

Charter Township of Lyon
Planning Commission
Regular Meeting Minutes
December 9, 2013

Approved: January 13, 2014

The meeting was called to order by Mr. Conflitti at 7:00 p.m.

Roll Call: Jim Chuck
Michael Conflitti, Secretary
John Dolan, Board Liaison
Kris Enlow
Deborah Sellis
Carl Towne

Absent: Ed Campbell

Guests: 24+

Also Present: Michelle Aniol, DDA Administrator/Economic Development
Coordinator
Chris Doozan, McKenna Associates
Jennifer Gatti, Township Attorney
Leslie Zawada, Civil Engineering Services
Mark Collins, Civil Engineering Services

**Motion by Towne, second by Enlow
To allow Michael Conflitti to act as Chairman at tonight's meeting.**

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

MOTION APPROVED

**Motion by Towne, second by Enlow
To excuse Ed Campbell's absence.**

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

MOTION APPROVED

APPROVAL OF AGENDA

Mr. Enlow removed item #3 Quadrants at the applicant's request and to postpone item #7 regarding elections of officers until January when all members are present.

**Motion by Enlow, second by Towne
To approve the agenda as amended.**

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

APPROVAL OF CONSENT AGENDA

Motion by Towne, second by Enlow
To approve the November 12, 2013 Meeting Minutes as presented.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

COMMENTS FROM PUBLIC - None

DDA REPORT – Ms. Aniol explained that she will be sharing the results of the East Cities Survey Study in the near future as well as sharing details on each of the four One Stop Ready Academy Sessions that were held. She reported that the book depicting the history of Lyon Township is running smoothly. The Township Board recommended the form based code to move forward to the second reading. She also announced that a special Board meeting will be held on 12/19/13 in order to establish an Industrial Development District which in turn will provide 20-50 new jobs in the Township.

PUBLIC HEARINGS

- 1. AP-13-30, Stoneleigh West PD. Property located at the southwest corner of 10 Mile and Milford Roads. Public hearing to consider preliminary review of a proposed planned development consisting of 52 single family homes on 43 acres.**

Representing AP-13-30: Andy Milia
Randy Wertheimer

Mr. Doozan reviewed the McKenna Associates memo dated 12/3/13. He recommended that the Planning Commission recommend approval of the preliminary Planned Development plan for Stoneleigh West, subject to the following conditions:

1. Additional analysis must be presented concerning protected and replacement trees.
2. The Landscape Planting Plan shall be revised as noted in the McKenna Associates memo dated 12/3/13.
3. Additional information shall be provided to complete the Planned Development Agreement.
4. These conditions shall be completed and revised plans submitted 21 days prior to the Township Board meeting.

Ms. Zawada reviewed the CES memo dated 12/4/13. She explained that the biggest concern is that they need the final calculations for the pond volumes.

Mr. Towne suggested replacing some of the trees that have to be removed with indigenous trees that are already there.

Mr. Milia gave a short Power Point presentation to the Commission. He stated that indigenous trees can be incorporated in the common areas as well as the street trees. Mr. Wertheimer explained that they are very dedicated to the Township and he explained the types of homes that will be offered in Stoneleigh West.

Mr. Towne commented that he didn't like the ranch elevation.

Mr. Chuck commented that he liked the entrance to the subdivision and hoped that other developers took note.

**Motion by Towne, second by Enlow
To open the public hearing at 7:28 p.m.**

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

MOTION APPROVED

Joe Raney - He expressed his concern that the existing tree line and fence line won't have any trees removed from it.

Shirley Baker – She questioned the traffic issue on Ten Mile Road. Mr. Dolan explained that the Board has formed a committee to strictly look into problem-solving strategies for this issue.

**Motion by Towne, second by Chuck
To close the public hearing at 7:32 p.m. due to no further comments.**

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

MOTION APPROVED

Mr. Milia stated that they will preserve as many trees as possible and will only remove what is on their property. Due care will be taken to make sure no trees are removed on the Raney property. Mr. Bennett commented that tree fencing has already been installed in the area of concern and it is on the plans. All of the trees have been tagged and located and any trees straddling the line will be saved.

Mr. Milia stated that an acceleration, deceleration and center turn lane were added to help with the traffic flow and as additional development occurs they will work with the signalization with the Road Commission. Mr. Milia also stated that they will work with Ms. Zawada regarding the pond volumes.

Mr. Milia explained that presently there is one road in and out of the sub but there are 3 stub roads for future developments.

Motion by Chuck, second by Towne

To recommend approval of AP-13-30 Stoneleigh West PD to the Township Board as described including the McKenna Associates memo dated 12/3/13 and the CES memo dated 12/5/13.

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

MOTION APPROVED

- 2. AP-13-37, Pontiac Trail and Silver Lake Road Rezoning. Property located at the southeast corner of Pontiac Trail and Silver Lake Road. Public hearing to consider request to rezone 62 acres from R-1.0, Residential-Agricultural, to R-0.5, Single Family Residential.**

Representing AP-13-37: Manny Kianicky, Blue Acquisitions, LLC

Mr. Doozan reviewed the McKenna Associates memo dated 11/24/13. He explained that the review has uncovered the following four key findings:

1. Although the proposed density differs from the density of large lot development to the north and south, development at the proposed density would still achieve single family residential compatibility.
2. The proposed rezoning is in conflict with the Future Land Use Map, which indicates that the property should be zoned to accommodate one acre lots.
3. Extension of sanitary sewer utilities to the site makes R-1.0 development cost-prohibitive. Our calculations indicate that it would cost about \$10,100 per lot to extend sanitary sewers under R-1.0 zoning (this estimate is based on a \$600,000 cost to extend the sewers, which is a figure provide by the applicant).
4. Rezoning could create a domino effect, resulting in requests to rezone adjoining property to the west and northwest to R-0.5.

Ms. Zawada reviewed the CES memo dated 12/5/13. She explained that the site presently does not have sanitary sewer available. A sanitary sewer would need to be extended north along Pontiac Trail from Saddle Creek Condos, where there is an existing pump station. That particular pump station was designed based on this parcel having a zoning of R.1.0, therefore there may not be capacity to connect if the parcel was rezoned. The site is also presently served by an existing 16" water main. Detailed layout of proposed utilities, including the extension of the sanitary sewer along Pontiac Trail, water main location and storm sewer outlets will be reviewed if the applicant submits for site plan review.

Mr. Towne questioned the pump station and what amount would hinder future development. Ms. Zawada explained that it is hard to tell at this point given the fact that the system is so young and it is master planned based on zoning. Ms. Gatti advised

that the Commission look closely at the 9 items in the McKenna Associates memo as well as Ms. Zawada's concerns.

Mr. Kianicky gave a short presentation regarding the project. He explained that the intent is to go with straight rezoning instead of a PD which would allow for 88 lots rather than 121 lots. He explained that the soils in the area are not sufficient for septic tank use and felt it would be the last area that needs more septic tanks. He explained in order to develop the property with sanitary sewer it will need to be rezoned to R-0.5. He stated that a sanitary pump station would be constructed in the southwest area of the site with a forced main that extends to a man hole across the street from Saddle Creek. He felt that an increase may be needed but there is no problem long term with providing sewer capacity for the site. He did not feel the zoning would be incompatible with the surrounding zones in the area.

**Motion by Towne, second by Chuck
To open the public hearing at 7:59 p.m.**

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

MOTION APPROVED

Dan Roush, 59764 Barkley Drive – Mr. Roush explained that he has a side facing yard, which could mean there would be 4 or 5 adjacent homes smashed up against his property line. He explained that he verified the zoning prior to purchasing his home 18 months ago, and he would not have purchased the home if the zoning were smaller. He asked that the wooded tree line be preserved. He questioned if the sub would connect to Barkley and if sewer/water connectivity would be a future option.

Joe Cusumano, 29369 Hampton Court – Mr. Cusumano explained he lives directly adjacent to this lot and is on the Martindale Meadows Board and has been a resident for 13 years. He stated he is happy that the project is residential. He would like to see the tree line on the eastern and western edge maintained, along with the farmer fence. He explained that the existing drainage ponds cannot take on any more water. He stated that if Barkley Drive is opened, there would be many complaints and felt it should be kept closed.

Beverly Jokinen, 60614 Deer Creek Drive – Ms. Jokinen asked that the 1 acre zoning be kept. She is happy that this is proposed as single family homes. She stated that their wells are fine. She felt that the country feeling in the Township is fading fast and felt that she should start a "save a country corner" campaign. She asked what would be provided as far as buffers.

Arthur Booth, 29357 Hampton Court – Mr. Booth explained that he moved here 16 years ago, and he is concerned with the dust/dirt and the water. There is a common area between Deer Creek and Martindale Meadows, and he is concerned with the displacement of wildlife there and questioned if there would be a buffer. Concerned about the quality of his aquifer and how this will affect their septic's. He is concerned with the increased traffic especially since there are no sidewalks in Martindale

Meadows; it is a safety concern.

Mitchell Zalewski, 62041 Tayberry Circle – Mr. Zalewski explained that he lives west of Orchards Estates and is concerned with the future of the property to the north and felt it will go to smaller lots if this is rezoned. He is concerned with the congestion at rush hour in that area. When there are accidents on I-96, this is the route people use to try to avoid the congestion on the freeway. There are no plans to improve the infrastructure, which becomes a safety issue. He is concerned with not having enough emergency services for the growing population.

Cathi Anderson, 29345 Hampton Court – She agreed with previous speakers that there can be no more water going to that area. She asked that the Commission stick with the Master Plan and keep it at R-1.0.

Diane Wilson, 60690 Pontiac Trail – Ms. Wilson stated that she lives across from this parcel and she is concerned because there are no shoulders to the road, and she has 30' of peat in front of her house. She is concerned about additional water in the area. She explained that the water is pumped across the road. When it gets to really pumping, she has a 5' geyser that washes out the road. She is also concerned about the burden further development places on the schools.

Peter Kowalczyk, 60680 Deer Creek Drive – Mr. Kowalczyk stated that the wetlands can't take more water since they have trouble with it now. He asked that the zoning stay at R-1.0.

Brad Sivori, 61069 Topsfield Lane – Mr. Sivori stated that he lives west of the parcel and felt that 88 lots turns into more, and then it's maxed out. He asked that the zoning be kept at one acre lots.

**Motion by Towne, second by Chuck
To close the public hearing at 8:23 p.m. due to no further comments.**

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

MOTION APPROVED

Ms. Zawada explained that detailed plans have not been submitted yet but the applicant is required to submit and provide a positive outlet. Mr. Doozan reminded the Commission to not consider the layout at this time, only the rezoning request.

Mr. Kianicky stated that the site plan is relevant since it gives the idea of density. He felt that septic should not be used in order to protect the wells that are located to the south and felt that putting septic in would not be the most responsible way to develop the land.

Mr. Chuck reviewed the cost for using sewers.

Mr. Towne stated that at this time he wants the property to remain at 1 acre lots. Mr.

Dolan also agreed that the parcel should stay at one acre lots, just as it is master planned.

Mr. Enlow also stated that the Master Plan should be maintained and felt that if it was rezoned, there would be a domino effect in the area. He is also concerned with the traffic concerns that were mentioned as well as the ponds at Emelbe Ponds and Martindale Meadows. He explained that this project would be required to maintain all storm water on site.

Mr. Towne commented that Barkley Drive would be used, since the stub road was installed for future connectivity.

Motion by Towne, second by Sellis

To deny the request for AP-13-37 to rezone with comments from the McKenna Associates memo dated 11/25/13 and the CES memo dated 12/5/13 including comments from the public hearing.

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

MOTION APPROVED

OLD BUSINESS - None

NEW BUSINESS

- 1. AP-13-35, Quadrants Industrial Research Center – REMOVED FROM AGENDA AT APPLICANT’S REQUEST**
- 2. AP-13-38, Parkside Village PD. Property located on the east side of Milford Road, south of Grand River Avenue. Conceptual review of a proposed mixed-residential planned development consisting of 287 single family units and 200 attached units on 168 acres.**

**Representing AP-13-35: Howard Fingeroot, Pinnacle Lyon I, LLC.
 John Ackermann – Atwell, LLC
 William Anderson**

Mr. Doozan reviewed the McKenna Associates memo dated 11/27/13. Mr. Doozan explained that no action shall be taken by the Planning Commission at Conceptual Review but they should offer advice to the applicant on the issues presented in the memo.

Ms. Zawada reviewed the CES memo dated 12/5/13 and stated that the items listed should be addressed for the Preliminary PD submittal.

Mr. Fingeroot explained that they are donating 18 acres at the trail head, which is adjacent to the 22 acres that the Township already owns which can be used as a park. He explained the 5 components for the project as follows:

1. Estate size homes on 90' lots, located adjacent to the golf course and will be 3,000-3,800 sq. foot layouts.
2. Manors of Parkside will be located to the north on 70' lots with offerings of 2,500-3,000 sq. ft. floor plans.
3. Villas at Parkside will be to the east in the development and will be the empty nester product offering 1700-2200 sq. foot ranch living.
4. The north side will offer multifamily and will act as a buffer to the industrial use to the east.
5. Mixed use will be used in this portion if the ring road goes through at the north end of the property. Live/work units will be offered if the ring road goes through as projected.

The Planning Commission members liked the layout of the project. There was some discussion regarding the industrial uses that are along 3 sides of the project. Mr. Fingerroot commented that he envisioned the landowners rezoning more consistent with the downtown area once the ring road is finished.

Mr. Conflitti commented he would like to see more of the estate sized homes. Mr. Towne confirmed that there is a stub road going to the east. Mr. Towne stated he would like to have a contiguous greenway.

Mr. Fingerroot explained that there were no issues with the airport. He explained that Zone 3 feathers in slightly and will affect about 12 lots but they can have 25 people per acre living there, and it will not affect proposed density. Mr. Fingerroot also stated that they will take a good look at the landscaping along Milford Road because they want to create an image. He felt that they would start the project with the small and large lots and the empty nester product to begin with.

Mr. Dolan suggested looking at the connection of the sidewalk by the New Hudson Drain in order to allow residents to walk to the Downtown area. Ms. Sellis felt downtown accessibility should be a benefit for the residents and therefore a benefit to the downtown area

2. **AP-13-39, Rathmor Park PD. Property located on the northwest corner of 10 Mile and Napier Road. Conceptual review of a proposed residential planned development consisting of 95 single family units on 77 acres.**

**Representing AP-13-39: Andy Milia
Randy Wertheimer, Hunter Pasteur Homes
Karen Brown, Hunter Pasteur Homes
Mike Powell, Powell Engineering**

Mr. Doozan reviewed the McKenna Associates memo dated 12/5/13. He explained that no action shall be taken by the Planning Commission at this time instead; the Commission can offer advice to the applicant on the issues presented in the memo.

Ms. Zawada reviewed the CES memo dated 12/6/13. She explained that the applicant should address the listed items in the memo prior to Preliminary PD submittal.

Mr. Milia gave a brief power point presentation providing an overview of the project. He explained that there will be 2 entrances along Napier Road and 2 stub roads for future connections. A boulevard entrance on 10 Mile will be offered. The natural features will be kept and a large road view shed will be kept along 10 Mile. A contribution to the road improvement fund will also be made. There will also be a 6' paved walking trail.

Mr. Wertheimer explained that 10 different floor plans will be offered ranging from 2,500-4,500 sq. ft.

Mr. Towne stated that he is not happy with the side yard setbacks. He stated that he likes the open spaces but does not like the setback garages. He thought that a closer look needed to be taken regarding the 10 Mile Corridor, and he would prefer a sidewalk on 10 Mile; he did not like the pathway. Mr. Towne felt the area would be better served as an open area.

Mr. Enlow confirmed that the lots at the north entrance on Napier Road were 30' from the proposed right of way or 63' to actual pavement.

Mr. Doozan commented that there are significant benefits to the project such as contribution to the road fund and preservation of open space and wetland areas, which justifies the increase in density.

Mr. Conflitti commented that he likes the buffer on 10 Mile Road and the paved walkway.

Mr. Doozan stated that it is not the intention to take out the mature trees on Napier Road but to enhance the existing trees if they are trimmed out. This would also apply to the SE corner of the site.

ADDITIONAL BUSINESS

1. Community Reports

Mr. Doozan reported that the Township Board passed the 1st reading of the Zoning Regulations and approved the Zoning revisions to the Commercial and Recreation in an industrial district. A meeting was set up with the attorney and planner to meet with the new Commissioners.

ADJOURNMENT

**Motion by Enlow, second by Chuck
To adjourn the meeting at 10:15 p.m.**

Voice Vote:	Ayes:	Unanimous
	Nays:	None

MOTION APPROVED

The Planning Commission meeting was adjourned at 10:15 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary