

Charter Township of Lyon  
Planning Commission  
Regular Meeting Minutes  
March 9, 2015

Approved: April 13, 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  
Kris Enlow, Secretary  
Stephan Hoffman  
Carl Towne, Vice-Chairman

Guests: 13

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

**APPROVAL OF AGENDA**

Mr. Doozan noted that Henrob has requested to be removed from the agenda.

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

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

**MOTION APPROVED**

**APPROVAL OF CONSENT AGENDA**

**A. Approval of the February 23, 2015 minutes.**

There was one minor change to the minutes.

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

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

**MOTION APPROVED**

**COMMENTS FROM PUBLIC - None**

## DDA REPORT – None

### PUBLIC HEARINGS

1. **AP-14-20, Crystal Creek South – Elkow Farms PD Amendment, Property located at the southwest corner of 11 Mile Road and Milford Road; 79 single-family homes on 80 acres. Public hearing to consider amending the approved planned development to modify the road layout, eliminate a connection to Ironwood Lane, allow the PD to be governed by the current tree ordinance, and modify the landscaped greenbelt along 11 Mile Road.**

**Representing AP-14-20:** Greg Windingland, Lombardo Homes  
Mark Roebuck, Lombardo Homes

Mr. Doozan reviewed the McKenna Associates memo dated February 27, 2015 with the recommendation that the Planning Commission recommend approval of the preliminary plan the Crystal Creek South planned development (AP-14-20) to the Township Board, subject to the following conditions:

1. Recommend that the Planning Commission recommend to the Township Board a waiver from the front and perimeter setback requirements.
2. The landscape plans must be modified as noted above.
3. Typical façade elevations must be provided.
4. Township Engineer and Township Attorney approval shall be required.
5. The revised Planned Development Agreement shall note that five replacement trees are required on each of the following units, as noted in item # on page 4 of the McKenna Associates memo; unites 29-39.
6. The revised Planned Development Agreement and condominium master deed shall note the constraints that will exist on lots 18, 33, 36, 39, 49 and 51 due to the wetland setback regulations in Section 36.02, footnote f, of the Zoning Ordinance.
7. Landscaping revisions set forth on page 5 of McKenna Associates memo must be addressed on revised plans.

Mr. Towne questioned why the recommendation is to not install a sidewalk on Ten Mile Road. Mr. Doozan stated the plan, 10 years ago, was approved without the bike path. He didn't think it was right to set the clock back and violate that agreement that was set forth in writing. Mr. Doozan stated he wasn't sure how they would attack that area, and it is probably more of an engineering issue vs. a planning issue. Ms. Zawada explained that there are big challenges in that section. Ms. Zawada stated that a sidewalk in that area of Milford Road may never happen due to the challenges in that area.

Ms. Carcone explained that various options were looked at. It's not that they don't want to do it, but there are challenges along with the cost that could be \$450,000 or higher.

Mr. Enlow questioned that, as part of a PD, aren't they required to put the bike path in or put money into a fund? Mr. Doozan stated that this applicant did more improvements in public benefits than any other PD in his recollection. Ms. Carcone explained that the Township got this property through delinquent taxes, and it was sold to Lombardo in 2012. The property has more special assessments on it than any other piece of land. The Township had been feverishly trying to sell this property. Ms. Carcone gave a brief history of the special assessments that are on this property.

Ms. Zawada referenced the CES memo dated February 13, 2015. She commented that all items in the review letter will have to be addressed prior to final engineering. She explained that to prevent flooding at the intersection of Eleven Mile and Milford Roads, the existing culverts must be shown to have enough capacity for both the existing flows and the proposed pond discharge. The pond discharge may need to be further restricted to avoid exceeding the available capacity of the culverts.

Mr. Hoffman commented that he would like to see the developer place money into a fund for traffic signals and be proactive.

Mr. Towne stated that this project looks so much smoother than the last time they saw it. He questioned the 50' setback on Eleven Mile Road vs. the 75' setback. Mr. Doozan stated that they have in the past approved setbacks that have varied from 75', so this would not be setting precedence. Mr. Doozan stated that he thought it would work out fine.

Mr. Chuck stated that he has watched this project and felt that a lot has been done. He also thought that the residents of Hidden Timbers were satisfied. He thinks it is a great project, and he thought someday there will be a traffic signal there.

Ms. Kimberlin referenced her March 5, 2015 memo and explained that all of the new requirements will be recorded.

Mr. Windingland commented that they made great improvements to the original plan and explained that they met with Hidden Timbers and met their concerns as well.

Mr. Towne questioned the greenbelt and the time frame of that being built between the two developments. Mr. Windingland stated that they don't mind building it sooner rather than later. If there is no irrigation there, they can put irrigation there or construct a buffer on a house by house basis. Mr. Windingland confirmed he would gladly grant a blanket easement across the open space wetland property. Ms. Kimberlin questioned the timing on 11 Mile with the greenbelt. Mr. Windingland commented that they would construct improvements and try to do it prior to opening phase 1. He stated that they would not construct phase 2 until they have the irrigation in that area. Ms. Zawada explained that they collect landscaping bonds and those funds will be there before they even construct the utilities.

### **Motion by Towne, second by Campbell**

**To open the public hearing at 7:44 p.m.**

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

**MOTION APPROVED**

**Judy Roscoe, 25700 Milford Road** – Ms. Roscoe explained that she has lived here for 26 years. She has seen her land declared a floodplain, which it wasn't before. Drainage from the Elkow land comes onto her property, and her neighbor's property is a swamp. She is concerned about the possibility of additional drainage. She asked that they please do something with the drainage. She questioned if they are pulling from aquifers. She stated that a good supply of clean water is necessary, and they have to look to the future. Ms. Zawada provided information regarding the wells in the Township.

**Dennis Lapensee, 57299 Hidden Timbers** – Mr. Lapensee asked if there would be a road that connected to Hidden Timbers. Mr. Doozan explained the three steps to a planned development and that the connection that was proposed to Hidden Timbers is gone.

**Matt Lewandowski, 25500 Belladonna** – Mr. Lewandowski explained that the whole caveat of this plan being done 10 years ago is not viable because that plan can still be used. He agreed that the applicant cleaned up the plan a lot, but there are 14 more points in the engineering memo and some of those engineering points are very large points. All that water that they thought would get taken care of from Carriage Club is still coming. That water will move some more and end up in their yard. He thought that the wetland plan should be redone, since that plan is 10 years old. He stated that the wetland boundaries that are on the map have changed since the last plan due to all of the development that has come through. On the site plan as well, there are a few building envelopes that are touching the wetland. He stated that the 25' buffer between the wetland and property should be useful and not just lawn.

**Marshall Labadie, 57251 Hidden Timbers** – Mr. Labadie thanked everyone for working with the residents. He commented that all of the engineering comments should be addressed. A signal in that area is paramount with a new school coming; pedestrian access is not easy and boardwalks are not easy to maintain. He is glad that Lombardo will consider the Cranbrook home series. He stated that the Planning Commission did a great job and thanked them for listening to the residents and thanked Lombardo Homes for working with them.

**Fred Roscoe, 25700 Milford Road** – Mr. Roscoe liked the engineering description of the problems. He is disappointed that they would even consider moving the war dogs for a 3<sup>rd</sup> time. He commented that he doesn't like bike paths. He doesn't want to see that across from his home. He thought the restrictor in the drain is the best idea he has heard.

**Motion by Towne, second by Chuck  
To close the public hearing at 8:01 p.m. due to no further comments.**

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

**MOTION APPROVED**

**Motion by Chuck, second by Towne**

**To recommend approval to the Township Board of AP-14-20 Crystal Creek South contingent on the McKenna Associates memo dated 2/27/15, the CES memo dated 2/13/15 and the attorney memo dated 3/5/15 as stated that these issues be met and includes a blanket easement for future consideration.**

Mr. Enlow commented that he is still concerned regarding the lack of connectivity both vehicular and pedestrian-wise. Pedestrian-wise, he is concerned with lot 28; it connects to just grass and the stub street has no connection. He felt that the developer should put the connection in that would go through the majority of the site. It has been 10 years. At a minimum, they should get a monetary deposit in lieu of constructing that pathway. He felt that the developer could have done a better job in creating connectivity.

Mr. Enlow questioned if the developer will have to update the wetland delineation. Ms. Zawada stated that the wetland was done by Wilson Group. She thought the wetland delineation was current but she would double check. Mr. Enlow stated that if there is a restrictor put in, they should be cautious of the impact upstream.

Mr. Campbell stated that he thought it was great that the developer spent time with the residents of Hidden Timbers. He agreed with the connectivity between subs; Hidden Timbers does not have sidewalks, and he thought he would have concerns if he lived there. The whole sidewalk is a moot point. There are sidewalks on Eleven Mile, he didn't see the connection happening. He liked the plan.

**Voice Vote: Ayes: 6 – Campbell, Carcone, Chuck, Conflitti, Hoffman,  
Towne  
Nays: 1 - Enlow**

**MOTION APPROVED**

**OLD BUSINESS - None**

**NEW BUSINESS**

- 2. AP-15-10, Lifetime Dental Group – Building Addition. Property located on the north side of 10 Mile Road, west of Milford Road. Site plan review of a proposed 4,819 square foot addition to an existing 3,499 square foot dental office.**

Mr. Doozan reviewed the McKenna Associates memo dated 3/4/15. Approval is

recommended subject to the following conditions:

1. Obtaining variances from dumpster enclosure setback requirements and lot coverage.
2. Providing additional information regarding proposed signs.
3. Indicating the location of barrier-free signs.
4. Providing lighting information.
5. Correcting note 2 on Sheet SP.101.
6. Indicating the location and screening of HVAC equipment.

Ms. Zawada referenced the CES memo dated March 5, 2015 and explained that she has no problem with site plan, but the applicant will have to provide detailed engineering plans.

Ms. Kimberlin referenced her 3/5/15 memo and asked that the applicant provide evidence he is the sole member of the LLC. Mr. Kam explained that he sent the paperwork in that shows he is the sole owner of the property.

Mr. Abdelnour showed the proposed elevation to the Planning Commission members. The addition will be where the four lane drive thru was for the bank. There will be some landscaping in the front. The circulation is the same and the dumpster was in the original location it had just never been built.

Ms. Carcone questioned how many dentists are in the practice. Mr. Kam stated that there is one dentist and one orthodontist. Ms. Carcone explained that he may need to purchase additional REU's. Mr. Kam stated that the back area on the plan will not be built out immediately. It would be for future expansion

Mr. Towne commented that it looks good for being a bank, and he is in favor of the setbacks. He felt it would improve the property.

Mr. Chuck commented that he would like to see a vinyl or composite for the dumpster surround. Mr. Abdelnour stated that was fine.

Mr. Enlow and Mr. Campbell thought the building was great.

Mr. Hoffman questioned the new metal roof size. Mr. Abdelnour explained that they are trying to match with the existing building.

**Motion by Towne, second by Enlow**

**To approve the site plan AP-15-10 with the recommendation from McKenna Associates memo dated 3/4/15, the Township Attorney memo dated 3/5/15 and the CES memo dated 3/5/15. Also, the approval is contingent upon variances that were stated in the letter.**

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

**MOTION APPROVED**

**COMMUNITY REPORTS**

Treasurer Carcone gave a brief review of the Board Meeting from March 2, 2015.

**ADJOURNMENT**

**Motion by Towne, second by Chuck**  
**To adjourn the meeting at 8:56 p.m.**

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

**MOTION APPROVED**

The Planning Commission meeting was adjourned at 8:56 p.m. due to no further business.

Respectfully Submitted,

*Kellie Angelosanto*

Kellie Angelosanto  
Recording Secretary