

Charter Township of Lyon  
Board of Trustees  
Special Meeting Minutes  
March 23, 2012

Approved: April 2, 2012

The meeting was called to order by Mr. Young at 8:30 a.m.

Roll Call: Michele Cash, Clerk  
John Dolan, Trustee  
Steven Fletcher, Trustee  
Brent Hemker, Trustee – left at 9:30 a.m.  
John Hicks, Trustee  
Lannie Young, Supervisor

Absent: Patricia Carcone, Treasurer

Guests: 6

Also Present: Chris Doozan, McKenna Associates  
Matthew Quinn, Township Attorney  
Leslie Zawada, Civil Engineering Solutions, Inc.

Supervisor Young stated that Treasurer Carcone is on vacation.

**CALL TO THE PUBLIC** - NONE

**APPROVAL OF AGENDA**

**Motion by Fletcher, second by Cash  
To approve the agenda as presented.**

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

**MOTION APPROVED**

**BUSINESS ITEMS**

**A. Conceptual Review of Creek Side of Lyon PD**

**Representing Creek Side of Lyon: David Goldberg  
Duane Bennett**

Mr. Doozan reviewed the McKenna Associates memo dated March 14, 2012. The Conceptual Review gives the Township Board the opportunity to offer input into the development before it precedes on to the more rigorous Preliminary and Final Reviews.

Mr. Goldberg thanked the Board for their time. He briefly reviewed the project and the layout of the site. It is proposed to be a 75-unit development. He reviewed the wetland and woodland area. The property has an SAD on it that has 72 REU's. The applicant has come up with a plan and density that was consistent with the REU's.

Clerk Cash questioned if there would be any widening of 10 Mile Road. Mr. Goldberg stated that the site had been engineered prior and when it was done the first time the property across the street had not been fully developed. He commented that the Road Commission would be in charge of what happens there. There would be an acceleration and deceleration lane at the entranceway and a left turn lane would be extended down.

Trustee Hicks questioned why there is not a stub road to the south. Mr. Goldberg stated that it would entail a big wetland crossing through that area and he didn't see that connection being done. Trustee Hicks stated he would like to see screening of the public utilities.

Trustee Dolan explained that the Planning Commission discussed easier ways to get back to the open space areas.

Trustee Hemker stated that he does not like the density of the project and commented that it's not an attractive layout. He questioned what size homes would be there. Mr. Goldberg explained 60' building envelopes and it will be similar to what is in Lyon Ridge with 2400-3400 square foot homes. All of the homes are sized for side entry garages.

Trustee Fletcher stated if this were just a field sitting there he would never be in favor of 75 units. He felt that they are over a barrel due to the REU's.

Supervisor Young reviewed the history of the project. He stated that the economics and the whole trend have changed where people are willing to have smaller lots. He felt that this is the best option.

Clerk Cash questioned the wetland area and what would prevent those homes on the southeast from flooding. Mr. Goldberg stated that they have all been engineered and they know where the water table is.

Supervisor Young stated that the next step is to go through preliminary. The Board had agreed that 72 units are preferred. The Board had no further comments.

Supervisor Young set a special meeting for April 30, 2012 at 4:30 p.m.

## **B. Alta Equipment Site Plan, Charter One Agreement & Consent Judgment Consideration**

Mr. Quinn reviewed the Charter One Agreement and the agreement is in its final form. The Consent Judgment is also in its final form.

Ms. Zawada stated that detailed final engineering plans would need to be submitted

which is typical. Alta has also agreed to investigate the drainage problem and if a reasonable solution can be found then Alta has committed verbally to do that.

Mr. Paul Burns, Attorney for ALTA stated that he has not disagreed with anything that has been said. It was his understanding that this is the final site plan approval. The language that is in the agreement is not correct. Supervisor Young explained the reason for the landscaping bonds. Mr. Burns stated the bonds were not a problem but he thought that the paperwork not saying it was final site plan approval was a problem. He felt those are minor issues but they needed the final site plan language. Mr. Quinn agreed.

Mr. Quinn reviewed the language in paragraph 9 and asked the Board for their consideration regarding “the minimal disruption of quality of life.” There was brief discussion regarding the language. Mr. Burns offered the following language “Alta’s intention and current practice is to be a cooperative neighbor and run a clean and orderly business operation so as not to institute a nuisance.”

Mr. Hicks questioned the new wash booth. Ms. Zawada stated that the concern with any type of wash is that it’s very difficult to meet the treatment plant for the ground water discharge for chloride. There are some wash facilities that exceed the Township limits, which will subject the property owner to fines. She mentioned it in her memo to ensure that Alta is aware in the event it may change their practice. Ms. Zawada explained that the Township’s treatment plant is ground water discharge plant not surface water so it is a unique situation and it’s State enforced.

Mr. Doozan reviewed the signs for the site and explained that by approving the consent judgment the signs would also be approved.

**Motion by Dolan, second by Hicks**

**To approve the agreement between the Charter Township of Lyon and RBS Citizens Bank d/b/a Charter One dated March 23, 2012 as presented in the meeting packet and authorizing the Supervisor and Clerk to sign the agreement and the appropriate lien releases.**

**Roll Call Vote:       Ayes: Dolan, Fletcher, Young, Hicks, Cash,  
                              Nays: Hemker**

**MOTION APPROVED**

**Motion by Dolan, second by Hicks**

**To approve the 3<sup>rd</sup> Amendment Consent Judgment as presented with the two changes as indicated in paragraphs 2 and 9.**

**Roll Call Vote:       Ayes: Cash, Dolan, Fletcher, Young, Hemker, Hicks  
                              Nays: None**

**MOTION APPROVED**

**C. Tri-Party Agreement for Road Graveling for 2012 (Due April 1<sup>st</sup>)**

Supervisor Young explained that he has informed the County that the Township is willing to do use the Tri-Party funds for road graveling. The Cost Participation Agreement is in ready form. The following roads were recommended but are open for debate:

- Chubb Road between 9 and 10 Mile Roads and if there is gravel left over then gravel would be added between 8 and 9 Mile Roads.
- Griswold Road between 8 and 9-Mile Roads.

Trustee Fletcher questioned who would be managing the project and he was concerned regarding the amount if it went above and beyond the amount quoted. Supervisor Young stated he would address that issue. Trustee Fletcher stated that if it was a dollar over the amount it needed to come back for approval from the Board.

The Board agreed to use regular road gravel and Supervisor Young will put a not to exceed amount in the agreement. The Board agreed that Griswold Road between 8 and 9 Mile Roads would be done first.

**Motion by Fletcher second by Dolan**

**To approve the Cost Participation Agreement between Charter Township of Lyon and Oakland County Road Commission for the Tri Party Fund Cost Sharing Agreement to do the graveling not to exceed \$18,448.00.**

**Roll Call Vote:      Ayes:              Hicks, Dolan, Young, Fletcher, Cash  
                             Nays:              None**

**MOTION APPROVED**

**ADJOURNMENT**

**Motion by Cash, second by Hicks  
To adjourn the meeting at 9:45 a.m.**

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

**MOTION APPROVED**

The Board of Trustees meeting was adjourned at 9:45 a.m. due to no further business.

Respectfully Submitted,

*Kellie Angelosanto*  
Kellie Angelosanto  
Recording Secretary

*Michele Cash*  
Michele Cash  
Township Clerk