the Town Center Overlay District; it is primarily located on Grand River. He explained that the Master Plan rules out industrial as a future land use in that area. Ms. Blades questioned if there is industrial located near Dolsen Elementary School. Mr. Towne stated no, just Continental Aluminum, which is not a noise factor. Ms. Blades stated that she was uneasy because they do have places where industrial is near to residential. She is uncomfortable with the 70-decibel level.

Mr. Doozan stated that there are probably other industries that exceed the permissible levels that are in the current ordinance, but they are located along Grand River. They don't bother anyone, so they don't get noticed. He thought 70 decibels is a reasonable level. There were some businesses but nothing in the future land use. Ms. Blades asked if someone were at 75 decibels, would they still be in violation? Mr. Doozan stated yes.

Mr. Hamilton questioned if the Planning Commission could move either way regarding the Submission of Additional Data. Mr. Doozan stated yes, based on the evidence.

Mr. Doozan gave some examples of everyday items and their decibel levels. Ms. Blades stated that as long as the 70-decibel level was not going to encroach on the residential as far as the noise, then she is ok with the 70. Mr. Barber stated that factories have to keep all of the windows and doors shut as well, which will help to control noise.

Mr. Towne made a motion to approve AP-08-24 Text Amendment to the Zoning Ordinance for Performance Standards for Noise according to the October 17, 2008 letter from McKenna Associates with the note that Mr. Doozan modified page 20-2 adding Saturday to Construction section C. Mr. Hamilton supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: O'Neil

MOTION APPROVED

- B. AP-08-22, Public Hearing to consider a Text Amendment to the Zoning Ordinance, Article 23.00, R-1, Residential-Agriculture District to allow nursing and convalescent homes in the R-1.0 District.

Mr. Doozan reviewed the McKenna Associates memo dated 10-14-08.

Mr. Barber opened the Public Hearing at 7:34 p.m. and closed it due to no one wishing to address the Commission.

Mr. Hamilton wondered if the Planning Commission might have some input regarding the frontage/access, in case someone wanted to be off of a main highway. Mr. Doozan stated that they could add language, and this does not affect Cambrian of Lyon because it is not a nursing or convalescent home.

Mr. Seymour informed the Commission that they could impose any reasonable conditions and take it on a case-by-case basis. If it's a concern, they have the right to impose reasonable conditions with a Special Land Use. Ms. Blades was concerned that someone would put together a plan only to find out that they would be saying no most of the time; she felt that adding additional language would be beneficial. Mr. Towne thought that a Special Land Use would allow a change. Mr. Hamilton stated that it says "in no case"; he felt that should be removed.

Theresa Danielson - She thought that they also needed to consider private road utilization.

Mr. Barber explained that the Road Commission determines curb cuts.

It was determined that the frontage/access portion would be brought back with some additional language added; they did not want to have a definite no.

Mr. Towne made a motion to table AP-08-22 Public Hearing until the December 8, 2008 meeting. Mr. Conflitti supported the motion.

Mr. Barber opened the public hearing and it will remain open until the December meeting.

Voice Vote: Ayes: All
 Nays: None
 Absent: O'Neil

MOTION APPROVED

4. OLD BUSINESS

A. AP-07-21, Orchards of Lyon, Phase II, PD amendment

Representing AP-07-21: Dan LeClair, ANC Engineering
 Randy Sanocki, Milestone Realty Services

Ms. Aniol reviewed the McKenna Associates memo dated November 7, 2008 with the following recommendation:

They recommend the Planning Commission recommend approval of the proposed amendment to the Orchards of Lyon Planned Development to the Township Board, subject to the following conditions:

1. The applicant shall submit a recorded copy of the quitclaim deed for lot 68;
2. The PD agreement shall be revised to correctly identify that lots 256, 257, 258, 267, 268, 281 and 282 encroach into the gas easements and restrictions on the use of the rear and side yards for these lots shall be addressed in the Master Deed and Bylaws.
3. The plan shall be revised to provide 116 additional street trees.
4. Jonathon, Grispen, and Manitou shall be designated as Drives, Roads, Lanes or Streets on a revised plan;
5. The Township Engineer shall prepare a cost estimate for construction of a 10-foot wide asphalt bike path along Pontiac Trail, after which the developer shall deposit an amount equal to the estimated cost of the bike path with the Township Treasurer.
6. Administrative approval of the Condominium Documents by the Township Attorney, Planner and Engineer; and
7. The Township Engineer and Attorney shall approve the amendment to the Orchards of Lyon Planned Development.

Mr. Towne stated that the recommendations from the Giffels Webster letter dated October 28, 2008, site lots 68 and 72

from Phase I should be added to the existing gas line easements, as well as lot 269 in Phase II.

Mr. Hamilton stated that in the past they have had problems with encroachments on lots, and he would like to see a written letter to the buyer so that everyone is aware that there were encroachments on their lots. That way, it is not only in the Master Deeds and Bylaws but the developer has to make the buyer aware and go through the Building Department.

Mr. LeClair stated that he has been working with Mr. Sanocki on this project for almost 4 years now, with respect to this phase of the development. There are still several issues that have to be dealt with from the Phase I portion of the development. Even though Mr. Sanocki's client does not own any of the lots in Phase I, they have done some extensive efforts to help correct some of the issues with respect to Phase I. They did some work on the stormwater detention basin and did some work offsite to take care some of the issues that were confronting the Township and the neighbors downstream. With respect to the recommendations from McKenna Associates, he would request that instead of submitting a recorded copy of the quitclaim deed for lot 68, he would suggest using a recordable copy because the original plan was to have a proposed roadway next to it. With the revised layout, they are proposing to eliminate that section of road, and that would allow the property owner to repave their driveway so they have a side entry drive to the new road. They have an agreement to complete that within 6 months of approval from the Township Board. He would like it to be recordable should the Township Board elect not to approve the amended PD document. They want to make sure they have the ability to put the road back in.

Mr. LeClair confirmed that the 116 additional trees were for Phase II. Mr. LeClair stated that at the May 12th public hearing, they had several residents of the Phase I development make comments regarding the proposed park, and they have revised the plan to give them the same access to the open space.

Mr. Barber asked if Michcon or Consumers has different rules for building on their easements and questioned if placing back yards on the easements was allowable and if they agreed to it. Mr. LeClair stated that he believed that they don't want structures in the easement, but it can be mowed or left natural. Mr. LeClair stated that the easements were shown on the condominium documents. Mr. Sanocki stated that in the original Master Deed, they did identify the lots that were in the gas line easement, and the amendment that they have was just to list out the new ones. The information is in the Master Deed, and every buyer gets a copy of that.

Mr. Barber asked if these homes would be more affordable. He was looking for a benefit for the residents that live here. Mr. Sanocki stated that the design standards have stayed the same that were identified in the original PD agreement, so they have not changed anything. The price of the house would be similar, except for market conditions and building costs; they have not created a more affordable house because they had to stay within the design criteria within the PD agreement. Mr. Barber stated that he did not like the 15' between homes. Mr. Sanocki stated that they have increased the green space by 60% so there is more green space within the development; there is a total of 8 acres.

Mr. Towne stated that are lots that have been foreclosed on, and he questioned what will happen to those lots. Mr. Sanocki stated that there were 30 lots left. Those were sold to a builder, so they have no more ownership on any property within Phase I. Mr. Towne asked if Mr. Sanocki was representing the Carpenters Union. Mr. Sanocki stated yes. Mr. Towne stated that the Carpenters Union sold off those 30 lots and questioned if they recovered the money. Mr. Sanocki stated no. Those were sold, they got their money, they are not the lender. They sold those off. If those homes are foreclosed on, he didn't know what type of financing was put on them. Mr. Towne questioned if the lots were sold, why wasn't everything finished in the first phase? It would be the developer's responsibility even if the lots were sold. He still believed that the Carpenters Union had a responsibility to finish it off, and he would like to see it finished. Mr. Sanocki stated that there is an agreement with Tabbi, who was the original buyer of the lots. There is a trigger within the Master Deed that when so many homes are finished within the development that the road has to be paved. Within that agreement, Tabbi accepted responsibility to pave the road when he hit that certain plateau of the number of homes being completed. Mr. Towne stated that they did not follow through. What are they going to do to try to finish Phase I? Mr. Sanocki stated that they have escrowed money to finish off the trees, and they have made some improvements to the stormwater. The only issue that is left was the road, which they are relying on the builder who bought the lots; that is in the agreement with the builder. He continued that they would have to have their legal counsel look at the Master Deed and see what their responsibilities are if the builder does not follow through. If they come back and say it was their responsibility, then it would be taken care of like they did with the trees and the stormwater. Mr. Towne stated that was very commendable, but he was still looking for answers before he could move forward.

Ms. Blades stated that there were quite a few residents who were concerned about the common area, lot numbers 74 and 75, and she stated that it appeared that their common area was reinstated. She wanted to make sure that all of the residents that had their access of the common area taken away had it given back. Mr. LeClair states yes. When they

originally did the plans, they did not contemplate that. They did restore that back to what it had been prior.

Ms. Blades questioned the sprinkler system. Mr. LeClair stated that was the same lot owner that they were doing the driveway for, and the sprinkler system is included in that.

Mr. Conflitti questioned the entrance on Pontiac Trail. Mr. LeClair stated it was one of the first things they had done prior to coming to the Township with any amendment. They met with the Road Commission a few times and at this point, they have a full construction permit waiting to go forward with that with the County. They wanted to make sure they were all right with it before coming back to the Township. Mr. Conflitti stated it was more desirable not to have the entrance there. Mr. LeClair stated that to be able to market the second phase of this project, it is necessary. Mr. Sanocki stated that another benefit would be a better flow of traffic. Mr. Towne stated that he would like to see a drop in the speed limit as well on Pontiac Trail. Mr. Hamilton asked if the entrance would have a traffic signal. Mr. LeClair stated it most likely would not.

Ms. Blades stated that she is opposed to having the entrance onto Pontiac Trail. It would be a nightmare. She looked at the meeting minutes from January 1999, and was concerned that even then there was concern regarding the hazardous condition of having an entrance located there. It was not fair to the people that live in the community and drive on that road and all of the neighbors that front on Pontiac Trail and have a risk. Mr. LeClair stated that he understood the comment, and this was one of the reasons why they went to the Road Commission first. The entrance at that location meets all of the Road Commissions requirements. Ms. Blades stated that the Road Commission does not live here. What are they going to do for the people who are going to be on the south side of Pontiac Trail and looking into the headlights coming into their house? Mr. Barber suggested that in the past they have had them plant evergreen trees for a screen. Mr. LeClair stated that was something that they could look into. Mr. Roberts stated it was outside their jurisdiction; the Road Commission has the authority. Ms. Blades stated that it was such a big deal in 1999, and it could have potentially held up the entire project. To come back and say the Road Commission approved it is not fair to the residents who are on Pontiac Trail where that boulevard entrance would be.

Mr. Towne asked who the developer for Phase I Orchards of Lyon was. Mr. LeClair confirmed that there was not one.

Mr. Towne stated that the lots are in foreclosure. Mr. Towne confirmed that Phase I would not be completed before Phase II or III. Mr. LeClair stated that if Phase II generated a lot of traffic, it might create a lot more interest in Phase I. Mr. Towne asked who would complete the developer's responsibility for Phase I, such as streetlights, roads, and screening? Mr. Sanocki stated that in light of the foreclosure action, they would review the documents and get a legal opinion on determining the responsibility. Mr. Towne stated that the Township does not have money in escrow for the capping of the road in Phase I. He stated that the builder does not hold any role regarding Orchards of Lyon. He questioned how the foreclosures would affect Phase I. Hopefully, Phase II would spark some interest and resulting in people buying those empty lots. He questioned what role did the Carpenters Union has with regards to Phase I and answered that they have none. They sold those lots to Tabbi. Mr. Sanocki confirmed that answer. Mr. Sanocki stated that they are the owners of the lots in Phase II. Mr. Sanocki stated that they are currently negotiating with the owners in Pendleton Park Apartments to be released from the recreation easement. Mr. Towne asked if the homeowners could vote to be released from the recreation easement. Mr. Sanocki stated yes.

