

Charter Township of Lyon  
Planning Commission  
Meeting Minutes  
July 11, 2016

Approved: July 25, 2016

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

Roll Call: Patricia Carcone, Board Liaison  
Jim Chuck  
Michael Conflitti, Chairman  
Kris Enlow  
Stephan Hoffman  
Kurt Radke  
Carl Towne, Vice-Chairman

Guests: 8

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

**APPROVAL OF AGENDA**

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

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

**MOTION APPROVED**

**APPROVAL OF CONSENT AGENDA**

**A. Approval of the June 27, 2016 Minutes**

**Motion by Towne, second by Chuck  
To approve the June 27, 2016 minutes as presented**

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

**MOTION APPROVED**

**COMMENTS FROM PUBLIC ON NON-AGENDA ITEMS - None**

**DDA REPORT – None**

## **PUBLIC HEARINGS - None**

## **OLD BUSINESS - None**

## **NEW BUSINESS**

- 1. AP-14-36, Hasenclever Farms PD – Final Review (formerly known as Lyon Trail South PD). Property located on the north side of 8 Mile Road, west of Griswold Road. Final review of a proposed PD consisting of 50 single-family homes on 43 acres.**

Mr. Doozan reviewed the McKenna Associates memo dated July 5, 2016. The applicant has strived to address the concerns of the Planning Commission, Township Board, and nearby residents. Compared to the preliminary plan, the applicant reduced the unit count by four and increased the minimum size of the units to 17,000 sq. ft. After meeting with nearby residents, the applicant shifted Hasenclever Drive to the east 15 feet to protect trees and heavy foliage. The applicant proposes to plant 60 additional trees between Park Woods and Hasenclever Farms and 30 additional trees between Lyon Trail East and Hasenclever Farms, to provide an extra measure of screening.

Mr. Doozan continued that, provided that the issues cited under “Review Findings” can be resolved satisfactorily, he recommended that the Planning Commission recommend approval of the final plan for Hasenclever Farms to the Township Board.

Ms. Zawada referenced the CES memo dated July 11, 2016. She commented that the applicant has negotiated improvements with the Park Woods HOA, those items, including the construction of a woodchip pathway shall be documented in the PD Agreement that is presented to the Township Board and that those improvements shall be completed as part of Phase 1. The remaining issues are minor in nature.

Ms. Zawada explained that the Park Woods residents want the woodchip path. Mr. Towne suggested that the residents need to maintain it then. Mr. Towne stated he wouldn't be agreeable to that woodchip path. Ms. Kimberlin stated that it's out of the purview of the Planning Commission; this is a private matter if the homeowners association wants it, and the developer is willing to do it. It was part of the original PD agreement that didn't get done.

Mr. Chuck stated that the original builder was supposed to put in the woodchip path. If he had done it, he wouldn't be liable for it now; the homeowners association would be responsible to maintain it. Ms. Zawada stated it needs to be formally part of the agreement.

Ms. Kimberlin stated she addressed some revisions in her letter dated July 11, 2016 that could be put in the Planned Development agreement, and one of them is the woodchip path and additional trees that were promised. Wetland permits will be required, but the developer wants to go ahead with Phase 1; that phase does not require any permits.

Mr. Mancinelli explained he is requesting final approval for the project. He has worked with the HOA in Park Woods extensively. He explained that they don't know where the extra trees will be going. They will stake them out so that the HOA agrees with the location of the trees. He met with the president of the association, and the residents know they have to maintain path. They are willing to maintain it, but they want to get it in. Mr. Mancinelli reviewed the areas of the path that he will be completing at no charge to the residents of Park Woods.

Mr. Towne stated he would like to make sure that whoever purchases these homes that back up to the woodchip paths that the buyers are aware that the woodchip path is there. He would like that to be in the Hasenclever plans.

Treasurer Carcone stated that Park Woods did not get their original woodchip path in the PD. The HOA negotiated with Mr. Mancinelli and he agreed to do that. In the original PD it shows a wood path, it doesn't have anything to do with the Hasenclever parcel. Ms. Kimberlin explained that the woodchip pathway will already be there so any purchaser should visually see it. Mr. Towne agreed.

Mr. Mancinelli asked that they don't have to wait because he would like to begin phase 1 now, since there are not regulated wetlands in that area.

Mr. Conflitti asked what happens if there is a wetland and they knock down trees around it, and the wetland dries up? Mr. Doozan stated that the MDEQ would address it. Mr. Mancinelli stated that there are no wetlands in phase 1 so there should be no problem. There is also no tree removal to be done past phase 1.

Mr. Mancinelli stated that they need a deceleration and acceleration lane. They have 9.06 acres of open space and a 4.60 acre Woodland Conservation Easement. They are planting an additional 60 trees; some of them will be on the Hasenclever parcel, the rest will go along the common space between lots 92-80. Those will be staked out to make sure the residents approve them, and Mr. Doozan will provide his final approval of the location of the trees. He had no issues with the planner or engineer reports.

Mr. Towne stated that Mr. Mancinelli talked with the homeowners, and he listened to the Planning Commission and Township Board; he commended his work, he thought it would be a great development. All the trees that are being saved on the property and the Woodland Conservation are great. He had no problem with Mr. Mancinelli starting phase 1 now. He did see the turn around that will be added after phase 1. He thanked Mr. Mancinelli.

Mr. Chuck stated he agreed with Mr. Towne. He confirmed the price range starts in the mid to high \$300,000.

Mr. Hoffman stated that Mr. Mancinelli was waiting to hear from the Washtenaw Road Commission to see if a left turn lane would be required. Mr. Mancinelli stated he would not consider it at this time but would wait to see what will be required.

Mr. Enlow stated that the plans show a pathway across the entire frontage, is that still in the works? Mr. Mancinelli stated he will ask first if he can get an easement and if he

can't then he will ask the Township to get the easement. Mr. Mancinelli stated that they are going to look at it in final engineering and pick up any water in those two spots. Mr. Enlow stated this is a great example of a planned development working out.

Mr. Radke and Treasurer Carcone agreed that this is a great plan.

**Mark Hammon, 59588 Eight Mile Road** – Mr. Hammon concern has been the Eight Mile Road access. There is a lot of flowering talk about how Mr. Mancinelli has talked with the homeowners, but he hasn't talked to them, and they have lived here 30+ years. This Eight Mile access is not necessary. He explained that by-pass lanes are no longer allowed. To give final approval when they don't know what this looks like is inappropriate.

Mr. Mancinelli stated that there is no way to do this unless he goes through Park Woods without the Eight Mile Road access. Mr. Hammon stated that Mr. Mancinelli had an agreement, and it can be done.

**Motion by Towne, second by Chuck**

**To approve AP-14-36 Hasenclever Farms PD including the McKenna Associates memo dated 7/5/16, CES memo dated 7/11/16 and the attorney memo 7/11/16. Also, recommend to the Board the developer is allowed to do phase 1 before the DEQ permit comes along with the turnaround being installed.**

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

**MOTION APPROVED**

**2. AP-16-03, Legacy of Lyon PD – Final Review. Property located on the north side of 10 Mile Road, west of Chubb Road. Final review of a proposed PD that would consist of 44 single-family homes on 26.7 acres.**

Mr. Doozan reviewed the McKenna Associates memo dated July 5, 2016. He explained it was noted previously that Legacy of Lyon would achieve the following:

- Fill an un-met housing need in the community.
- Provide high quality housing construction.
- Generate less traffic than if the property was developed as a single family detached development.
- Generate less traffic during the warm weather months than the existing driving range.
- Provide abundant landscaping along the perimeter, consistent with the Master Plan's plans for Ten Mile Road.
- Provide a positive fiscal impact of the Township.
- Provide substantially more open space than required.

On the other hand, Legacy of Lyon would result in 20 more units than if the property was developed as a conventional single family detached development.

In consideration of the above findings, which reveal that the applicant has strived to address the Township's concerns, we recommend that the Planning commission recommend approval of the final development plan for Legacy of Lyon Planned Development to the Township Board.

Ms. Kimberlin explained there are rules that will have to be established and enforced. She briefly explained the age restriction agreement.

Mr. Fingerroot, Pinnacle Homes. He explained they lost 4 lots, age restricted it, will contribute 150k to road improvements, and now there is more side yard setback.

Treasurer Carcone asked if there was any language in the Master Deed regarding the tree line in the back of the property. Mr. Fingerroot stated that they agreed to preserve the trees along the north and west property lines, but he didn't know if there would be a conservation easement.

Ms. Kimberlin stated she didn't think they could require an HOA to replace the trees. Mr. Doozan referred to the landscape plane and stated that on the west side it's denser and, and the north side is a little less dense. Mr. Doozan stated that the developer could add some more trees to the north side.

Mr. Towne stated if there are some landmark trees staggered in there then that won't be a problem; it will be up to the homeowners to replace any dead trees.

**Resident** - She explained they have been very supportive, but they have a concern with the construction coming. What would happen if one of those trees would die during construction? Mr. Fingerroot stated that they are very cautious of where they dig the basements. If they kill some of the trees during construction, then they will replace those trees. He would replace them with white spruce, white pine or Norway spruce at 8 ft. tall.

Mr. Enlow commented that is a good change regarding Ms. Kimberlin's memo and the age restriction being based on the occupants and the drop in density is a benefit too. Obviously, saving the perimeter trees is also a bonus and he appreciated the changes.

Mr. Chuck stated this is a product and it's not a product that has saturated the market.

**Motion by Chuck, second by Carcone**

**To approve AP-16-03 Legacy of Lyon final review including if any trees are damaged during construction or during excavation they are replaced with an 8 ft. tree. Including McKenna Associates memo 7/5/16 and the memo from the attorney dated 7/8/16.**

**Voice Vote: Ayes: All  
Nays: None**

**MOTION APPROVED**

**COMMUNITY REPORTS** - Treasurer Carcone gave a brief update regarding the last Board meeting.

**ADJOURNMENT**

**Motion by Chuck, second by Enlow  
To adjourn the meeting at 8:28 p.m.**

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

**MOTION APPROVED**

The Planning Commission meeting was adjourned at 8:28 p.m. due to no further business.

Respectfully Submitted,

*Kellie Angelosanto*

Kellie Angelosanto  
Recording Secretary