

Charter Township of Lyon  
Planning Commission  
Regular Meeting Minutes  
July 28, 2014

Approved: August 11, 2014

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

Roll Call: Michael Conflitti, Chairman  
Kris Enlow  
Sean O'Neil, Board Liaison  
Carl Towne, Vice-Chairman

Absent: Ed Campbell  
Jim Chuck

Guests: 14

Also Present: Christina Archer, DDA Administrator  
Jennifer Gatti, Township Attorney  
Chris Doozan, McKenna Associates  
Leslie Zawada, Civil Engineering Solutions

**Motion by Enlow, second by O'Neil  
To excuse the absences of Ed Campbell and Jim Chuck**

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

**MOTION APPROVED**

**APPROVAL OF AGENDA**

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

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

**MOTION APPROVED**

**APPROVAL OF CONSENT AGENDA**

A. July 14, 2014 Meeting Minutes

**Motion by Towne, second by Enlow  
To approve the Consent Agenda as presented.**

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

**MOTION APPROVED**

**COMMENTS FROM PUBLIC**

None

**PUBLIC HEARINGS**

- 1. AP-14-26, Amendments to Article 15 of the Zoning Ordinance. Public hearing to consider proposed amendments dealing with landscaping.**

Mr. Doozan reviewed the McKenna Associates memo dated June 11, 2014. He explained that the principal reason for the amendments is to make the distinction between “caliper” and “diameter at breast height.” Also, there are proposed amendments to Section 15.06 that would eliminate conflicts with the Tree Protection Ordinance.

**Motion by O’Neil, second by Towne  
To open the public hearing at 7:06 p.m.**

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

**MOTION APPROVED**

**Motion by Towne, second by O’Neil  
To close the public hearing at 7:07 p.m. due to no comments.**

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

**MOTION APPROVED**

Mr. Enlow questioned the grayed-out portion. Mr. Doozan stated there was no intention to change that. It should be re-inserted and will include a 2.5 foot spread on evergreens. Shrubs will be a minimum spread of 2 feet.

**Motion by O’Neil, second by Towne  
To recommend approval of AP-14-26, Amendments to Article 15 of the Zoning Ordinance as presented.**

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

**MOTION APPROVED**

- 2. AP-14-27, Amendments to Articles 31 and 32 of the Zoning Ordinance. Public hearing to consider proposed amendments dealing with the business districts.**

Mr. Doozan reviewed the McKenna Associates memo dated June 11, 2014. He explained that the two districts contained references to Article 30, which was repealed upon adoption of the New Hudson Zoning District. Consequently, they have revised Articles 31 and 32 to remove the references.

**Motion by O’Neil, second by Towne  
To open the public hearing at 7:12 p.m.**

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

**MOTION APPROVED**

**Motion by Towne, second by O’Neil  
To close the public hearing at 7:13 p.m. due to no comments.**

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

**MOTION APPROVED**

**Motion by O’Neil, second by Towne  
To recommend approval of AP-14-27, Amendments to Articles 31 and 32 of the Zoning Ordinance as presented.**

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

**MOTION APPROVED**

**3. AP-14-28, Brewpubs and Microbreweries. Public hearing to consider proposed amendments to the Zoning Ordinance regarding brewpubs and microbreweries.**

Mr. Doozan reviewed the McKenna Associates memo dated July 14, 2014. He explained that the most significant change involves deletion of provisions for production of alcoholic liquors by microbreweries. He has learned from the Liquor Control Commission that brewpubs and microbreweries can produce beer and ale only. Smaller revisions were also done in the interest of clarity.

Mr. Enlow stated that his concern is if they exceed the 5,000 would they need to come in for a special approval? Mr. Doozan stated yes; the applicant would have to come in for a special land use approval if they wanted to exceed 5,000 barrels.

Mr. O’Neil questioned how the Township keeps tabs on how much is produced in a year. Mr. Doozan explained that the applicant will have to provide documentation to the State.

**Motion by O’Neil, second by Towne  
To open the public hearing at 7:20 p.m.**

**Voice Vote: Ayes: Unanimous**

**Nays:           None**

**MOTION APPROVED**

**Stan Thornberry**, previous owner of Multi Dog Brewery in Southfield. He provided the Planning Commission with information regarding licensing and a list of brewing licenses in the State. He explained that brewpubs are only administered to places that already have a Class C license, or Tavern, or Class A hotel, or Class B hotel. By definition a brewpub can brew up to 5,000 barrels. He explained that there is only one brewer in Michigan at this time. That is someone who brews over 60,000 barrels a year, and they are not allowed to have an onsite tap room. He explained that microbreweries are less than 30,000 barrels. The State has allowed them to have a tap room and serve beer by the pint. Microbreweries don't sell anything else on premise. He was concerned that the ordinance mandates that they have a restaurant. Mr. Doozan explained that criteria was removed and replaced with "shall provide meal service for consumption by patrons while seated on the premises."

There was concern expressed that "meal service" was not adequate. Mr. Doozan stated that he would look into new language to cover this section adequately.

**Jason Landis, Draft Door Brewery** - Mr. Landis explained that he is interested in turning the old Rio Grande restaurant into a microbrewery. He explained that if they are allowed to bring outside food that is something that would be beneficial. He confirmed with Mr. Doozan that the parking encompasses the tap room only. He thinks that microbreweries are good for everyone involved.

Mr. Towne questioned when they take delivery of the hops where do they go. Mr. Landis stated the hops would be placed in a cooler and the grains will be in a sealed room, inside. An addition of a silo would be much later, nothing is stored outside. Hops come from hop farms within the state or Hop Union. He would consider buying them local if someone grew them. He stated that their vision is 1,000 barrels, and that is brewing full-time.

Mr. Towne confirmed with Mr. Doozan that the facility has outdoor seating and if there were special events then they would need to get a special event permit.

Mr. Landis questioned what the exact specifications are needed for yeast and water.

Ms. Zawada explained that they would be subject to the Industrial Pre-treatment Program as far as sewer goes, a special permit application would need to be submitted and reviewed and there would be conditions of that permit.

Mr. Landis stated that he thought their closing time would be midnight. He is planning to distribute to retailers in small amounts.

**Motion by Towne, second by Enlow  
To close the public hearing at 7:40 p.m.**

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

**MOTION APPROVED**

Mr. Doozan based on input they may want to consider deleting item 2b, where it says “direct sales to licensed retailers are prohibited.”

**Motion by O’Neal, second by Towne  
To approve AP-14-28, Brewpubs and Microbreweries  
Subject to the changes sited in item 2b and to also allow Mr. Doozan to clarify  
item 2e.**

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

**MOTION APPROVED**

**4. AP-14-29, Review of Condominium Documents. Public hearing to consider proposed amendments to the Zoning Ordinance regarding the process of reviewing condominium documents.**

Mr. Doozan reviewed the McKenna Associates memo dated June 16, 2014. The drafted amendments to the Zoning Ordinance to allow administrative review of Condominium Master Deeds, Bylaws, and Exhibit B drawings.

**Motion by O’Neil, second by Towne  
To open the Public Hearing at 7:56 p.m.**

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

**MOTION APPROVED**

**Motion by O’Neil second by Towne  
To close the Public Hearing at 7:57 p.m.**

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

**MOTION APPROVED**

**Motion by O’Neil, second by Towne  
To approve AP-14-29, Review of Condominium Documents.**

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

**MOTION APPROVED**

**OLD BUSINESS - None**

**NEW BUSINESS**

1. **AP-13-35, Quadrants Industrial Research Center, Units 13-17; Condominium Review. Property located on the south side of Grand River Avenue, west of Napier Road.**

Mr. Doozan reviewed the McKenna Associates memo dated July 17, 2014. He recommended that the Planning Commission recommend to the Township Board approval of the Twelfth Amendment to the Master Deed and Eighth Amendment to the Condominium Subdivision Plan of the Quadrants Industrial/Research Centre Condominium, subject to the following conditions:

1. Review and approval by the Township Engineer and Township Attorney.
2. Correction of the acreage in item 2 of the Master Deed, as noted in the McKenna Associates memo dated July 17, 2014.

Ms. Zawada reviewed the CES memo dated July 25, 2014. She explained that the review has been done on the amended Master Deed and Exhibit B (Replat No. 8) but they do not have the right-of-way abandonment documents so they couldn't verify the legal description of the land added to the condominium. The entire legal description was reviewed and matched the replat, so they are comfortable moving forward.

**Motion by Towne, second by Enlow**

**To recommend to approve AP-13-35 to the Township Board approval of the Twelfth Amendment to the Master Deed and Eight Amendment to the Condominium Subdivision Plan of the Quadrants Industrial/Research Centre Condominium subject to the conditions of the McKenna Associates memo dated July 17, 2014 and the CES memo dated July 25, 2014.**

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

**MOTION APPROVED**

2. **AP-14-31, Spring Meadows, Phase 1: Condominium Review. Property located on the south side of Pontiac Trail, west of Milford Road. Condominium document review of Phase 1 of a proposed single-family residential development consisting of 29 lots on 7.25 acres.**

Mr. Doozan reviewed the McKenna Associates memo dated July 23, 2014. He recommended that the Planning Commission recommend approval to the Township Board of the Condominium Master Deed, Bylaws, and Condominium Subdivision Plan for Spring Meadows, subject to the following conditions:

1. The issues cited in this letter shall be properly addressed in revised documents or on revised plans.
2. Approval of the Township Attorney and Township Engineer shall be required.

Ms. Zawada reviewed the CES memo dated July 26, 2014. She explained that there are some minor comments listed under the Master Deed and Bylaws and Exhibit B Drawings that need to be addressed and reviewed prior to recording but she is comfortable with recommending approval subject to the conditions listed in the review letter.

Ms. Gatti stated that normally there are storm drainage easement maintenance provisions in the Master Deed, but the DDA has negotiated a separate agreement so that language is not in there.

**Motion by Towne, second by Enlow**

**To approve AP- 14-31 Spring Meadows Condominium Review as long as all of the recommendations from the McKenna Associates memo of July 23, 2014 and the CES memo of July 26, 2014 and the comments by the Township Attorney are met by the time of the Board meeting.**

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

**MOTION APPROVED**

**COMMUNITY REPORTS**

Mr. O'Neil brought the Planning Commission up to date regarding the Griswold Road paving project.

**ADJOURNMENT**

**Motion by O'Neil, second by Enlow**

**To adjourn the meeting at 8:08 p.m.**

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

**MOTION APPROVED**

The Planning Commission meeting was adjourned at 8:08 p.m. due to no further business.

Respectfully Submitted,

*Kellie Angelosanto*

Kellie Angelosanto  
Recording Secretary