Bob Kondra, Lot 76. Mr. Kondra stated that he did not understand some of the answers that were given. He called Oakland County to find out who the developer is for Orchards of Lyon, and they said Stonebrooke. Stonebrooke does not exist. He did not think they could have a development or subdivision without a developer. If it was the Carpenters Union, then there are a lot of responsibilities that need to be taken care. There is a 4'x8' pothole in the middle of the road. It is a hazard to the community, and they have been living with this for 5 years. They were going to take away their common area and were putting hazards out on Pontiac Trail. It is just not right. Tabbi was a builder, not a developer, who is the developer? Mr. Towne stated that Mr. Sanocki is going to investigate that and find out. Mr. Kondra stated that back in May, they all asked the same questions and still have no answers. Mr. Towne questioned who holds the Master Deed for Phase I. If was sold off and Tabbi didn't finish it, it should be the responsibility of the developer to complete those documents. The residents have no control over anything; they have no one to go to that would back them up. Mr. Towne questioned who would hold the Master Deed for Phase I if the Carpenter Union is the developer? Mr. Seymour stated that he would need to look at the documents that were signed and see if there were any provisions put into those documents as to who would be the responsible party.

Joanne Crook, 58501 Pontiac Trail – Ms. Crook questioned the boulevard being approved. She called the County and spoke to the Road Commission, and they said the approval number was for the first Orchards of Lyon that did not have a boulevard. That proposal does not apply to this one. They have no approval from the County for a boulevard. She

continued that this was a safety concern.

Mr. LeClair provided the document that showed approval for the boulevard from the Road Commission.

Ms. Blades stated that they kept coming back to the Road Commission. She did not know why it was limited to the Road Commission; these are all things that they should be considering for the PD by the Planning Commission.

Helen Gone, 30069 Orchards Lane – Ms. Gone wanted assurance that all of the common areas are restored. She was concerned about the capping of the road. It was their understanding that Phase I had to be completed before Phase II could begin. The facts are that they don't have 90 homes in Phase I, and there are a number of things that have not been completed. She is very concerned with traffic that comes through in the hopes that there is a way through from Grand River to Pontiac Trail. Without the road being capped, she is very concerned about the road destruction. As a subdivision, they are owed a lot more than what they have received. She hopes the promises that were made will be fulfilled.

Bob Briggs, 58580 Pontiac Trail – Mr. Briggs is opposed to the boulevard. He questioned who would pay for it, the Road Commission or the developer? Mr. Briggs explained how dangerous the location of his driveway is, as it is right by the curve. A sign was put up by the Road Commission, due to a letter that his daughter wrote. They said they had limited sight distance. He explained the addition of this boulevard would make it even harder to get out onto Pontiac Trail.

Brian Stewart, 57763 Cider Mill Drive – Mr. Stewart is appreciative of the changes that they have seen. The PD and Master Deed and Bylaws were not linked properly, and he would like to make sure that changes. Mr. Barber stated that they would have the lawyers look at it to see what is going on. Mr. Stewart stated that the screening, street lighting, sidewalks, and the topcoat have not been completed. Regarding the roads, in the documents it was mentioned that they would be private. It was his understanding that once construction was done, the roads would be dedicated. He questioned if there is any liability regarding the entrance for the Township with documented safety issues. Mr. Seymour stated that is an issue that is in the hands of the Road Commission.

Mr. LeClair stated that the revised PD document and Master Deed and Bylaw revisions had been submitted to Mr. Matt Quinn and he believed he had given his blessing on those. Mr. Seymour stated that he did not know, he did not discuss those documents with Mr. Quinn.

Mr. Towne stated that sometimes they don't receive those documents. If Mr. Quinn has those, he would like to make sure that everyone gets a copy.

Mr. Seymour asked for a copy of the closing documents between the Carpenters Union and Tabbi. Mr. LeClair stated he would provide those.

Mr. Hamilton questioned who would be telling them who the developer was for Phases I and II. Mr. Sanocki stated that they would have their attorney get the documents and review those and figure out who is the responsible party. That is the major issue. The bond was completed for the trees, and the punch list was completed for the stormwater.

Mr. Hamilton thought it was the Planning Commission's authority to say they don't recommend the entrance be put on Pontiac Trail. Mr. LeClair stated that right now, the PUD has been approved, and it is his understanding that Mr. Sanocki could submit construction plans tomorrow for that layout and as long as they comply with all of the engineering requirements of the Township and the ordinances, that layout could be constructed. They are requesting an amendment to the PUD to provide a new layout for the benefits that McKenna Associates presented in their report. They could not approve the requested amendment, but the original amendment was still valid and approved.

Mr. Towne made a motion to table AP-07-21, Orchards of Lyon, Phase II, PD amendment for 90 days. Mr. Roberts supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None
	Absent:	O'Neil

MOTION APPROVED

- B. AP-08-23, Twin Pines Planned Development, Conceptual Plan Review, west side of Martindale south of Grand River.

Representing AP-08-23: Herb Lawson, Windham Group
Brent LeVanway, Boss Engineering

Ms. Aniol stated that they did not have a revised plan. The applicant supplied a letter stating that the distance between units was recalculated, and they found that the average distance between the homes would be 18.9'. They feel this is sufficient room.

Mr. LeVanway stated that the most significant issue that they discussed at the last meeting was the distance between the buildings. They looked in detail at the plan and looked at shifting the units and eliminating some visitor parking to achieve a greater distance between the buildings. They are proposing a minimum of 15' between the buildings. They looked into the shifting and concluded they would not achieve a desirable development if they pursued and implemented some of those shifts. They also calculated the average distance between the buildings was 18.9'.

Mr. Hamilton questioned what the average lot size would be. Mr. Lawson stated that they were not divided into lots; there are building envelopes with open space. Mr. LeVanway stated that it was being developed as a traditional condominium where they were going to have the remainder of the yards, lawns and open space as common areas. If this project moves forward, it is likely there would be a lawn maintenance service provided to maintain all of the lawn areas. They don't have site condominium units where they create the lot lines and mimic subdivisions. Mr. Hamilton asked if they were going to mow all the grass for all the homes. Mr. Lawson stated that was the original intent.

Mr. Hamilton asked if the units would be 1.5 stories? Mr. Lawson stated that they could be 1, 2 or 1.5 stories, and they would have basements.

Mr. Towne stated that the letter from Boss Engineering dated October 23, 2008 insulted him. The applicant gave nothing; they wasted the Planning Commission's time. Mr. Lawson stated that they tried to look at the alternatives that were suggested, and they determined that there was no benefit in moving the parking areas. They went back and calculated and ended up with 18.9' feet apart. That calculation was subject to verification. Mr. Towne stated that he felt that they did not do enough.

Mr. Conflitti questioned the visitor parking. Mr. Lawson stated that they looked at it and determined that some of the people that have already purchased may not want it, and it would not improve anything as far as the layout or increase the distance. The number of units that they are asking for is the same amount that was asked for originally. There is an SAD that is divided among 97 units; they are proposing to keep that the same. The cost of the special assessments would be divided among the same number of new units. They were not trying to change anything; the value of the existing units would likely not be as valuable. If the value can't be enough to go forward, potentially there would be no reason why anyone would want to continue to pay special assessments and taxes on a piece of property that is not something that they could utilize in today's environment. Today it is difficult to get financing for a single family home, and to get it for a duplex is incredibly difficult. If they detach it, the site would be more valuable.

Mr. Lawson stated that traditionally, single-family homes are more sellable than attached homes because they are more valuable. Mr. Towne stated that he understood he was hired by the bank to make this project go, but he felt the houses were too close together. There was brief discussion regarding the economy and the price points of the homes.

Ms. Blades stated that she didn't see it as the Township giving away something, but she didn't see what was being brought to the table. They already said they would have a PD at 24 acres. With that, they can have a density increase of 5%, which is in their favor. They are now asking for 15' between houses and 75' off Martindale and the 30' instead of 40' as the perimeter setback, and all they get is 18.9' instead of 15'. Mr. Roberts questioned what happens if no lots sell, and the SAD comes back to the Township? Mr. Lawson stated that if they decrease the density and place them further apart, it would increase the cost of the special assessment to the point where it would not be economically feasible to lose those units and still have a viable development; the cost has to be competitive. Every time they lose a unit, it would increase the special assessment. If the bank feels there is no value, then they will not continue to pay the taxes; it is not their decision. They feel this is a good alternative to increase value so the bank has a chance to continue and maybe receive something and have the Township not in the position where they would end up owing the balance. Half of these lots are not even developed. There is a much better chance of selling these homes with a detached unit.

Mr. Lawson stated that the only issues are the density and the distance between homes. He is asking for support to keep

the density the same. Mr. Lawson stated that as they stand right now, there is \$11,600 per lot for assessments.

Mr. Barber asked if they had pictures of the homes that were being proposed and also asked what the last duplex sold for. Mr. Lawson stated it sold for between \$150,000 and \$160,000. Mr. Barber asked how much they would sell the single-family homes for. Mr. Lawson stated that he didn't know yet; it would be determined by market conditions, and there is the special assessment as well. Mr. Barber stated it would be about \$30,000 profit per home. Mr. Lawson stated he was not involved in the original plan, and there was no profit; there was a big loss. There was a special assessment owed, and they have title to the property and have to make a decision to see if it was worth to continue it. He did not see where there was a downside to the Township. If nothing else happens, and they are detached, what is the damage to the Township? Ms. Blades stated that it set a precedence too because every time a bank that owns property and is trying to unload that property, they would come to the Township and say the economy is really bad and then ask for exceptions.

Mr. Barber stated that they needed a better presentation. They were being evasive. He would like to see pictures of what the houses would look like and what the houses would be sold for. They need information in order to make a decision.

Mr. Hamilton stated that if the bank was taken out of the equation, then they have the same thing that they had at Hutsfield Pond. Mr. Hamilton stated that owner occupied is better than a duplex; this would be good for the Township. It is not their responsibility if they made a profit or not. Mr. Lawson stated that he needed some consensus here; they would not continue to spend money if there is no support.

Ms. Blades questioned if Mr. Lawson could supply what each lot would be responsible for of the SAD. Mr. Lawson stated it would be \$11,640.74 per unit that has not already been paid off. As of 11/10/08, that would be the payoff amount. There are 92 units that have this SAD. Ms. Blades suggested taking out 5 units, and then it would be approximately \$750.00 additional per home spread out over 87, if 5 were removed. Ms. Blades stated that she would like to see the amount that would need to be tacked on to the SAD if some units were removed.

Mr. Lawson stated that he would need a consensus from the Planning Commission to determine what would be acceptable to the Township so he could then propose it to the bank. Ms. Blades stated that she would like to see a number for the removal of 5 units and 10 units. Mr. Lawson stated that there were 97 units, 5 buildings of 2 each, which left 87 sites. Mr. Towne stated it would be 82 after removing 5, which would be permissible. The Commissioners agreed that there was consensus for 82 units.

Mr. Lawson stated that since there was consensus, he would go back and work the numbers for the reduction of 5 units and would propose that to the bank. Mr. Lawson thanked the Commission for their time and effort.

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

Voice Vote: Ayes: All
 Nays: None
 Absent: O'Neil

MOTION APPROVED

5. NEW BUSINESS

AP-08-26, Lyon Technology Associates, LLC. Rezoning application, 55840 Grand River at Research Drive.

Mr. Barber stated that they needed to schedule a public hearing.

Mr. Hamilton made a motion to schedule a public hearing for Lyon Technology Associates, LLC for December 8, 2008. Mr. Towne supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: O'Neil

MOTION APPROVED

Mr. Evangelista stated that he is the owner of the building project in front of Lyon Industrial Center. Right now they are on the edge of the Town Center District. They have been approached to have a doctor's office located there. He is looking forward to working together with the Township.

7. ADJOURNMENT

Mr. Barber adjourned the meeting at 9:40 p.m.

Respectfully Submitted,

Kellie Angelosanto
Recording Secretary