

Charter Township of Lyon
Planning Commission
Regular Meeting Minutes
July 27, 2015

Approved: August 10, 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: 45+

Also Present: Leann Kimberlin, Township Attorney
Chris Doozan, McKenna Associates
Leslie Zawada, Civil Engineering Solutions

APPROVAL OF AGENDA

Treasurer Carcone added a discussion to the agenda in order to consider forming a sub-committee to investigate the Mulligan's parcel.

**Motion by Towne, second by Chuck
To approve the agenda as revised with the addition of the sub-committee.**

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

MOTION APPROVED

APPROVAL OF CONSENT AGENDA

A. Approval of the July 13, 2015 Minutes

Mr. Enlow suggested a minor addition to the minutes.

**Motion by Towne, second by Chuck
To approve the July 13, 2015 minutes as revised.**

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

MOTION APPROVED

COMMENTS FROM PUBLIC ON NON-AGENDA ITEMS

Ann Marie Emsley, 51824 Eight Mile Road – Ms. Emsley read a letter that was sent to Supervisor Young on July 9, 2015 regarding the proposed Master Plan Amendments.

PUBLIC HEARINGS

- 1. AP-14-55, Charlevoix Place PD – Preliminary Planned Development Review. Property located on the northwest corner of 9 Mile Road and Napier Road. Public hearing to consider the preliminary review of a proposed single-family residential development consisting of 34 homes on 26.1 acres.**

Mr. Doozan reviewed the McKenna Associates memo dated July 22, 2015. He explained that the review letter identified a few concerns that must be addressed, the major one being usable open space. If the Planning Commission is able to resolve the open space issue with the applicant, then it is recommended that the Planning Commission recommend preliminary planned development approval to the Township Board on the condition that all other issues identified in this letter are addressed satisfactorily prior to appearing on the Township Board agenda.

Mr. Doozan explained that the Master Plan and zoning designation are not in sync in this part of the Township. That designation was placed because it is in the Northville school district. The leaders of the Township 40-50 years ago believed that higher density zoning was more appropriate due to the school district. For decades that had no concern with the Master Plan and zoning because there weren't any public utilities there, the land didn't perk and it was a high water table. At this point in time there could be water/sewer extended into this area. The Master Plan does not give property rights, it's the Zoning Ordinance that gives property rights. The Master Plan amendment will bring the two documents in sync with each other. The Master Plan amendment is not done out of the public eye. The Planning Commission has just begun the long process to amend the Master Plan.

Ms. Zawada reviewed the CES memo dated July 23, 2015. Due to the amount of items that need to be addressed, Ms. Zawada recommended that the Planning Commission table this applicant until these items are addressed and resubmitted.

Ms. Kimberlin explained that she requested clarification of ownership and that information has been provided. She still needs to clarify a parcel number in the underlying sewer consortium agreement.

Treasurer Carcone asked if there were any modifications done from the last plan. She stated that both review letters were ridiculously long. Ms. Zawada stated that her items were not addressed, which is why she is recommending that the applicant is tabled. Mr. Chuck agreed, the review letters are too long with too many items that have not been addressed.

Bruce Michael, Trowbridge Land Holdings. Mr. Michael provided a PowerPoint presentation to the Planning Commission providing an overview of the project.

Mr. Conflitti questioned if a fence can be used between lots 20-34 to buffer. Mr. Michael stated yes, but he would also propose a continuous green screen, with spruces or pines planted in a scattered double row, which would provide a much more natural feel.

Mr. Hoffman questioned if there is some way to articulate architecture criteria and asked how the Township knows these are the homes that will be built. Mr. Doozan stated that the Planning Commission can beef up the architectural guidelines if they feel it's needed. Mr. Doozan stated that Mr. Spencer will check to make sure the homes are built as presented.

Treasurer Carcone commented that she is really concerned because there are no recognizable benefits. She did not believe the donation of the land is a benefit. Paving of 1300 linear feet of Napier Road is a benefit. Planting 26 extra trees not a benefit. Installing 1500' of asphalt trail is not a big benefit. The "Welcome to Lyon Township" sign is nice. Working with the consortium to extend the water/sewer is not a community benefit; it is a benefit to the developer. There is also no true usable open space. In order to have a PD there needs to be benefits to the community as a whole, not just a benefit to the development.

