

Draft: July 14, 2008

Village of Bingham Farms
Design Review Board
July 7, 2008

Approved: August 4, 2008

The regular meeting of the Design Review Board was called to order by Chairperson Scarcello at 7:30 p.m.

Present: Freedman, Hagaman, Modell, Murray-Charles, Scarcello & Valiquett

Absent: Hatt

Also Present: Kristin Kolb (Village attorney), Clerk Hagaman & McDermott

Agenda

Motion by Hagaman, second by Modell to accept the Agenda

Motion carried.

Minutes

Motion by Hagaman, second by Valiquett to approve the meeting minutes of May 5, 2008 as submitted.

Motion carried.

House Addition – 31225 Fromm

Michael Trautman, architect for the property owner, presented plans for an addition. The addition is to accommodate the special needs of the owner's son. The plans provide a separate entrance that is wheel chair accessible. It includes a bedroom and bath. Work will also be done on the existing sunroom to allow access for the son. Exterior materials will be brick and vinyl to match the existing house. Construction of a new ramp will be screened by a wall.

Discussion ensued on the materials in the bedroom. Mr. Trautman indicated the bedroom closet will be reinforced to provide a "safe" area for the owners' son in case of a tornado as he is not able to access the basement. Mr. Trautman indicated they would submit two new sheets to correct measurement errors.

The specifics of the materials are as follows: White vinyl siding by Durabuilt, Owens Corning Shasta White # 15-RR-186763 for the roof and the bricks are red and will closely match the existing brick.

Mr. Hagaman questioned the setback. Mr. Trautman indicated the addition is within the 15 ft setback requirement.

Motion by Valiquett, second by Freedman, to approve the plans for a one-story addition at 31225 Fromm with materials as described. The approval includes relocation of the existing shed. The architect will submit two revised pages to correct errors. The Board also authorizes Chair Scarcello to approve the plans once the revised drawings are submitted.

Motion carried.

Lighting Plans 30029 Bristol Lane

Mr. Lasser presented revised lighting plans. He indicated that the lighting is to provide safety for him and guests during the evening house. He has reduced the number of lights from his prior submission. The underwater lights are a safety element to protect visitors from falling into the ponds. He also has a few up lights and spotlights on selected trees and other ornamental features

in the garden. Mr. Lasser indicated that the lights will be off by 11:00 or 11:30 p.m. and will not be visible. He has planted additional trees. When the landscape lights are on, the sodium light on the garage will be off.

Chair Scarcello asked how many lights were on the plan. Mr. Lasser stated that the number of lights is irrelevant. He has removed the spotlights on a number of trees. The path lights and pond lights are a safety element. In response to the question of a photometric study, he indicated that he was not going to provide that as it is not a requirement of the ordinance. The ordinance is not specific and there are no numerical measurements to be met.

Mr. Valiquett asked for a clarification of what were spot lights and what were accent lights. Mr. Lasser indicated that the spot lights were to illuminate several trees near the front of his home. Accent lights would be used for foundation plants and other areas in the formal garden. He indicated there were accent lights on four large red pots and on the pergola.

Discussion ensued on the accent lighting and its need. Mrs. Freedman indicated that she has driven the Village and has found nothing like this. There is no need for this amount of lighting and it is not in keeping with the character of the Village. One does not need almost 100 lights for safety purposes.

Mr. Lasser responded that he has a formal garden, that lighting is necessary and that the proposed plan will not produce any glare. He asked for a definition of "glare".

Mrs. Freedman also stated that the plantings are not of the size previously presented.

Mr. Hagaman indicated that the ordinance specifies, adequate and minimum lighting. There is no need for the number of lights on this plan. In the evening, eyes adjust to the lighting. He also stated that this lighting will be seen from the road.

Mr. Modell indicated that in absence of the recommended study, there is not enough information available to render a decision.

Mrs. Murray-Charles questioned the amount of light that will emanate from the spot lights. Mr. Lasser stated that in a year or two at most, the lights will not be visible as the screening will obscure the lighting.

Mr. O'Brien, attorney for the VanWeelden's (29975 Bristol Ln.) expressed his clients' sadness that this issue has caused such friction. He addressed their concerns over the number of lights and their impact on the VanWeeldens. While some lighting has been removed, there are spotlights on the south end of the property that will have an impact on the VanWeeldens. The lights will not be on a timer. There is no need to have the lights on past 10:00 p.m. Landscaping was to shield the project from street view and the neighbors.

Dr. Dodman (23033 Bristol Ct.) expressed disappointment with how this entire process has been handled. She feels that the DRB references the character of the Village which is difficult to define. Bristol Ln. is unique with many different styles of homes and landscaping. While she may not like what Mr. Lasser has constructed, she will defend his right to do it.

Mrs. Van Camp (22905 Bristol Ct.) stated that when one lives in a condo rules and regulations are clearly set. The rules here in the Village are not clear to her. She believes that property owners should have the freedom to do what they want on their property.

Mrs. Freedman stated that there is nothing personal in the operation of the DRB. There is a character of the Village and most people move here because of the character. The character is wide open lawns, trees and natural vegetation.

Mr. Van Weelden (29975 Bristol Ln.) appealed to the DRB stating that he has to look at this landscaping every single day. The pergola had been painted a color to blend in with the brick, but in the last several days, it has been once again painted white. He and his wife drove the village one night. There were no large displays of landscape lighting. Reflective lighting in the dark of night will emanate from the property.

Mr. Lawton (30320 Bristol Ln) indicated there is a uniform character in the village in that there are no street lights and the majority of residences have only a handful of lights visible from the street.

Mr. Ochadleus (23033 Bristol Ct.) expressed his dissatisfaction and frustration with the entire approval process.

Mr. Lasser stated that he has compromised in his lighting plan. In order to accommodate Mr. VanWeelden's concerns, he offered to plant trees on the south property line to offer further screening along a 30-50' gap.

Attorney Kolb explained that the DRB is meeting tonight to address a revised lighting plan and not additional landscaping. Further, the DRB has the authority to approve exterior lighting, specifically, sections 153.03(C)(5), 153.03 (A)(1-9) and 153.03(B)(6). The zoning ordinance, Section 157.079 states that outside lighting should be of a character, size and nature consistent with and supplemental to the use and nature of the structure.

Clerk Hagaman requested that the record show that the original lighting plan called for a total of 122 lights. The revised plan under discussion at this meeting shows a total of 90 lights, comprised of the following:

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|---------------|----|
| Pathlights | 58 |
| Spot Lights | 8 |
| Accent Lights | 10 |
| Under water | 14 |

Mr. Valiquett offered a possible resolution. The pathlights should have a minimal effect on the neighbors. The remaining lights stretch what would be considered normal residential lighting.

Motion by Valiquett to approve the lighting plan comprised of 90 lights as described above.
Motion failed for lack of a second.

Motion by Murray-Charles to approve the lighting plan with the deletion of the 8 spot lights.
Motion failed for lack of a second.

Motion by Modell second by Murray-Charles to reject the lighting plans as submitted, but approve, for safety reasons, the 58 pathway lights and 14 underwater lights as detailed on plans

dated 6/26/08. Pathway lights are to be 1595 BZ or equivalent as detailed on the Hinkley Lighting After Hours spec sheet. lighting
Motion passed 4-2 with Scarcello and Freedman opposed.

Old Business

Chair Scarcello informed the DRB that there was a change in the driveway plan for the new home under construction at 31175 Fromm. Mrs. Hagaman explained the owners, in an effort to cut costs, would like to have the circular driveway done in crushed stone with a paver border. The brick paver would only be in front of the garage. It appears at a future date they may revert to the original paver drive.

Motion by Modell, second by Hagaman to approve the change in driveway materials as described, with no change to the footprint.
Motion carried.

New Business

Mrs. VanWeelden (29975 Bristol Ln.) wished to thank the DRB for their work and efforts to keep the village as nice as it is.

Motion by Hagaman, second by Freedman to adjourn.
Motion carried.

Meeting was adjourned at 9:00 p.m.