

Charter Township of Lyon
Planning Commission
Regular Meeting Minutes
February 23, 2015

Approved: March 9, 2015

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

Roll Call: Ed Campbell
Patricia Carcone, Board Liaison
Jim Chuck
Michael Conflitti, Chairman
Stephan Hoffman
Carl Towne, Vice-Chairman

Absent: Kris Enlow, Secretary

Guests: 8

Also Present: Leann Kimberlin, Township Attorney
Chris Doozan, McKenna Associates

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

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

MOTION APPROVED

APPROVAL OF AGENDA

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

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

MOTION APPROVED

APPROVAL OF CONSENT AGENDA

A. Approval of the February 9, 2015 minutes.

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

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

MOTION APPROVED

COMMENTS FROM PUBLIC

Jeff Olszewski, owner of parcel K-21-35-400-004 – Mr. Olszewski commented on the proposed Shadow Wood Development. He explained that he owns the middle property that backs into the proposed Shadow Wood development and explained the issues that he has with the developers of the proposed development. He stated that he had a contract with the developers, and that included an access road to Chubb Road from his property. The contract is expired. He explained that if the plans are reviewed, the west side of his property is a wetland area, and there is more on the northwest corner. The developers claimed that there are no wetlands on the site, and he found that troubling. He would like to see a stub road on the east side.

Mr. Doozan commented that he is not familiar with what has been happening with the property owners. Mr. Doozan stated he can meet with them, but it seems like it is more of a private issue.

Mark Hannon 59488 Eight Mile Road – Mr. Hannon commented that he came two weeks ago regarding the fee for moving the hydrant. He wanted to confirm that the engineering company is absorbing the \$7000 cost for moving of the hydrant. Treasurer Carcone confirmed that is correct.

Chris Schaefer, 59878 Mulberry Lane – Mr. Schaefer commented on the conceptual plan for the development located north of 8 Mile and west of Griswold. He questioned what constitutes a regulated wetland versus a non-regulated wetland. He also questioned how tree mitigation is calculated for any trees that are removed. He would like to keep the existing tree area because it offers buffering. He questioned how the water will be handled, since it will be redirected. He explained that there are current water issues on the site. He asked if there is any standing water in the wetland areas, who is responsible for spraying those for bugs and algae? He questioned if there will be an entranceway off of 8 Mile and felt that there has to be at least two entrances coming into the property.

Mr. Doozan stated in terms of the wetlands, the determination is made by the MDEQ. If the wetlands are not regulated, then those can be filled in. If they are regulated, and someone wants to fill them, then they have to do mitigation. The MDEQ is responsible for that determination. In terms of drainage, that would be something that would be reviewed by the engineer as it moves through the process. The drainage requirements have changed since Park Woods was put in, and a 200 year storm detention is now required. Mosquito control is handled by the developer during the course of time that the developer is responsible for the subdivision. Once it is turned over to the homeowners' association, they are responsible. There is a tree protection ordinance, and the developers are allowed to take out trees that are in the right-of-way of the road and utility easements, which don't require replacement. Outside of those areas, replacement is required. With respect to the access to the roads, if there is a stub street that abuts the property the Road Commission would like the developer to use the stub street and have as many connections as possible to the development. He

commented that Mr. Mancinelli is the developer on the project and he is trying to design it to save as many trees as he can.

Brian Dudas, 20892 Oak Tree Drive – Mr. Dudas commented on the Hasenclever Farms project and stated that the land is 10 feet lower. He asked that they pay attention when they plan the road since they will probably have to raise that whole road 10 feet, which would create a valley into their homes and cause a further water issue. He wants to make sure that the detention ponds in this development will alleviate some of these drainage issues. Mr. Doozan stated that they can handle the water on their property so it doesn't encroach onto their property. Mr. Dudas asked that they pay attention so the current residents are not flooded out. There is a non-regulated wetland behind his lot, and there is no outflow of that pond.

DDA REPORT – None

PUBLIC HEARINGS

- 1. AP-15-02, Brewpubs and Microbreweries. Public hearing to consider a text amendment to the Zoning Ordinance to permit brewpubs and microbreweries in the B-2, Community Business District; and B-3, General Business District.**

Mr. Doozan reviewed the McKenna Associates memo dated January 22, 2015. It was recommended that the Planning Commission recommend approval of the proposed amendment to the Township Board.

Ms. Kimberlin is in complete agreement for the necessity of this Ordinance.

**Motion by Towne, second by Chuck
To open the public hearing at 7:35 p.m.**

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

MOTION APPROVED

**Motion by Chuck, second by Towne
To close the public hearing at 7:36 p.m. due to no comments.**

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

MOTION APPROVED

**Motion by Chuck, second by Towne
To amend the Zoning Ordinance to include AP-15-02 Brewpubs and Microbreweries text amendment to the Zoning Ordinance in the B-2 Community Business District and B-3, General Business District as stated in the McKenna Associates memo dated 1/22/15.**

Roll Call Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

Mr. Towne asked if they follow the LLC laws with regard to the distance from schools and churches. Mr. Doozan stated yes, they are required to follow the LLC regulations. Ms. Kimberlin agreed to look further and provide more clarification regarding the distance.

OLD BUSINESS - None

NEW BUSINESS

- 2. AP-15-07, Spring Meadows – Vinyl Request. Property located on the south side of Pontiac Trail, west of Milford Road. Applicant is requesting different vinyl requirements than what were previously approved on the 29-unit site plan.**

Mr. Doozan explained that when this applicant was before the PC previously, the applicant requested relief on the vinyl standard.

Tim Loughrin explained that at the previous meeting, he had asked to come back and present some vinyl alternatives. The highest grade vinyl that is available is .046 mil vinyl products. The original approval was for a .052 mil vinyl. They are proposing a mix of .042 mil and .046 mil vinyl packages with 12 different color packages, with five of the color schemes consisting of the upgraded .046 mil vinyl.

Mr. Towne explained that the builder grade vinyl is a .040 mil, and the .042 mil is close to a builder's grade. The locking system is different on a .046 mil, which makes it a better choice. There are also more colors available in the .046 mil grade. He has no problem with the .046 mil vinyl but he has a problem going to a .042 mil vinyl. Mr. Loughrin stated that the cost differential is about \$2,000 per house and that puts them at a disadvantage with other developers in the area. They take pride in their development and their communities; they are adding to the community and adding a better product. They want to have a nice mix for their residents.

Mr. Conflitti stated that when the applicant was here previously they were looking at stone, brick, scallops as upgrades and they agreed to the vinyl. He can't see going down to a .042 mil vinyl when originally concessions were made.

Mr. Clark explained that the installation of the vinyl is also important, and he explained that every nail will hit wood. The history was that they asked for accommodations for the vinyl. They want to offer a premium product, but they don't want to be placed at a \$2000 disadvantage against other developments in the Township.

Mr. Campbell stated that he would agree with Mr. Towne and Mr. Conflitti. The Planning Commission already lowered their standards regarding the vinyl. He

commented that this development is the first one in this area, so there is no competition. They are setting the precedent for every other development that comes to this particular area. He would suggest going with a nicer product, and he didn't think there would be a problem selling any of these homes.

Mr. Doozan stated that this particular section of the Zoning Ordinance needs to be reviewed, since the standard for the vinyl that is listed is not available. The Planning Commission needs to agree on what the standard should be and hold a public hearing to revise it.

The Commissioners agreed that they are comfortable with .046 mil vinyl grade as the standard, and a public hearing will be scheduled.

COMMUNITY REPORTS

Mr. Doozan reported that he will be coming forward with some master plan updates within the next month or so. Mr. Towne questioned the 8 Mile corridor would be addressed. Mr. Doozan responded it is on the list as well but there are more immediate needs.

Mr. Campbell reported he attended the Economic Restructuring Committee. They reviewed tax abatement concepts to try and facilitate more of the types of businesses that we want to bring into the community

Mr. Doozan also reported that Ms. Zawada and he are working on a grant proposal that will come before the Planning Commission in March regarding the Michigan Natural Resource Grant to acquire easements or right-of-ways to put in trail ways.

Mr. Hoffmann questioned a traffic report that stipulated the need for a traffic light at 8 Mile and Napier. He commented that they could require the developers to contribute funds into an account to incorporate the price of the light, and it can be something that is part of a PD with a community benefit. Mr. Doozan confirmed that most often developers have provided money or done the road improvements. For example, Rathmor Park and The Enclaves will be contributing to the 10 Mile and Napier Road improvements.

ADJOURNMENT

**Motion by Chuck, second by Towne
To adjourn the meeting at 8:27 p.m.**

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

MOTION APPROVED

The Planning Commission meeting was adjourned at 8:27 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary