

COMMENTS FROM PUBLIC ON NON-AGENDA ITEMS

John Bell – He asked for volunteers for the upcoming Kite Festival on May 2, 2009 and explained that there were various positions available.

Mr. Barber closed the public comments at 7:08 p.m. due to no one else wishing to comment.

3. PUBLIC HEARINGS - None

4. OLD BUSINESS

A. AP-08-22, Text amendment to allow nursing homes and convalescent homes in the R-1.0 district.

Mr. Doozan reviewed the McKenna Associates memo dated February 20, 2009. The following changes were made based on the Board’s comments. The recommended text amendments are to Chapter 19.02, sub-section V.

- Require a minimum lot area of 3 acres, with an added provision that allows the Township Board to consider a smaller lot size based on a recommendation from the Planning Commission and the proximity of the site to existing legally conforming non-residential uses.
- Allow the Township Board to consider alternative access via a driveway or secondary road, based upon a recommendation from the Planning Commission.
- Require landscape screening around the perimeter of the site.
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Mr. Dolan felt that they were good changes and it was what the Board was looking for. The rest of the Commissioners agreed.

Mr. Towne made a motion to schedule a Public Hearing for April 13, 2009 for AP-08-22, Text amendment to allow nursing homes and convalescent homes in the R-1.0 district. Mr. Conflitti supported the motion.

**Voice Vote: Ayes: All
 Nays: None**

MOTION APPROVED

B. AP-09-03 Text amendment to Chapter 16.00 Signs.

Ms. Aniol reviewed the McKenna Associates memo dated March 3, 2009 regarding the amendments to Article 16.00 Signs. At a previous meeting, a subcommittee was formed that consisted of John Hicks, Carl Towne, Steven Fletcher, John Dolan, and Sean O’Neil in order to go through the questions that the Planning Commission had.

Mr. Towne complimented Ms. Aniol on a great job. He explained that the only issue that was not resolved during the meeting was with regard to inflatable signs, and he was looking forward to hearing the opinions of the public at the public hearing.

Ms. Blades questioned where it covers signs on utility poles. Mr. Towne stated that those are prohibited. Ms. Aniol stated it is already covered under the current ordinance. Ms. Blades questioned protruding signs; there were several complaints at the last meeting about a cigarette protruding from a sign. Ms. Aniol explained that

particular sign was taken down, and protruding is different from projecting. They are recommending that projecting signs be allowed especially for the downtown. Mr. O'Neil stated that it was covered under wall signs where it states "a sign attached parallel to and extending not more than twelve (12) inches from the wall of a building."

Mr. Conflitti questioned the signs on autos and trucks. Ms. Aniol explained that it is not for business vehicles; this would be for a vehicle that is not advertising a business that it was sitting in front of.

Ms. Blades questioned how difficult this is going to be to regulate. Mr. Hogan stated very difficult.

Mr. Towne made a motion to schedule a public hearing for April 13, 2009 for AP-09-03 Text amendment to Chapter 16.00 Signs. Mr. O'Neil supported the motion.

**Voice Vote: Ayes: Unanimous
 Nays: None**

MOTION APPROVED

C. AP-07-21, Orchards of Lyon Planned Development, Phase II

Mr. LeClair stated that last month, there were some issues pertaining to the Master Deed because Phase I of this project has gone on for so long. At the end of January, they met with the representatives from the Homeowners Association and their attorney, as well as the attorney representing the Pension Trust Fund. They had good dialogue and agreed to share information regarding past events. That information was all exchanged around 3 weeks ago. As of last week, the Homeowners Association's attorney had not had the opportunity to meet with them yet to discuss and share with them. Due to that, they are requesting that this project be tabled for one more month. It was more prudent that all of the Phase I homeowners understand what's happening and work out a mechanism so that everything can come together.

Mr. Towne made a motion to table AP -07-21 Orchards of Lyon Planned Development, Phase II until April 13, 2009. Mr. O'Neil supported the motion.

Mr. Hogan asked if the signs that are up could be removed, since they are a violation of the ordinance. Bob Briggs agreed to take the signs down and asked if there was an objection to putting them back up a week before. Mr. Hogan stated he did not have a problem with that.

Ms. Blades asked if they can be certain that on April 13, this is going to happen. She felt that there were several homeowners very concerned about this. Mr. LeClair stated that it was not their intent to try and stall things; they feel that they have a good dialogue going and obviously everyone is working on it. Right now, they are waiting for the attorney to get with the Homeowners Association.

Ms. Blades stated that there are a lot of people here concerned about the entrance onto Pontiac Trail. Mr. LeClair stated that everything that was approved by the Road Commission was given to Mr. Doozan, and a letter was sent back confirming that an entrance there is ok; they were good with the location and having an entrance there. From their standpoint, they have an approval from the Road Commission as well as the Township's standpoint.

Ms. Blades stated that she is bothered by the fact that the residents have come out again, and their issue is not being resolved. Mr. LeClair stated that from his perspective, the PUD as it was originally approved still stands, and if this change is not approved, then the Phase II layout as previously proposed is still good. They have approval from the Road Commission that allows them to do so, and they are really trying to address the issues with the Phase I homeowners as well as the Phase II homeowners that would be coming in. Mr. LeClair

explained that with the original plan, there are several lots that the pipeline easement comes right up to the back of the building envelope. If there was ever work done in the pipeline right-of-way, that would put patios and fences in jeopardy. The new layout takes care of that by pulling out the layouts from the pipeline easements. Ms. Blades stated that she understood, that but she was not comfortable with tabling this again.

Mr. Towne stated that one of the homeowners, Joel Mallory, explained that their attorney requested this be tabled because there were issues that still needed to be resolved.

Voice Vote: Ayes: 5
Nays: Blades, Dolan

MOTION APPROVED

D. AP-07-10, Deer Haven Drive, Single Family Residential Development

Representing Deer Haven Drive: Eric Rauch, Desine, Inc.
Louis Cingolani

Mr. Doozan reviewed the McKenna Associates memo dated February 25, 2009 and recommended that the Planning Commission recommend approval of the proposed Open Space Development, Deer Haven Drive, to the Board of Trustees subject to the irrigation issue.

Mr. Rauch stated that they have not proposed irrigation for the site at this time. There was a condition on the landscape plan that all vegetation would be warranted for 1 year. One option that they do have would be to use a tree-watering bag that holds about 20-30 gallons of water. All vegetation proposed for the site are canopy trees. There are no bushes, so this type of product works well.

Mr. Barber stated that he liked the open space plan, which allows for a lot of trees and green grass. He thought it was a good layout.

Mr. Hamilton questioned what types of homes are being proposed. Mr. Cingolani stated that they are proposing 2500 square feet for a 2 story and 1800 square feet for a ranch style, and they will have basements. He would be pushing for energy efficiency and making them as green as possible. They would be all brick in the front and to the belt line on the sides and back.

Mr. Towne thought it was a great plan, and he stated that the big nurseries don't guarantee trees for a year.

Ms. Blades stated that she liked the water bags and would rather see that than a sprinkler system. She questioned a letter dated February 18, 2009 where they asked if the Planning Commission would allow the applicant to plant the required 15 trees when a road was constructed in the easement in the future. She asked if there was a way to have a bond to protect the Township. Mr. Doozan explained that this would be the first applicant that will be required to go through the bond process.

Mr. Barber asked if there would be a Homeowners Association for the common areas. Mr. Cingolani stated yes. Mr. Hamilton asked if these would be condominiums. Mr. Cingolani stated yes, site condos.

Mr. O'Neil asked if they have met the required tree replacement. Mr. Doozan stated yes.

Mr. Conflitti stated that they have no signage planned. Mr. Cingolani stated that they have not decided

Mr. O'Neil asked if they were to change their mind, how they can deal with that administratively? Mr. Hogan stated a sign is allowed.

Mr. Barber asked if there was any discussion with the Road Commission yet. Mr. Rauch stated that they have not finalized the permit with the Road Commission yet.

Mr. O'Neil made a motion to recommend approval on AP-07-10, Deer Haven Drive, Single Family Residential Development subject to the conditions set forth in the February 25, 2009 McKenna letter and add the condition that if the developer requests a development sign in the future that also be granted and approved administratively subject to compliance with all Township Ordinances. Mr. Towne supported the motion.

**Voice Vote: Ayes: Unanimous
 Nays: None**

MOTION APPROVED

7. ADJOURNMENT

Mr. Barber adjourned the meeting at 8:15 p.m.

Respectfully Submitted,

Kellie Angelosanto

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Recording Secretary