

Charter Township of Lyon
Planning Commission
Meeting Minutes
February 27, 2017

Approved: March 13, 2017

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

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

Guests: 45+

Also Present: Leann Kimberlin, Township Attorney
Patrick Sloan, McKenna Associates
Leslie Zawada, Civil Engineering Solutions

APPROVAL OF AGENDA

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

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

MOTION APPROVED

APPROVAL OF CONSENT AGENDA

A. Approval of the February 13, 2017 Minutes

**Motion by Towne, second by Radke
To approve the minutes of February 13, 2017 as presented.**

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

MOTION APPROVED

COMMENTS FROM PUBLIC ON NON-AGENDA ITEMS

Brian Salenik, 60592 Gary Court – Mr. Salenik apologized to the Planning Commission because he spoke out of place at the last meeting he spoke at.

Dave Deboer, 27521 South Hill Road – Mr. Deboer commented that there seems to be a different set of rules for developers and residential owners. Magna has outdoor storage stacked up everywhere. There is no screening, and there is still silt fencing and tree stumps; it has not been maintained since day 1. He asked why this wasn't being addressed by Mr. Spencer. The businesses are allowed to do what they want. He commented that this stuff is 20' high, and kids could climb it and fall off; it is a danger. The ordinance spells out how high outside storage can be and how it should be fenced in. His solar panel project was held up for 4 months because Mr. Spencer told him he had to plant trees, which made no sense. As a Township, we need to treat each other fairly and operate under the same rules.

Mark Hannon, 59488 Eight Mile Road – Mr. Hannon came with a suggestion for a process improvement. He felt that a process that includes vetting of other government bodies before projects are approved should be put in place. He gave the examples of Hutsfield Estates and Hasenclever Farms where the project were approved before Washtenaw County reviewed them, and then there were changes and they are surprised. He suggested inserting a check somewhere in the proces, with governing bodies. Treasurer Carcone stated she agreed and will bring that forward at the administrative meeting.

DDA REPORT – None

PUBLIC HEARINGS

- 1. AP-16-36, The Cottages at Turtle Creek – Preliminary PD. Property located on the east side of Kent Lake Road, north of Silver Lake Road. Public hearing to consider the preliminary review of a proposed planned development consisting of 56 single family “empty nester” homes and 4 single family homes on 56 acres.**

Mr. Sloan reviewed the McKenna Associates memo dated February 14, 2017. It was recommended that the preliminary plan for the The Cottages at Turtle Creek be tabled to allow the applicant to address the issues identified in this letter, which include:

1. An updated fiscal impact analysis is required, as specified in item 5.
2. Concerns about the amount of open space must be addressed.
3. A general schedule for completing the planned development, including the phasing or timing of all proposed public and private improvements must be provided.
4. A tree inventory shall be provided, pursuant to the Tree Protection Ordinance. If tree replacements are required, they must be addressed on the landscaping plans.
5. Corrections to the Architectural Design Guidelines are required, as noted.

Mr. Sloan noted that there is a chance that all of these items were provided; they just haven't had time to review it.

Ms. Zawada referenced the CES memo dated February 13, 2017. She noted the following comments:

1. Per the West Grand River Sanitary SAD Roll this parcel is assigned 35 REUs and the project proposes 56 units.
2. Parcels A, B, C and D will be serviced by well and septic. The test pit report from McDowell indicates that soils are suitable for septic fields. OCHD permits will be required during detailed engineering review.
3. Street names shall be submitted to the Fire Marshal for approval.
4. A permit will be required from the DEQ for work within the existing 100 year flood plain in the area of units 35 and 36 and wetland fills near units 18, 25, 30, 36 & 37.

Mr. Towne questioned the sewer taps. Ms. Zawada explained when designing gravity sewers, there is a fixed capacity that is designed based on zoning. If the density is increased, it could impact the sewer. Without an actual analysis she won't know for sure, but she knew it wasn't designed for 56 units.

Mr. Chuck asked if the analysis can be done prior to the project. Ms. Zawada stated if there was inclination to approve more units, then she would recommend the downstream analysis is done before any action takes place

Ms. Kimberlin referenced her memo dated February 22, 2017. She explained as the majority of this development is intended for empty nesters, the applicant should be prepared to address its willingness to establish an official age-restricted community under the US Department of Housing and Urban Development rules, if the Township Board requires it.

The development has two distinct community types – many small home sites geared towards empty nesters, and a very small number of home sites containing acreage. The applicant should confirm whether it intends to establish two separate condominium developments, and if so how the open space/common areas will be divided between the two developments. Information should be provided regarding how these two distinct areas will be combined into one cohesive condominium development.

Mr. Guidobono gave a PowerPoint presentation to the Planning Commissioners. He explained they are asking for a four unit bonus, with an attractive design and a site that would be very desirable for the empty nester active adult to live. He explained the entrance landscaping will set the tone for the development, and it will be the nicest entrance in the Township.

Mr. Guidobono explained the homes will be 42' wide with 1,500 to 2,000 square feet floor plans. He is proposing a 1,400' offsite trail plan and commented that the cost of that that trail will be about \$100,000; the Township can use those funds how they saw fit if they didn't agree with the trail. He proposed a new Cobblestone sign at the entrance with added landscaping, trees, and solar lighting. He offered a 25' buffer to Cobblestone where they can either make it open space or deed over the land to the six neighbors that back up to that area. This is a good will gesture and is reflected in the new plan.

Mr. Guidobono explained this project will be less dense than multifamily zoning. There will be less traffic at peak times than conventional zoning. The site has easy access to

I-96 and Grand River. He felt this is the ideal location for empty nesters. The product is needed in the Township and offers many community benefits.

Treasurer Carcone commented this would be a fantastic development, but she has a lot of concerns. This is being presented as one PD, but they aren't connected. Cobblestone is an older sub. No matter what they are putting at the end of that, she is concerned with the length of the cul-de-sac. A sewer study would be needed. There is only one way in and one way out with hundreds of homes, and that is a huge concern. She is not sure there is a need for empty nesters yet, she would like to see how fast the first development on Ten Mile sells. She doesn't see the public benefit. The density is astronomical, and she is concerned with the water. She could not support it at this time.

**Motion by Chuck, second by Towne
To open the public hearing at 8:02 p.m.**

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

MOTION APPROVED

Susan Sabota, 61501 Silver Lake Road – Ms. Sabota commented she is a 31 year resident of Lyon Township and is an empty nester who couldn't live in a place like that. 56 homes is 100 additional cars. Whether they are coming in peak hours or not, that's a lot. They have talked about the impact of the traffic in other parts of the Township. The recommendation was to keep this area low density. This project is way too dense.

Jim Crews, 30000 Cobblestone Lane – Mr. Crews is also a 31 year resident of Lyon Township. On December 12, 2016, there was a conceptual review of this project where four items were identified as concerns. After the conceptual review, we are back here with the same four issues. At what point do they get resolved before it's denied? Now is the time to resolve the issues. We have a dead end street that is way too long. They can't deny the builder to develop the land, but more than 4 homes is ludicrous. The roads are old, and after having construction traffic on it, they won't be better. They did meet with the developer, and the first request of the homeowners was to let the end at Towns Square be a conservatory. If the homes were going in, they wanted a boardwalk over the wetlands so they can at least walk down to the proposed path, but that was turned down by the developer. The only thing that was agreed upon was \$50,000, but only if the residents backed the developer for 60 units. When they hit 55 units, Cobblestone gets nothing. They don't have any say in the number of units. Looking at the amendment to the Master Plan, the density is way over the top. He didn't think the developer came to the table. There was also reference to the Legacy of Lyon, which is a beautiful community of 44 units on 27 acres. They have almost 3 times the required open space. This developer hasn't met the requirement for the open space. The requirement is 30' between homes not 20'. There is one standard, and it should be for everyone.

Bryan Jones, 60644 Town Square Street – Mr. Jones stated they would love to have the land at the end of Towne Square remain untouched. Their lot is adjacent to the planned development. The proposed plan would allow them to maintain their view. A

parallel plan would drastically change the feel of his home for the worse. They are highly opposed to a connector to Kent Lake and Pontiac Trail. The developer's past developments show an aptitude to build beautiful homes, and they are confident that will be maintained. Four parcels creates a low density at the end of the street and allows them to maintain a comfortable distance. Four houses situated as proposed seems like the best case scenario.

Patty Maki, 60590 Lamplighter Drive – Ms. Maki is a resident of 25 years. She felt that a halt to any development should be in place until traffic, roads, schools, and water are improved. Stick to the Master Plan and give no more approvals for increased density. They have already deviated far too many times. Do not use the empty nester as a loop hole, she did not consider this downsizing design and there is no way she would consider moving to a development like that. Where connections are made they need to match the aesthetics and maintain a buffer planting zone. No road connection should be made into a residential street that would route traffic through a subdivision.

Chuck Nelson, 29916 Cobblestone Lane – Mr. Nelson has been to most of the meetings with the developer. He did not understand this project at all. He doesn't feel the empty nester product is compatible with the noise on I-96 and the speed on Kent Lake and being from a school. He didn't know why an empty nester would choose that location. It's not an empty nester piece of property. He commented on the Erwin Orchard traffic and how backed up that area gets. The noise level, especially in the winter, is not good. This project is so mismatched. He questioned if the density in the lower part would set precedence. He did not see why anyone would buy an estate home and drive through a sub that was built in the 1980s to get to it. The proposal doesn't make sense.

Cliff Maki, 60590 Lamplighter Drive – Mr. Maki is a resident of 25 years and looks down at the pond. With the density and 18' between homes, he will look at one continuous roof line. Light pollution is already bad. The sunsets will never happen in his end of town, not to mention the additional noise. The elementary school is an amphitheater in his backyard. The noise from I-96 is bad enough. This would be a big change, and he would lose what he has. Density is too high.

Steven Bell, 24810 Haas Road – Mr. Bell has lived here his whole life. New development is going up every time he turns around. There doesn't seem to be a lot of options for true empty nesters, as all the development are aimed toward young single-families. He supported the project.

Tom Rice, 28291 Martindale Road – Mr. Rice moved here in 1996 and raised 5 children. They are all gone, and now he sits on a 3,500 square foot home on 5 acres. They would love to stay in the area, but there are nothing but single-family homes. The concept of an empty nester is excellent. He likes the idea of being close to getting on the freeway and downsizing into a smaller home. Staying in the South Lyon area is his idea of retirement. He supported the project and liked the way it looked. This developer's projects are exemplary.

Mike Ewing, 25911 Walden Trail, Brighton – Mr. Ewing commented he is in the same boat; they have a large house and are looking to relocate to the area. They would like

to live in South Lyon area and would be very interested in living there. He supported the project.

Joe Yamin, 60491 Lamplighter Drive – Mr. Yamin stated that the builder listed all this stuff you can do at Kensington, but you can't do all of that. The entrance at Cobblestone was never brought up, just the \$50,000 and then a tiered offer; each unit lost would be \$10,000 less. He wouldn't want to do business with someone like that. He will be destroying the roads, he will take short cuts; he has already proven that. Density needs to get under control. You can't get into the City of South Lyon during peak hours because of the traffic.

Eric Engel, 29600 Cobblestone Lane – Mr. Engel is not against empty nesters or a few homes at the end of the sub, but he would like to focus on the density, especially in front of the school. He felt that the density should stay within the Master Plan. He commented that he is a teacher in the district and has had a few of his students get into accidents due to the traffic.

Kevin Hohf, 60561 Lamplighter Drive – Mr. Hohf stated that the parcels connected to their neighborhood is of immediate concern to him. The absence of any benefit is a concern to him. The main draw of the neighborhood is the view and the rural setting. It's not too far from amenities, and there is a bit of a buffer. Overall, that type of growth was not anticipated so soon and is a big concern. To accommodate this development is not a benefit to them or to the community at large.

**Motion by Towne, second by Chuck
To close the public hearing at 8:29 p.m.**

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

MOTION APPROVED

Mr. Chuck commented that he believed there is a need for the empty nester product. He is concerned with the density. There is a need for the product in the Township, but the density has to come down, and they have to make sure the water and sewer is feasible.

Mr. Towne commented that his recommendation is to table tonight. The applicant has they have to tighten up the density. The side setback is 30' between houses, and the front yard setback is 40'; they have never given 30'. A vehicle wouldn't be able to be parked with that size. These are two separate Planned Developments; they are not connected. This should be tabled because there are items that were brought to the consultants who haven't had time to do their due diligence. He is requesting that the Township has a have a firm cutoff date for information; it doesn't give him time to review the information. If he was going to make a recommendation, he would deny it. The criteria are not met.

Mr. Hoffman commented that the community is unique because there is a rural atmosphere, and he understood the preservation of that. They do have these lots at the

end of a stub street and he didn't think it would impact that much. He did not consider the two parcels connected and he didn't see how they could be connected without disrupting so much more. He saw that high density as preserving the land around them. Also, there is the mobile home park right there that is higher density, and he felt this was a buffer. He didn't see how anything else could go in there. He liked the quality architecture.

Mr. Radke commented that the quality of the home is beautiful, but the density is an issue. Residents have spoken, and that is an issue. The developer had an opportunity to meet with them, and it didn't seem to go very well. He could have done better with the neighbors. The consultants don't have the information they need. They want to do the right thing, and they can't make good decisions without good information. The density is the biggest issue for him.

Mr. Pennington agreed with everyone. He thought the project was beautiful, but the density, open space, sewers, and setbacks need better answers. He thought people would like to live there.

Mr. Conflitti commented that density, open space, and setbacks were issues. He questioned a boardwalk to connect to the other development.

Mr. Guidobono stated that they will look at the density and the open space. As far as the residents, he met with them a couple of times and offered a landscape plan for their entrance. He received an email response that requested he make open space for the 10 acres of upland and create a pedestrian connection from that open space down to their site. He responded to that email with a second meeting and explained that the 4 sites that they had at the end of the cul-de-sac are very valuable to him. If the project had to lose density, they would rather lose it at the empty nester location. He researched the pedestrian connection and put together some cost estimates but found that was not feasible because that would be about 600 lineal feet of deck along with ramp decking and 400 lineal feet of sidewalk. Just for the decking, it would cost \$300,000-\$350,000.

Treasure Carcone commented that she felt this is an odd spot. She likes the product, but it's in an odd spot. She suggested having them look in the DDA area where they want density and to have a walkable area. She commented that he is the type of developer they want to have regarding their architectural standards. She questioned the light pollution brought up by Mr. Maki. Mr. Maki stated it's coming from the freeway lights. She also doesn't see a public benefit. She agreed with Mr. Jones that the fewer lots, the better. This is an older sub so they don't have sidewalks. Younger families are in there, and any extra traffic is hard on them. She is also concerned with the density.

Motion by Chuck, second by

To table AP-16-36 based upon the CES memo dated 2/13/17 and the McKenna Associates memo dated 2/14/17.

**Roll Call Vote: Ayes: 6
 Nays: Towne**

MOTION APPROVED

OLD BUSINESS - None

NEW BUSINESS - None

ADDITIONAL BUSINESS

Mr. Towne noted that he will be meeting with Mr. Mancinelli and Mr. Conflitti to go over the possibility of a connection through Griswold for Hasenclever Farms.

- 2. Conservation/Greenway Path Committee – Select volunteer to serve with Trustee Blades, Chris Doozan, and a volunteer from the Parks and Recreation Advisory Board.**

Mr. Sloan reviewed the McKenna Associates memo dated 2/21/17. They are looking for one Planning Commission volunteer to serve on the committee with Trustee Blades and a volunteer from the Parks and Recreation Advisory Board. Stephan Hoffman volunteered to serve on the committee.

- 3. Community reports**

Mr. Hoffman noted that the flag pole has not been lit at the Township Hall. Treasurer Carcone stated she would look into that.

ADJOURNMENT

**Motion by Chuck, second by Towne
To adjourn the meeting at 9:05 p.m.**

Voice Vote: Ayes:	Unanimous
Nays:	None

MOTION APPROVED

The Planning Commission meeting was adjourned at 9:05 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary