

Charter Township of Lyon
Board of Trustees
Regular Meeting Minutes
March 4, 2013

Approved: April 1, 2013

The meeting was called to order by Supervisor Young at 7:02 p.m.

Roll Call: Steven Adams, Trustee
Michele Cash, Clerk
Patricia Carcone, Treasurer
John Dolan, Trustee
Steven Fletcher, Trustee
John Hicks, Trustee
Lannie Young, Supervisor

Guests: 65+

Also Present: Chris Doozan, McKenna Associates
Scott Baker, Township Attorney
Leslie Zawada, Civil Engineering Solutions, Inc.
Michelle Aniol, DDA Administrator/Economic Development
Coordinator

APPROVAL OF THE CONSENT AGENDA

Approval of the Regular Meeting Minutes of February 4, 2013

Approval of Disbursements

Building Department Report for January 2013

Fire Department Reports for January 2013

Zoning Reports for February 2013

Sheriff's Office Annual Report 2012

Approval of partial Vacation of Private Rd Right-of-Way, Public & Private Utility
Easement

Area as requested by Corey and Irene Voss for Hovey Lane

**Motion by Cash second by Carcone
To approve the consent agenda as presented.**

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

MOTION APPROVED

ANNOUNCEMENTS & COMMUNICATIONS

Mr. Hunter and Mr. Rasegan gave a power point presentation regarding the One Stop

Ready program, which encourages communities to capitalize on their strengths and refine their economic development, processes for the purpose of implementing their community vision.

A resident expressed her concerns regarding having citizen involvement.

Mr. Roth volunteered to be a liaison.

Clerk Cash reminded residents that the Board of Review begins on March 5th and to please call and make an appointment if needed.

Treasurer Carcone reminded residents that if they still needed to pay their taxes to come to the Township first in order to get a revised statement for the County.

Supervisor Young explained that the Township is reviewing some of ordinances but that no discussion or decision would be made at this meeting. The Planning Commission has to get through with all of their due diligence.

CALL TO THE PUBLIC

Jim Hamilton, 24200 Martindale - He questioned if draft minutes for the Planning Commission were satisfactory to use and asked for the procedure when told an item would be taken under advisement. Mr. Baker explained that draft minutes are sufficient and Supervisor Young explained the process for taking an item under advisement.

Judy Rosco, 25700 Milford Road – She asked that the Township communicate better with the local paper since that is where residents get most of their information. She commented that she is one of the people with acreage and owns two trailers and a motor home, which she keeps on her property. She commented that she keeps her property clean and items are out of sight. She stated that subdivisions do outnumber the residents that have acreage.

Duke Donahee, Donahee Farms, Salem – He requested final information regarding his roadside stand. A meeting was set for March 5 at 4:00 to meet with Mr. Doozan to resolve the issue.

George Boston, 28597 Hass Road – He questioned what was happening with the roads as far as County involvement. He stated that many new people are moving in due to the subdivisions but they can't get out on to the main roads due to all the traffic.

Fred Rosco, 25700 Milford – He asked that the Board support local business. He commented that people do have trailers, motor homes. He commented that people buy a home by the airport and then complain about the planes.

REPORTS

DDA – None

Fire – No one present to answer Trustee Adams questioned how the fire department being staffed overnight was working out.

Sheriff – Sheriff Venus questioned if anyone had questioned regarding the annual report. There were no questions.

Planning Commission – None

ZBA – None

Park & Advisory Board – Trustee Fletcher reported on the upcoming projects and explained that they are looking for another member for the Board. Please go to our website www.lyontwp.org to get an application.

APPROVAL OF AGENDA

The following items were added under New Business:

- N. Oakmonte
- O. Safety Town

**Motion by Carcone, second by Hicks
To approve the agenda as amended.**

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

MOTION APPROVED

UNFINISHED BUSINESS - None

NEW BUSINESS

A. Resolution to Join the One Stop Ready (OSR) Program

Trustee Fletcher confirmed that there is no cost to the Township.

**Motion by Fletcher, second by Carcone
To approve the Resolution Approving Participation In The One Stop Ready Program with the addition of a staff liaison and community liaison(s) with advertising that the Township is seeking these liaison(s) through the Township website and a recommendation of those liaison(s) at the April Board meeting.**

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

MOTION APPROVED

B. Discussion and Request to Initiate Committee for Township Police Millage

Sheriff Venus explained that the current millage expires in 2016. He requested to get input of how far the department should look into the future for funds. He explained that call levels are only increasing and it is becoming difficult at times to provide service.

Treasurer Carcone, Trustees Adams and Trustee Dolan volunteered to be on the committee.

Motion by Young, second by Hicks

To establish a committee with Treasurer Carcone, Trustees Adams and Trustee Dolan on the committee to represent the Township and get a grass roots measure started to solicit residents to join the committee.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

C. Tanglewood Planned Development Amendment (Tanglewood Greenbrier) AP-12-20

Mr. Doozan reviewed the McKenna Associates memo dated 2/25/13. Mr. Doozan reported consistent with the Planning Commission's recommendation at the February 11, 2013 meeting, it is recommended to approve the preliminary site plan of the Tanglewood Greenbrier Planned Development, subject to the conditions recommended by the Planning Commission, with the possible exception of an alternate solution for the paving of Chubb Road.

Ms. Zawada reviewed the CES memo dated 2/26/13.

Mr. Doozan explained that a ½ mile long cul-de-sac goes against planning and suggested a redesign of the road system in that part of the development. He explained that the 9 Mile Road entrance be kept or it should be designed differently.

Mr. Freund explained that he is happy with this plan and with the way it evolved. He didn't believe that the new plan alters the PD contract when the roads are virtually what were proposed originally. He is open to further suggestions but is hoping to move on from here and suggested that any further suggestions are tempered with regard to financial viability and changes that would foster a sense of community. He explained that the golf course needs the support of the Township not just Tanglewood residents in

order to keep the course viable.

Trustee Adams had comments regarding the traffic issues, the entrance on 9 Mile Road, the entrance on Chubb Road can be moved up to lot 17 and paving a portion of Chubb Road and the developer contributing funds for the paving. Trustee Fletcher commented on how to reconfigure the 9 to 10 Mile cut through. Trustee Hicks was asking on the phasing time. Mr. Keast confirmed that phase 2 would be started in 2015-2016, which would allow for time to put together a plan to alleviate some of the concerns.

John Bell, Indianwood – He explained that he is the President of the Homeowners Association and he thanked the Board and Mr. Freund for their efforts. He explained that one overriding issue is the certainty of increased traffic on Country Club Drive. He stated that the initial plan proposed an emergency gate and then the access road/gate could be easily opened if paving was done at a later date. The Planning Commission considered the concerns and recommended to the Township Board approval of the plan conditional with the paving of Chubb Road. He strongly urged paving Chubb Road or look at the emergency exit which could be opened at a later date.

Greg Dobson, Grenelefe Circle – He stated that the final plan is the best plan and conforms to the 1990 PD Agreement. The traffic on 10 Mile Road is bad now and with the new developments funneling onto 10 Mile Road will be a problem. He suggested some type of traffic control for all of the subdivisions. He felt it was an issue to have these developments exit onto 10 Mile Road and their needs to be alternatives. People will take the route of least resistance. He suggested once Chubb Road was paved then the emergency gate on 9 Mile could be opened.

Phil White, Grenelefe Circle – he stated that people have a 50/50 split decision to either take Spy Glass or Country Club. He stated that there is more pedestrian traffic on Spy Glass and felt it was a safety issue. He explained that Currie Road is very highly traveled and if it was paved it would take away the traffic. He commented that he has 33 kids at his children's bus stop and felt increasing the traffic in that area was a big safety concern.

Tim Roth, Indianwood – He stated that the key issues are how important planning is and to consider the infrastructure by getting input from people. He has not heard anything regarding the safety issue and he is concerned regarding the bus stop at Country Club Drive.

Annette Gordon, St. Andrews – She felt that the can was being kicked down the road with the paving of roads when all of the other new developments didn't have to pay, she didn't think it should all be Mr. Freund's responsibility either. She commented that the only stop signs in Tanglewood lead to 10 Mile Road. She felt that safety is a big issue with all of the golf carts, pedestrian traffic, and the school kids. She did not think the PD could be considered as a north/south solution. She is in support of the emergency gate and would support a millage.

Tim Brower, St. Andrews – He is in agreement to not have Tanglewood be the north/south route. If the emergency gate is not acceptable he suggested that the entrance at 9 Mile Road and Chubb not connect to Country Club Drive and make the end point the clubhouse. This would still give a sense of community to the clubhouse. Supervisor Young stated that was an idea that had been spoken about today. Mr. Brower also felt that paving up to the Chubb Road entrance would be a benefit.

Ron Turner, Treetop Ct – He stated that there are no stop signs. He questioned the Copperwood development and their roads.

David Gordon, St. Andrews – He stated that everyone is focused on the cul-de-sac and he stated that they need to be concerned that everything leads out to Ten Mile Road. He didn't think being fixated on the one exit is the cure all.

David Griffin, Shinnecock – He stated that they need the pavement up to the exit on Chubb Road; people will cut in to avoid the dirt road. He asked if it is approved to make sure that the road is at least partially paved

Rod Sullivan, St. Andrews – He suggested paving between 9 and 10 Mile Road on Napier and put a light there. He explained that there is more traffic on Napier Road. He did not like the idea of the extended cul de sac being opened.

David Womack, Indianwood – He is concerned with the increased traffic, cars racing and disregarding the speed limit if 9 Mile is opened up, danger in it.

Andy Neller, Shoal Creek – He felt that the developer should pave Chubb Road since his was part of the original plan and now the developer is going back on his responsibility and doesn't want to spend the money. It is our community now, not the builders, we are impacted now, not Mr. Freund. The roads can't handle the traffic now. Mr. Freund needs to live up to his responsibility. He also commented that he would like to volunteer on the Parks Advisory Board.

Steve Chulig, Saw grass Ct – He questioned the money that was put in escrow by Lyon Ridge for the pavement of Chubb Road. Supervisor Young stated no, they went into bankruptcy before the money was put in. He felt that stopping the connection at Country Club was a good idea or make the southerly portion of 23 lots phase 3 and have a cul-de-sac he felt that could work too.

Trustee Dolan questioned why the safety gate is an issue. Mr. Freund stated that it has never been an issue for him and he wouldn't mind having the gate. Mr. Doozan stated that could be done if conditions are placed as to when it would be opened up and it needs to be a full width right of way.

Bryan Osborn, St. Andrews – He stated that it was overwhelmingly stated before that the residents didn't want the connection from 9 to 10 Mile Road and Mr. Freund has stated that he doesn't have a problem with the gate. He questioned where the connection came back into play.

Treasurer Carcone suggested moving the entrance closer to 10 Mile and block off the 9 Mile entrance with the gate.

Mr. Womack – He stated he is very concerned with safety. He felt that a traffic light was needed.

Brian Ruhl, Wing Footway – He asked that the Board makes sure that any contingencies are well defined in the Planned Development.

Resident – He commented that since Currie is a primary road and will eventually get paved he felt that Chubb Road should be the road getting paved since it is not a primary road, the money should go to Chubb Road getting paved.

There was discussion about moving the entrance up which would create a shorter distance and sharing a possible assessment with Lyon Ridge and having a special assessment district which would require a resident petition with at least an 80% participation rate. A resident did not agree with having a special assessment for the road, which would place the responsibility on the residents instead of the developer.

Tony Maruanovich, Shinnecock – He stated that he didn't want the door opened to go further with the road regarding Lot 17 that Treasurer Carcone suggested.

Mr. Freund stated that he had no problem with the Planning Commissions suggestions or moving Chubb Road closer to Ten Mile, he was on board with all of it.

Mr. Freund also agreed to contribute dollars into the fund to pave a portion of Chubb Road before 1 permit for building starts. Mr. Freund agreed to build a sidewalk to Chubb Road and beyond to tie into the sidewalk at Lyon Ridge instead of a wood chip path put the money into the sidewalk. When the entrance at Chubb Road is paved then the gate can come down on 9 Mile Road. Supervisor Young stated he would like to see a \$350,000 contribution for the paving of Chubb Road.

Motion by Fletcher, second by Carcone

To approve the Tanglewood PD Amendment (Tanglewood Greenbrier) AP-12-20 with a breakaway gate at 9 Mile Road with a full road right of way which will stay in place until Chubb Road is paved from 9 Mile to 10 Mile Road. The Chubb Road entrance will be moved closer to 10 Mile Road. The developer will pay \$350,000 toward the paving of the road between 10 Mile and the entrance on Chubb Road before the 1st building permit is pulled. Extend the bike/walking path to connect with Lyon Ridge bike/walking path on Ten Mile. The Board agrees to provide relief on the setbacks as laid out in the McKenna Associates memo dated 2/25/13. The woodchip paths will be deleted from the plan and incorporating any engineer findings in the CES letter dated 2/26/13. Ms. Zawada will request stop signs at key parts in the subdivision from Oakland County.

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

MOTION APPROVED

Supervisor Young called for a short recess at 10:00 p.m.
Supervisor Young called the meeting back to order at 10:08 p.m.

D. Orchards of Lyon II Planned Development Amendment AP-12-40a

Mr. Doozan reviewed the McKenna Associates memo dated 2/21/13. Ms. Zawada stated she had no objections at this time and referred to the CES memo dated 2/26/13.

Treasurer Carcone confirmed that the flooding issue with a resident's property at 57620 Pontiac Trail would be corrected. Ms. Zawada stated that Phase 1 will expand the pond to ensure capacity and they are looking into it to ensure the flooding won't happen again.

Motion by Carcone, second by Hicks

To approve the preliminary planned development AP-12-40a Orchards of Lyon II as presented along with the McKenna Associates memo dated 2/21/13 and the CES memo dated 2/26/13.

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

MOTION APPROVED

E. Orchards of Lyon II Condominium Review AP-12-40b

Mr. Doozan stated that the documents are in good shape. Ms. Zawada explained that the construction drawings have not been approved and the Exhibit B documents may need to be modified at a later date and the lot numbers may change.

Motion by Carcone, second by Hicks

To approve Orchards of Lyon II Condominium Review AP-12-40b Exhibit A, Exhibit B, Master Deed and Bylaws.

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

MOTION APPROVED

F. Lyon Ridge Condominium Amendment to Remove Unnecessary Easement AP-13-01

Mr. Doozan reviewed the McKenna Associates memo dated 2/25/13.

**Motion by Carcone, second by Cash
To approve the 1st amendment of the Master Deed of Lyon Ridge Condominium Exhibit B.**

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

MOTION APPROVED

**Motion by Carcone, second by Cash
To approve the termination of the 35th sanitary sewer and water main easement subject to attorney approval.**

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

MOTION APPROVED

G. Copper Creek Vineyard Waiver Request for Storm Water Management

Ms. Zawada explained that there would be a building expansion and improvement to the site. The Engineering Standards require 100-year volume storage with an outlet, currently the parking lot sheet flows onto Grand River and there are not well-defined ditches. The applicant is requesting a variance from the Engineering Design Standards because there is a site constraint. Ms. Zawada reviewed the CES memo dated 2/26/13.

Mr. Robert McNally explained that they are not increasing the impervious surface but decreasing it by adding landscaping and taking out some of the pavement.

**Motion by Fletcher second by Hicks
To approve the waiver request for the proposed addition on Copper Creek Vineyard site plan based on the current proposals.**

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

MOTION APPROVED

H. Stoneleigh PD –Phase 1 Review Proposed Master Deed & Bylaws AP-13-04

Mr. Doozan reviewed the McKenna Associates memo dated 2/19/13 and recommended approval.

**Motion by Hicks, second by Carcone
To approve the Stoneleigh PD – Phase 1 Review Proposed Master Deed & Bylaws AP-13-04 subject to the McKenna Associates memo dated 2/19/13.**

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

MOTION APPROVED

I. Resolution Adopting Temporary Sign Permit Application Form and Fee

Supervisor Young explained that this resolution considers applying a fee to the temporary sign permit application.

**Motion by Carcone, second by Cash
To approve the Resolution 2013-08 adopting the Temporary Sign Permit Application Form and Fee.**

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

MOTION APPROVED

J. EQ lid for WWTP

Ms. Zawada explained that the tanks store the raw sewage until it is pumped into one of the two treatment basins. Covering the tanks will have several positive results. During the winter months the lids will help hold the sewage at a normal temperature and allow the outside temperature to affect the treatment process. Also, the lid will help to control the odor. The Waste Water Treatment plant is situated just north of the Woodwind Subdivision and Hardy Elementary School.

Supervisor Young asked the Board to consider this item for future purchase. Treasurer Carcone asked that no decision be made until bill backs are received. The Board was in unanimous support of the lid and felt it should be done sooner rather than later.

K. Enclaves of Lyon Planned Development – Conceptual Review AP-13-02

Representing Enclaves of Lyon: Marco Soave
Bill Donnan

Mr. Doozan reviewed the McKenna Associates memo dated 2/25/13 and reminded the Board to offer the applicant advice on the issues presented in the memo.

Ms. Zawada reviewed the CES memo dated 2/26/13. She also explained that contributing to the paving of Napier Road should be discussed as well as the storm sewer volume calculations need to be provided during preliminary plan review. Ms. Zawada also recommends that the water main be extended to the south of the project for the future expansion of the water main system.

Mr. Donnan explained that the setbacks and product are similar to Woodwind Village with a 90' minimum lot width. Mr. Soave confirmed that they planned on removing the two lots that front Ten Mile in order to establish a nicer entrance. Mr. Soave also confirmed that they agree to contributing to the paving of Napier they just don't know the extent. Mr. Soave agreed to screen the utility boxes as much as possible. Mr. Donnan confirmed that they could tweak the plans to try and align the driveways.

Supervisor Young asked that the 5-acre corner be integrated into the rest of the subdivision as residential not commercial. Trustee Fletcher felt that a traffic light had to be installed at that intersection.

L. Recommend Construction Contract Award for SW Sanitary Sewer SAD PH 4 project

Mr. Mayer reviewed the Giffels Webster memo dated 2/25/13. He explained that there was 9 bids received for the Southwest Sanitary Sewer S.A.D. Phase IV Project opened February 20, 2013. The low bid of \$352,216.73 was submitted by Sole' Underground. All references indicated that work was performed satisfactorily.

Motion by Carcone, second by Hicks

To recommend the award for the sewer project to Sole', the lowest bidder, in the amount of \$352,216.73.

Trustee Fletcher expressed his concerns regarding the likelihood of going over the budget.

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

MOTION APPROVED

**Motion by Carcone, second by Hicks
To authorize Giffels Webster for the SW Sanitary Sewer Phase 4 in an amount not to exceed of \$36,000.00.**

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

MOTION APPROVED

M. Mill River Fifth Amendment to Consent Judgment to Allow Development of Oakmonte Estates at Mill River

Ms. Zawada reviewed the CES memo dated 2/27/13. She recommended that the condo documents be recorded prior to the issuance of any certificate of occupancy of the proposed model homes and that no part of Lot 69 shall be located within the floodplain.

Mr. Doozan reviewed the McKenna Associates memo dated 2/27/13. It will now be a new development called Oakmonte Estates at Mill River and will contain 69 lots.

Mr. Mancinelli reviewed the layout and explained that a piece of road would be installed so that all of it is contiguous. He stated that the Homeowners Association is happy with the product as well. He stated that they would extend the sidewalk if they were able to buy the slab parcel.

**Motion by Cash, second by Carcone
To adopt the Resolution to amend the 5th Amendment to the Consent Judgment for Oakmonte including the McKenna Associates memo dated 2/27/13 and the CES memo dated 2/27/13.**

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

MOTION APPROVED

N. Safety Town

Treasurer Carcone proposed building a permanent Safety Town on the property just west of the Fire Station. She explained she would hold fundraisers and obtain donations to do this project. There was no opposition of this project by the Board.

ADJOURNMENT

**Motion by Carcone, second by Cash
To adjourn the Regular Meeting of the Board of Trustees at 11:55 p.m.**

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

MOTION APPROVED

The Board of Trustees meeting was adjourned at 11:55 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary

Michele Cash

Michele Cash
Township Clerk