

FINAL
CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION MEETING
Monday, November 3, 2025
2009 Township Drive
Commerce Township, Michigan 48390

A. CALL TO ORDER: Chairperson Parel called the meeting to order at 7:00pm.

ROLL CALL: Present: Brian Parel, Chairperson
Brian Winkler, Vice Chairperson
Joe Loskill, Secretary
George Weber
Brady Phillips
Caitlin Bearer
Mickey McCanham
Also Present: Dave Campbell, Township Planning Director
Paula Lankford, Senior Planner

B. APPROVAL OF AGENDA

MOTION by Loskill, supported by Phillips, to approve the Planning Commission Regular Meeting Agenda of November 3, 2025. **MOTION CARRIED UNANIMOUSLY**

C. APPROVAL OF MINUTES

MOTION by Loskill, supported by McCanham, to approve the Planning Commission Regular Meeting Minutes of September 8, 2025, as written.

MOTION CARRIED UNANIMOUSLY

D. UPDATE OF ACTIVITIES

Brian Winkler – Downtown Development Authority

- The October 21st meeting can be summarized as follows.
- Insite Commercial Report: 5 & Main Phase I
 - The proposed gourmet market is now in negotiations to purchase their real estate outright. A purchase agreement, reflecting required restrictions, is in process.
 - A portion of the Library site is needed for the parking for the gourmet market. Per Larry Gray, the Township Board extended the option for the Library parcel at the September 9th Board meeting.
 - Restaurant groups are considering two potential sites for purchase and those could be negotiated anytime.
 - Hotel groups are still looking at options, pending development of the core of the 5 & Main project.
 - The Dort Federal Credit Union property purchase closed in September.
- The DDA Board held a closed session. After closed session, a 30-day extension of the Phase II option was executed which will allow for a few items to be addressed before any other extension is considered. Beyond that, we are not at liberty to discuss further per counsel.
- The 2026 DDA budget is on the Township Board meeting agenda for their November 4th meeting.
- The Outrun Hunger 5K race is scheduled for November 8th, which is this Saturday. This will be the 15th year for this annual event.
- The 2026 DDA meeting schedule was approved.

Chairperson Parel – Dave, do we know who the gourmet grocer is at 5 & Main?

Dave Campbell – I know who it is, but I can't tell you who it is. Mr. Winkler is correct, it is still considered confidential.

Chairperson Parel – Is there a point when it becomes public information as to who purchased the property?

Dave Campbell – That is probably when it becomes public information. It is a very reputable brand, it's a brand name that a lot of folks around the region would be familiar with, and it would be an asset.

Chairperson Parel – Wonderful.

Caitlin Bearer – Zoning Board of Appeals

- I'll have my first ZBA meeting in a couple weeks. The last one was canceled.
- I believe there is one item on the agenda; a request for a variance for a deck.
- I will have more to report next meeting.

George Weber – Township Board of Trustees

- The most recent Trustee meeting was on October 14th. The items of note in that meeting are as follows.
- We are moving forward with moving the management and the operation resources from our wastewater treatment plant away from the County, and to F&V Operations Resource Management. This is a result of dramatic increases in costs that the County has been imposing on us in several areas. By moving from County to local management, by us to a contractor, we will be saving our residents millions of dollars over next 5 years. This goes in line with moving our resources for our Assessing office, which the County used to provide for us. They were going to hit us with another dramatic cost increase, and by going with a local contractor, we're able to save the residents roughly \$300,000 per year. So, next on the agenda is probably moving our water resource management as well.
- Just as a fun fact, Oakland County's taxes, over the last 5 years, have increased approximately \$300 million. They've added nearly 1,000 employees to the County in the last 5 years. We're not seeing the kind of fiscal responsibility that we'd like to see from the County, so it is putting more pressure on local municipalities to try to sort things so that we don't have to increase taxes, and we can keep our taxes low.
- As a side note, the General Fund tax in Commerce Township has not changed in more than 30 years. Our goal is to keep it where it is, and once 5 & Main is built, and our bond debt gets eliminated in 2034, many of us say we might even be able to reduce taxes.
- We amended the Code of Ordinances as it relates to massage parlors. I'm sure everybody has read in the news that statewide, there are a lot of issues with some irreputable massage parlors; there's human trafficking, whether it's prostitution, or other illicit activities. So, we are strengthening the language for the massage parlors within Commerce Township to make things simple and reasonable for our existing good operators, but if you're a bad operator, it's going to be much more difficult to do business here.

- Brian mentioned a little bit about Phase II. We did agree to extend the option for the Library parcel to the 5 & Main developer, Bruce Aikens, for another several months. This piece of property will be integral to the overall downtown development, and we're giving him another few months to be able to close, and be able to move forward with the activities, the grocer, and some of the other initial build in that area.
- Regarding the Springs at 5 & Main, the Township Board approved a Brownfield Plan, which basically gives them support from a delayed tax process so they can continue to be vibrant. I believe they have just three more buildings to build. If you have not gone past that area next to Walmart, the apartments that are being added there are very well done and will be a nice complement to the overall downtown 5 & Main.
- Finally, it is budget time within the Township, so we are meeting almost every week. We will be meeting again tomorrow night. We are in the final stretch and we hope to be able to have the 2026 budget approved at the Nov. 18th meeting.

E. PUBLIC DISCUSSION ON MATTERS FOR WHICH THERE IS NO PUBLIC HEARING SCHEDULED

Chairperson Parel opened to Public Discussion on matters for which there is no public hearing scheduled.

Abbie Burgess, Carey Road, Commerce Township – I'm sure you know why I'm here today, but I wanted to speak briefly on the property at Commerce and Carey. Recently, I had some neighbors come to me with some concerns, especially after seeing surveyors on the property. As you know, we do have a petition opposing the excessive development on the property, and this petition has been signed by nearly 200 neighbors who are concerned about the development and how it will impact their lives.

We are aware that we cannot stop the property from being developed, however, we are hopeful that it will be kept to the least amount of houses possible. We do appreciate the Commission's advocacy for residents, and we are really just aiming to show how much we care about the place where we live.

We are hoping that the perimeter of mature trees and wetlands can be left intact and uninterrupted. We're also hoping that the least amount of cars can be added to our roads. I do have a copy of the petition that I'm happy to send to any Commissioner if they'd like to review it, or if they'd like to review comments from neighbors who live in the area. I'm happy to email those over. Thank you.

Weber – Abbie, if you could send those to Dave or Paula, they will get that to all of us. I think we'd appreciate seeing that.

Abbie Burgess – Absolutely, thank you very much.

Chairperson Parel – Thank you, we appreciate it.

Aaron Wood – Why can't we expand the roads?

Chairperson Parel – Can I please have your name and address?

Aaron Wood – 8604 Commerce ... Palomino Road.

Chairperson Parel – Well, that would keep us here for a while.

Loskill – Which road in particular?

Aaron Wood – I mean, in particular, right around where it comes off M-5 and then it goes all the way down and right over by that Kroger. Because I saw that the next thing on the agenda is the 90 condos, and I'm not trying to go there because I know that's going to come up, but what I'm saying is, there's a lot of condos coming in and I don't know if you know that like, that's going to add a lot more people, and then where the local grocery market is, where they're going to. And so, the idea is that-

Weber – I'm sorry, I'm not sure what area you're talking about.

Aaron Wood – So, right where Commerce and Union Lake Road, and then like all the way down M-5, it's all pretty bad.

Weber – If I can address that. Generally, under public comments, we don't get into debates that keep going, but in the area you're talking about, in 2028, we will be adding two roundabouts at Martin and Richardson, and at Union Lake and Richardson, which is where the primary bottleneck is, going up onto Union Lake Road.

Aaron Wood – You're not expanding the roads, though?

Weber – We are not expanding the roads north of there for a very good reason. First of all, we have been working on this for many years. The issue we have is the bottleneck of Lower Straits and Middle Straits Lakes. The only way to expand it there would, in essence, be putting a bridge over that. The cost estimate for that is north of \$50 million to be able to expand that.

Aaron Wood – Can't the city take out a loan? I know you laugh at that, but I'm just saying, we keep adding more and more people and then like ...

Weber – So, let me finish. One, we're not a city – we're a Township.

Aaron Wood – A Township, yes.

Weber – Township's don't own the roads. The County owns the roads in the Township. If we were a city, the city owns the roads. As it relates to density, and some of the people that come to these meetings frequently, know that density is probably the first thing we're concerned with. That's countered with personal property rights. If you owned a large plot of land, you're allowed to sell that land. If that land is zoned as residential, it's allowed to be residential. You will see that in Commerce, there are probably fewer apartment buildings and condos than any of our neighbors, if you were to look at Novi, West Bloomfield, Wixom, et cetera. And we do that on purpose, because we're trying to keep as much of a bedroom community look and feel as we can. But there is a balance-

Aaron Wood – I don't mean to be rude, but I noticed right across from Kroger, down the street a little bit, there's more condos going in. I'm not seeing a whole lot of houses, but I'm seeing a lot of condos.

Weber – Well, that's not accurate within Commerce. Now, if you're talking about the West Bloomfield side, there are a lot of condos going in. But, to bring this to a close, I highly recommend ... We have our Commerce Township Master Plan on our website. If you take a look at that, you can see not only the way that we're zoned and what's being developed now, but what the future vision is for Commerce going out many years from now. I think we need to bring it to a close with that. We hear your public comments. We understand we have traffic issues, and we also understand that we're trying to manage the density of the Township as responsibly as we can.

Aaron Wood – Okay, so like those ... I guess, right now, this meeting, the second agenda is going to be the 90 single-family and that's something that you would decide on whether it's 90 or less, or kind of things like that, right?

Weber – That is correct. And in fact we reviewed that. That parcel was eligible, based on its zoning of R-1A, for 112 homes. What has been approved for the developer is 90 homes on that property.

Aaron Wood – Okay, well I'm very frustrated with the whole situation. I'm not really happy with what's going on with the roads and the fact that we just, “Oh, can't do anything. We can't communicate with Oakland County. We can't do anything”-

Dave Campbell – I don't think that's what he said at all.

Weber – That's not what I said.

Dave Campbell – That's not what was said at all.

Aaron Wood – Well, he said they *own the-*

Dave Campbell – I heard what he said. I was sitting right here.

Weber – So, what I said was, in order for us to put a bridge over that section to help resolve that bottleneck, which wouldn't resolve all of it, because there are homes that are there and they would have to sell their homes in order for us to acquire them. Right now, we have \$35 million in debt as a Township. It would be irrational to think that the Board would take on another \$60 million of debt, which would have to be paid for by increased taxes by our residents for that. So, yes, we're putting some mandates on it, but to think that we're going to put a bridge over that section for that amount of money is not realistic.

Aaron Wood – Okay, so is the idea to ... I guess what I'm saying, I understand we're trying to limit condos, but can we build homes instead?

Weber – We're trying to limit density wherever we reasonably can within present zoning.

Aaron Wood – Yeah, but homes seem to be less dense.

Weber – I'm encouraging you to go read the Master Plan, so you can see what the plan is. You can see how the Township is laid out, how it's presently zoned and what our desire is for future zoning of every parcel within the Township. I'm trying to give you a roadmap.

Aaron Wood – Okay, I'm just frustrated with the situation, and I'm not happy, and a lot of other people that I talk to are very unhappy with what's going on, and we're not responsible. We don't have any control. But, you know, I understand that you're saying you're not responsible, but someone-

Weber – I'm not saying that at all.

Aaron Wood – Someone can hopefully, at some point, understand the frustration of the citizens within this community, and that traffic is kind of an issue. I understand it has been an issue, but it's not [inaudible, crosstalk].

Loskill – This is not a secret. We've all been through this with many different people for the last 5 years I've been on this board. This is a very well-known issue. We're not trying to dismiss your concerns. We're all trying to work toward a solution, but it's not something that's going to happen in a month. It's going to take decades of time and money to get something to resolve the situation.

Aaron Wood – Okay.

Loskill – We're trying to do the best we can to make things as workable as we can. I'm familiar with that area. I drive that area every day back and forth to work, so I understand. I have to deal with the same things you do. We're looking to improve it so the road moves faster in the future. Is it going to be perfect? Not quite yet. We're doing the best we can and it's going to take time. We are aware of it though.

Aaron Wood – Okay. I will look at the Master Plan and come back if I have more concerns.

Chairperson Parel – We welcome you and we appreciate it. Thank you.

Kim Szalay, 930 Seager St, Commerce Township – I do appreciate everything you're saying related to living, density and looking at people in their homes and the importance of that. I am talking to you today about my property at 930 Seager Street. My family has been here since the 1960s. I've lived out here about 28 years and raised my family. We are one of 6 lots, 5 homes, which have been well established for many years. When we originally built, all of the homeowners were required to build according to specific guidelines to ensure each property maintained both canal frontage and lakeview. So, everybody had to build on a slant.

So, for over 28 years, the lot to the left of our home remained vacant. That property recently had been sold, and construction plans for a new home are now underway. However, the proposed design does not comply with our Appendix B, which outlines the original building requirements for the street. It's my understanding that the city approved the setbacks without having the Appendix B on file. It was never properly recorded by the city's records. It wasn't the city's fault. It was that no one ever showed them the

Appendix B. Other homeowners on our street, including myself, have the Appendix B included in the original building documents.

When I learned the new owners intended to build their home in a position that would sit in front of ours, effectively blocking our line of sight to the lake, I immediately went to the city to express my concern. After reviewing Appendix B, the city staff acknowledged the issue and suggested that we seek legal counsel at that time. The situation has already cost us thousands of dollars. It has placed a lot of financial burden on us.

If the new home is allowed to build as proposed, our property will be the only home on Seager Street without a lakeview. Everybody else will have a lakeview. We will have a canal front, and we will be looking at the side of their home. This would not only take away the view we have cherished for three decades, but also significantly decrease the value of our home.

I'm here today to respectfully ask the board for some guidance and protection under some Zoning Ordinance or anything. I hope the city will recognize the intent and the importance of the original Appendix B requirements, and ensure that any new construction on Seager Street complies with these standards. Our family has taken great pride in maintaining our home in our community for nearly three decades. We simply want to preserve the character, fairness and intent for what was originally required for all of us who built here.

Thank you for your time and your consideration. I appreciate any direction or assistance the board can provide to us to protect our property and the neighborhood's integrity.

Chairperson Parel – Thank you. Dave, do you have familiarity with this?

Dave Campbell – I personally don't, but Jay does, so I will defer to Building Official, Jay James.

Jay James – Seager is a private street, and they have their own private deed restrictions. We do not enforce private deed restrictions. So, the house that she is referring to, being built next to her house, meets with the Township Ordinance. It does not meet with their private deed restrictions, which we don't enforce. We can't deny his house based on the private deed restrictions. Their HOA would be the ones that would have to enforce it, and I don't even know if you have an HOA.

Kim Szalay – We don't.

Chairperson Parel – Or, in this case, she can consult with an attorney.

Jay James – Yes.

Weber – Just so I know, what is Appendix B contained within?

Jay James – I believe it is contained within their master deed.

Weber – So a master deed trumps the Township Ordinance, as long as it's not ...

Dave Campbell – It can be more restrictive, but it cannot be less restrictive than the Township Ordinance.

Jay James – Correct, it can be more restrictive.

Weber – It can be more restrictive, but it cannot be less. But, the only way for the homeowners on Seager Street to handle this is ... Basically, what I'm hearing is that the Township doesn't have any authority in this matter because it's more restrictive than the Ordinance.

Dave Campbell – Correct. We are not a party to those deed restrictions.

Weber – It's the legal interpretation, or a district court interpretation of the master deed. That's where they would have to get relief.

Jay James – Correct. As Dave stated, because we're not a party to the master deed, we can't enforce it. So, it has to go to the courts.

Dave Campbell – Deed restrictions and bylaws might say, *everyone has to have a side entry garage, or a 3-car garage*. That's a private agreement amongst private property owners. We as a Township can't enforce that if someone were to build a new house with a 2-car garage.

Kim Szalay – Is it understandable to say, if you knew about that Appendix B, it would be different?

Jay James – No.

Kim Szalay – That's what I was told at the city when I went there.

Jay James – We are not a party to it and we can't enforce your private deed restrictions. We are not a party to it so we don't have the authority to enforce your private deed restrictions.

Kim Szalay – So, is there anything, any kind of restriction that prevents anybody from ruining a view of your ... for the people that have been here for 28 years.

Jay James – In our Zoning Ordinance, we have setback regulations, which that house meets. What it doesn't meet is your private deed restrictions.

Kim Szalay – To clarify, are you saying that even though someone has lived there for so many years, there's nothing that supports that line of sight between the two homes? Because between the two homes, they're building in front of both of the homes, which impacts just our view.

Jay James – Correct. So, our Zoning Ordinance allows either a 25-foot setback from the water's edge, or the average of the two homes adjacent to it, with a maximum that we can require it be setback is 50 feet. I don't know the specifics of your house, or your neighbor's house, but if both of you are setback 80 feet from the water, they are still, according to our Zoning Ordinance, allowed to build as close as 50 feet. The farthest our Zoning Ordinance can make them build back is 50 feet, and that's only if the average of the two next door is 50 feet or greater.

Kim Szalay – So what if they're not 50 feet or greater?

Jay James – They are. I've looked at that property multiple times. They meet the Zoning Ordinance for setbacks. What they don't meet is your private deed restrictions.

Kim Szalay – So basically, we either get an attorney on our own ... So, we bought a home, based on our deed and our setbacks, and we have no support for that unless we have an attorney? Is that what you're saying?

Jay James – What I'm saying is we don't have the authority to override your deed restrictions. That can only be done through the district courts.

Kim Szalay – All right, thank you.

Chairperson Parel – Thank you, good luck.

Aaron Wood – You're all useless.

Dave Campbell – Have a good night.

Brett McDonald, 9135 Commerce Road, Commerce Township – I've lived here for 23 years. Hopefully I will not be as downer as the last couple people. First of all, Mr. Weber, I just wanted to correct you, and it's weird, I agree with you; on both sides of the road is Lower Straits Lake. Everybody thinks that's Middle Straits, but Middle Straits doesn't start ...

Weber – You're right. I appreciate that.

Brett McDonald – Second thing is, the reason I came up, and I don't know if this is right, but the one house that is the blue house, the two-story, they just remodeled it and now they can't sell it because ...

Weber – They want a lot of money for it.

Brett McDonald – Well, why would they ... whatever. The Township was going to buy that house at one point. Is that ...

Weber – The Township has acquired land on the other side of the street, anticipating at some point in time we'll be able to widen it.

Brett McDonald – I'm just saying it's a good time to buy it.

Weber – We looked at that one recently, and for what they're asking for it, it would be a non-starter at the moment.

Brett McDonald – Okay. And then second, for my own information, when I built my house, you guys came out because my deck was closer than 50 feet, which it wasn't. So, that would mean that house cannot build a deck. If they're building right at 50 feet, then they cannot build anything behind it.

Jay James – I don't know if they're building right at 50 feet. I was using that as an example. But, their deck is considered part of the structure. So, if they're building a house, it's considered part of the structure, unless the deck is 30" or lower where it does not impede view. If it is 30" or lower above grade, then it is allowed to extend up to 15 feet into that setback, but if it's over 30", it is considered part of the structure, and if they've maxed it out to the water's edge, then you're correct, they would not be allowed to have a deck.

Brett McDonald – Your department actually made my neighbor tear down part of his deck because it was closer than 50 feet. So, it would be disappointing if now, you guys let someone build a house closer than 50 feet.

Jay James – That is the number one thing we check when we get plans in for decks, houses, et cetera, is to make sure it meets the setback.

Brett McDonald – It's just a little stinging because you guys came out 5 times with your tape measure and I had to keep coming out going, "It's 50 feet, see?" Just letting you know. Thank you very much.

Chairperson Parel – We appreciate it. Is there anybody else who would like to speak on any matters that are not currently on the docket for this evening? Hearing none, I will formally close the public discussion.

Chairperson Parel closed Public Discussion on matters for which there is no public hearing scheduled.

F. TABLED ITEMS

None.

G. OLD BUSINESS

None.

H. SCHEDULED PUBLIC HEARINGS

ITEM H.1. PZ25-01 – Zoning Ordinance Sec. 26.505.F Text Amendment

An amendment to the Commerce Township Zoning Ordinance No. 3.000, to amend Article 26, Use Standards, Section 26.505.F - Noise and Vibration, to revise the permissible decibel levels across various zoning districts and codify exceptions regarding same.

Dave Campbell – This is a proposed amendment to Article 26 of our Zoning Ordinance, and specifically Section 26.505, which are our general performance standards and the amendment being proposed is what you see up on the screen. The red line shows the changes being proposed. This is an ordinance amendment that was brought to us by our Code Enforcement Division, and it pertains to standards for noise and vibration, and more specifically, the noise side of that coin.

What they're trying to do is provide some clarity to the existing noise standards, clarity relative to differentiating between daytime noise versus nighttime noise, and defining what daytime versus nighttime is, making some adjustments to the maximum noise levels depending on the adjacent land uses, and providing different standards for daytime versus nighttime. And then also stating that this pertains to continuous noise

and then providing a definition for what continuous is meant to mean, which is any noise that goes on for 30 minutes continuously with not less than a five-minute break within that noise.

I know that Jay, in his role as the Building Official, worked with Mario, our Code Enforcement Manager, on this proposed change. They also worked with the Township Attorney, John Kummer specifically, on this proposed amendment. So, I hope if there are specific questions as to what's looking to be accomplished with this, I know Mario provided a memo summarizing the change that was included in your agenda packet. And maybe Jay can add some insights on his end as well. But this is something that Mario was looking for to help in his efforts to better enforce the noise complaints that he gets as our Code Enforcement Manager, and I think specifically the dog barking complaints are the ones that he hears about more than any other.

As with any Zoning Ordinance amendment, procedurally, we bring it to the Planning Commission. We are, by state law, required to have a public hearing. So, we have to remember to open and close the public hearing during tonight's meeting. If the Planning Commission is prepared to do so, you could make a formal recommendation to the Township Board. And, if you are ready to make that recommendation, this could proceed to the Township Board as soon as their meeting coming up on November 18th, where the Board would have the option to adopt this proposed change. I'll take a pause there and see if there are any questions for myself or for Jay before we open up the public hearing.

Commissioner Comments:

Chairperson Parel – Anybody have any questions?

Phillips – I have several questions actually. So, Mario has to enforce this stuff. How do you enforce the decibel levels?

Jay James – We have an actual decibel reader that we take out in the field. It's calibrated and certified. What you see here is not a certified one, but I did test it against the other one, and it's relatively close. But, as you can tell right now, we're hovering 50 to 60ish just in this room, so that gives you an idea of the noise level. It's not a continuous one here, but I can tell you where this really stemmed from.

We received a noise complaint on one of our lakes, but it was because they had a pool, and the pool filter was on the side of the house. So, we went out to check the noise level of a pool filter, and this happened to be along Union Lake Road. While we were there, I was just standing in the front yard checking the decibel reader, and I pointed it at Union Lake Road, and the noise coming off the road itself exceeded our noise limits. So, then we went down and tested it, and it was slightly over. We made adjustments to the filter.

But we get a lot of complaints, especially around the lakes. If you live on a lake or near a lake, you know that the sound travels across the water with ease. So, somebody playing music in their house, to them, it's not too loud, but it travels across the water and the neighbors think it's very loud. In looking at this and looking at other communities, and kind of testing what noise levels we felt were typical, the 55 decibel was easily broken without anyone doing anything. I mean, lawn mowers exceed the decibel limit, but they're not continuously run. Dogs also exceed that, but again, they are tipping-

Phillips – I might argue against the lawn mowers, the leaf blowers, weed whips and all of those things. It can be continuous, certainly more ...

Jay James – It can be more than 30 minutes, yes.

Phillips – I think having the guidelines clarified is good, I was just surprised that all of the limits were being raised. I don't know what the average lawn mower ... what are the decibels for lawn mowers?

Jay James – A lawn mower, at the property line, they're probably upwards of 80, depending on the type of mower.

Phillips – Okay. I'm just more concerned about that as a resident. You just have noise constantly. I think part of the problem is that individual property owners may not surpass the limits or the duration, but if you take the neighborhood as a whole, it's a mess. But enforcement is per individual event.

Jay James – Yes, per individual event, and just in looking at it, it seemed like our limits were very low and very hard to actually meet in some cases for some people.

Phillips – Were we having a lot of complaints that we had to go out and say, yes, the noise is higher than our current limit?

Jay James – I wouldn't say a lot, but we get several that we have to address. A lot of them are fixable, like the pool filter. They just needed to make an adjustment to the filter itself and it ran a lot quieter. One of them is music. Some people like listening to music. Maybe some people are a little more hard of hearing, so they turn up the music, and to them it's not loud, but to the neighbor it is.

Phillips – How are the bands on the lake? That's continuous.

Jay James – It can be, depending on what they're playing.

Phillips – If they play good music, I'm okay with that.

Dave Campbell – I think part of the continuous is, it's meant to enforce against persistent noise. So, someone who has to run their engine for a few moments because they're working on their car or whatever, that might be one thing. But it's like the pool filter example, when it's all day, every day. I think that's what we're trying to address.

Jay James – Even air conditioners can exceed it, but they don't typically run 30 minutes. They run and then shut off for a period of time, and depending on the temperature, they'll kick on again.

Phillips – I was curious if the current maximum levels actually were creating violations that caused people to complain. Because I was surprised to see, in every instance, we're raising the decibel level.

Jay James – I can say that we found that it was very easy to exceed the decibel level, above and beyond what we and others felt were just normal sounds. I mean, that's one of the reasons I brought this out here tonight. Are we being excessive tonight, in speaking, if this was normal, next to anyone's house? I don't think so. I don't think we're screaming, but we're very close to the maximum right now.

Phillips – I think there are other activities that are far in excess of that.

Jay James – It can be, but just in general, that's why I was looking at the average. I know when I'm speaking into it, it's because I'm closer, but I wanted you to see the normal level, what tonight's meeting is, so you get an idea of what it's like at your house.

Phillips – I appreciate that. There's a definition of daytime and nighttime. I think clarification is good, but 7am to 11pm seems ... Of course, I'm thinking back on people mowing the lawn and blowing leaves at 7am on Mother's Day, and it's not very appealing in the community, or doing the same thing up until 11pm. I'm not sure how those boundaries were set.

Jay James – I can tell you some of the thought that went into it, is that the work hours that have been established in Commerce for as long as I've been around here, they start at 7am. So, if you have a construction site, you can start up the machinery at 7am and start working. And typically, you throw it in reverse and you get that beeping, which exceeds our decibel. The workday seems to begin at 7am, and it's kind of standard around all the communities. The 11pm I think went to the thoughts of, Thursday, Friday and Saturday are the nights that people typically stay up later, and they may be outside later, especially in the summertime. I believe the attorneys looked at what some other communities had and came up with 11pm.

Phillips – And these apply 7 days a week consistently?

Jay James – Yes.

Phillips – Okay, well I don't necessarily agree with all of those things. The other thing I would point out, the red line says the decibel is 50, but the summary says that residential is moving from 55 to 65.

Dave Campbell – I forgot to mention that. I think there was a miscommunication with the Township Attorney who actually drafted the red line, so I think it's meant to say 55 for a residential dwelling nighttime.

Phillips – Yes, the nighttime was going from 50 to 60.

Dave Campbell – I don't think there was a nighttime. Currently, there is not a nighttime, and we are looking to establish a nighttime threshold.

Phillips – The summary doesn't say that. It says it's moving from 50 to 60.

Jay James – You're correct. The nighttime one should just say, be established at 50.

Phillips – Okay.

Chairperson Parel – Jay, thanks for explaining what that device does.

Loskill – You mentioned generators are an exception. Would that apply on construction sites, or just as a residential generator?

Jay James – The idea of generators being an exception was obviously power outages. People are going to have those running constantly, and we understand the need for a generator during a power outage.

Loskill – Okay, so if somebody is doing construction and running a generator ...

Jay James – No, the thought process was because of power outages.

Dave Campbell – Maybe to your point, Mr. Loskill, as I read that, *the use of a generator as a temporary power source where electricity is otherwise unavailable*; I mean at a construction site, if they have not energized the site yet, they would say yes, we need it. So, if it is the desire of the Planning Commission, that language could be adjusted to be more specific that it's meant to be a power outage scenario.

Loskill – Yes, I just don't want somebody in construction working until 11:00 at night, saying well, the codes says I can do this. I think that would be obnoxious and objectionable. But, if it's for a power outage, that makes perfect sense.

Jay James – Right, we can change that to include construction sites that don't have power at the site yet and have to work off of generators, but typically those are dawn to dusk.

Loskill – Yes, 4 or 5pm.

Dave Campbell – So, if we get to the point where you're looking to make a motion to recommend this to the Township Board, you'd want to include in that motion any revisions such as the one about the generators.

Chairperson Parel – Any opposition?

Bearer – Is there any background to the 30 minutes, even at nighttime, for the threshold?

Jay James – For continuous?

Bearer – Was there any thought of lessening that during the nighttime? 30 minutes at 11:00pm is a long time if you've got kids sleeping.

Jay James – I agree. The answer is yes, we did discuss it briefly. We talked about reducing it to 15 or 10 minutes. There's going to be noises, just starting your car is going to exceed it, so it has to be more than just an occurrence. It has to be a sustained occurrence. I have neighbors who start their cars and let them warm up at least 15 minutes in the winter, so I think we decided to stick with 30 minutes throughout the day.

Bearer – And does the 30 minutes need to occur before you come and register the decibel?

Jay James – Typically, if there's a complaint, we're not going to be able to get there immediately. Normally we get a phone call and then we're aware of it and we tell people to call us if it's ... Well, I don't expect them to call us if it's 2am. I expect them to call the

police. But, if they make us aware of it and tell us, maybe it happens every day at 8am, or whatever it is, we will do our best to be out there. But, there are certain times where we're not going to be able to get there in time.

Dave Campbell – We have to be realistic about enforcement. If we're talking 2am on a Saturday, you could call the Township Hall but there's not going to be anybody here. That's where we come back to talking about continuous, sustained and persistent. We're trying to enforce the noise that's constant, over and over, for long durations of time. A loud car one time at 2:00 in the morning, it's impossible to try to enforce that.

Bearer – Thank you. That's all.

Phillips – Jay, how much do those decibel meters cost? I want to get one.

Jay James – This one? I can't even remember.

Loskill – You can get an app on your phone. I have it.

Jay James – I have the app on my phone too. This was probably \$30-\$40.

Phillips – I would be an advocate to have more specific restrictions on construction site generators. I get it in residential; if you're out of power, it could be days. But with construction, there needs to be something that's earlier than 11pm.

Jay James – If I could make a suggestion, because I know what most construction people work, if we said 7am to dusk, because dusk is going to change. In the summer, it's going to be 9pm, and right now, it's before we get out of work.

Phillips – Fine.

Chairperson Parel opened the public hearing.

Brett McDonald, 9135 Commerce Road, Commerce Township – I'm a resident. I've lived here for 23 years. There's lot of parties around my neighborhood. I think you guys are opening up the Township to a very litigious situation, because basically this is saying, according to what I'm looking at here, this means that nobody can have a party past 11:00? It's what you're saying. Nope, that's what you're saying. That's what this says. And then number two, lawn mowers are around 90 decibels, and there are people with bigger yards that take more than 30 minutes to mow their lawn. So, they're going to get the police called on them. I know you guys are saying, oh no, but have you met the Karens that live in our neighborhoods? They'll just sit there and when they find out about this law, so I would just say, be careful about these restrictions, because you're adding in all these and the unintended circumstance is that basically, people are going to use them for other things. If I want to get rid of all the parties in my neighborhood, this is how I'm going to do it. I want to get rid of Fred who is an elderly guy who mows his lawn nice and slow. My neighbor got rid of his riding lawn mower and pushes his lawn mower for health, and he takes more than a half hour to mow his lawn. I'm just saying.

Weber – You make a good point, and remember, the impetus behind this was to eliminate the nuisance calls.

Brett McDonald – I understand.

Weber – We don't want an unintended consequence.

Chairperson Parel – Yes, and I think we are raising the decibel level.

Weber – But we're adding in the 30-minute ...

Brett McDonald – All the red there you're adding.

Jay James – Yes, we purposely did not have any definition for what continuous noise was – a time frame for what makes it continuous.

Chairperson Parel – In the one scenario the gentleman mentioned, someone is mowing the lawn for 40 minutes, or whatever; under the prior language, people could have called the Township for a lower decibel, and they would not have had to wait 30 minutes.

Jay James – We would have said, if it's not a continuous noise, there was no-

Chairperson Parel – So it's more restrictive on those bearings, and now it would be harder for them to call.

Jay James – No, it's easier for them to call now because they can put a timer on it. They can say it has been 31 minutes and it's still going. There was no time limit before. It was just a continuous noise.

Weber – So what if we increase the decibels, like we're doing, and we eliminated the 30 minutes? We can keep the word continuous, because then that adds some discretion to either the sheriff's office or the ordinance officer, meaning they can discount it if somebody is mowing the lawn and it takes longer than 30 minutes. Again, if the intent of the change is to try to eliminate the nuisance calls, then wouldn't that help?

Jay James – I wouldn't say the intent was to eliminate nuisance calls. It was a realization that the limits we had set seemed abnormally low based on what normal conversation, normal noise decibels actually are. We found that in this room, we have exceeded it from time to time tonight, which I don't think we have been out of the normal speaking range.

Weber – But to Mr. McDonald's point, the 30 minutes could actually exacerbate what we're trying to do.

Jay James – It could.

Weber – From your perspective, Jay, if we just eliminate the 30 minutes; we could keep continuous on there, because that's really the intent, but it allows discretion for things like lawn mowers.

Jay James – I would be fine with it. I don't know if our attorneys would.

Dave Campbell – So, strike that first sentence?

Loskill – Why don't we just change it from 30 to 60?

Jay James – Well, it takes me longer than 60 minutes to mow my lawn.

Phillips – You don't take a 5 minute break?

Jay James – No. I've got a big lawn.

Loskill – Maybe it would be best to make an exception for lawn equipment for the ordinance.

Weber – I don't know where you draw the line.

Loskill – Well, you wouldn't want to increase the decibel level, because that would be raising the noise level. As mentioned, the decibel level of a lawn mower is 90.

Weber – What I want to do is introduce a level of common sense in the ordinance.

McCanham – What about a chipper truck?

Jay James – We can go with the “if's and but's” on this all night long. I understand the 30 minutes could cause an issue. I don't know if we could come up with language that eliminates the routine maintenance of one's house or lawn, but then again, if we say that, then they're going to say this guy os up with a nail gun at 10:00 at night.

Weber – But right now-

Dave Campbell – With all of these scenarios, look at what could be said right now. What's in black is what's in our Zoning Ordinance today. All of these scenarios, all of these what-if's, all could be applied to what currently exists. What is being proposed is going to improve upon what currently exists.

Weber – I guess my view is, I'm fine with moving of the decibels.

Jay James – It's the time frame.

Weber – It's the time frame that I think you're going to increase nuisance calls.

Jay James – As I said, George, I would be fine eliminating the time of 30 minutes. We could talk to our attorneys. I believe that came from them, they said we needed a definition of continuous.

Weber – Attorneys are to provide counsel, not necessarily provide answers.

Jay James – Agreed. So, if your motion is to move forward and eliminate that ...

Weber – So to move forward on that, I can make a motion.

Dave Campbell – Did we close the public hearing?

Chairperson Parel – Would anyone else like to speak on the matter?

Peter Bock, 2376 Provencal, Reserve at Crystal Lake, Commerce Township – I've lived with construction for the last year, and about this time of year, the guys work well past dusk. They're running gas powered generators, gas powered compressors, nail guns, until 7:00 or 8:00 at night. Be careful with what you restrict in the construction area because they tend to work later than what you're at right now. It doesn't really bother me that much. I'm used to it, but I'm sure with some people, it could be a problem.

Chairperson Parel – Thank you, sir.

Chairperson Parel closed the public hearing.

Dave Campbell – George, if changes are made, do you want the text amendment forwarded onto the Township Board, or do you want this to come back to the Planning Commission with the revisions?

Weber – Let's just go straight to the Township Board.

MOTION by Weber, supported by Loskill, that the Planning Commission recommends revisions be made to the proposed Text Amendment to Zoning Ordinance Sec. 26.505F, prior to forwarding it onto the Township Board.

Move to have the Ordinance Department and the Building Department contact the Township Attorneys to discuss removing the 30 minute time frame as a definition of continuous, and to discuss providing restriction for construction generators as discussed herein, to allow for their use in construction between 7:00am and dusk, and to recommend that the Commerce Township Board approve the updated language for PZ#25-01, amending ordinance 3.067, an amendment to Sec. 26.505.F - Noise & Vibration of the Commerce Township Zoning Ordinance, to revise the permissible decibel levels within various zoning districts, define "daytime" versus "nighttime" as those terms pertain to maximum decibel levels, and, as a result of the recommended changes herein, to exclude the definition of "continuous" originally suggested as 30 minutes, and to instead leave some discretion for enforcement officers in that regard.

The Planning Commission's recommendation is based on a finding that the proposed amendment would clarify and enhance the existing standards of Article 26.505.F thereby furthering the Township's efforts to protect the public health, safety and welfare as well as the peaceful enjoyment of the community from potential adverse impacts.

MOTION CARRIED UNANIMOUSLY

I. NEW BUSINESS

ITEM I.1. PPU25-01 – The Enclave at Stillwater – PUD Condominium Site Plan

Twin Pines Investments Co. (Andrew Milia) is requesting condominium site plan approval for an approved Planned Unit Development (PUD) proposing 90 single-family dwellings on the north side of Sleeth Road, just east of The Reserve at Crystal Lake, on the middle of the three decommissioned Sleeth Road gravel pits.

PIN # 17-08-400-004

Dave Campbell – So, this is a project that is very familiar to the Planning Commission. It's a project that came before the Planning Commission in June for our preliminary review. It came back to the Planning Commission in August for a formal public hearing. At that August meeting, the Planning Commission made a recommendation to the Township Board to approve the project.

The project was and is being applied for as a planned unit development, a PUD. So anytime with a PUD, the Planning Commission makes a formal recommendation, and the Township Board takes formal action. The Planning Commission made that recommendation at their meeting on August 11th. The Township Board subsequently approved the PUD at their meeting on September 9th.

So now the potential final step in the process is for the developer to come back to the Planning Commission with a fully fleshed out version of the site plan that goes along with that PUD and, if the Planning Commission so chooses, get the Planning Commission's approval on the final PUD site plan. In this case, The Enclave at Stillwater, in addition to being a PUD, is also a site condominium. So, with any condominium, the Planning Commission also reviews the condominium site plan. This is essentially a combination of a PUD site plan, but also a condominium site plan. And with any condominium, what you also have is the master deed and bylaws. The master deed and bylaws have been vetted by the township attorney who is comfortable with the language within the master deed and bylaws. There were some changes that needed to be made between the attorneys, but those have been resolved.

It's typically the Planning Commission that looks at the site plan side of things and ensures that the site plan is up to the township standards relative to site layout, road layout, landscaping and so forth, and improvements to the access, which we'll talk about the improvements that are proposed along Sleeth Road. And then the Township Board's role is to look more at the master deed and the bylaws with the aid of the Township Attorney to ensure that the master deed and bylaws meet all of the legal requirements of the Township.

So, The Enclave at Stillwater; the site plan is up on the screen. It's comprised of 90 single-family homes on a 65-acre property. This is the middle of the three decommissioned gravel pits along the north side of Sleeth Road. To the west is The Reserve at Crystal Lake, which is the project that's very much under development here. The proposed site is the middle of the three gravel pits here. Then you've got the ITC corridor bisecting the middle and the easternmost gravel pit.

The developer of the reserve at Crystal Lake and the prospective developer for the middle gravel pit, and probably someday the easterly gravel pit, is led by Andy Milia of Franklin Properties. As I mentioned, Mr. Milia came to the Planning Commission and the Township Board with his PUD submittal that was approved by the Planning Commission in August, and Township Board in September.

The 90 lots that are proposed, 16 of them would front on the man-made lake that's on the property, a lake that was created during the gravel mining operations of the 80s and 90s. The lake would be left mostly in its natural state. It would not be graded the way the man-made lake was on The Reserve next door. That had much steeper banks, and so a lot of those banks had to be restored to bring them up to a safe condition. In the case of The Enclave at Stillwater, the 14-acre man-made lake would be left mostly in its natural state.

In addition to 16 lake lots, there would be 74 inland lots, mostly 60 wide by 135 deep, totaling 8,100 square feet. These are the lots on the northern half of the property. The property is zoned R-1A, which is our largest lot single-family zoning district. So, R-1A typically requires 100 feet of lot frontage and 20,000 square feet of lot area. What the

developer is proposing and what's been approved as part of the PUD is smaller lots, but with the same density that would otherwise be allowable under the R-1A zoning. So, the smaller lots allow there to be more preservation of the existing natural spaces on the property, primarily around the perimeter. The developer has proposed is maintaining a natural buffer around the perimeter of the site to try to create as much screening and buffering between the neighborhoods to the north and to the west. And then we'll also look at the landscape plan here in the moment where that natural vegetation is intended to be further enhanced with additional landscape plantings. So, as opposed to doing a traditional R-1A development where the lots could be all the way lot line to lot line on the entire property, and the entire property could by right be cleared, the PUD process allowed the developer to do the smaller lots at the same density in an effort to preserve more of the natural open space.

One new point of public access is proposed along the north side of Sleeth Road. A boulevard access is shown here. As I mentioned, the Sleeth Road would have to be upgraded with an eastbound passing lane on the south side of the road and an inbound and outbound acceleration/deceleration taper for the westbound traffic. This has been the formal recommendation of the Township's traffic engineer after doing a traffic study for the proposed development, taking into account the future traffic to be coming from The Reserve at Crystal Lake. So based on the volumes that are projected, those are the improvements that would need to be made to Sleeth Road based on Road Commission standards.

A second point of access is proposed via connection with The Reserve at Crystal Lake. When The Reserve at Crystal Lake was done, the Township had the developer put in a stub road, stubbing to the shared property line. That road is called Hoppe Lane. Hoppe Lane would be extended now into this new development, providing two points of access into the development, which makes our Fire Department happy, and it complies with the International Fire Code by having two points of access.

The Planning Commission might remember, there was consideration of a third point of access via Winewood, which is stubbed at the northerly property line. So Winewood is the existing road within Lake Sherwood. We had considerable discussion about that. The Fire Department said, as long as we have two points of access, we don't need a third point of access via Winewood. So, what the Planning Commission and the Township Board agreed upon was to not have vehicular access, but to have a sidewalk connection from the Lake Sherwood property line into the proposed development, The Enclave, so that there could be pedestrian nonmotorized traffic between the sidewalks around the roads within The Enclave, and the sidewalk connection into the Lake Sherwood development.

And again, I say all this knowing well that the Planning Commission has seen this project a few times through its evolution. I'm trying to get to the landscape plan. While I'm here, I should show the drainage and grading plan. The property will primarily drain into the existing lake. There would be a sediment control structure, a mechanical control structure right there, that would sift out all the sediment before it then outlets into the lake, so everything in the blue would be draining into the lake. Everything in the red would be draining into a new detention pond at the northeast corner of the site. And what's also relevant about the drainage plan, if I zoom in along the northerly perimeter, is the green line is the actual underground storm sewer that would be traversing across the northerly lots. What's relevant here is the storm sewer is actually within the backyards of the proposed homes. It's not within the common area, which is that 35-foot buffer between the rear lot lines of those homes and the overall property lot line. By not having the storm sewer in that 35-foot buffer, it allows that 35-foot buffer to be

preserved and the natural vegetation that's there to be preserved as opposed to blowing all of it out of there in order to put in a new storm sewer. So that was a concession that the developer made in an effort to best preserve as much vegetation within this buffer area as possible, to put the storm sewer actually in within the rear yards of the future homeowners.

I mentioned the landscape plan. In addition to the vegetation that's going to be preserved throughout the perimeter, what I think is most interesting to the neighboring residents is the buffering along the north and to the west. In addition to preserving the existing vegetation, the developer is proposing to plant additional evergreen trees, a row of six footers at installation, which obviously will grow over their lifespan. Focused primarily on anywhere where there's maybe some sparseness in the existing vegetation, so a pretty heavy planting row along the north side, and then strategically along the west side. Back when this was all cornfields, there was a tree line between the properties, and those trees have gotten pretty mature in through here and through here. So, all that will be preserved and then, as I mentioned, enhanced with strategically placed spruce trees.

One of the comments that came up in the review of the landscape architect was the possibility of adding some additional plantings along the west side of the man-made lake. The developer would want to discuss that with the Planning Commission. He would contend that there's some steep slopes through there. It might be a challenge to get any of the trees to thrive in that area, and his preference would be just in its natural vegetated state, rather than disturb it with any tree plantings that may or may not make it in that area.

As with The Reserve at Crystal Lake, there are to be architectural guidelines for the new houses to be proposed. Those architectural guidelines essentially mimic what's with The Reserve at Crystal Lake; minimums for the amount of brick or stone that is required for each house, and standards relative to anti-monotony; the idea being that there's not a cookie cutter appearance, and every house has a reasonable amount of differentiation between the house on either side of it. All of that is built into the proposed master deed, or is more specifically within the bylaws of that master deed, and again, it mimics what was already required within The Crystal Lake development, which I hope if you drive through there, you'll see that there is a good amount of variety amongst the houses being built in there.

As I mentioned, this is potentially the final step in the approval process. The intent is to confirm that this plan is consistent with the PUD plan that the Township Board already approved, albeit with more detail. I'll see if the Planning Commission has any questions for me, and I know that Mr. Milia, and his partner, Mr. Jonna, and other members of their team may want to reintroduce themselves and address any other questions that the Planning Commission might have.

Weber – Dave, one question on the trees along the west side of the lake area. What was the Landscape Architect's rationale for wanting that there? I didn't see that in the write up. Was it aesthetic, or to hold soil?

Dave Campbell – I don't know that he got into specifics. My impression is that it was more of an aesthetic and there wasn't much of any landscaping proposed along the west side of the site, but I will let the developer speak for himself. But his contention would be that what is there now, and what would continue to be there is better than anything that he would try to plant there. And, by trying to get in there and plant along

those steep slopes alongside a lake would disturb what's there. His preference would be to leave it in its natural state.

Weber – Can you pull up a recent aerial?

Dave Campbell – This is obviously straight up and down from September of this year. We can go to more of a bird's eye view, although they only do bird's eye in April, so everything is pretty sparse. There's no foliage and the aquatic plantings haven't really come up for the season. That's meant to be more bird's eye from April. Then straight up and down is as recent as late September.

Weber – So, it's still pretty sparse.

Jay James – Also, remember there is a large grade change from the rear yards of Crystal Lake down to that pond.

Weber – It's a mound going up to The Reserve.

Dave Campbell – Yes, so this is a pretty huge berm, and I'm moving the cursor over the crest of the berm. If this were flat, there might be some logic in having some plantings here as more screening and buffering from the adjacent homes that will be built to the west, but given the size of this berm, it's more buffer than what the trees could likely provide.

Phillips – Dave, is that a roadway?

Dave Campbell – That's the old trucking road from back when this was a gravel pit. It is not the intent that the road would remain in any kind of use.

Phillips – Okay, but with respect to destroying the existing plants, it seems like you've got a road there and you could plant something using that roadway.

Dave Campbell – I will let the developer speak for himself. I think the debate, if that's the right word, is more down along the lake's edge, where this is a pretty good grade change along here. So, trying to get in there to plant anything might be challenging and it might struggle to survive there.

Andy Millia, Franklin Property Corporation – Appreciate the opportunity to be with you again tonight. I wanted to clarify a couple points. One of the boards, I don't recall whether it was this body or the Township Board, wanted a subcommittee to review the architectural requirements. So, we did have an architectural review committee, made up from members of this board. I'm losing track of dates, but that was in August or September.

Dave Campbell – It was between the Planning Commission's formal recommendation, and the Township Board's formal action.

Andy Millia – So, we had a very successful meeting. And one clarification that Mr. Campbell said is that the architectural guidelines carried over from Reserve at Crystal Lake to here. That's true, but we added one more exception to that, which is no vinyl is

permitted in the subdivision. These architectural requirements are actually stronger and more restrictive than The Reserve at Crystal Lake, and that was based on the Architectural Review Committee.

Other than that, I'd like to just answer any questions. I do want to address the issue of the trees on the berm area. If I could ask Mr. Campbell to put up the aerial photo. This area is the property line. You can't tell from this perspective, but this is a 35-foot tall berm located here, and then there's a berm that goes down here. So, all this here is naturally screened from that. I don't know the intent of the architect. It was kind of a soft recommendation to add trees, but the trees would have no screening value for any of these homeowners here.

A couple other things to consider. This is all sand and gravel. Any trees that are planted in a non-irrigated area would simply die within a year or two. So, we don't recommend it. It's got natural vegetation that we do not want to disturb to plant trees. The design here is to allow this area to continue to be natural. There's a huge berm that goes from here to here, and crests at this point here, so it's already serving that purpose. We think that the trees would be superfluous. They're over 1,000 feet from this road here, so we don't even think that they would offer any real aesthetic value in softening this. You've got natural trees here, and we're going to allow these trees and vegetation to grow.

We agree with all the other comments made by the attorneys, all the other comments made by the Planning and Building Departments, but we respectfully request that we not be required to add trees to this area. We're focusing the efforts on the buffer trees in this area, the buffer trees to the north, and providing very extensive landscaping in this area. So, with that, I'm available to answer any questions you may have. Thank you.

Commissioner Comments:

Chairperson Parel – We'll go down the line. Caitlin, did you have anything?

Bearer – No questions.

Winkler – No questions.

Phillips – No.

Loskill – I do. Dave, will you pull up the grading plan? This is sheet P-3.2. There's one lot off of Sleeth Road that has a break in the retaining wall back there, and I don't understand how you're going to keep soil there at the slopes you've got. I mean, you've got a 14-foot tall retaining wall. I don't know how you're going to keep grass on that. This retaining wall is huge. In spots, it's 18 feet tall, which is 50% taller than this room is. What is the retaining wall going to be made out of to maintain that height? You're going to have a huge load from all the soil backed up against that. What kind of materials are you going to use for the retaining wall?

Andy Milia – It's a very good question. The retaining wall is an industrial, structural retaining wall, but designed with very positive aesthetics on it. It's an \$85 per square foot retaining wall. So, it's a very expensive wall with structural integrity. It was designed by our civil engineers. It was reviewed by our structural engineers, and we've retained one of the leading retaining wall companies to take a look at the review. So, they've looked at it. Obviously, it'll go through your Engineering Department when we get to that, but they designed it to meet these requirements.

Loskill – Well, great, but what is it? I mean are you using block?

Andy Milia – Stone block. It's not a boulder wall. It's a stacked block retaining wall.

Loskill – Okay. I don't know how you're going to make that gap work. I would get rid of that gap. I just see that as being an area that's going to have water flowing down from all the adjacent homes. It's going to wash everything right down into the lake. I've seen this. I've had engineers do this to me on other projects. So, I can point to this exact condition on other locations that it doesn't work. Why don't you just take the wall all the way across, throw in some yard drains and take the water down, and not have what I believe is going to be a big issue in the back of this house?

Andy Milia – I think it's a good idea. We will continue to study it, and we will do that during the construction/design phase, and we'll work with Giffels and their structural engineer on it. We obviously want it to work as well, and we'll take your point into consideration when we finalize the construction plans.

Loskill - And just as an aesthetic point, rather than a single 18 foot tall wall, I'd like to see this broken down a bit so that it's not such an imposing mass, especially from the homes across the lake, because you're going to be staring at a really big wall across the lake. I don't think that's looking fabulous as far as I'm concerned. But that's my comment, that's my only comment on this.

Dave Campbell – Just for clarification, we're talking the retaining wall for the lots on the south side of the lake?

Loskill – Yes, off of Sleeth Road.

Andy Milia – There's retaining walls here, and then you've got vegetation here that's screening. So, it won't be that visually impactful, but you make good points and we'll review it with our engineers and your engineers.

Chairperson Parel – Joe, why do they break?

Andy Milia – They break because the grade of the slope here doesn't necessitate. This is steeper in this area and necessitates it. This is an \$800,000 wall. Our goal is to minimize it.

Loskill – The difference between the top of the wall and the bottom of the wall, on the right hand side, behind #3, right at the break; the drop right there says it's 14 feet. How are you going to ... You've got 14 feet around a retaining wall? I'm just saying, I don't think it works. I think it would come up much better if you just took the wall across, used yard drains to collect the water, drop it down at the bottom of the retaining wall, and not have this giant break here because it's going to be unmovable.

Andy Milia – Point taken, and we'll review with our engineers.

Phillips – I'm trying to visualize what Joe is talking about. I haven't gotten into that level of detail, but it seems like a 14 or 18-foot drop seems unsafe. Is there protective fencing?

Jay James – Fencing is required to be on top of it. If you want to see a similar wall in Commerce Township, go to Birkdale Pointe off Sleeth Road and Benstein. Their retaining wall there is in excess of 20 feet. It's very similar, and I would assume it's a similar type of construction.

Phillips – Does it add significant cost to do what Joe suggested to have step down?

Loskill – It would add to it. I'm maybe more concerned with just getting the whole thing closed rather than having this big gap on the wall, because it's going to make a condition that I don't think anybody's really going to be enamored with when it gets completed.

Chairperson Parel – I'm going to go out on a limb and say the developer is not trying to pinch pennies here.

Loskill – I understand. If I hadn't seen it on my own projects and realized how bad a situation this is, I wouldn't say anything.

Andy Milia – The reason it was done is, if this meets a safe slope, it allows this lot to have a different configuration. Some people do not want a truncated backyard. This creates a different experience. But if it doesn't work, we'll have to put a wall up. So, point noted.

Weber – I don't have any comments. I think after review and discussion, I'm also okay with not planting trees on the west side. I have driven the area and I understand the giant slope. It's more than a berm. It's a very large hill between The Reserve at Crystal Lake and The Enclave. I think our primary purpose on planting trees is screening from homes so that they're not as impacted by new development, and this doesn't do that. I'm okay with that, and no other comments.

McCanham – I'm good.

Chairperson Parel – I'm also good.

Dave Campbell – Just to remind everyone, if you are prepared to take action this evening, we did provide recommended motion language. It does include some conditions of approval, fairly standard, such as conditions that the improvements to Sleeth Road have to be reviewed and approved by the Road Commission.

Chairperson Parel – If somebody did want to make a motion, I would ask if the developer is comfortable with this language. He has seen it and we don't need to repeat it?

Andy Milia – Correct, we are, with the exception of the recommended trees to be eliminated. I don't know how it reads on that, but we can talk about it.

Dave Campbell – Our recommended motion language did not have any mention of the trees, good or bad. I wanted it to be discussed tonight, and since you're not changing anything with the plan, then it doesn't need to be stated in the motion.

MOTION by Phillips, supported by McCanham, that the Planning Commission recommends approval, to the Commerce Township Board of Trustees, of Item PPU25-01, The Enclave at Stillwater, PUD Condominium Site Plan, the request by Twin Pines Investments Co. (Andrew Milia) for condominium site plan approval for an approved Planned Unit Development (PUD) proposing 90 single-family dwellings on the north side of Sleeth Road, just east of The Reserve at Crystal Lake, on the middle of the three decommissioned Sleeth Road gravel pits. PIN # 17-08-400-004

Move to recommend the Commerce Township Board of Trustees approve PSP#25-06, a PUD condominium site plan by Twin Ponds Investment Co. (Andrew Milia and Gary Jonna) for The Enclave at Stillwater consistent with a Planned Unit Development approved by the Commerce Township Board on September 9, 2025. The project will consist of 90 new single-family homes within a residential site condominium on a 65-acre property on the north side of Sleeth Road between Bass Lake Road and Duck Lake Road.

The Planning Commission's recommendation of approval is based upon the following findings:

1. The PUD condominium site plan is consistent with the Development Plan approved as part of the PUD Agreement for The Enclave at Stillwater;
2. The project will achieve recognizable benefits beyond those that could be achieved by a development that adheres strictly to the requirements of the property's R-1A zoning classification, consistent with Article 38 of the Zoning Ordinance;
3. The PUD condominium site plan complies with the applicable standards of Articles 35, 37, and 38 of the Commerce Township Zoning Ordinance;

The Planning Commission's recommendation of approval is subject to the following conditions:

1. Final approval of the PUD condominium site plan and Master Deed and its exhibits by the Commerce Township Board of Trustees;
2. Review and approval of the master deed's Exhibit B documents by both the Township Attorney and the Township Engineer;
3. Review and approval of engineered construction plans by the Township Engineer, Fire Marshal, Building Department, and the applicable departments of Oakland County and the State of Michigan;
4. New residential public roads, new approach to Sleeth Road, and improvements to Sleeth Road to be reviewed and approved by the RCOC;
5. The dedication to the RCOC of the 60-foot half right-of-way along the site's 1,100 linear feet of Sleeth Road frontage;
6. A contribution to the Township's sidewalk and pathway fund in lieu of construction of a pathway along the subject property's Sleeth Road frontage in an amount proportionate to the cost to construct the pathway as determined by the Township Engineer and Planning Director, along with the appropriate easements for same;
7. Entrance sign and/or features to be reviewed and approved under a separate Sign Permit by the Building Department subject to the requirements of Article 30 of the Zoning Ordinance;
8. Adherence to Exhibit G of the PUD Agreement with regards to the architectural and site design guidelines;
9. The project's grading and tree-clearing limits to be clearly marked in the field and inspected by the Township's Planning and Building Departments prior to any clearing or grading activity.

MOTION CARRIED UNANIMOUSLY

ITEM I.2. GREAT LAKES NATURE SCHOOL – CONCEPTUAL REVIEW

Adriana and Kurtis Rickelmann of Commerce MI are requesting a conceptual review of a proposed school/daycare on an 8-acre parcel located on the south side of Commerce Road, just west of Carey Road. PIN#: 17-08-227-008

Dave Campbell – I'll fly over to the subject site. Earlier during the public comments, the intersection of Commerce and Carey Road was brought up. This site is in that same vicinity, which is the south side of Commerce Road, just west of Carey. The subject site is this property here where I'm moving the cursor around, and what's recent is this property was recently divided from the property next door to the west. If you see the new property line, it kind of follows the meandering route of the creek. The property was split such that the new pieces of property contained the existing house, and then the otherwise undeveloped property on the east side of the creek.

What's being proposed is a preschool for ages 3-8. Great Lakes Nature School is the prospective name by Mr. and Mrs. Rickelmann. They proposed a concept plan.

The property is zoned single family, R-1A, which is not typically a zoning district that would allow for a daycare center of more than 12 students. If you've got between 0-6 students, that's considered a family daycare. If you have between 7 and 12 students, that's considered group daycare, and anything more than that is considered a daycare center. What they have in mind is a school of, I think, up to 50 students, maybe 60. That would qualify, both by the Township's definition within our Zoning Ordinance, and by the State of Michigan's licensing definition as a childcare center.

What I'm trying to get to is this conceptual layout. This is very conceptual, but it's what we need to have a productive conversation at this conceptual level. The new point of access would be on the south side of Commerce Road, a parking lot, a building, and then a very large outdoor play area, and then beyond that, trails that would kind of meander through the wooded area of the property in keeping with the prospective owner, operator, developer's vision of this being a nature-based school and a nature-based education for the prospective students. I'll let them explain that better than I ever could.

As I mentioned, with the property being zoned to R1A, what we would likely need to do if this project were to proceed forward is to rezone the property to a zoning district that would allow for a childcare center of around 50 students. The zoning district that would allow that, as noted in Mrs. Rickelmann's letter, is B-1, which is our local business zoning district. Another option would be our office zoning district, which also allows for childcare centers.

We had a preliminary discussion with the prospective developers a couple weeks ago. We talked about the rezoning process and more specifically the conditional rezoning process, which as the Planning Commission is well aware, is a situation where it's a contract that the Township and the developer enter into a contract, essentially saying if you can give us the zoning we need, we promise to build this and only this. In their case, this and only this would be a childcare center. In other words, they couldn't get it rezoned to office to build a daycare center only to, once they get it rezoned, sell it to someone who wants to build an urgent care.

The conditional rezoning would say, we'll give you the zoning, but you have to build a childcare center, and that childcare center has to be designed per a concept plan that would be maybe a more fleshed out version of what you have on the screen this evening. And then if that's not the project that came to fruition, then the zoning would revert back to its current zoning, which is R-1A.

Based on the business model that they have in mind, a childcare center located in a commercial zoning district or an office zoning district would probably not be able to achieve the more natural learning environment that they're trying to achieve. So that's why they are looking at a property such as this, which is in more of a rural area of the Township and on a piece of property that has a lot of natural features that the students could take advantage of.

Because the rezoning or more specifically the conditional rezoning process is very much a process that involves several steps with the Planning Commission, the Township Board, and with the Township Attorney, and all of the fees that go along with that, we thought it would be in everybody's best interest for them to appear at tonight's meeting and discuss their concept with the Planning Commission and get some preliminary feedback. As the Planning Commission is well aware, nothing that's said as part of a conceptual discussion is binding. They're not necessarily committing to anything. You as a Planning Commission are not necessarily committing to anything. But it's a great opportunity for them to introduce their project and get the Planning Commission's preliminary opinions and guidance and feedback, so that they know whether this is something they want to move ahead with and make the necessary investments that they would need to make in order to get this project to a finish line. So, I'll take a pause there and see if there are any questions for me. And I know that prospective developers are eager to introduce themselves and introduce their project and tell you all about what they're hoping to accomplish.

Kurtis and Adriana Rickelmann, 5024 Fairgrove Lane, Commerce Township, were present to address the request.

Kurtis Rickelmann – We actually live 100 feet south of this property. That's how we found it, and you can see some of the potential nature trails go there. As Dave had mentioned, this is very early on. We're looking at the idea of putting in a nature-based childcare center. You can see from the site plan, we don't want it to be super intrusive, super flashy. We want it to be tucked away, kind of unnoticed when you're driving by it. But I wanted to get in front of you guys. I know we met with Dave, Paula, and about half of you guys a week and a half ago or so. The feedback seemed generally positive, but wanted to just conceptually get in front of you guys, see what questions you had, see if it's something, like Dave mentioned, that we should continue going forward with or we should put our sights somewhere else. Like you said, we don't want to invest all the time and the money and effort if it's something that doesn't necessarily fit within how you guys see this property being used going forward.

Chairperson Parel – Yeah, and I guess I would say, we welcome it. This is cool, something different. My thought is maybe we'll go down the line and see if anybody has any questions or comments. We'll bounce some ideas off each other. Again, non-binding, just conversational, like Dave mentioned. And then maybe at the end, whatever direction we're heading, if the direction is positive, maybe Dave could just chime in and talk about the process as it would start from that point for you guys. Maybe we'll start with Mickey. Any thoughts?

McCanham – The only clarification is daycare/school.

Kurtis Rickelmann – Per the state of Michigan, it would be a childcare facility, a daycare.

McCanham – So it won't be a school?

Kurtis Rickelmann – Correct. We would have a school-type curriculum, and that's something that we would obviously show to the parents. We'd advertise it. But per the State of Michigan, it would just be a childcare facility.

McCanham – Is there a reason why you don't want it as a school?

Kurtis Rickelmann – Less regulation I guess, a lot less hoops to jump through for us, and at the same time, the whole idea of this nature school is for it to be very different from your traditional kindergarten, public schools, things like that. It would be something more like a Montessori school. Again, we'd have a very different curriculum. We'd be outside of the majority of the day. It's just something that we see that's not really adjacent to a typical school today. We're taking care of the kids. We're providing them with some education at that young age, but not necessarily following directly with what the State of Michigan requires for K through second or third grade.

McCanham – Isn't there something ... go ahead.

Dave Campbell – I don't know if interrupted you, but I think this distinction between childcare versus school is relevant in the context of, the property could be developed under its current zoning as a "school". Now, a public school, a parochial school, a non-profit private school. In other words, if this property were big enough, Huron Valley Schools, in theory, could build an elementary school here based on its current zoning. I think that's relevant to this discussion; a school could be developed on this property. And while what they're proposing is a childcare facility, as defined by the State of Michigan's licensing division, I just think it's relevant to how we look at the potential for this project to understand that distinction between school versus childcare.

McCanham – Yes, when we met earlier, we talked about all those things. I'm just wondering, is there a requirement for any older ages to have an accredited education program under the state of Michigan?

Kurtis Rickelmann – No. It might have been brought up when we talked about it. In the State of Michigan, technically, you can homeschool your kids as long as you want without going through any sort of certification or anything like that. You don't have to tell the State of Michigan anything. So, there's nothing specific that we would have to go through. We would just say it's a childcare facility for these ages, and then we would advertise to the parents the type of curriculum that we would provide for the kids.

McCanham – I know around the corner here, they advertise six months to 12 years old. And when those kids transfer out and go to a regular school, don't they have to have some kind of academic records or something like that?

Adriana Rickelmann – No. Let's say you homeschool a kid. They don't have to have any sort of transcript in the State of Michigan. It's something that obviously applying to colleges and things, you can kind of make a transcript for them, a homeschool transcript, but the State of Michigan is actually one of the looser states on the accreditation.

McCanham – I'm all good.

Weber – I like the idea. I'd much rather see something unique like this in this part of the Township. We're really not providing the service. We're not providing the major curriculum that you've proposed anywhere within the Township. I'd rather see this than 15 homes jammed in there.

Kurtis Rickelmann – So would everyone in our neighborhood.

Weber – I like the fact that you are pulling it off the road so it is tucked away and it's not going to look like a commercial development. And for me, it would have to be a conditional rezoning. I would not support a straight rezoning.

Kurtis Rickelmann – Fair enough.

Loskill – No additional comments for me.

Chairperson Parel – Until he sees your building.

Dave Campbell – Don't put in a retaining wall.

Kurtis Rickelmann – It's nice, flat property.

Phillips – I participated in an earlier meeting and I was very favorable for this type of development. At the time, though, I'd asked if you could go into some more detail and describe what a nature childcare facility offers in its curriculum that differs or is more beneficial than other daycares.

Kurtis Rickelmann – I think in normal schools these days kids get about 30 minutes they're required outdoors. This would be hours and hours outdoors. Adrian and I put together a proposed daily schedule of what the kids might do. Obviously subject to change, day in and day out, it would be different.

Adriana Rickelmann – We would still be working with reading, writing, math, and science with the kids, but it would just be more nature-based. So maybe instead of doing copying letters, we're doing nature journals outside where they're reading and writing what they're seeing; learning those things out in nature rather than being in a classroom doing it.

Kurtis Rickelmann – And with rocks instead of numbers on a piece of paper.

Adriana Rickelmann – Yeah, sure. Here is a day-in-the-life, obviously, very subject to change, but something we would be looking at. We also want to have our kids doing independent play because that creates a lot of benefit for them, especially outside. So, there'd be a little bit of that as well.

Dave Campbell – What's the decibel level going to be?

Adriana Rickelmann – Well within your ranges.

Loskill – Not with 60 kids.

Kurtis Rickelmann – There would definitely be some noise. As you can see, we've tucked the building as far away as we could. We put together a landscape plan to add a bunch of trees and landscape to try to limit that as much as possible. But yeah, kids make noise, and anyone that has kids knows that. We've got a loud house at home. We've got two at home, they're young and they definitely make noise.

Phillips – Great, thank you for providing that. I appreciate it.

Winkler – I've been looking over your information about your business plan and learning plan. I'd love to see this facility in Commerce Township, but I'm against the spot zoning that would take place. The Township is dealing with decades of grandfathered spot zoned properties, and if we were to allow spot zoning in this location, we're simply reinforcing the spot zoning that we quite honestly want to avoid. I'd love to see the facility in commerce though.

Phillips – Brian, sorry. If there's a future use that would go against the agreement, if it's not the childcare, then it reverts back to prior zoning?

Loskill – Conditional Rezoning.

Phillips – But any new developer can come in and request another zoning consideration, right?

Dave Campbell – I guess you're both right. So, there's always concern with spot zoning, which is creating a property that's zoned dissimilar in the middle of an area that otherwise has consistent zoning. In this case, you'd have kind of a little island of office in the middle of what is otherwise R-1A.

But you're correct as well, Mr. Phillips, that if the developer did not deliver on what was committed to within a Conditional Rezoning agreement, which is something that the Township would have control over, because we would be entering into a contract with the developer, if they were not able to deliver with what they committed to, then the property would revert back to its prior zoning.

But the spot zoning is a legitimate concern, and setting a precedent for spot zoning might be a legitimate concern. We could perhaps look at, and this is going back to the fact that schools are permitted in the R-1A zoning district; another way to look at it potentially is could we, rather than amending the zoning map, could we amend the Zoning Ordinance and maybe broaden or revise the definition of a "school" in a manner that could accommodate what they want to do without actually rezoning the property. I mean, the process would be similar, the steps would be similar, but it might avoid the spot zoning.

Weber – But then you're opening ...

Dave Campbell – Trading one consequence for another.

Weber – I agree, spot zoning should always be a concern. However, Dave, let me ask you. Just down the street from here, we have neighborhood commercial.

Dave Campbell - At the hard corner of Commerce and Carey, which came up during the public discussion, it is zoned R-1A single-family, but it's shown on the future land use map as being neighborhood commercial, with the idea there being that corner might be a logical place for there to be a small neighborhood market or some other, small locally-based neighborhood retail. That was the logic. But for someone to accomplish that, they would actually have to go through the rezoning process.

Weber – But, we have identified that as future land use as neighborhood commercial.

Dave Campbell - At that corner, yes, and then I think it's also relevant too that you've got Zoner's Greenhouse right here, which is...

Weber – That was my next question. What is that zoned?

Dave Campbell – That's zoned single-family. It's a legacy use that has been there for a long time. It goes all the way back to the days of being zoned agricultural. But, if you visit Zoner's on Mother's Day, it very much has a commercial feel.

Weber – Just a question for consistency in trying to maybe rationalize the Conditional Rezoning that we're discussing. Rather than B-1, if we were to Conditional Rezoning this as neighborhood commercial, could they still do what they wanted to do?

Dave Campbell – So, B-1 is local commercial, so that's our least intense commercial zoning district.

Weber – But isn't B-1 different than neighborhood commercial?

Kurtis Rickelmann – You can scroll up. I think B-1 is called neighborhood commercial on the Future Land Use Map.

Weber – So B-1 and neighborhood commercial are one in the same?

Dave Campbell – Yes, neighborhood commercial is its future land use designation, and B-1 is the actual zoning.

Weber – Okay, understood.

Dave Campbell – So, I hear Mr. Winkler's concern. I think it's relevant. I think there are opportunities to work through it. Before anyone makes the effort to work through it, again, maybe we just want to hear from the Planning Commission that it would be worthy to work through that.

Bearer – I love the concept. I wish it was there when my kids were younger. I know building blocks has a similar concept and, at least when my kids were little, they were always at capacity and have a wait list. So, definitely, the demand is there.

Kurtis Rickelmann – Yes, we've looked into it.

Chairperson Parel – I think it's great. I'm a little less concerned about the spot zoning because it is going to be a unique use. We've talked about the building not being built by the road. The property is going to have a more unique feel, and I think it's going to fit closer to what we're looking for in this part of the community, as George mentioned. I'm a little less concerned about that. I think it's great. Can I ask, what are your backgrounds?

Kurtis Rickelmann – I studied engineering at Lawrence Tech, and I'm now a sales engineer. I work in Novi.

Chairperson Parel – Are you going to quit your job to do this?

Kurtis Rickelmann – That would be the goal.

Chairperson Parel – Very cool.

Adriana Rickelmann – I run all junior programming at Lifetime.

Dave Campbell – So, everything we talk about around here comes down to traffic. We're talking about a set curriculum with set drop off and pick up times. We talked about having the building a good distance back from the road. If and when we get to that point, I think there would have to be consideration of how the cars get routed through the site for drop off and pick up, and hopefully avoiding traffic spilling out onto the road. And I think I already know this, but there's no partnership or coordination with public school districts; in other words, there's no likelihood of school buses that would come and go?

Kurtis Rickelmann – Correct.

Dave Campbell – It's not a latchkey type of program.

Kurtis Rickelmann – Right.

Dave Campbell – But there is anticipation that with set times, there is going to be a rush in the morning and in the afternoon.

Kurtis Rickelmann – Yes, it would be nominal.

Dave Campbell – That's something that would have to be managed.

Kurtis Rickelmann – Yes, and as you mentioned, there's a pretty long driveway into it. There would be a drop off and pickup loop. In theory, it would avoid any spillage onto Commerce Road and any backups would be on the property itself.

Chairperson Parel – Did we answer all of your questions tonight?

Kurtis Rickelmann – I think you've answered all of my questions. The main reason we came here was just to get your feel for the appetite of doing something like this. From a general perspective, it seems like we're getting positive feedback. We just wanted to

understand where you would be at and see if we should continue to move forward and make it a reality.

Chairperson Parel – I totally agree. In the meantime, Dave and Paula are great resources. I hope we see you one day with a plan.

Dave Campbell – As for next steps; it sounds like this would almost have to be a Conditional Rezoning, which again is a commitment of what would get built if the rezoning were to be approved. There would have to be a conditional rezoning agreement. That's something that gets worked out between our department, the Township Attorney, and I'm assuming you guys are going to want to have your own attorney. There are steps with that process.

There would have to be a public hearing before the Planning Commission. Anytime rezoning is proposed, there has to be a public hearing per state law. And then, similar to what you saw this evening with the noise standards, the Planning Commission would make a formal recommendation. It would then proceed to the Township Board who would make a final decision on the Conditional Rezoning. And then you would come back to the Planning Commission with a fully developed site plan consistent with that Conditional Rezoning. That fully developed site plan is kind of like we talked about with The Enclave; all the landscaping, preliminary engineering, stormwater management and all those things. So at least two meetings with the Planning Commission and at least one meeting with the Township Board, and some internal meetings leading up to that with attorneys and so forth to make sure that the agreement is ready to come before the Planning Commission and Township Board.

Kurtis Rickelmann – Just coordinate that all through you two?

Dave Campbell – Yes, let's make Paula do it.

Weber – I think I mentioned it in a previous meeting, but I think it would go a long way as we go through this process of ultimately getting to the Board if we did have a petition for it from the adjacent property owners that they're in support of it.

Kurtis Rickelmann – Yes, I think we talked about it, but the people that are selling, we've talked with them extensively. They're on board with it. We live just on the south side. We've talked to everyone around it. They're more than in favor of it. But we can put something more official together.

Dave Campbell – And I think I said this to you before, but I'll say it again. So, the Conditional Rezoning process takes time. I mean, as the government, we don't do anything fast. So, as you're talking and working with the seller and coming up with a purchase agreement, just make sure that you build in plenty of time within that agreement to go through the steps that you would need to.

Kurtis Rickelmann – Yes, we've talked with them about that and they're aware of what we're trying to do. I appreciate it.

Chairperson Parel – Okay, unless you have anything else for us, we'll let you go.

Kurtis Rickelmann – Wonderful. Thank you, guys. We really appreciate it.

Adriana Rickelmann – Thank you.

Chairperson Parel – Thanks for bringing it in. Good luck.

ITEM I.3. PLANNING COMMISSION HOUSEKEEPING 2026

Yes, this is our November tradition. Three housekeeping items. One is election of officers. What has historically happened, unless anyone has a better idea, is to retain the officers that are currently in office. So, Mr. Parel, in your role as the Chairperson, Mr. Winkler as Vice Chairperson, Mr. Loskill as the Secretary. It would be the Planning Commission's decision whether or not to keep those officers in place or make any changes, but on an annual basis, we do need to elect officers for the coming year. The two other housekeeping items; one is to take a look at our Planning Commission Bylaws, which are the rules that govern how this Planning Commission operates. It's good practice to look at those on an annual basis and make sure there are no changes to be made. I know we had to make a lot of changes back in the COVID days as it related to holding remote meetings, but we sure hope those days are well behind us. And then the third item, is looking at the meeting calendar for the upcoming year, 2026. Paula and I have done our best to schedule meetings that, for the most part, fall on the first Monday of the month, but move them as any conflicts arise with holidays or the election. We do have an election in 2026, and this room gets used for that election, so we try to avoid a conflict with Election Day. If you do approve the meeting calendar, it does need to go forward to the Township Board because the Township Board approves the meeting calendars for all of our boards and commissions. They try to do that in one big motion at their December meeting.

Chairperson Parel – Okay, let's tackle them one by one.

A. Review & approval of the 2026 Planning Commission Bylaws

Chairperson Parel – I'm assuming everyone read the bylaws in their entirety.

Dave Campbell – Staff is not proposing any changes.

Chairperson Parel – Any questions, comments, or a motion?

MOTION by Loskill, supported by Phillips, to approve the 2026 Planning Commission Bylaws as presented. **MOTION CARRIED UNANIMOUSLY**

B. Election of the 2026 Planning Commission Officers (Chairperson, Vice Chairperson, and Secretary)

MOTION by Phillips, seconded by Loskill, to retain Chairperson Brian Parel, Vice Chairperson Brian Winkler, and Secretary Joe Loskill as the Officers of the Commerce Township Planning Commission for 2026.

MOTION CARRIED UNANIMOUSLY

C. Review & approval of 2026 Planning Commission meeting schedule

Chairperson Parel – The July 6th meeting is interesting.

Dave Campbell – That's why we're here, to discuss it if there's a better idea. Obviously you're coming off a holiday. We always want to keep it to a Monday whenever possible.

Weber – The Township Board meeting is on the 14th, so if we move it, it would be the night before.

Dave Campbell – Some of us have to go to both.

Chairperson Parel – Does anyone have a preference? If we moved the July meeting a week, it could present difficulty. Any other dates that stick out? It looks like we're good on Spring Break.

Loskill – I'm good with it.

Chairperson Parel – I'm good either way.

MOTION by Loskill, seconded by McCanham, to approve the 2026 Planning Commission meeting schedule as presented.

MOTION CARRIED UNANIMOUSLY

J: OTHER MATTERS TO COME BEFORE THE COMMISSION:

None.

K: PLANNING DIRECTOR'S REPORT

NEXT REGULAR MEETING DATE: MONDAY, DECEMBER 1, 2025, AT 7:00PM.

Dave Campbell – I have a few updates, especially since I didn't get a chance to provide updates back in October.

- Dort Financial Credit Union, within the 5 & Main development, at the northwest corner of Pontiac Trail and the new road known as Pinewood Avenue; we had our pre-construction meeting with them last week. They want to get going on construction as soon as possible and get as much done as they possibly can before the weather turns on them, so you're going to be seeing some construction there, hopefully very soon
- And also in that vicinity, we just found out today that the traffic signal that's going to be installed at that same intersection, Pontiac Trail, Walnut Lake Road, and the new road called Pinewood Avenue, creating kind of a new four-way intersection, that traffic signal, the contractor for the Road Commission that's going to install that is hoping to do the poles for that signal in December. It involves underground work. They've got to go pretty deep to put those poles in. They want to do that before the ground freezes and get those in December, and then hang the signals and hopefully have them energized and operational in January. What we heard all along was we were hoping to have a traffic signal by the Fall of '25. It looks like it's going to bleed into January of 2026, but we're finally going to have that traffic signal that needed to be there 20 years ago.
- Also in that neighborhood, while all that construction was going on for the apartments within 5 & Main, a temporary driveway was put in along the Walmart frontage. That driveway has since been blocked off with concrete jersey barriers for now. I think a week from now is when they're going to pull that driveway out, restore everything, put the sidewalk back, put the trees back, and restore it back to its original condition, because the intent now is that all the Walmart traffic from the west will come and go via the traffic signal at Pinewood Avenue.

- Down on Crumb Road, just west of Haggerty, the Townes at 42 North; this is a project the Planning Commission saw maybe six months ago, with 38 condominium units on the north side of Crumb Road, next door to Goodwill. They recently did the clearing for that project. Consistent with the site plan, they kept a lot of the trees that were promised to be kept, but a lot of trees had to come out as well. We're seeing some real activity there.
- We have had some calls about the United Artist's Theater site. The theater is no longer operational. They were kind of hanging on there for quite a while, but I guess those days of hanging on are over. The broker who has that property listed wants to come in and talk to staff, and I think Supervisor Gray, about what's in the realm of possible for that site, kind of a brainstorming session before he as a broker goes out and talks to anybody who wants to do something with the property that maybe is going to be a challenge with the Township. So hopefully we're trying to get that meeting scheduled this week, and if any of you are interested in participating, we couldn't have a quorum, obviously, but let me know. I think we're shooting for noon on Thursday.

Weber – And he's not going to propose apartments.

Dave Campbell – I cannot promise that.

McCanham – He was on Facebook saying condos.

Dave Campbell – Facebook's not real, but given what we all know of the market, that's probably the first thing they're going to ask about, is putting some sort of residential there. That's where the market is right now.

- We talked a little about Commerce and Carey. I will just update you, and the folks in the audience who stick around to see if there are any updates. Nothing formal yet. The developer continues to touch base with us about their potential for developing, not just the 40 acres at the corner, but the 35 acres next door. They have assembled a total of 75 acres. All indications are that it is going to be single-family residential, but they have not provided any plans for us. At some point in the foreseeable future, they will likely come before you as a Planning Commission with a concept plan. If and when that day comes, you folks will be aware of it.
- The last thing I'll mention is the Pathways Work Group, which is the group that has been working on a nonmotorized pathways plan that we will hopefully put in front of the voters in November 2026 to see if the voters want to support either a millage or a special assessment district to build some of these regional pathways and make connections within our network that our residents tell us they want to accomplish. That Pathways Work Group presented a plan to the Township Board at their October 28th meeting. We will potentially be back in front of the Township Board tomorrow night, and certainly at their meeting on November 18th. What we're looking for is the Township Board to approve a resolution to put this on the November 2026 ballot. There has to be millage language and a millage rate to go with that. We're crunching numbers to figure out how much these pathway projects will cost. We are trying to get participation from our neighbors in Wolverine Lake Village. We had a meeting with their Village Council to see if they would want to be a participant in having this appear on their ballot as well. The

intent would be that in the Spring/Summer of 2026, we have a public outreach/education effort to make the voters aware of what's being proposed so that they can make an educated decision when they go to vote in November 2026.

L: ADJOURNMENT

MOTION by Loskill, supported by Phillips, to adjourn the meeting at 9:02pm.

MOTION CARRIED UNANIMOUSLY

Joe Loskill, Secretary