

Charter Township of Lyon
Planning Commission
Regular Meeting Minutes
April 8, 2013

Approved: May 13, 2013

The meeting was called to order by Mr. O'Neil at 7:00 p.m.

Roll Call: Lise Blades, Vice Chairman
Ed Campbell
Michael Conflitti, Secretary
John Dolan, Board Liaison
Kris Enlow
Sean O'Neil, Chairman
Carl Towne

Guests: 20

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

APPROVAL OF AGENDA

**Motion by Towne, second by Conflitti
To approve the agenda as presented.**

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

MOTION APPROVED

APPROVAL OF CONSENT AGENDA

**Motion by Towne second by Blades
To approve the March 11, 2013 Meeting Minutes as presented.**

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

COMMENTS FROM PUBLIC

Linda Blain, 28277 South Hill Road – Ms. Blain commented that she is in support of clean energy.

DDA REPORT - None

PUBLIC HEARINGS

1. **AP-13-02, Enclaves of Lyon PD, located on the southwest corner of Ten Mile and Napier Roads. Public hearing to consider preliminary review of a proposed 55 unit single family residential planned development on 50 acres.**

Representing Enclaves of Lyon: Marco Soave
Bill Donnan

Mr. Sloan reviewed the McKenna Associates memo date 4/2/13. He explained that there are a number of unresolved issues, and these issues should be addressed before the case appears on the Township Board agenda:

1. Traffic Study Report must be reviewed to address the concerns raised in this report.
2. The front yard setbacks of corner lots must be at least 25 feet.
3. The lot lines or building envelopes of lots 7 and 8 must be moved in order to meet the 40-foot requirement from the perimeter.
4. The bike path should be extended to the edge of Ten Mile and Napier Roads at the intersection.
5. The bike path must be extended to the southeast corner of the site. Alternatively, the applicant may make a contribution to the Bike Path and Sidewalk Development Fund for the full cost of a boardwalk over the wetland within the limits of the subject property, if the Planning Commission concurs.
6. A 5-foot wide sidewalk must be included on the north side of Enclave Park Drive.
7. Connecting sidewalks must be shown on both sides of all crosswalks.
8. The landscape plan must be reviewed to show the trees along the interior streets planted at 1 tree per 40 linear feet.
9. The discrepancy between the number of trees and shrubs drawn in the site plan and provided in the landscape calculations must be corrected.
10. The landscaping along Ten Mile Road must be revised to comply with the requirements of the Plan for the Ten Mile Corridor of the Master Plan.
11. The area of the entrance signs must be shown to ensure that they are not more than 48 sq. ft.
12. The Fiscal Impact Revenue Statement must be revised to include the additional details specified in this report.
13. The discrepancy between the survey and the legal description of the northern lot line angle must be corrected. The angle of the northern lot line is off by 1 degree.
14. Alternate locations for replacement trees must be identified, as noted.

Ms. Zawada reviewed the CES memo dated 4/5/13. She explained that the Final PD Agreement shall address the applicant's contribution to the paving of Napier Road. The items listed in the memo should be addressed during detailed engineering review in addition to other design requirements per the engineering design standards. Civil Engineering Solutions, Inc. recommends that the Preliminary Plan be approved as

noted.

Mr. Soave stated that they are in agreement with most of the issues and all are being addressed and should be completed by the time it gets to the Board.

Mr. Donnan reviewed the layout of the plan. He explained that a public gravity sanitary sewer will be used and he reviewed the drainage layout which will preserve the natural areas. He briefly reviewed the proposed "Welcome to Lyon Township" sign. He stated that all comments will be addressed from the planner and the engineer. He asked that the side yard setback for lots 7 and 8 remain at 25' to maintain the integrity.

Mr. Donnan explained that Lot 55 would not be developed at this time and the use would be limited to whatever is allowed in the R-1.0 zoning such as assisted living or day care.

Ms. Zawada explained that Oakland County is very supportive of Napier Road being federally funded, and Novi is interested in contributing as well. It looks like Napier is planned to be funded in 2016 and this offers a good opportunity to pave a large section of road. She explained that a traffic light is probably not an option at this time.

Mr. Towne suggested not adding the landscaping until the road is paved since it would end up being removed anyway. Ms. Zawada also felt that the curb cut for Lot 55 should be considered.

Mr. Towne agreed that the setbacks for lots 7 and 8 should remain at 25'. The applicant agreed to address the items in McKenna Associates memo as well as the CES memo.

Mr. O'Neil stated he would like the bike path to be installed on Ten Mile now and connect it to Copperwood. The applicant agreed.

Mr. Doozan explained that he recommended keeping the bike paths at 10', and the applicant agreed.

Mr. Soave presented the floor plans of the proposed homes. He explained that the price range will be in the mid to high \$300,000 range, and the homes will be anywhere from 3,000 sq. feet to 3500 sq. feet.

Mr. Donnan explained that the homes will all have side entry garages, and the location of the side entry garages will vary due to the topography.

**Motion by Blades, second by Conflitti
To open the public hearing at 7:41 p.m.**

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

MOTION APPROVED

Jayson Harriman, 23698 Copperwood Drive East - Mr. Harriman questioned where

the drainage would go from lots 17, 18 and 19 and the buffer between the Enclaves and Copperwood. Mr. Donnan explained that the water will drain away from Copperwood.

Malyka DeGoa, 847 Glen Meadows Drive – Ms. DeGoa questioned what the distance would be from 9 Mile Road to the entrance off of Napier. She questioned how large Lot 55 would be.

Frances Ferguson, 24040 Napier Road – Ms. Ferguson questioned the distance from Ten Mile Road to the entrance of the Enclaves on Napier. She commented that a traffic light was needed at the intersection of Ten Mile Road and Napier; she stated that there are accidents at that intersection weekly.

Motion by Towne, second by Blades

To close the public hearing at 7:50 p.m. due to no further comments.

Voice Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

Mr. Enlow commented that the internal bike path was eliminated due to the topography, and he questioned if there was anything the applicant could do to make those open spaces more usable. Mr. Donnan stated it was discussed, and they decided to keep the areas natural. Mr. Donnan explained that they did discuss creating an opening between some houses but felt it tended to cause problems when there is a pathway between two lots.

Mr. Enlow stated that Lot 55 was shifted further south so there is no access off of Ten Mile Road, but he questioned why the north line doesn't match up. Mr. Donnan stated that they could have moved it down further but wanted to keep the parcel more isolated.

Motion by Towne, second by Blades

To recommend approval of AP-13-02 Preliminary PD for Enclaves of Lyon including all of the comments from McKenna Associates memo dated 4/2/13 and CES memo dated 4/5/13. The paving of the bike path on Ten Mile Road will take place now and Lots 7 and 8 setbacks can stay at 25'.

Roll Call Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

2. AP-13-03, Revisions to the Zoning Ordinance to Permit Small Wind and Solar Energy Projects.

Mr. Doozan explained that there are 3 items proposed in the amendments. The ordinance clarified that windmills used for pumping water to farm uses or for decorative purposes are permitted if they don't exceed 35' in height. Roof or tower mounted small

wind energy systems would be permitted in the R-1.0 and R-0.5 districts subject to special land use approval. The roof or ground mounted solar energy systems will be permitted as an accessory use for zoning districts. The wind energy portion will take more time to investigate. Mr. Doozan briefly reviewed the regulations.

**Motion by Towne, second by Conflitti
To open the public hearing at 8:07 p.m.**

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

MOTION APPROVED

Mr. Mike Palchesko introduced his team from DTE. He explained that DTE is very interested in this ordinance. He explained that DTE is interested in installing a solar station on the north side of I-96, west of Old Plank Road.

Mr. Zoya gave a presentation explaining DTE's investments regarding solar energy. He explained DTE is negotiating for the easement in order to install a 750 kilowatt solar station, which can benefit the grid and provide stability. The station will be on approximately 7 acres and it will be fenced in.

Ms. Blades asked if the property that DTE owns off of Grand River, east of the New Hudson Inn could be cleaned up and if the dead trees could be removed. Mr. Palchesko stated that he would look into that.

Chriss Roberts, 56645 McKenzi Lane – Mr. Roberts explained that he sells renewable energy training systems to schools and colleges and suggested that the Township also investigate solar thermal, which heats water. He suggested that the Township reconsider the 10' height restriction as well.

Jim Powers, 55340 Autumn Ridge – Mr. Powers stated he is the one who probably started this whole debate all because he wanted an antique windmill on his property. He also asked that the Commission reconsider the height restriction.

Lyon Township Fire Chief Ron McClain – Chief McClain questioned where the height is measured from. Mr. Doozan explained it's measured from the center axis of the hub.

Linda Blain, 28277 South Hill Road – Ms. Blain asked that the PowerPoint DTE has presented be placed on the Township's website. She stated she is also concerned with the height restriction and felt it was too low. She urged the Commission to promote solar and consider the least amount of restrictions.

Mr. Doozan stated he would investigate the height further before the next meeting.

**Motion by Towne, second by Blades
To close the public hearing at 8:28 p.m. due to no further comments.**

Voice Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

**Motion by Towne, second by Conflitti
To table AP-13-03 Solar Energy until the next meeting and place the Small Wind on a future agenda. The decorative amendment will be included on next month's agenda.**

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

MOTION APPROVED

OLD BUSINESS – None

NEW BUSINESS

- 1. AP-13-07, Oakmonte Estates at Mill River, located on the west side of Milford Road, north of 12 Mile Road.**

Mr. Doozan reviewed the McKenna Associates memo dated 4/8/13. He recommended that the Planning Commission recommend approval for the condominium Master Deed, Bylaws, and condominium Subdivision Plan for Oakmonte Estates to the Township Board, subject to approval by the Township Engineer and Township Attorney.

Ms. Zawada reviewed the CES memo dated 4/4/13. She explained that the Exhibit B shall be revised and resubmitted prior to recording. She also explained that poor information was received that there may be a gas main under the slab parcel, so they are investigating that.

Mr. Mancinelli stated that they are working through all of the comments and will work through the Exhibit B this week. They need to close on the first phase of 64 units and then work on Phase 22 when all of the legalizations are done.

**Motion by Towne, second by Blades
To approve AP-13-07 Oakmonte Master Deeds, Bylaws including the comments from McKenna Associates memo dated 4/8/13 and the CES memo dated 4/4/13.**

**Roll Call Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

- 2. New Hudson Form-Based Code**

Mr. Doozan provided an introduction to the Form Based Code concept. There was brief discussion regarding how uses would be restricted. The Commission will review the information that was provided in order to discuss at a later meeting.

ADDITIONAL BUSINESS

1. Community Reports

Ms. Aniol commented that she just wanted to make sure that everyone was on the same page regarding the Form Based Code and that the Planning Commission had some direction and when things come from the DDA there would be direction.

Mr. Dolan brought the Board up to date regarding the last Board meeting.

ADJOURNMENT

**Motion by Towne, second by Blades
To adjourn the meeting at 9:15 p.m.**

Voice Vote:	Ayes:	Unanimous
	Nays:	None

MOTION APPROVED

The Planning Commission meeting was adjourned at 9:15 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary