

Charter Township of Lyon
Board of Trustees
Regular Meeting Minutes
October 1, 2012

Approved: December 3, 2012

The meeting was called to order by Supervisor Young at 7:00 p.m.

Roll Call: Michele Cash, Clerk
Patricia Carcone, Treasurer
John Dolan, Trustee
Steven Fletcher, Trustee
Brent Hemker, Trustee
John Hicks, Trustee
Lannie Young, Supervisor

Guests: 45+

Also Present: Matthew Quinn, Township Attorney
Sarah Traxler, McKenna Associates
Leslie Zawada, Civil Engineering Solutions, Inc.
Michelle Aniol, DDA Administrator/Economic Development
Coordinator
Patrick Sloan, Giffels/Webster

APPROVAL OF THE CONSENT AGENDA

Approval of Regular Meeting Minutes of September 4, 2012

Approval of Disbursements

Building Department Report for August 2012

Fire Department Reports for August 2012

Zoning Reports for September 2012

Engineering Reports for September 2012

Acceptance of Grant of Permanent Easement for Underground Utilities from BFI Waste Systems of North America, LLC for the Township Billboard

Acceptance of Grant of Ingress-Egress Easement from BFI Waste Systems of North America, LLC for the Billboard

Citizen letter of Thanks for Deputy Martin Bay

Trustee Hicks asked that the letter for Deputy Martin Bay be removed for discussion.

**Motion by Cash, second by Hicks
To approve the consent agenda as amended.**

**Roll Call Vote: Ayes: Hicks, Fletcher, Hemker, Dolan, Cash, Carcone, Young
Nays: None**

MOTION APPROVED

ANNOUNCEMENTS & COMMUNICATIONS

Clerk Cash reminded residents the last day to register to vote is October 9, 2012.

CALL TO THE PUBLIC

Marty Zaneuss, 22943 Valerie Street – He explained that he has a petition from his neighborhood regarding the traffic issue during school times. He explained that their safety is being compromised due to the amount of traffic coming through the sub during school drop off and pick up times. He explained the dangerous circumstances that kids are in when walking to and from school on a daily basis. He recommended that the school district should apply for the Safe Routes to School grant.

Elizabeth Douglas, 60687 Lillian – She explained that she has 4 children and it has been over a year since they have walked to school due to the dangerous circumstances. She explained that her mailbox has been taken out three times per year and there has been considerable damage to her neighbor's fence. She explained that it is not a safe situation during school time. She suggested lowering the speed limit to 15 mph during school time.

John Martaka, 60459 Lillian – He explained that the kids are required to walk to school but there are no sidewalks across portions of Pontiac Trail and in front of some of the businesses and the snow is not always cleared. He asked that those issues be addressed as well.

REPORTS

DDA – None

Fire – Chief McClain reported that graduation would be held on October 11.

Sheriff – Sheriff Venus reported on the recent breaking and entering in the Woodwind Sub and that the suspects were caught.

Planning Commission – None

ZBA – None

Park & Advisory Board - Trustee Fletcher reported that the first meeting was held with all 9 members and they would be discussing the Park Master Plan and the budget at their October meeting.

APPROVAL OF AGENDA

Clerk Cash removed General RV and the Rate Study from the agenda and added discussion regarding the letter for Martin Bay.

**Motion by Carcone, second by Hicks
To approve the agenda as amended.**

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

MOTION APPROVED

PUBLIC HEARING

- 1. Establish an Industrial Development District Number Two, Richard Tool and Die Corporation, 29700 W.K. Smith Drive, New Hudson, MI 48165 (K21-02-452-008)**

Mr. Richard Heidrich, President/Owner of Richard Tool and Die Corp gave a brief presentation requesting the creation of an Industrial Development District for this property. 10 new jobs will be created along with a 2 million dollar investment.

Supervisor Young opened the public hearing.

Dan Hunter – He explained that Oakland County is in full support. It's all about jobs and gaining a tax base.

Ms. Aniol discussed the direct and indirect benefits of the proposal such as weekly wage of employees and tax payments.

Supervisor Young closed the public hearing due to no further comments.

- 2. Request approval of an Industrial Facilities Exemption Certificate for Richard Tool and Die Corporation, 29700 W.K. Smith Drive, New Hudson, MI 48165 (K21-02-451-008)**

Supervisor Young opened the public hearing for the Industrial Facilities Exemption Certificate for Richard Tool and Die Corporation and closed it due to no comments.

- 1. Establish an Industrial Development District Number Three, 30000 South Hill Road, New Hudson, MI 48165 (K21-02-36-016) and 54900 Grand River Ave., New Hudson, MI 48165 (K21-02-376-010).**

Supervisor Young opened the public hearing for Industrial Development District Number Three.

Ms. Aniol introduced Mr. Keeley and Ms. Copes of Henrob Corporation and gave a brief description of the facility.

Mr. Joe Keeley gave a brief power point presentation on Henrob Corporation, which manufactures self-piercing rivets. It is a worldwide company and will offer 154 new full time jobs and invest 68.5 million dollars. Ms. Audra Copes gave a breakdown of employees that would be needed and these would include entry level and all skill levels.

Randy Clark – He questioned the location of the business. Ms. Aniol answered that it will be located in the Elopak facility.

Don Hunter – He commented that both projects are a gateway to Oakland County. He explained that this is the largest manufacturing opportunity in the last 4-5 years and the largest investment of this amount in Oakland County. He gave a brief account of what the economic impact would mean in terms of 158 new jobs.

Supervisor Young closed the public hearing due to no further comments.

2. **Request approval of an Industrial Facilities Exemption Certificate, 30000 South Hill Road, New Hudson, MI 48165 (K21-02-36-016) and 54900 Grand River Ave., New Hudson, MI 48165 (K21-02-376-010).**

Supervisor Young opened and closed the public hearing for the Industrial Facilities Exemption Certificate for Henrob Corporation due to no comments.

Ms. Aniol also explained that the McFadden site will also be used and she briefly explained the impact of taxes on the community.

UNFINISHED BUSINESS

- a. **Second Reading of the 2012 Subdivision Lot Wetlands Setback Ordinance**

Motion by Hicks, second by Carcone

To approve an Ordinance to amend the Charter Township of Lyon Code of Ordinances, Chapter 22. Land Division and Subdivisions, Article III. Subdivision Regulations, Division 4. Design Standards Section 22-243 Lots (d) Wetlands and Watercourse Setbacks to remove the fifty-foot building and construction setback requirement.

**Roll Call Vote: Ayes: Young, Dolan, Cash, Hicks, Fletcher, Carcone
Nays: Hemker**

MOTION APPROVED

- b. **Second Reading of the 2012 Zoning Amendments to Wetlands and Watercourse Setbacks Ordinance, AP-12-22**

Motion by Hicks, second by Carcone

To approve an ordinance to amend the Charter Township of Lyon Zoning Ordinance, Article 36.00. Schedule of Regulations, Section 36.02 Schedule of Regulations footnote of Wetlands and Watercourse Setbacks to remove the fifty foot buffer requirement.

**Roll Call Vote: Ayes: Carcone, Fletcher, Hicks, Cash, Young, Dolan
Nays: Hemker**

MOTION APPROVED

NEW BUSINESS

- a. Request to approve the Establishment of an Industrial Development District Located at 29700 W.K. Smith Drive; RTD Reality, LLC, Applicant.

Motion by Carcone, second by Dolan

To resolve Establishing an Industrial Development District Number 2 for parcel number 21-02-451-008 at 29700 W.K. Smith Drive located in Lyon Township.

Roll Call Vote: Ayes: Hemker, Dolan, Young, Cash, Hicks, Fletcher, Carcone
Nays: None

MOTION APPROVED

- b. Request for approval of an Industrial Facilities Exemption Certificate for RTD Reality, LLC at 29700 W.K. Smith Drive

Motion by Carcone, second by Cash

To resolve approving the application for an Industrial Facilities Exemption Certificate for Richard Tool and Die Corporation for a 12 year tax abatement.

Roll Call Vote: Ayes: Hicks, Cash, Young, Dolan, Carcone, Fletcher, Hemker
Nays: None

MOTION APPROVED

- c. Request to approve the Establishment of an Industrial Development District at 30000 South Hill Road & 54900 Grand River Ave., Henrob Corporation.

Motion by Carcone, second by Dolan

To resolve to establish an Industrial Development District Number Three at 30000 South Hill Road, 21-02-376-016 and at 54900 Grand River Ave 21-02-376-010.

It was confirmed that the applicant has a purchase agreement on both properties and they are ready to move forward if approved.

Roll Call Vote: Ayes: Hemker, Fletcher, Carcone, Cash, Hicks, Dolan, Young
Nays: None

MOTION APPROVED

D. Request for approval of an Industrial Facilities Exemption Certificate for Henrob Corporation, 30000 South Hill Road and 54900 Grand River Ave.

Motion by Carcone, second by Hicks

To resolve to approve the application for an Industrial Facilities Exemption Certificate for Henrob Corporation, 30000 South Hill R21-02-376-016 and 54900 Grand River Ave., R21-02-376-010.

The applicant confirmed there were no issues with surrounding zoning.

**Roll Call Vote: Ayes: Dolan, Young, Cash, Fletcher, Hemker, Carcone, Hicks
Nays: None**

MOTION APPROVED

E. Tanglewood Planned Development Amendment, AP-12-20

Ms. Traxler reviewed the McKenna Associates memo dated June 20, 2012.

Ms. Zawada reviewed the CES memo dated June 22, 2012.

Mr. Bob Freund explained his reasons for wanting to deviate from the original approved plan, such as the golf industry declining due to costs and time it takes to play. He asked for comments from the Board.

The Board collectively felt that the rules couldn't be changed. The residents bought in that community after doing there due diligence and it can't be made into a different project from what was originally approved.

Mr. Freund explained that he is working with the original plan now.

John Bell, 22600 Indian Wood Drive – Mr. Bell explained that he is the President of the Homeowner's Association and the residents are overwhelmingly against this proposal. There has been a complete abandonment of the original plan. He explained that Mr. Freund had said that he would not build an executive course but it is still listed in this plan. He urged the Township to hold to the approved plan. He would welcome meeting with Mr. Freund when the new plan for expansion is ready.

Geraldine, 24141 Chubb Road – She questioned where the water would go once it is developed. She is concerned because there are already flooding issues in that area. The water needs to be addressed before going forward.

F. General RV Center, Special Land Use – REMOVED FROM AGENDA

G. Vehicle Service Center, Cook Enterprises 28060 Pontiac Trail, AP-12-21b

Ms. Traxler reviewed the McKenna Associates memo dated September 25, 2012.

Ms. Zawada reviewed the CES memo dated September 24, 2012.

Austin Cook explained how spills would be handled via a wastewater separator.

Motion by Hicks, second by Dolan

To recommend approval of the Special Land Use, Cook Enterprises Service Center including the letters of CES dated 9/24/12 and McKenna Associates memo dated 9/25/12. Also, a detail engineering plan review is required.

**Roll Call Vote: Ayes: Hicks, Carcone, Hemker, Fletcher, Dolan, Cash, Young
Nays: None**

MOTION APPROVED

H. Request for PD Size Waiver, Ten Mile and Milford road, AP-12-30

Ms. Traxler reviewed the McKenna Associates memo dated 9/20/12. She briefly reviewed the required criteria that should be met to grant a waiver.

There was brief discussion regarding the requirement of a 40-acre minimum and the Board felt there was no advantage to having the requirement. Concerns were raised regarding the history of this parcel and how residents have vocalized in the past that they do not want commercial on this site.

Laura Williams, 56645 McKenzie Lane – She asked that the Board look at the Future Land Use Map because it states that the northwest corner is the commercial node not the northeast corner. She is concerned that the criterion is not based on the land. She felt there was no harm in tabling this since there is no plan.

There was brief discussion regarding the criteria in 703b.

Chris Roberts, 56645 McKenzie Lane – He commented that he did his research before buying his home and it should remain residential. He had no worries about the waiver. He felt that the applicant did not meet the conditions. The court ruled that the churches and fire station were not commercial properties and this would open the door to any commercial use. He explained that Dandy Acres was interested in buying all 18 acres. He asked that 17 homes be built like it was approved.

Mr. Wyett stated that he wanted to meet with the Planning Commission with a blank piece of paper to figure out what can go on this parcel. He has never mentioned commercial and nothing has been submitted.

Motion by Cash, second by Carcone

To approve the PD size waiver due to uniqueness of property due to location.

There was more discussion regarding the motion and the criteria.

**Roll Call Vote: Ayes: Cash, Young, Carcone, Hicks, Dolan
Nays: Hemker, Fletcher**

MOTION APPROVED

I. Wellhead Protection Overlay District Map

Ms. Zawada explained that this is a housekeeping item, and it does not apply to residential properties.

**Motion by Fletcher, second by Hicks
To approve the 1st reading of the Wellhead Protection Overlay District Map.**

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

MOTION APPROVED

J. Zoning Ordinance Amendments Regarding Farming and Agricultural Tourism, AP-12-24

Ms. Traxler reviewed the McKenna Associates memo dated 9/20/12.

After discussion the Board added language to address hobby farming and increase the minimum size of parcel to 1 acre and allow it in single-family residential districts assuming it is 1 acre or more.

**Motion by Carcone, second by Hicks
To approve the first reading of Zoning Ordinance Amendments Regarding Farming and Agricultural Tourism, AP-12-24.**

**Voice Vote: Ayes: 6
Nays: Fletcher**

MOTION APPROVED

K. Resolution Concerning Temporary Community Event Signage for Winterfest

John Bell, 23113 Currie Road – He explained the opportunities for businesses to participate.

**Motion by Carcone, second by Hicks
To approve the Resolution concerning the Temporary Community Event Signage for Winterfest.**

**Roll Call Vote: Ayes: Hemker, Dolan, Hicks, Carcone, Cash, Fletcher, Young
Nays: None**

MOTION APPROVED

L. Revision to the Special Events Application

Motion by Cash, second by Carcone

To approve the application for special events as submitted.

Voice Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

M. Resolution Establishing Tentative Special Assessment Roll for General Purposes

Motion by Carcone, second by Cash

To approve the Resolution Establishing Tentative Special Assessment Roll for General Purposes.

Roll Call Vote: Ayes: Young, Fletcher, Carcone, Dolan, Cash, Hemker, Hicks

Nays: None

MOTION APPROVED

N. Lyon Township Rate Study – REMOVED FROM AGENDA

O. Budget Discussion

Supervisor Young briefly reviewed the budget year to date. Treasurer Carcone reviewed the bill backs as well. A special budget meeting will be held towards the end of the month, date to be determined.

A committee was also formed to discuss ideas of proposed positions among the firefighters. The committee will consist of Treasurer Carcone, Supervisor Young and Trustee Fletcher.

P. Discussion on Planning Reports

Trustee Hicks requested a monthly planning report. Mr. Doozan responded quickly to the request and provided a report. Various ways of reporting information were discussed.

CONSENT AGENDA

Trustee Hicks felt that the Township should commend Deputy Martin Bay and have a letter put in his file. The Board agreed to find a way to commend Deputy Martin Bay for his work.

ADJOURNMENT

**Motion by Carcone, second by Cash
To adjourn the Regular Meeting of the Board of Trustees at 10:35 p.m.**

Voice Vote:	Ayes:	Unanimous
	Nays:	None

MOTION APPROVED

The Board of Trustees meeting was adjourned at 10:35 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary

Michele Cash

Michele Cash
Township Clerk