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

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

MOTION APPROVED

Gary Reister, 22100 Chubb Road – Mr. Reister has been a landscape contractor for 45 years. When he talks about bioswales, he speaks from experience in building them. They do not work. Wetlands are a gift from God. Also, the developer spoke about a double row of pine trees. The Austrian pines are all dying down; they always use spruce trees with a 25-30 year lifespan. He is concerned with bringing the sewer down, since trees will have to be removed. The property is zoned ½ acre; it's a big difference of being legally right and being right.

Tom Melville, 22025 Chubb Road – Mr. Melville's first concern is traffic. He thinks the traffic is becoming very dangerous. It's not being handled well now; there are several intersections that are dangerous, and it is getting worse daily. This should be delayed to let the current projects go forth and demonstrate that they will take care of the roads.

Treasurer Carcone stated that the Township received Federal Aid Committee money for the intersection of Ten Mile and Napier. The cost will be over 3.5 million dollars to redo that intersection. Oakland County only gets 1 million dollars a year to do improvements. Lyon Township is getting two years, along with Novi, to help redo that area.

Mr. Melville stated that there are certain times of the day that you take your life in your hands with the traffic. The Township should take care of what we have before adding more developments. The speed limit is 55 mph; no time for delay. Think about safety before proceeding with more projects. He also has an issue with tree removal. From

Chubb Road, the trees have tags on them 40' into his property, he measured. Removing the trees on Chubb Road will eliminate the last country road in the area.

Diane Schwarz, 51715 9 Mile Road – Ms. Schwarz has lived here for 30 years. She is concerned with the traffic. She commented that we don't have the police department to govern all of these people. They are letting all of these homes come in, and they don't have the manpower to govern it. Her house burned down in 2004 because they don't have a regular fire department. It's a safety issue, between the speed limit and the population. The police could sit in her driveway and give out ticket after ticket. She is not saying progress is terrible, but it has to be governed.

Bob Stevenson, 22255 Chubb Road – Mr. Stevenson thanked the Planning Commission for their service. There are two typical sides here: one is money for the developers, and the other is a quality of life issue for those current residents. There is a lot of traffic on Chubb Road with a 55 mph on a gravel road. With the new high school, there is a steady stream of traffic; you can't even take a walk. This is a quality of life issue. On his lot alone, there are 10-15 trees that will come down. When Tanglewood was originally done, there was supposed to be a preserved greenbelt. That was all taken down on the west side of Chubb Road. The benefits to the Township are minimal, and there are tremendous negatives for the residents that are here now. In this case, the infrastructure is not in place.

Damon Whitmore, 22851 Napier Road – Mr. Whitmore felt that he is more impacted than anyone else because his home borders the northern boundary of the development. He is not opposed to the development, but he is objecting to any adjustment to setbacks. He would like to see it moved back off of his property line. The drainage is his second issue, lots 19 and 20 will block the current drainage system. Right now, the road floods in the winter and the spring. He did not see any drainage engineering plan that was feasible for that area.

John Blacklock, 22556 Simcheck – Mr. Blacklock stated that they moved here because it is on a multiple acre site; he can't see his neighbors when the leaves are up. Everyone enjoys the large home sites. Looking at this plan, at least 3 of the homes will be on the back of his property, which is a big concern. These sites will not even be ½ acre, and he felt that lot size should be maintained. Within a mile there are 5 current developments. We are building all of these homes that have no infrastructure to support them. The intersection and 10 Mile and Napier is a joke; there are always accidents there. There is no police department. His concern with adding these homes is their safety. This will take away from the tranquility of Lyon Township. They do not want to be another Novi. He wanted to have larger home sites with a minimum of 1 acre or 1.5 acres because that maintains the area. He thought the fence was critical and should be installed.

Mr. Doozan stated that the Township does contract with Oakland County Sherriff, and there are a certain number of officers that are specially assigned to Lyon Township. We meet the guidelines for the population of our size, and officers are on staff 24 hours a day.

Edwin DeGiorgio, 23071 Napier – Mr. DeGiorgio lives on the north side of the

development. The drainage is an issue. They haven't ditched it, the culverts are plugged and have not been maintained, and the road floods horribly. The canopy of trees will be removed. Napier Road at one time was a beautiful canopy. Safety is also a concern, along with the speed limit.

Steven Emsley, 51824 Eight Mile – Mr. Emsley commented that the Township might meet some minimum FBI number, but there are no police there. He had a priority 1 shots fired call, and it took 15-17 minutes for anyone to arrive. The police don't hang out 36 miles from their headquarters all the time. One thing that is being left out of this is the Future Land Use map. When something gets rezoned, and the residents take the Township to court, the court usually defers to the Future Land Use map. The Master Plan also says that environmental issues prevent section 36 from being developed. The new justification they are being told is the schools.

Edwin DeGiorgio, 23071 Napier – Mr. DeGiorgio commented that the Kroger opened at 10 Mile and Napier, and now there will be delivery trucks coming and going at that intersection.

Tom Harrington, 22279 Chubb Road – Mr. Harrington's big concern is traffic, especially since the new high school has gone in. With 144 houses at 8 Mile and Chubb, no one will be able to do anything on Chubb Road. He is also worried about the trees. There are many trees tagged in his yard, and he is worried about those being removed. The zoning should be a couple acre lots, just for consistency. He asked that they at least table it.

**Motion by Towne, second by Chuck
To close the public hearing at 8:32 p.m.**

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

MOTION APPROVED

Ms. Zawada stated that there were numerous concerns with the drainage, which is why she recommended tabling. Surveyors use the tags to identify trees on plans, it doesn't mean that anything is coming down. She is not at the level of detail that they would know what trees are coming down yet. Mr. Melville asked if they would be notified if those trees will be taken down. She explained that each property owner would be approached if an easement was needed, then they would see exactly what is proposed to be removed.

Mr. Chuck stated that the common themes are traffic and drainage. There are a lot of issues that have not been answered, and he is not in favor of moving forward unless these issues are addressed.

Mr. Michael stated that they would solve some of the drainage issues that are there right now. They have to basically solve these problems by putting necessary culverts under the road. He asked for guidance as far as what is a community benefit; the only thing they have taken guidance from was density bonuses. They are not asking for

density bonuses. Regarding trees vs. fence, they would do either one. If the neighbors want a fence, they will do a fence.

Mr. Towne stated that the 1300 feet of paving on Napier is a home run. The 1500 feet of trails is also awesome. He had a problem with the issue on the 17,000 sq. feet. He had no problem with a little lower than 17,000 sq. ft. He has an issue with a 30' setback. We made a stance on 35', and he is sticking to it. He will not vote for the project with a 30' setback. The contiguous open space is the most important thing in any development. The zoning rules are very specific in that the open space is contiguous. It is spelled out, and they can't vary from that.

Mr. Campbell commented that there are so many loose ends. He is not comfortable moving forward with this many loose ends.

Treasurer Carcone stated she would be embarrassed to send this to the Board with this many outstanding items. She is concerned with the open space and no public benefits. She has never had an applicant say that they don't know what the benefits are; she will provide a list if he wants one. The inner walkway is a benefit for the subdivision only, not the community at large.

Motion by Chuck, second by Towne

To table AP-14-55 Charlevoix Place PD due to information in the memo provided by CES dated July 22, 2015 and the McKenna Associates memo dated July 23, 2015

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

MOTION APPROVED

Mr. Conflitti called for a 5 minute recess at 8:50 p.m. Mr. Conflitti reconvened the meeting at 8:54 p.m.

- 2. AP-14-56, Devonshire PD – Preliminary Planned Development Review. Property located on the north side of 8 Mile Road, west of Napier Road. Public hearing to consider the preliminary review of a proposed single-family residential development consisting of 96 homes on 71 acres.**

Mr. Doozan reviewed the McKenna Associates memo dated July 8, 2015. He explained that the review letter has identified numerous concerns that must be addressed. Many of these concerns were cited in previous review letters. Major issues include usable open space, the vegetative strip, and the construction and building setback. It was recommended that the Planning Commission discuss the major issues with the applicant but withhold granting approval until the revised plans addressing all of the items listed in the McKenna Associates memo have been submitted.

Mr. Enlow questioned if the sidewalk comment also applied to lots 79, 80 and 81 on the north end of the project. Mr. Doozan stated that is open for debate.

Ms. Zawada reviewed the CES Memo dated July 22, 2015. She highlighted many of the issues listed in the memo and explained that similar to the previous project, she would recommend tabling until these items are addressed.

Ms. Kimberlin stated that there are ownership issues that need to be clarified, one parcel that still needs further clarification and clarification for parcel identification numbers.

Mr. Michael gave a short PowerPoint presentation providing an overview of the project.

**Motion by Towne, second by Campbell
To open the public hearing at 9:27 p.m.**

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

MOTION APPROVED

Patricia Helwig, 20931 Napier – Ms. Helwig explained that her property backs up to this proposed site. She asked what the setback is from their property line, and what they did with the stream. Mr. Michael stated that the road right-of-way is adjacent to the property line and about is about 17' between the curb and the property line. He confirmed that the stream still traverses through there.

Steven Emsley, 51824 Eight Mile - Mr. Emsley explained that Devonshire is not one development, it's two; they can never meet the contiguous open space requirement. He explained that lots 60-91 have no access to the vast majority of the proposed green space. There is no way to traverse one portion to the other, and it cannot be treated as one development. This will cause a financial hardship. This development will surround his home. The PD cannot be allowed. Their driveway is also being trapped between two deceleration lanes for two entrances posing a safety hazard for vehicles coming and going from his home. Eight Mile Road has a 3 inch black top shoulder and can't handle the additional traffic. 60 year old trees will be replaced by 3 year old trees and their quality of life will be reduced and the value of their property will be reduced. There are 3 detention basins planed within 300 feet within of his well head, these will catch the lawn pesticides, petrol products and chemical which will impact their well in the future. The detention ponds will breed mosquitoes. He also commented that there are 3 blue heron nests on the property. Wetland number 4 is an Oakland County priority 2 wetland which is a rare designation in Lyon Township. The proposed sewer lines don't come near his home and the developer should pay the entire expense. There is no public benefit, the residents gain nothing. As for the beautification to the frontage, everything being done here is being done for his development and serves no purpose for the residents and could lead to a millage down the road, there is a legal basis to deny this outright in the Master Plan and future land use maps. If the Township still feels the need to approve it, make the developer protect his home. He felt that the public hearing should be repeated when proper notice is given.

Donald Keeney, 53375 Martha Lane – Mr. Keeney stated that this property feeds down across Eight Mile where the gas line goes underground. Every spring and winter

there is a flood on Eight Mile that turns into ice. He questioned how that will be handled.

Natalie Kennaw, 21520 Chubb Road – Ms. Kennaw stated that her family has been a part of the Chubb Road community since 1950. She purchased her parents' home, and the concern is the road safety. She can't go for a walk down the road due to the traffic. These homes are being developed and just piled on top of each other with little regard to the residents that have been here. There used to be open space, and now everything is being rezoned. The draw is the thought of living in the country, and it's turning into what all of those people are running away from. Uphold the saying of Charter Township.

David Bare, 20805 Hunters Ridge – Mr. Bares explained that he lives adjacent to this property. The section of this area is rural; there are horse farms and horse trails. Legitimately, there is a lot of open space the way it currently is. The area to the west is multi-acreage homes. Please consider the various deviations that are being requested from the existing zoning laws. There is a lot of emotion, and basic legal protocol in the existing laws that need to be addressed, like the traffic light. Regarding access to the municipal sewer and water, he didn't need it. Look at the benefits gained. He is not against progress but he would like to see multi-acre homes going in there.

**Motion by Chuck, second by Hoffman
To close public hearing at 9:44 p.m.**

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

MOTION APPROVED

Ms. Zawada explained the offsite sewer and water routes are preliminary. The largest section where existing property owners live that would have access are along Chubb Road and 9 Mile. The proposed developments, Windridge and Devonshire, propose the majority of it to go through their developments. Mr. Enlow questioned if they are going past all of these residents, are they also paying the tap fees for these residents? How much do they have to pay in order to get the benefit? Ms. Zawada felt that the water main is more of a benefit due to fire protection. It also loops the system for the existing residents that do have water.

Mr. Doozan stated that the speed limits are not owned by the Township but are owned by the Oakland County Road Commission; the Township has no control over that. Ms. Zawada stated that the paved roads are set by the State Police. She encouraged residents to contact their state representatives.

Mr. LeClair stated with respect to the tree tags, his company did go out and tag the trees along the west side of Chubb Road. Those trees were tagged to make sure when they start looking at the location of any water main they know the location of the trees. Same thing along the north side of 9 Mile. In addition to that, if it hasn't happened already, soil borings will also be going on down Chubb Road.

With respect to the sanitary sewer, their intention is to extend the sanitary sewer by gravity as far as they can get it. All of the residents along 9 Mile Road will have gravity sanitary sewer. For the rest of the property along the west side of Napier Road, they are proposing a force main on the west side of the road. Their proposal is to extend gravity sanitary sewer from a pump station at 8 Mile Road up through the Devonshire development that will extend to the Windridge development. Windridge will be served by gravity through Devonshire. The State of Michigan is starting to be more restrictive for septic systems and how they are built. The benefit of bringing in sanitary sewer to this area is great. With regard to the storm water flooding and icing along the north side of Eight Mile Road, he explained that a request has been made to Washtenaw County to start gathering information about the inter-county drain. The total area of this drain is about 400 acres, and it all drains through a pipe that is 12" in diameter. They are looking into that because they think it is a big reason for the flooding in that area.

Mr. Enlow commented on the stub road and the walkway through the ITC corridor. On each of the plans, it always says "by others", who is doing that? Mr. Michael stated that they are in contract with the developers of Windridge, and they will both fund it. Mr. Enlow questioned who will fund the traffic signal at 8 Mile and Napier Road. Mr. Michael stated that they would be willing to do it if they get approval and if all of the consortium contributed.

Mr. Towne stated that the open space is not contiguous. There is a whole list of engineering concerns, and they have to address the open space. The setbacks are an issue again. We will not allow 30' setbacks; the Planning Commission has spoken loud and clear on that. Mr. Enlow agreed about 35' setbacks in the front and 40' setbacks in the back. Mr. Enlow felt that the open space areas can be achieved by various methods.

Mr. Hoffman stated that he can't in good conscience bring more people into this community if they aren't safe. He questioned why there can't be a consortium to get the street light. He hoped that the other developers would participate. He has anxiety over the Emsley home. This is not flat dry land, and it's hard to get contiguous open space, but there are benefits to having the wetlands. He reiterated that if they have access to the park that is a few hundred feet away, that is a huge benefit.

Treasurer Carcone commented that there is no usable open space, no recognizable benefits, and she is very disappointed in a 4 page CES memo and an 8 page McKenna Associates memo. She wouldn't pass this onto the Board. The park is nearby but it is not in our Township; this project has to stand on its own. The Township has no control over that park, and they shouldn't count on anything that is not in our community.

Mr. Enlow stated that a detention basin that is 11' deep, doesn't sit well with him when there are 8 homes that will come onto that 11' deep basin. It seems like that could be done better. Mr. LeClair stated that the retention pond is designed to only store 4' feet of water. Mr. Enlow stated that means that there will be 7' of standing water in the pond during dry conditions.

Treasurer Carcone stated that the Emsley home with the two deceleration lanes would seem odd, and she would like to see what the Road Commission says to that. Mr.

LeClair stated that it works better if they can get an easement from the property owner. Treasurer Carcone stated it doesn't seem fair.

Motion by Chuck, second by Campbell.

To table AP-14-56 Devonshire PD based on the information presented by McKenna Associates and CES.

Voice Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

- 3. AP-14-57, Shadow Wood PD – Preliminary Planned Development Review. Property located on the northwest corner of 8 Mile Road and Chubb Road. Public hearing to consider the preliminary review of a proposed single-family residential development consisting of 144 homes on 76.92 acres.**

Mr. Doozan reviewed the McKenna Associates memo dated July 17, 2015. He explained that the review letter has identified numerous concerns that must be addressed, the major one being usable open space. If the Planning Commission is able to resolve the open space issue with the applicant, then it would be recommended that the Planning Commission recommend preliminary planned development approval to the Township Board on the condition that all other issues identified in this letter are addressed satisfactorily prior to appearing on the Township Board agenda.

Ms. Zawada reviewed the CES Memo dated July 22, 2015. She again recommended that this project is tabled until the items are addressed.

Ms. Kimberlin stated that she has some outstanding issues, regarding ownership clarification that are necessary.

Mr. Michael provided a PowerPoint presentation of the project.

Motion by Towne, second by Enlow

To open the public hearing 10:34 p.m.

Voice Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

Tom Sawyer, 53721 Nine Mile – Mr. Sawyer had concerns with the drainage.

Don Keeney, 53375 Martha Lane – Mr. Keeney's property is bordered on two sides of this development. Martha Lane comes off of Chubb Road, he wants assurances that the drainage will stop. There is no separation from the houses that border his property. He is really concerned with the drainage, it's a terrible mess as it exists today. The extent of the traffic that will come from this, in the last two or three years, all of the traffic that doesn't want to get trapped on Beck Road comes down Chubb Road and Currie. It

has probably increased threefold, at least. He likes this plan better, the access road was moved further away from his road.

Kerry Pankow, 53353 Martha Lane – Mr. Pankow stated that there is no talk about a tree line. What will protect him when he is surrounded by 15 homes? Will there be someone to clean up the dead trees on that property, and is there any way possible to move one street to keep the houses from his back yard?

Ken Nanda, 21130 Chubb Road – Mr. Nanda stated that they built a house on the property in 1995, a 9,000 sq. foot. home which was worth more than a million dollars at the time. He is concerned about the traffic coming out on Chubb Road when his house is right on the other side. There are always headlights shining into his windows. He suggested eliminating that entrance/exit on Chubb Road. There is enough frontage on 8 Mile to have two entrances, and it would not have an impact on Chubb Road. During the winter thaw in 2003, there was water on Chubb Road. He had two feet of water on his property for two days and couldn't get out. An illegal culvert was found. Now there will be even more water. Someone should look into that so they don't have that hardship condition. He is also concerned about the value of his house being negatively impacted.

Bob Stevenson, 22255 Chubb Road – Mr. Stevenson stated that the public safety issue is still there. He confirmed that the speed limit is set by State law. Their association was trying to get a change to the speed limit. He also stated that the FBI does not set any standards for police departments. He invited the Planning Commission to come look at Chubb Road at some time; Chubb Road and Napier is a very dangerous intersection. He asked that they don't approve this until they know what their approving.

Dan O'Connor, 53215 Martha Lane – Mr. O'Connor explained that he moved here 5 years ago, from Canton. He stated it is that important to everyone here and he asked that they please consider the negative impact of 144 homes in this Shadow Wood development.

Tom Melville, 20225 Chubb Road – Mr. Melville confirmed that the offset at Chubb and Eight Mile will be straightened out. Progress is what it is, but why does this particular area have to continue to be built up solid? He didn't know why this area can't be preserved. He questioned if the traffic study was done during a school session. He questioned what level Eight Mile and Currie are at. Considering the speed limit, why proceed with these developments? The hill on Eight Mile and Currie Road is very dangerous where this development comes out. Safety needs to be considered in advance of these developments.

Darren Candela, 21383 Chubb – Mr. Candela stated that there is no benefit for bringing the water in. There is no value except to the people building the developments. There is no infrastructure; bigger things bring bigger problems. They will need a fire department and a police department.

Matt Nyquist, 21255 Chubb Road – Mr. Nyquist stated he does not want Lyon Township to look like Canton in a few years. He is also concerned with possible

expansion. Paving a portion of the road is really not a benefit; his car will still be dirty. He is concerned with where the water will go. He asked that they look at the revenue, and see if means anything and if they will have to add police or fire.

Garrett Sawyer, 53721 9 Mile Road – Mr. Sawyer stated that they want the township to look more like the logo of the Township. The Master Plan is getting ahead of ourselves without having a long term vision. He is concerned about the traffic and the dirt roads that are already in disrepair. He thanked the Commission for listening to everyone's concerns.

Jill Stevenson, 22255 Chubb Road – Ms. Stevenson moved here 24 years ago. She used to run with her dog every day, and the first 10 years were great. As things started changing, it has been dramatic with the amount of traffic on the roads. Tanglewood has destroyed the road on the west side. Take the density down a notch and have homes on 3 acres. Embrace the idea of Lyon Township being part of the rural district.

Gary Reister, 22100 Chubb Road – Mr. Reister stated that they are stewards of the land and between 8 and 9 Mile Road Chubb is so unique. The traffic is a huge concern. It's a lifestyle, 2 to 3 acre home sites would be great.

**Motion by Towne, second by Chuck
To close the public hearing at 11:06 p.m.**

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

MOTION APPROVED

Mr. Towne stated that he likes the open space on this property; it's not contiguous but very usable. The benefit of paving Chubb Road is a start. The property owner has the right to build and to build on ½ acre lots. The lot size is too small; most lot sizes are just over 11,000 sq. feet. The setbacks are 30' in the front, and he has a strong contention against that. A buffer is needed between the development and the existing homes on Martha Lane.

Mr. Jack Healy stated that the idea of a buffer on Martha Lane was already given but then they were told that the consensus was that it couldn't be counted as open space. Mr. Doozan confirmed it is against the ordinance to count that as open space. He is trying to keep the water on the sub, but that also requires catch basin on each lot, which wipes out the trees.

Mr. Chuck stated this is the best of the three developments. He liked the open space, but there are too many loose ends.

Treasurer Carcone stated this is a better plan. She didn't like the parcel that was bought from Autry, but the corner piece is decent. She liked the suggestion of having no exit onto Chubb Road, and they have to buffer the people on Martha Lane. The only benefit listed was the realignment and the paving.

Mr. Campbell agreed with the buffering on Martha Lane.

Mr. Enlow confirmed that the traffic counts were picked up on June 4, during school times. He liked the southeast portion open space, but it seems like the open space is unbalanced between the developments. The pond at the north end comes straight up to a couple of lots and the building envelope.

Mr. Hoffman stated that they are trying to mitigate problems on black and white ordinances. He believes in the rural feel, and they are here to control growth not limit it. He would love to see a development that enhances what Lyon Township.

Motion by Chuck, second by Campbell

To table AP-14-57 Shadow Wood based on the information provided by the McKenna and CES letter.

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

MOTION APPROVED

Mr. Conflitti called for a 5 minute recess at 11:27 p.m. Mr. Conflitti reconvened the meeting at 11:31 p.m.

OLD BUSINESS – None

NEW BUSINESS

- 4. AP-15-47, Magna International, Inc. Property located at the southeast corner of Grand River Avenue and South Hill Road. Site plan review of a proposed 151, 686 square foot industrial building.**

Mr. Doozan reviewed the McKenna Associates memo dated July 23, 2015. He explained that the plans for Magna International, Inc. are largely in compliance with the Zoning Ordinance. Consequently, McKenna Associates recommends approval, subject to the following conditions:

1. A sign detail must be submitted for review by the Building Department at a later date.
2. Reevaluation of trip assignment for trucks is required in the Traffic Impact Study, as noted above.
3. Additional information regarding the height of the roof-top air handling equipment is requested.

Ms. Zawada reviewed the CES memo dated July 13, 2015. Recommending approval subject to the items listed in the memo.

Representing Magna: Doug Manix, President of Kirco Manix
Dave Endres, Kirco Manix

Mr. Manix gave a brief PowerPoint presentation, giving an overview of the project.

Mr. Manix explained that this project will provide 250 employees to the area and this new plant will service GM and other clients.

Mr. Endres explained that a 3-4' berm will screen the dock areas.

Mr. Towne asked what the drop off at the roof level is and questioned if the mechanicals will be shielded. Mr. Endres stated that they have not completely designed the mechanical systems but they would proposed to set it back so the line of sight it is not seen, the equipment will be run right down the center of the building. If the mechanicals were seen then they would screen them.

Mr. Towne questioned how much traffic this will generate onto Grand River. Mr. Endres stated that the information is provided in the traffic study that was submitted. He explained that most of the truck traffic will be headed west to serve the Lake Orion Assembly Plant and a plant in Lansing. There will be a minor impact, don't see it affecting the LOS on the roads in question. Mr. Towne did not see an issue with the 25' light pole.

Mr. Chuck stated that he likes the new jobs coming to town and likes the project. Mr. Hoffman agreed that there are benefits to having the company. Architecturally the building faces a road where there is no entrance and questioned if the next addition will have truck bays on the front. Mr. Endres stated that the building was angled to maximize the site.

Mr. Enlow stated that he had concerns about the loading bays on Grand River. He would push for a sign on Grand River, has concern about a line of trucks out on Grand River. He appreciates the investment in the community. He thought that more architectural flare could be provided on the Grand River side.

Mr. Manix stated it wouldn't just be a big tombstone on Grand River. They also want it to be an attractive building as well.

Mr. Enlow asked if there was any drain work. Ms. Zawada stated not that she knew of.

Treasurer Carcone stated that she has been waiting 24 years to see what will go on this property. She is very excited to have them in the Township. She loves the building. She did not like the loading docks facing Grand River because it is the one big thoroughfare into our community.

Motion by Chuck, second by Carcone

To approve AP-15-47 Magna International, Inc. including the McKenna Associates memo dated July 23, 2015 and the CES memo dated July 13, 2015 and granting the 25' light pole which is 3' higher than allowed.

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

MOTION APPROVED

- 5. AP-15-48, Lyon Business Center – Northwest Outbuilding. Property located at the northwest corner of Grand River Avenue and South Hill Road. Site plan review of a proposed 11,954 square foot outbuilding.**

Mr. Doozan reviewed the McKenna Associates memo dated July 23, 2015. With the recommendation that the Planning Commission approve the plans for the Lyon Business Center subject to submittal of revised plans that address the two concerns as follows:

1. If any lighting is proposed, the type and location of fixtures should be noted. Manufacturer spec sheets should be provided.
2. Eight barrier-free parking spaces are required for this site, one of which must be van accessible (minimum of 8 ft. wide with an 8-ft. side aisle). Four barrier-free spaces are shown on the plan, so an additional four spaces are required.

Ms. Zawada reviewed the CES memo dated 7/21/15 and recommended approval subject to the items listed in the memo.

Mr. Hoffman questioned what the building will be used for? Mr. Webb stated that it will be used for storage of pipe that will be used for fire suppression systems.

Motion by Towne, second by Chuck

To approve AP-15-48 Lyon Business Center subject to the McKenna Associates memo dated 7/23/15, the CES memo dated 7/21/15 and the attorney memo dated 7/24/15.

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

MOTION APPROVED

- 6. Subcommittee for the Mulligan's Parcel**

Treasurer Carcone explained that a developer has come forward interested in building an empty nester product on the Mulligan's parcel. Mr. Towne, Mr. Hoffman and Mr. Chuck volunteered to be on the subcommittee.

COMMUNITY REPORTS - None

ADJOURNMENT

**Motion by Towne, second by Enlow
To adjourn the meeting at 12:18 a.m.**

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

MOTION APPROVED

The Planning Commission meeting was adjourned at 12:18 a.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary