

Charter Township of Lyon
Planning Commission
Meeting Minutes
March 13, 2017

Approved: March 20, 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

Absent: Kurt Radke

Guests: 14

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

**Motion by Towne, second by Chuck
To excuse Mr. Radke's absence.**

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

MOTION APPROVED

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 February 27, 2017 Minutes

**Motion by Towne, second by Chuck
To approve the minutes of February 27, 2017 as presented.**

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

MOTION APPROVED

COMMENTS FROM PUBLIC ON NON-AGENDA ITEMS

Jim Crews, 30000 Cobblestone Lane – Mr. Crews thanked the Planning Commission on behalf of Cobblestone; he valued their input and support.

DDA REPORT – None

PUBLIC HEARINGS

1. **AP-17-03, Hutto Rezoning. Property located on the east side of Griswold Road, south of 9 Mile Road. Public hearing to consider a proposed rezoning of 28.96 acres from the I-1 (Light Industrial) District to the R-0.3 (Single Family Residential) District.**

Mr. Doozan explained the applicant is not present, but they asked that the hearing be held. He explained at the end of the hearing, it will be tabled until the next meeting; then they will be able to take action. Mr. Doozan reviewed the McKenna Associates memo dated February 22, 2017. The analysis revealed the following:

1. The proposed rezoning would not further the comprehensive goals for the Township because it would permit development at density greater than specified on the Future Land Use Map.
2. Industrial development is no longer appropriate south of Nine Mile Road.
3. The rezoning would grant special privileges, allowing a density of development not available to other properties designated Single Family Residential B.
4. In consideration of the fact that the parcel to the north is undevelopable at an R-0.3 density, the proposed rezoning is not consistent with surrounding zoning.
5. The proposed rezoning is consistent with trends toward more single family development in the vicinity. The key concern is the density of development being proposed.

Based upon the above findings, he recommended that the Planning Commission recommend denial of the rezoning proposed by the Hutto Family LLC from I-1, Light Industrial, to R-0.3, Single Family Residential (Case No. AP-17-03).

Ms. Zawada referenced the CES memo dated March 6, 2017. She explained a rezoning would not have any impact on the sanitary sewer or water system.

**Motion by Towne, second by Chuck
To open the public hearing at 7:13 p.m.**

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

MOTION APPROVED

Motion by Chuck, second by Towne

To table the public hearing for AP-17-03 until the March 27, 2017 regularly scheduled Planning Commission meeting.

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

MOTION APPROVED

OLD BUSINESS

- 2. AP-16-39, Hasenclever Farms – PD Amendment. Property located on the north side of 8 Mile Road, west of Griswold Road. Preliminary review to consider a proposed amendment to the approved planned development to eliminate a road connection on 8 Mile Road and add a road connection from Griswold Road through Deer Haven Drive.**

Mr. Doozan reviewed the McKenna Associates memo dated March 8, 2017. He explained that the recommendation is that the Planning Commission recommend approval of the revised plans for Hasenclever Farms Planned Development, subject to the submittal of revised plans that address the Miscellaneous Corrections and Concerns cited in item 5 of the memo. Also, if another location for the subdivision entranceway is desired, it should be noted on the plans.

Mr. Towne commented that it is marvelous the way the road turned out.

After reviewing the plan, the applicant decided not to go with the sidewalk on the east side. He is not opposed to it, but there are no houses on that side of the street. Mr. Doozan confirmed there is no sidewalk on the east side.

Ms. Zawada referenced the CES memo dated March 10, 2017. She noted the following major items in the review letter:

1. A water main is now proposed along the new Deer Haven Drive connection. The plans do not depict a connection to the existing 16 inch main in Griswold, but we would expect this on future engineering plans. The exact configuration of water main, sanitary sewers and storm sewers will be reviewed during detailed engineering review.
2. It is not clear where construction access is proposed to take place, but if it is still be from Eight Mile Road then it would pass through phase 1 to reach phase 2. Approval will be needed if Deer Haven will be the construction access road.
3. The onsite roads will require Road Commission for Oakland County approval and may be dependent upon the conversion of Deer Haven Drive from private to public. The conversion will need to be approved by RCOC prior to township final PD plan approval.
4. We have received copies of the 2006 WCRC approval for the drainage into the Eight Mile Road right of way. The applicant will need to obtain current approvals

- and permits for the new plans.
- Existing Water Main Act 399 Permit will need to be modified and the Sanitary Part 41 may need to be modified as well.

Ms. Zawada confirmed there is no traffic light proposed at 8 Mile and Griswold at this time.

Ms. Kimberlin referenced her memo dated March 8, 2017. She offered the following comments:

- Documentation should be provided to verify the ownership of Deer Haven Drive, the property owner's assent to the road construction proposal, and the developer's interest in the Deer Have Drive property.
- Information should be provided regarding the intended construction access roads for both phases.

Mr. Mancinelli provided a PowerPoint presentation explaining the Deer Haven Drive connection. The two houses on Eight Mile will have all the pine trees. He would like a small sign off of Gary Court and Stedmann Drive that will say now entering Hasenclever and a bigger sign on Griswold for the main entrance. At the last meeting, the sentiment of the residents was that an entrance off of Eight Mile or Griswold Road was needed before they would feel comfortable. This private road runs east to west, and they are working out the details to build a site condominium on the 11 acres on the north side. They plan on it being a straight zoning. There is a possibility that the residents on the south side of Deer Haven may want to be included on the north side site condominium. The site condominium will be totally separate from Hasenclever Farms except for the water main and the street that connects it. The new plan gives the residents a much better and safer choice exiting onto Griswold Road.

Mr. Mancinelli explained all of the concerns in the McKenna Associates memo will be met. He offered \$30,000 to be split between the 3 subdivisions, and that offer is still on board. Once he breaks ground, he will cut checks to all 3 subdivisions.

Comments were made by the Planning Commission. Mr. Mancinelli confirmed the ponds will stay as is, and the piles of dirt will be graded down during phase 2. Mr. Doozan explained Deer Haven Drive would not require a traffic impact study but the fact that Hasenclever is a planned development would trigger a traffic impact study. Mr. Mancinelli stated he had no issues with the McKenna Associates comments.

Motion by Chuck, second by Towne

To approve AP-16-39 contingent upon the CES memo dated March 10, 2017, the McKenna Associates memo dated March 8, 2017 as well as the attorney memo dated March 8, 2017 and the 3 lots sizes were amended along with three signs and the larger sign moving over to Deer Haven.

Mr. Towne commented that it is a positive that they were able to come back with this entranceway, and he liked the contribution to the subdivisions of the \$30,000. It will add to the Township and raise property values. He thanked Mr. Mancinelli.

Mr. Hoffman was surprised that the Stedmann Drive opening was agreed to. He felt a lot of traffic would go through there. Mr. Mancinelli felt that it would balance itself out.

Mark Hannon, 59488 Eight Mile Road – Mr. Hannon questioned the long term plan for the 1 acre lot. In addition to 44 trees that were removed, there was 5 feet of dirt removed. Mr. Mancinelli stated eventually a home will be built on it in 3 – 4 years. He can grass the area until the development is finished; he can grass both sides of the stone. Ms. Zawada felt that land should be split out of the PD if the intent is to build a family home. Ms. Kimberlin felt that had been done already.

Abe Ayoub, 21962 North Lyon Trail – Mr. Ayoub commented there is no perfect plan, but he felt it was better than having the entrance on 8 Mile Road. There will be access for the residents and emergency vehicles. There will be less traffic through Park Woods because of this.

Brian Dudas, 20892 Oak Tree Drive – Mr. Dudas thanked everyone for the effort going into the water. He invited anyone to look at what's going on back there still. The detention pond is already overflowing into the non-regulated wetland, and the entire Stedmann Road and Hasenclever Drive is completely flooded with several feet of water. He asked when the road would go in. He would like to know what the overflow direction of the detention ponds is. The entrance off of Griswold is a much better solution.

Mr. Mancinelli stated there is nowhere for the water to go right now. Once it warms up, the water will percolate and dry up.

Christopher Schaecher, 59878 Mulberry Lane – Mr. Schaecher commented it's been an ongoing war for a while. He thanked the Planning Commission and Ms. Zawada. This is a good win for all of them. He also thanked Mr. Mancinelli for his efforts. He would like to find out more about the signage.

Roll Call Vote: Ayes: Chuck, Carcone, Pennington, Towne, Conflitti, Hoffman
Nays: None

MOTION APPROVED

NEW BUSINESS

- 3. AP-14-20, Crystal Creek South – Elkow Farms PD Amendment – Final Review. Property located at the southwest corner of 11 Mile Road and Milford Road; 79 single family homes on 80 acres.**

Mr. Doozan reviewed the McKenna Associates memo dated March 7, 2017. The recommendation is that the Planning Commission recommend approval of the final planned development plan for Crystal Creek South and the Second Amendment to Planned Development Agreement for the Elkow Farms Planned Development to the Township Board, subject to the revisions outlined in this letter, and subject to any revisions called for by the Township Engineer and Township Attorney.

Mr. Towne felt that the landscaping should go along the whole front since it is all

frontage on 11 Mile Road. He also did not want to see any Cleveland Pear trees. Ms. Kimberlin stated the berms were discussed and a landscape bond would be held; the applicant seemed amenable to doing it.

Ms. Zawada referenced the CES memo dated March 9, 2017 as follows:

Sheet 2 Site Plan

1. Lots 39-41 have been slightly changed from previous submittal to allow for the enlarging of the required forebay.

General

1. Some open space grading will be required of the developer to help alleviate drainage concerns upstream of the property to the west which the applicant has committed to during the detailed engineering review process.

Ms. Kimberlin referenced her memo dated March 9, 2016. She commented that the applicant was willing to construct 8 parking spaces to serve the War Dog Cemetery and a bicycle path and pedestrian easement should also be discussed.

Representing Crystal Creek South: Greg Windingland, Lombardo Homes, 13001 23 Mile Road, Suite 200, Shelby Township 48315

Mr. Windingland provided a PowerPoint presentation which gave a brief overview of the project. He noted the following:

Significant changes between plans:

Eliminated street connection to Hidden Timbers
Much less impact on flood plain and wetland
Accommodating off site drainage issues (to west)
Entrance walls and landscaping
Improvements to MWDM

Consistent with previous plans

Two connection to 11 Mile Road
Increase lot count from 75-79
Public Streets
Lot sizes and setbacks

Mr. Windingland explained they would be willing to post a cash bond or letter of credit if they could not do the landscaping in the event the economy tanked. They would rather not put in the entire frontage. They would do all of it across Phase 1 with the breaking of ground. Trustee Chuck stated at this point in time he would like to see it all done and maintained. If there is a downturn in the economy he would rather look at a finished product. Mr. Windingland stated it is all market driven. He felt if they went with the higher point homes, it would be less than 2-3 homes a month that would be built. They would not intermingle Signature homes. He felt chances are that it will be higher than Signature style homes.

Treasurer Carcone stated she is leaning towards landscaping it all; there is the

elementary school and the War Dog Memorial. Mr. Windingland stated they are fine landscaping all of it if that is the consensus. The additional expense and the ongoing cost of maintaining it was the issue, but they will do it. Ms. Zawada questioned if they would be willing to irrigate from their detention basins. Mr. Windingland stated they would either install a well or pull from a detention pond. Mr. Windingland agreed to landscape the entire frontage of 11 Mile Road.

Mr. Towne noted that a crossing guard will be needed.

Motion by Chuck, second by Towne

To approve AP-14-20 Crystal Creek South – Elkow Farms PD Amendment based on the McKenna Associates dated March 7, 2017, the CES memo dated March 9, 2017 and the Attorney letter dated March 9, 2017 with the addition that the entire frontage be landscaped when Phase 1 begins and the applicant agreed to grant a blanket easement if and when a pathway can be installed.

Mr. Windingland agreed a blanket easement can be granted over the entire area, they would grant it if and when a pathway could ever go in the easement could be modified and he agreed it will be in the PD Agreement.

**Roll Call Vote: Ayes: Towne, Pennington, Hoffman, Conflitti, Chuck, Carcone
Nays: None**

MOTION APPROVED

- 4. AP-17-05, Zoning Ordinance and Subdivision Revisions. Review potential amendments to the Zoning Ordinance (Section 12.08, 18.03, and 36.02) and the Subdivision Ordinance. Miscellaneous items outside of the above sections include illuminated street address numbers, LED lighting, off-street parking, massage establishments, and signs in the New Hudson Zoning District.**

Motion by Towne, second by Chuck

To schedule a public hearing for April 10, 2017.

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

MOTION APPROVED

ADDITIONAL BUSINESS

5. Community reports

Treasurer Carcone brought the Planning Commissioners up to date regarding the last Board meeting.

Stephan Hoffman, Jim Chuck, and Carl Towne volunteered to work on the Capital

Improvement Plan subcommittee.

ADJOURNMENT

**Motion by Towne, second by Chuck
To adjourn the meeting at 8:48 p.m.**

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

MOTION APPROVED

The Planning Commission meeting was adjourned at 8:48 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary