

**FINAL
CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION MEETING**

Monday, April 13, 2026
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
Bethany Miller, Associate Planner
Jay James, Building Official
Debbie Watson, DDA Director

B. APPROVAL OF AGENDA

MOTION by Loskill, supported by Phillips, to approve the Planning Commission Regular Meeting Agenda of April 13, 2026, as presented with the exception of moving Item G.1. to follow Item I.1. **MOTION CARRIED UNANIMOUSLY**

C. APPROVAL OF MINUTES

MOTION by Winkler, supported by Loskill, to approve the Planning Commission Regular Meeting Minutes of March 9, 2026, as written.

MOTION CARRIED UNANIMOUSLY

D. UPDATE OF ACTIVITIES

George Weber – Township Board of Trustees

- The last Board meeting for the Township Trustees was on March 10th. A few items of note.
- We had three public hearings for different special assessment districts.
 - One was for the Island Club Paving, which is the neighborhood off Benstein, just north of Oakley Park.
 - The second will affect most members of Commerce Township sometime over the next five years. We established a sidewalk repair SAD. In addition, we started the process of actually bidding out for repairs. With this project, we will inspect, through the Township Engineer Giffels Webster, 20% of the sidewalks within the Township every year. So, there will be a 5-year rolling inspection. For anything that is found to be of hazard, we will give homeowners two options. One, they can repair it themselves, or two, they can fold into the group bid, which generally speaking is going to be a better price to have the Township do it, and then they get billed on their next tax statement. Most residents have chosen that route. However, there are a few people who want to pull their own permits and get it done themselves.

- We amended the Great Lakes Water Authority (GLWA) contract. As most people know, we get our municipal water from the GLWA and we work with them on an annual basis, trying to understand what the charges are going to be from them. We also contract out with a firm that will study not just our water rates, but our sewer rates also, to make sure we have enough in the bank, not only to maintain our sewer system, but also maintain any water pipes we may have in the Township. There has obviously been a lot of publicity on water mains breaking in Novi and Farmington Hills. We did have a contractor nick one of our water mains along Union Lake Road a few weeks ago. So it's paramount for us to make sure that our system is well-maintained and can handle the weather.
- Tomorrow night at the Township meeting we will be discussing the Pathway Plan again. With resident input, we plan to take a millage to the voters in November to see if residents want to fund a larger pathway system; something that will do a better job at connecting the east and west, and the north to the south, connecting parks, schools, the Library, businesses and ultimately a better route to the Michigan Airline Trail. More to come on that.
- Finally, of note, we proposed to fund standalone generators for our pump stations. This is for when an emergency happens. If we lose power for an extended period of time, we need to keep the pump stations up and running so the sewer systems all run as they should.

Caitlin Bearer – Zoning Board of Appeals

- The March meeting of the ZBA was a housekeeping meeting.
- Nothing new to update.

Debbie Watson – Downtown Development Authority

- We do have some storm sewer issues at 5 & Main that have caused some delays. Catch basins need to be lowered and the issues are being corrected. Jason Mayer will keep us posted on that matter. They are doing mass grading on the Phase I site.
- Bruce Aikens' request for an extension for the option to purchase the Library parcel is on the Township Board agenda.
- The Haggerty Pump Station abandonment continues and that project has also encountered some delays, but it should be wrapping up soon.
- The entire area of Pontiac Trail and Martin Parkway is one giant construction zone, but it's all progress. I did get to use the new signalized intersection at Pinewood Avenue when I was onsite last week and I had no issues.
- Jose Mirkin, Chairperson of the DDA Public Relations Committee, announced that the 2026 Art Exhibit will take place May 7-18 at the Commerce Township Library. The reception will take place on May 13th from 4:30-7:30pm
- Martin Parkway Adopt-A-Road cleanup by the Friends of Larry Gray group is scheduled for this Saturday, April 18th from 9-11am.

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.

Andy Sarkisian, 3398 Tiquewood, Commerce Township – I'm in Lake Sherwood. I suspect you already know; there was an article in the paper earlier that a state representative, I think from Grand Rapids, was making a proposal to take away some of the individual municipalities' zoning power. They wanted to force greater density in the pursuit of assuming that would create more affordable housing. I did forward that article to Larry. If Commerce Township has a view on that, I would hope we speak up. I do believe strongly that Townships are different than cities. If you take a look at Plymouth or you look at Northville, or even Milford, the village versus the Township, you get the high density housing in the city or the village; the Townships are there for the less dense housing. So, I would hope that our state does not pursue legislation for one-size-fits-all. Let's keep that power local. Thank you.

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

F. TABLED ITEMS

None.

G. OLD BUSINESS

ITEM G.1. Text Amendment Discussion

Discussion on waterfront accessory structures.

>> Item G.1. was moved down on the agenda to follow Item I.1.

>> Items H.1. and I.1. would be heard together, with separate motions to be made for each item.

H. SCHEDULED PUBLIC HEARINGS

ITEM H.1. PSU#26-02 – 1260 CLARANTON CT - SPECIAL LAND USE – PUBLIC HEARING

1165 Ladd Road Partners, LLC of Walled Lake, MI, is requesting Special Land Use approval for an outdoor storage facility (boats & trailers, RV's, etc.) in the Industrial zoning district, located at 1260 Claranton Court. PIN#: 17-27-352-019

I. NEW BUSINESS

ITEM I.1. PSP#26-04 – 1260 CLARANTON CT – SITE PLAN

1165 Ladd Road Partners, LLC of Walled Lake, MI is requesting Site Plan approval for an outdoor storage facility (boats & trailers, RV's, etc.) in the Industrial zoning district, located at 1260 Claranton Court. PIN#: 17-27-352-019

Dave Campbell – So on the screen, we'll be focusing primarily on this property here, 1260 Claranton Court within the Claran Industrial sub. This is an industrial park that's familiar to the Planning Commission. We've had a couple of projects here over the last few years, and most recently, two outdoor storage yards over on the west side of Claranton. This one here, which is Pomponio Construction; this is their outdoor storage yard. And then just to the north is A&A Storage Solutions. This is a for-rent storage yard for boats and RVs, which is comparable in part to what's being proposed here this evening for 1260 Claranton, which is a little bit to the south and to the east of those lots that we saw within the last couple of years.

The new owner is Mark Partogian, who's here this evening. He also bought the adjacent property at 1165 Ladd Road, which is this property that has the existing building. And that's part of what's going to be discussed tonight. And I know before the meeting tonight, some of you had some questions about the future of Papa's Rental, which is a rental place up at Commerce and Newton Road. The answer to what's going to become of Papa's Rentals in part is what Mr. Partogian can speak to. Our understanding is they're going to occupy this building with their rental business, and they're going to vacate their existing facility at Commerce and Newton.

What you're being tasked with potentially this evening is an outdoor storage yard on 1260 Claranton Court, which is this triangle-shaped property at the northeast side of the cul-de-sac terminus of Claranton Court. The property is zoned industrial, as are all the properties within the Claran Industrial sub, and outdoor storage, and specifically outdoor storage of for-rent space, whether it's for-rent of boats or watercraft or RVs, campers, and so forth, outdoor storage of that nature is designated a Special Land Use within the industrial zoning district. So, comparable to what we did on the lots that I mentioned earlier within the last couple of years over on Claranton Road, this would also be a Special Land Use for what's being proposed at 1260 Claranton Court.

As with any Special Land Use, as the Planning Commission is well aware, by state law we have to have a public hearing, so all the public hearing notices went out to the property owners within 300 feet. We posted a notice in the Oakland Press for the public hearing, and the new owner also installed a sign at the front of the property saying, "Special Land Use proposed". And the notices, of course, all stated that the public hearing would be at the Planning Commission meeting this evening.

There are standards for any Special Land Use, and then there are specific standards for the Special Land Use of an outdoor storage in the industrial zoning district. Article 34 of the Zoning Ordinance speaks to the more generic Special Land Use standards that would apply to any Special Land Use, whether it be a gas station, whether it be a drive-through restaurant, or in this case, an outdoor storage yard. And then within the specific standards within our industrial zoning district, there are specific Special Land Use standards for the outdoor storage, particularly how that outdoor storage is screened. What's required is a screen wall around the perimeter of any outdoor storage yard of anywhere between 6 to 8 feet. The height of it is meant to depend upon the material that's being stored on the other side of that wall. But the nature of that screening and the nature of the material to be utilized is, in large part, discretionary by the Planning Commission. So that's a part of what the Planning Commission would make a determination on if you choose to take action tonight.

We don't need to reinvent the wheel, so to speak, in the sense that these yards that I keep referencing over here are very comparative in terms of how they're going to be utilized and how they're going to function, and potentially, how they are to be screened. So, if you'll remember on both of these along the frontage of the public road, which in this case is Claranton Road, the Planning Commission required the simulated stone vinyl material on the front, and in this case, the nicer material along the rear. The rationale behind that was this is the Benstein Crossing residential condominium development to the west, and so the Planning Commission wanted there to be a better buffer, both in terms of visual buffer and sound buffer, between the storage yards proposed here and those folks living in the condos to the west.

The Planning Commission kind of lessened the expectation for screening along the, I'll call them the interior fence lines, where these outdoor storage lots abut properties that are also zoned industrial. So, in the case of A&A Solutions on this side, this fence,

rather than being a simulated stone, is a fabric covered chain link, and the same is true for Pomponio Construction to the south. So, the logic was where one industrial zone property abuts another, the expectation for screening and buffering could be less than what that expectation would be where it's more visible to public view.

So, Mr. Partogian took that logic and what's being proposed with his site plan is for the simulated stone fence along their frontage of Claranton Court, the rounded portion along the cul-de-sac with the fabric covers chain link along the south, the east, and we'll call this the northwesterly angled property line. If you'll bear with me, I'll pull up their site plan so you can see the details of that.

That would be a discretionary decision of the Planning Commission. Again, part of your discretion in considering a Special Land Use for outdoor storage is determining the best method for screening and buffering. As you can see here, they provided some detail of the simulated stone material, which again, what the Planning Commission has tried to achieve is some consistency with all of the outdoor storage yards, both existing and proposed within the Claran Industrial Park and within the Harrison Industrial Park, which is directly adjacent to the north. As these outdoor storage yards come online or as folks come in looking to expand their existing outdoor storage yards, the Planning Commission has tried to achieve some consistency with this specific fence material so that we don't have kind of a patchwork or hodgepodge with every outdoor storage yard being different. This is what's being proposed along the Claranton Court frontage; that's what this detail is representing. And then this is the fabric-covered chain link that would be surrounding the sides other than that one directly abutting the road, which again, those sides would be abutting other properties zoned industrial, including two other lots within the Claran Industrial Park, and then these existing industrial lots with buildings along the west side of Ladd Road. Again, it's the Planning Commission's discretion how best to screen the outdoor storage.

With respect to 1165, so Mr. Partogian is going to correct me, but our understanding is Papa's Rental is going to move into 1165 and have their offices and their storefront and so forth in the existing building. But as far as the storage of their equipment, their rental equipment, the ditch witches and the skid steers and so forth, they would be leasing, I think, about 1/3 of the outdoor storage area that Mr. Partogian is proposing this evening. So it's our understanding, and I guess our expectation that Papa's Rental would not be doing any outdoor storage on this portion of the property, or if they do intend to do so, they would have to come and get their own Special Land Use approval from this Planning Commission if that is their intent.

We did have the Township's engineer look at the outdoor storage yard, and what's being proposed is they're going to add a compacted gravel surface to this lot, which is not an entirely impervious surface the way an asphalt lot might be, but it is less pervious than if it were just grass or sod. So, there does have to be some engineering with respect to ensuring that any water, storm water on this property finds its way into the existing catch basins that were developed when this industrial park was developed back in the early 2000s. There are two existing retention, detention ponds, one here, one here. There are storm pipes that are already in place underneath the roads. In this case, the storm water from this lot would wind up in this pond here. But the way this is graded and the gravel is compacted on the site, it has to be ensured that it all finds its way to the existing catch basins so that it gets properly piped to the detention basin. So, the Township engineer would need to see a more detailed grading plan to ensure that the storm water finds its way to where it's meant to go.

What we haven't seen yet is a landscape plan. What we have required for the other yards in the industrial park is for their frontage to be landscaped. I doubt that they intend to bring water to the site, at least not at this stage. Maybe if someday, somebody wants to build a building in there, then they would need to service that with water. So, what we've required on some of the other yards that aren't serviced by water and therefore don't have an opportunity for irrigation is drought tolerant species along the frontage between the road and the fence to ensure that you get some green to kind of break up what would otherwise be just the wall. If the Planning Commission were to take action this evening, one of the recommendations of the Planning Department is that approval be conditioned upon Administrative review and approval of a landscape plan by both the Planning Department and our landscape architect.

I don't think any outdoor lighting is proposed as part of this storage yard, but similar to how we've done it with some of the others, while lighting is not required, if there is to be lighting, it has to meet the Township's lighting standards with respect to height and fixture type, and keeping the lighting on the site and avoiding light trespass. So that's something that the owner needs to be aware of if their intent is to light this property, even if it's motion sensor, motion activated lights, those lights would have to meet the Township's exterior lighting standards.

I'll look at my colleagues to see if there's anything else I should cover. They think I covered it. So, I'll see if there's any questions for me. Otherwise, the owner is here to speak on his own behalf and I'm sure would like an opportunity to introduce himself and introduce this project. And then, as you mentioned, Mr. Parel, this being a Special Land Use, it does require a public hearing, so we would want to open the public hearing and see if there's any public comments to be heard. And I'm guessing Mr. Partogian would want to have the opportunity to address any questions or concerns that might be raised.

Chairperson Parel – So, we are potentially going to vote on two things tonight; Special Land Use and site plan.

Dave Campbell – Yes, usually the Special Land Use action comes first because without approval of the Special Land Use, the site plan becomes something of a moot point.

Mark Partogian – Good evening. I'm a longtime resident of Commerce Township and honored to be in front of you guys today. So basically, Dave Campbell's narrative is pretty close to exactly what we were talking about doing. 1165 is a standalone property from 1260 and there is some expectation that Papa's Rental will be moving into the 1165 and for that to work obviously they do need storage. So, this property has been actually being used as outdoor storage since Mark Rousseaux has owned it and he actually graveled it, so the impervious gravel has been in place for almost 20 years at this point.

What I'm trying to do is bring this up to code and make it usable in the Township. Obviously, this is a very low-impact area. I own property across the street as well. I've watched this property sit here for a long time, probably 25 years. I know I've paid all the SAD assessments because of it and so on and so forth.

What we're looking to do here is really create for-rent storage on two-thirds of the property, and then allow Papa's Rental to move off the corner of Commerce and Newton, which I think they've outgrown and is probably a little bit of an eyesore, and bring it into the right zoned property and operate more compliant to, I think, what Commerce Township would want.

The other thing I would say is, as it speaks to 1165, which I know is separate from 1260, Mark Rousseaux owned that building. They built it in 1989, I believe. There's been heavy equipment outdoor storage there for years with no impact to the public. There's never been a complaint. I think that Dave, in his review, actually speaking to 1260, acknowledged that Claranton piece had been used for storage for a number of years, almost 20, without any complaint or even Township review. And then a little bit further, there were some discussions about stormwater runoff and so on and so forth on this property. I was able to acquire the original stormwater documents from Giffels; that was approved by Giffels when the developer did the whole park. I know that during that time, Jay was working for Giffels back then and there were some issues. And Mark, being the excavator that he was, worked those details out. I do have some documentation that, as we get past approval, I can work with Jason in Engineering.

Dave Campbell – Mark, am I correct that there's a catch basin right in that area?

Mark Partogian – Yes.

Dave Campbell – So the intent would be for whatever water collects on your site to find its way to that basin.

Mark Partogian – I can tell you what I do know. There was a swale ... this is going back to the history about Harrison Industrial and the problems that they had with drainage. Technically, 1165 is in the Harrison Industrial complex, whereas 1260 is the Claranton, but there was actually a retention pond created on 1165, and then a swale ditch that was formed that brought the water to the catch basin along that way. And I think I have some documents from when Jay and Mark had talked about it maybe 20 plus years ago. Thank God for Patty. She kept everything.

Dave Campbell – For the benefit of the Planning Commission, so we're talking about this property here, which is in the Claran Industrial, and everything on the north and east side of this purple line is within Harrison Industrial Acres. It's two different industrial parks, even though to drive through them, you'd think they're all one, but technically two different developments.

Mark Partogian – The only other issue that I would speak to is if you look at the site, the sites that were approved before, in fact, I drove by them just to make sure that I was right, they are seeded, but there was apparently no plants planted or there aren't any there at this time. Maybe because they were planted and died, but I just wanted to point out that we would definitely sod or seed that front and make it look good. And the other thing that I would also point out is that there's absolutely no traffic that goes down that Claranton address, except to maybe dump stuff, and we've actually cleaned up a lot of that stuff just to try and keep the park clean, and we've cut the lots too.

Dave Campbell – The Township is aware of the nefarious activity that has gone on historically on those roads, so seeing these sites get developed hopefully negates some of that.

Chairperson Parel – We will go down the line to see if the Commissioners have any questions.

McCanham – No questions.

Weber – Between the two properties where eventually Papa's is going to be renting space from you, is that going to be a gate, or is it just a break in the fence between the east and west?

Mark Partogian – There's an electric gate that was installed. It's a 16 or 20' power gate. Mark installed a commercial power gate many years ago.

Dave Campbell – In terms of the outdoor storage that has existed there for some time, both things are true. It was never reviewed or approved by the Township. It just happened. But I also don't know that we ever got complaints that made us aware of it. To Mr. Partogian's credit, as he said, he is looking to do it the right way and legitimize what has gone on there for the better part of 20 years.

Loskill – What are you going to use for security on the front? How are you going to control access in and out?

Mark Partogian – Off Claranton?

Loskill – Yes.

Mark Partogian – We plan on putting an electric gate in there too. It would be solar powered. It's the same thing A&A storage did.

Phillips – I don't have anything.

Winkler – No comments.

Bearer – I've got nothing.

Chairperson Parel – I just have a couple quick things. It sounds like you're familiar with the other storage yard to the northwest. Is it similar types of products being stored there, or similar vehicles?

Mark Partogian – Yes, exactly.

Chairperson Parel – And what is that?

Mark Partogian – Mostly RV's and boats. It's well-screened. The same screening that we're proposing so it's really hard to tell what's in there, which I think that's the whole idea, right?

Chairperson Parel – Yes, that makes sense. And the height of the vehicles being stored in there, are you going to guarantee that they'll be screened from the road?

Mark Partogian – We're going to do exactly what the other storage yards have done which is at 8 feet.

Weber – So, you can see some campers a little bit above the 8 foot wall, but it's not egregious and it is an industrial site. I just drove past it after I drove through the living room furniture.

Chairperson Parel – That's not my concern. I guess my concern is ...

Weber – A crane or something.

Mark Partogian – I understand what you're saying. There's no expectation that there would be anything like that in there.

Chairperson Parel – Is that something we need to document? I don't want to overwork this, but I would like to personally prevent that from happening.

Dave Campbell – I don't want to bring up Lakeside Marine, but I'm going to. I think we put a stipulation with them that anything taller than X-feet had to be on this side of the lot versus that side, so if it were a taller boat, then it would be less likely to be visible from Haggerty Road because it's further back on the lot. So, I suppose if that were a concern, you could maybe stipulate something like that, but it doesn't sound like the owner's expectation that he would have anything like that. Does Papa's get into renting anything tall?

Mark Partogian – Not that I know of. And also, Brian, just to clarify, if you know the site and you know this road, this is probably about as heavy industrial as you get in Commerce Township. So, what we're proposing is very unimpactful compared to what's going on between the Harrison site and up and down Ladd Road.

Chairperson Parel – And my only hesitation is that if you have a rental place there, I don't want to see big cranes as George mentioned.

Mark Partogian – Yes, I don't see that there.

Dave Campbell – And part of what you have to appreciate, Mark, is there has to be consistency. What we require of one guy, we have to require of everybody who comes after that.

Mark Partogian – I appreciate that Dave, and that's why I'm standing here, because that's what I want as a resident.

Weber – Can you give us a limit? You're not going to store anything above ...

Mark Partogian – I can tell you that I won't store anything higher than what we've seen at the other storage unit. We will keep everything in ... and I will make that clear to Papa's Rental too.

Dave Campbell – A motorhome, is that the tallest thing that you could anticipate?

Mark Partogian – I would say a motorhome is probably the tallest.

Weber – Probably 10 feet.

Chairperson Parel – Or could we craft some language around something similar to the height of a motorhome?

Jay James – If I could give my two cents.

Weber – Of course.

Jay James – I would recommend 14 feet as that is your typical bridge height where you can't drive something underneath a bridge, so you usually don't have items that are exceeding 14 feet in height. An accessory structure is also 14 feet.

Weber – But isn't the intent of the fence to screen from view? You're saying 14 feet, and now you're 6 feet above. That's way more than what we're seeing on Lots 10 and 11. And I know Lots 10 and 11 are where we did our heavy lifting and we like the way that turned out, and we're just looking to be consistent with that. It's just what's reasonable language.

Jay James – Yes, I'm just thinking, I know Papa's Rentals and some of the stuff they rent. It's on the trailer. You get a mini skid steer or something and it could be upwards of 8 feet tall, and if you put it on a trailer, now it's 13 feet tall.

Chairperson Parel – And that's currently being stored at the corner of Commerce and Newton, right?

Mark Partogian – Correct.

Phillips – Which has no screening.

Dave Campbell – Mr. Partogian, just focusing on Papa's Rentals, you said about a third. Are we correct in assuming that third is going to be the upper portion of the triangle?

Mark Partogian – Yes, it will be towards that. We haven't mapped it all out yet because we were waiting to get approval.

Dave Campbell – And maybe that's relevant. To Jay's point, if you're talking about a piece of equipment that's sitting on a trailer, it might be worth the Planning Commission's consideration that the equipment would be in this area of the lot, which presumably is the least visible area of the lot.

Mark Partogian – If you don't mind me asking, for the contractor lot that was there, was there a proposed height?

Dave Campbell – The contractor lot was maybe a little bit different animal because they were storing actual construction equipment. That was the intent. Now the lot next door is comparable to what you're wanting to do with boats, watercrafts, RVs and so forth. I don't recall that we actually put a height restriction on that, other than to say the fence was meant to be tall enough to screen whatever is behind it.

Mark Partogian – But, in the interest of consistency, if we're doing this all the same, and I'll be honest with you, I really don't think this is going to be an issue at all, but I want to protect my rights on the property as well, and I want to keep it consistent with the other lots that have been approved. I looked in the minutes for both Planning Commission meetings, and I did not see any specific height restrictions, but there was some discussion about making sure that the height of the fence was 8 feet and screened, and that's why we proposed that.

Chairperson Parel – I guess maybe there is a fair compromise for the equipment versus the storage, because we want to be comparable, fair and equitable with the other property was approved. That other property, correct me if I'm wrong, they weren't doing equipment rentals, right?

Dave Campbell – Yes and no. A&A Storage Solutions, which is the northerly of the two on the west side of Claranton, they are for-rent, boats, RVs and so forth. To the south of them is Pomponio Construction, and they're a building contractor, so they are storing their building equipment. So, in that case, yes, they are storing equipment, and probably comparable to what Papa's Rentals wants to rent.

Mark Partogian – And Mr. Weber, if you drove by there today like I did, going back to the contractor there, I didn't see any equipment that was out of place or anything.

Weber – I did not. The only thing I noted that you could see were some tow boats that were on a trailer and had a cage on top that was wrapped. You could see a little bit of that, and a little bit of the motorhomes, but it was nothing egregious.

McCanham – A typical Class A motorcoach is 12 to 13.5 feet, including the roof A/C units.

Dave Campbell – The intent is that we're trying to avoid boats and RVs and such being stored outside of the areas that we designate them to be allowed to be stored. So, we allow them to be stored in industrial zoning, which is what this is. I think we want to avoid them being stored outside of those areas and being stored in people's driveways if possible, at least for extended periods of time. So, in other words, they've got to go somewhere, and the industrial zoning district is that somewhere.

Chairperson Parel – I agree, and I don't think it's reasonable to ask for anything different than what's on the other property, regarding the fence. I'm good with it.

Phillips – I drive through that area a lot. I never look at the screening. It's an industrial area. I expect to see some things, so I really don't have any concerns about the screening.

Dave Campbell – Mr. Partogian, this is not intended to be anything resembling a salvage yard, a junk yard; I mean these are operable boats and RVs that are going to come and go on a seasonable basis.

Mark Partogian – Exactly. That's our intent to offer a service to residents that is badly needed.

Chairperson Parel opened the public hearing.

Bryan Reedy, 2049 Meadow Ridge Dr., Commerce Township – I am one of the new owners at Papa's Rental. I came here to observe the conversation. I just want to say I'm committed to this community. I've been here 15 years. My kids go to school here. I've been searching for a business to be a part of in this community for the last 10 years. I finally found someone that would work with me in a business that I think I'm really going to love. So, I'm a little new to it, but I'm trying to take it to the next level and make it something that I can be proud of and I can carry to the next generation. For what it's worth, you have my full commitment to not only work with you, but elevate and improve what's already there far beyond probably what you expect. And that's all.

Chairperson Parel – Thank you so much. And you're not the property owner of the existing site?

Bryan Reedy – No, we are leasing that property, and the impression I got last time I had a conversation with Paula when I stopped in was that it would be really great if we found a new spot for Papa's because we're growing. So, that's what we did.

Chairperson Parel – Great.

Bryan Reedy – Thank you so much for your time tonight.

Andrew Heidacker, 1715 Shankin, Wolverine Lake – I'm one of the current owners of A&A Storage. So, speaking on all this height stuff, you are going to get things that are 10-12 feet high, especially RVs and so on. We've tried to shift some of the bigger items toward the middle, away from the fence lines. You can only do so much with allowing customers to pick their space within the storage yard. I think many of you have driven by and I don't think you see too much above the fence that is an eyesore. I think Joe actually has some large cranes and stuff, but with the arms folded down, you can barely see it with the screening in place.

One other thing we have been experiencing a lot due to all of the crazy wind, the screening does tend to break loose from time to time, so on our north end, we actually just switched to the privacy slats to prevent it from coming loose in the wind. I think the gentleman on Rig Street that just developed purchased the one parcel, the landscape company, they also did the slats on both sides of theirs as well, rather than the screening material.

Dave Campbell – He did the simulated stone on the portion facing ...

Andrew Heidacker – Yes, on the front and rear, but on the sides, he chose the slats as well. The only other question I had, maybe towards Mark, I didn't really fully understand. Do you plan to just grade to one of the drainage basins?

Mark Partogian – It's actually graded that way.

Andrew Heidacker – Already, okay.

Mark Partogian – And just so you know, our fence contractor recommended the slats too. That was going to be something that I talk to Dave about, because I know the site plan had the fabric.

Weber – One of the issues we have had with the slats is that over a period of time, there's UV degradation of the vinyl; they get brittle, they crack and they disappear.

Mark Partogian – My understanding is that they're actually using a different coating for them now, and they're having really good luck. They're actually guaranteeing them for like 15 years, whereas fabric has maybe a 4-year life cycle.

Dave Campbell – I'm not in the fence business, but I would imagine there's maintenance challenges with either option, especially with the winds we've seen this spring.

Chairperson Parel closed the public hearing.

Commission Comments:

Chairperson Parel – I would put this back to the Commissioners if there's any other questions or comments. If not, Dave, anything else from you?

Dave Campbell – If you do choose to take action tonight, there would be two actions; first, the Special Land Use, and then the site plan. We did provide some recommended motion language. You're welcome to utilize that and make any changes as you see fit. If the Planning Commission thinks it's warranted, in the motion relative to the Special Land Use, I think we made reference to an actual fabric covered ... When we speak to the deviations of the Special Land Use, we specifically reference a fabric-screened fence. So, if the petitioner is seeking the slatted chain link, then maybe you would make that adjustment if you think it makes sense.

Chairperson Parel – Would someone care to make a motion?

MOTION by Loskill, seconded by Phillips, that the Planning Commission approves, with conditions, Item PSU#26-02, 1260 Claranton Ct, Special Land Use, the request by 1165 Ladd Road Partners, LLC of Walled Lake, MI, for Special Land Use approval for an outdoor storage facility (boats & trailers, RV's, etc.) in the Industrial zoning district, located at 1260 Claranton Court. PIN#: 17-27-352-019

Move to approve PSU #26-02, a Special Land Use for 1165 Ladd Road Partners, LLC, to allow a rental space outdoor storage yard of boats, RV's, etc. on an undeveloped lot at 1260 Claranton Court, Lot 25 of the Claran Industrial subdivision.

Special land use approval is based on a finding that the applicant has demonstrated to the satisfaction of the Planning Commission that the proposed use complies with the Special Land Use criteria of Section 34.08 of the Zoning Ordinance, as well as the use standards of Sections 23.01 and 23.02.

Special land use approval is based on the following deviations:

1. The 8-foot chain-link screened fence along the north/northwest, south, and east sides of 1260 Claranton Ct (Claran Industrial Lot 25) is acceptable relative to the requirement for an 8-foot screen wall or fence;
2. The 8-foot solid decorative fence along the west/southwest side of 1260 Claranton Court is acceptable relative to the requirement for an 8-foot screen wall or fence;

Special land use approval is based on the following conditions:

1. Approval of a corresponding site plan by the Planning Commission.

MOTION CARRIED UNANIMOUSLY

MOTION by Loskill, seconded by Phillips, that the Planning Commission approves, with conditions, Item PSP#26-04, 1260 Claranton Ct, Site Plan, the request by 1165 Ladd Road Partners, LLC of Walled Lake, MI for Site Plan approval for an outdoor storage facility (boats & trailers, RV's, etc.) in the Industrial zoning district, located at 1260 Claranton Court. PIN#: 17-27-352-019

Move to approve PSP #26-04, a site plan from 1165 Ladd Road Partners LLC for a rental space outdoor storage yard for boats/watercraft, RV's, etc. at 1260 Claranton Court, Lot 25 of the Claran Industrial subdivision. Approval is based on a finding that the site plan satisfies the applicable review standards of the Township's Zoning Ordinance.

Site plan approval is subject to the following conditions:

1. Review and approval of engineered construction plans by the Township Engineer, Fire Marshal, and Building Department, and by applicable agencies of Oakland County and the State of Michigan as required;
2. Review and approval of the proposed driveway approach along Claranton Court by the Road Commission for Oakland County (RCOC);
3. Administrative review of a landscape plan equivalent to what was approved on Lots 10 & 11 and Lots 12 & 13 in the Claran Industrial Subdivision which should include irrigation measures or the use of drought tolerant landscaping;
4. Any installation of a dumpster/enclosure to be administratively approved by the Planning Department;
5. No temporary/portable buildings including porta-potties allowed to be placed on either 1260 Claranton Court;
6. Signs 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;
7. Any exterior lighting – including security lighting - to be administratively approved by the Planning Department and consistent with the height & cutoff standards of Article 31 of the Zoning Ordinance.

MOTION CARRIED UNANIMOUSLY

Phillips – Do we have any idea what might end up at the corner of Newton and Commerce, instead of Papa's?

Dave Campbell – Yes. I was going to bring it up later. Brady, before your tenure on the Planning Commission, but going back to 2016-17, I think at the time it was a new owner of the property wanted to demo what was onsite and replace it with a gas station, specifically a Wow branded gas station. I'm sure you've seen them in Walled Lake and one here in Commerce, along with West Bloomfield. He wanted to do a gas station there and he wanted it to include a convenience store with beer, wine and spirits. Right around that time, another group wanted to do a gas station with a party store at the northeast corner of Commerce and Carroll Lake. At the same time, another group wanted to do a big expansion of what was at the time the Clark station on West Commerce Road. So, you had three proposals coming in at the same time for gas stations with alcohol retail. It was then that the Township Board called a time out and said, between the party stores being proposed, plus the party stores that already exist in that vicinity, we don't want this to be alcohol alley through here. That was the genesis for the Township adopting new Special Land Use standards specific to alcohol retail. The reason I tell you that back story is because that same owner just approached the Planning Department last week, their engineer, wanting to revive that project. What sounds like has happened since is, in addition to still owning the Papa's Rental real estate, that owner has purchased the office building next door to the west. Now with a bigger footprint, they think they have a better opportunity to develop a gas station, without alcohol by the way. This just came up last week and the engineer is hoping to schedule a meeting with the Planning Department to discuss what that process might look like.

Phillips – Great, thank you.

Chairperson Parel – That was a good question. Anything else, Dave?

Dave Campbell – Are you guys hearing anything more on that?

Bryan Reedy – There is a tremendous amount of interest in the property. They have asked me to accommodate people walking through and looking at it. They mostly seem to be landscapers, builders and contractors. I don't know the formal process so of course, I'm not asking them any questions. I'm just doing what they're asking me to do, but there is a tremendous amount of interest in that corner.

Dave Campbell – You guys have been renting that property?

Bryan Reedy – Yes, for over 10 years.

Discussion continued regarding a potential gas station proposal for the Papa's Rental property.

>>>G.1. Text Amendment Discussion (Moved down on the agenda)

Discussion on waterfront accessory structures.

Dave Campbell – This will be a continuation of a discussion we started back in February. We took a pause on it in March, but now we're back to discussing it here this evening. This has to do with new standards potentially in the Zoning Ordinance relative to accessory structures, sheds, gazebos, pergolas, so forth, on waterfront properties,

and what allowances, if any, would the Township want to create to allow these structures between the house and the water. I'll turn it over to Jay because he deals with this topic with prospective homeowners and their builders much more frequently than the Planning Department does.

Jay James – As I stated when I discussed this with you previously, this is probably one of the most common topics that comes up for us in the Building Department; what kind of structures or sheds can they put down by the lake or between the house and the lake. Unfortunately, the way our Ordinance is written right now, they are not allowed at all. It's also one of the biggest Ordinance issues because, as we all know, people put them up on the weekends and they're very difficult sometimes for us to see from the roadway.

A lot of them have been there for decades. And now, as they fall apart, they're starting to get rebuilt on the weekends, which means they're going to be there a lot longer. So, one of the biggest issues that comes up are people coming in that want to do a shed or something on the lakeside, and we tell them they can't. But then they ask or find out that they could build there ... If they tore down their house, they could build the house down there. They're like, well, why can't we build a structure down there if we could extend our house? They could do an addition all the way down to within at least 50 feet of the lake, if not closer, depending on the adjacent parcels. So, they can't understand, and I struggle to explain to them why they cannot have a structure down there when they could build their house all the way down there.

The biggest thing obviously is viewsheds and we don't want to impede on somebody's view of the lake, but if they can build their house there, that's going to impede more of a view than a shed does. Based on our conversations before, it seemed like at least this Commission was interested in hearing the possibilities that we could do. So, I met with George and discussed it a couple months ago. I've talked to a lot of people about this. We did some in-office discussions and you can go through the what-ifs forever, what if this, what if that? I read through some neighboring communities' ordinances. I went through Wolverine Lake's, which really breaks it down a lot farther. They start defining the types of structures and based on the type of structures, what you can do and what you can't. And that led us into a whole bunch of what-ifs.

So, I went through and just did my first blush, best shot at this. The idea was here, if you could build your house, if you could put an addition on your house per our current ordinance and build it there, it seems to me like they should be allowed to have a detached accessory structure there. Now, obviously, we don't want to be blocking people's viewsheds. So, with that, I tried to look at height structure. So right now, our minimum detached accessory structure height anywhere in the Township is 14 feet to the mid-peak. It's halfway between the eave and the peak. So, 14 feet, but when you add on the peak, you can get up, depending on the slope of the roof, that peak can get up to upwards of 20 feet, which at least in my opinion, seemed to be kind of high down on the lakeside. So, I put in there a max height to the peak of 14 feet, and an eave height not to exceed 10 feet. So, you wouldn't get somebody coming in that says, all right, I'm just going to build a structure with an almost flat roof, so they're going to have a whole structure that can extend up to 13 feet with a minimal sloped roof.

One of the items I know I talked to George about that came up was people are undoubtedly going to want to use this as an outdoor gathering area, especially down by the lakes. You'll probably see a lot of gazebo type bar / living space, maybe some people might want to put a little fireplace down there. And that was one of the topics I

know I discussed with George was chimneys. So that's the reason why I put in here that the max height of any portion of the structure couldn't exceed 14 feet. So, if they did do a structure with a peak at 14 feet in order to put a chimney in, if it's a wood burning chimney, it has to extend a minimum of two feet above any other part of the structure within a 10-foot radius per building code. So that kind of eliminates chimneys that are going to extend past the eave or past the peak.

Size, as far as how big of a structure, I put in 300 square feet. Now, you guys may have a totally different one. It seemed to me a 300 square foot structure, 15 by 20, seems to accommodate almost all your lake toys. And it doesn't have to be 15 by 20. It can be, I don't know, 10 by 30 I guess, but that would accommodate all of your lake accessories; your wind boards, your jet skis, and whatever else you may want to put in there that you want to keep down by the water. It would be able to accommodate that. But it would also not be a size that was ... I don't think anyone here wants to see a garage on the lakeside and this prohibits it. We also restricted vehicular access so nobody can put a driveway down to this structure and then call it a shed even though they're driving their truck down to it and trying to park it in there.

Side yard setbacks; this one I struggled with because I initially put in there more than 4 feet. Our current Ordinance allows in rear yards for any detached structure you can go as close as 3 feet, which has always been an issue for me because our side yard setbacks are a total of 14, no less than 4, but we allow detached structures to go a little bit closer. Seems to me like if we did 7, it'd be 7-7 everywhere and there wouldn't be an issue anywhere. They're also required to have 10-foot separation between any structures on the site or with a neighboring structure. So, if the neighbor's shed or gazebo is already 3 feet from the line and they want to put it on that side, it's going to have to be 7 feet from the property line to maintain that 10-foot separation. After I put that in there, we had more discussions and I didn't know, but maybe it's something where you want to cluster these things together to try to keep more area open. But then again, now you're clustering them all into kind of a dense area of structures.

So, I went over this, I can't tell you how much, and we talked about it and went over what-ifs. I started writing up some definitions like Wolverine did, George, and I think that's opening a can of worms because you're going to get somebody in there; *It's not a shed, it's a pergola with just hanging, you know, drapes down that cover everything up.* We just got into this where it would be very difficult to regulate, and we would get into really heavy discussions on, all right, is it actually a gazebo, or is it a shed, or is it just a party house, a covered patio? So, I felt we shouldn't get into defining the type of structure, but just say a structure and put the limits on that, and then people can use it for what they actually are going to use it for instead of pretending that it's a shed and using it for something else. So, I'd love to hear your comments.

Dave Campbell – Jay, maybe you said it, but it does specify we're talking one structure.

Jay James – One structure only on the water side. And that structure will count towards ... Right now, you're allowed to have up to 900 square feet of detached accessory structure. So, if you've already got a 900 square foot garage detached, you can't have one on the lakeside. But if you've got a 600 square foot garage on the roadside, you could then have a 300 square foot detached accessory structure down on the water side. But no more than one.

Chairperson Parel – Maybe I'll just kick it off. I know lake people can get a little finicky. I also understand that it's hard to police and that's why we're having some of these challenges. For me though, one of my concerns is that, does this open up the door to a lot of people coming in and trying to build things on the lakes? Please correct me if I'm wrong.

Jay James – Detached structures?

Chairperson Parel – Yes.

Jay James – Sure it is, absolutely. I wouldn't doubt that we turn away one a week, especially during the summer.

Chairperson Parel – So, we're going to put some guardrails around it, but there's going to be a lot of these coming.

Jay James – Absolutely. They're coming now. They're up now. Dave could pull up the aerial, and we could probably count hundreds, and I'm not lying when I say hundreds around the lakes, we have them already.

Chairperson Parel – And that was done without permission.

Jay James – Absolutely.

Dave Campbell – Or they're old enough that they're grandfathered in.

Chairperson Parel – I'm just saying, is this going to open it up? My concern is that we're going to put this into place and you're going to have 50 at a time at your desk.

Jay James – At first, without a doubt.

Chairperson Parel – I'm not a lake person, but I don't know if that's a good thing. I understand and maybe I'm wrong. Maybe we'll go down the line.

Bearer – I'm mulling it over still. Come back to me.

McCanham – I think that right now, if somebody wants one, they're going to do it anyway. I'd rather have it codified and that way you can deal with it. Are you fighting with people a lot? Are you getting a lot of resistance?

Jay James – So what ends up happening multiple times is, I explain the rules, and what they'll do is, some of them have built structural connections between the house and their detached structure. So, if you put a breezeway between it, now it's a part of the house. They still get to use it, but honestly, it doesn't look good.

McCanham – With the amount of studying and commentary we've had, and what you have done, I can't think of anything better. If you have rules ...

Jay James – I know if I lived on a lake, I wouldn't want to haul my windboard from the water up to my garage every time I wanted to use it. You know, all my life jackets, all the lake toys, the floating mats, everything. People like to go down and enjoy the lake during the summer, when we have three months of summer, and everyone ends up putting a firepit or something down there. They want a place to gather down by the water, but this would help hide some of that stuff that gets left out.

McCanham – I think you've done good work here.

Weber – I think you've put a lot of good thought into it. Just a couple of items for discussion. The first, where you have, *if no structure exists on an adjacent parcel, that setback is assumed to be the minimum required of 25 feet*. So, if somebody's living next to ... I'm thinking of association lots, which there are a lot of, and their viewshed, as well as the homeowners viewshed. Does that make any difference?

Jay James – That's the way we interpret it now for people that want to build their house. If the lot next door is vacant, that setbacks considered twenty-five, and then we get the measurement on the other one and do the average.

Weber – Okay, that explains that. For discussion, the side yard setback. Again, all of my questions are going to be centered around viewshed as well as the arguments that you've made on this. There's something to personal property rights and the people being able to enjoy the lakeside without it impeding their neighbors. So, the 4-foot setback; my thought is it could be greater. It can be more clustered around something more central in the yard, which then protects a bit of the viewshed, just the angle of it. I would just throw that out for consideration.

Jay James – Like I said, I wanted to put 10 feet in there, but I reverted back to what all detached accessory structures are, although I put 4 instead of 3, but I personally agree with you on that.

Weber – Okay, but we have the ability to deviate from that, and because this is a unicorn. Then the last discussion is on the height. I've heard what you said. If we think about the height of this room, which is probably, would you say 12?

Jay James – It's more than 12. I would say 15 to 16.

Weber – That's what I'm trying to judge on.

Jay James – The door height is 7 feet.

Weber – So this is probably 13 feet. Thinking of an accessory structure, that's a foot taller than this, or a similar height.

Jay James – At the peak.

Weber – And because the intent is for ... It's not like it's going to have an attic. It's not going to need as much height as a structure would need, and I understand that people could build a structure, but I'm struggling a little bit with 14 feet. A 14-foot structure that's 4 feet from the property line, that's 25 feet back, and it's 300 square feet is going to be pretty big in terms of mass as your neighbor looking off the deck.

Phillips – I agree with that concern. I guess my question would be, for the people who do have the nice sheds to put their water toys in, what's the average height of those?

Jay James – They vary. I kind of did it backwards. I looked at if you're going to need to get something into the shed, you're going to need a 7 to 8 foot door, which puts the eave or the top of the wall above that, so that's where I got the 10 foot eave. Then I base it on if you can build it to 300 square feet, given your dimensions, you've got to have a sloped roof on it, so a 3/12 pitch. You're gaining 3 to 6 feet depending on the dimension that your peak is running. That's how I came up with 14.

Now a normal shed, the doors are much smaller, and the height of walls are lower. If you've gone into a true shed, they're small. When I walk in, I have to duck my head a lot of times. So, I figured people are going to want it a little bit taller. And again, I started thinking, what are people actually going to use this for? I think mostly it will be between either a shed, strictly for storage, or you're going to get somebody who is using it for a gathering area. It's going to be an outdoor gathering area with a tiki bar or something like that. You're not going to have an eave height shorter than 10 feet. It would feel scrunched in. Obviously, it's your discretion and I understand if we lower that to 9 feet, and maybe the peak to 12, then you'd have a 2/12 pitch possibly.

Weber – Which for a structure like that of 300 square feet, it's not an issue.

Jay James – It's not unheard of.

Weber – Anyway, those were my thoughts as I went through this. The argument of, *I could build a house down there, but I can't put a shed down there*, that doesn't hold water with me.

Dave Campbell – Or you can as long as you attach it with a breezeway, which that kind of makes the same points.

Weber – I think we have the ability to make the side yard setback a little more. If you want to build a shed, then you should block more of your view and less of your neighbor's view.

Chairperson Parel – Because that's what's going to happen. When you look to put in something, you're going to try to protect your own view and put it off to the side.

Weber – Exactly.

Jay James – Like I said, George, I initially wanted more setback because I know, with sheds in regular yards in the rear yards, people that put them 3 to 4 feet from the property line, that 3 to 4 feet becomes a little tuck away storage area for stuff because you can't really see it. Whereas if we made it 10 feet, that still has to be maintained. It's still going to be lawn and something that they have to maintain. So, I can understand that.

Winkler – Jay, has this been reviewed by the Township attorney?

Jay James – No. I didn't want to spend all that money yet.

Winkler – He can either see it before, or he can see it after, depending on ...

Jay James – The thought process here was to get your input and maybe, if we need to, bring it back to you for a final. Once it looks good to you, I would assume we would take it to the attorney.

Weber – I think before we go to the attorney, we take this to one of the Township discussion meetings.

Dave Campbell – I was going to ask you that question. The next quarterly discussion is coming up on April 28th.

Weber – I think that one is full.

Jay James – I'm not going to be here for that one.

Weber – And I don't know if you want to push this to the July meeting.

Jay James – There's no pressing matter on it. This is just something that repeatedly comes up in the Building Department.

Weber – Before we go and spend tax dollars on attorneys, I think we need to get the bounce off the Board, and then we can do it in one meeting. Have the Board say, here's what we're willing to approve and then give it between you and the attorney to amend the Ordinance.

Dave Campbell – And what the Board is likely to say is, what did the Planning Commission think? That's why we're here tonight.

McCanham – Is there any thought about it being too big and somebody turning it into a boathouse?

Jay James – It still has to be 25 feet off the water, so they'd have to be able to get the boat from the water into it.

McCanham – Are you going to limit it as far as what can go in the shed? I understand a jet ski, but you wouldn't want somebody to put a 20-foot-long boat into a 10x30.

Jay James – Why not? Actually, I think that would be better than having them set it in their side yard in the open for the winter. As a homeowner, I would prefer that. A lot of people pay to store them, so if they could put it in their own shed ...

Dave Campbell – We can control the size, height and location. I don't think we want to be in the business of going around inspecting what they actually have inside there.

McCanham – I was just bringing it up.

Jay James – No, it's a good point and I know what you're saying.

Dave Campbell – It's a good conversation.

Jay James – We did think of that but, my first impression was that if they want to put their boat in there, more power to them. I was thinking of a rowboat. But they can't have a car down there, so they would have to pull it by hand to get it in there.

McCanham – Yeah, you take your boat on the trailer on the ramp, then you pull around your front driveway, and you take it down the side yard with your tractor.

Dave Campbell – Would you want to say something like, no allowances for overhead doors? If that were a concern.

McCanham – I was wondering if you thought about it. I know you've thought about everything.

Jay James – I was thinking rowboats, but not full-size boats, but that's a good point.

Loskill – I'm good.

Phillips – I have a couple comments and some questions. One, Jay, I commend you for your use of common sense. Two, I think your statement of three months of summer in Michigan is a little excessive. The question I had, for vehicular access, I think we might need to define vehicle because I know a lot of lake owners that might use a gator or something to transport things, heavy or bulky items, either down to the lakefront, or I could see them using it to transport things to this structure.

Jay James – I was really thinking automobile. We were thinking people are going to start driving down to it, then they're going to want to put a driveway down to it. That's what we want to stay away from.

Phillips – The same thing with ~~trackers~~ tractors, which people have for multiple purposes.

Jay James – I have no issue with a ~~tracker~~ tractor or a gator, but I think when you start looking at cars.

Phillips – You might want to clarify that.

Jay James – Absolutely.

Weber – By vehicular, say automotive.

Jay James – And driveway.

Phillips – Andy, you have a comment?

Andy Sarkisian – Well, I know there's at least a couple of you on the Planning Commission that have lakefront residences, and there's three of us here that also do. Myself on the architecture committee in the past, and we have a present architecture committee person as well here. Our fundamental principles, and I think it's what Jay's been trying to get at, is you don't want these structures to create an externality to innocence on either side, or somewhere in the vicinity. People pay anywhere from a 50% to 100% premium for waterfront versus non-waterfront. And then they have, hey, it's okay by the Township or whoever, the HOA, for a neighbor to all of a sudden erect some obstruction.

To me, the closer this thing is to the center line of their waterfront, the less it's going to be an obstruction for the neighbors as much as an obstruction for themselves, where they have to really then think about, is this something you really want? It all boils down to community and neighbors, and avoiding that externality.

Phillips – Okay. But again, the homeowner's association could put more restrictive requirements on it.

Jay James – Yes.

Andy Sarkisian – But homeowners associations don't have the teeth.

Ray Golota, 1595 Vanstone, Commerce Township – I was at the January meeting when Jay mentioned it, and I was up and I talked about it. I'm a resident of Commerce Lake for 35 years. I give Jay a ton of credit for what he's doing, and what he's trying to do. You know, it's almost damned if you do, damned if you don't.

Personally, like you, Brian, you're saying it's going to be a floodgate. Well, yeah, it's going to be a floodgate. If I had it my way, there wouldn't be any structures on the lake to take away from the beauty of the lake. Now, as you start going into sheds, I think you've got to be careful, and maybe stipulate, it has to be a wooden shed instead of a plastic shed or fiberglass shed. Because then you start getting into all the colors. You've got a brown, white, black, this and that. They'll look like a rainbow out there.

I agree with what you just mentioned, I think it's a fantastic idea, have it in the center because that property owner, he's going to think twice about doing it. I'm on a 60-foot lot, my neighbor's 45, and he doesn't have anything there yet. But you start having these long, narrow lots and you're going to be cramming it in lakeside, and no doubt you're going to be obstructing somebody's view. Once again, I give Jay a ton of credit, and all you guys, with what you have to do, and I know you have to do something, but it's just going to open up a can of worms, too, which has to happen.

I really don't know what the answer is. The only answer I would have is ... Way back when I moved out here, I've owned the property since '89, built the house in '92, and I'm not kidding you, I would go to the Building Department. I wanted to build what my

neighbor had, a shed. I couldn't build a shed. Well, how did he build a shed? A prime example, I'm going off on a tangent, you could do almost anything you want. When I designed my house, God rest his soul, Bill Mitchell, gave me the hardest time in the world, because at that time in '91, I would have been the tallest house in Commerce Township. So, what he made me do, because of my neighbor, he made me take eight inches out.

I was relatively young and a city guy, and I followed the rules. Like I told Jay, I could have put that 8-inch block in there, they would have framed the house, and then what? Would I have paid a fine? He could almost do anything. Where I'm going, if you're going to move forward with this, there should be some type of restrictions on sheds. It has to be a wooden shed or gazebo, all that stuff, so at least there would be consistency as it is built around the lake, because right now, there's everything there.

Jay James – I had written down, where we were talking about materials, I was going to suggest similar to the house. That's something for you guys to discuss.

Weber – So then you can't buy a prefab.

Jay James – You can, you just have to sheath it.

Andy Sarkisian – When you think about maximum height, I have a tendency to think about boat lifts and boat canopies. They sort of represent something that people are used to. Many homes are a little higher than the water level, and we're used to seeing structures like boat lifts and canopies as they look out at the water. Those things are rarely over 7 to 8 feet above the nominal water level. So, 14 feet is a lot. If someone is needing all that, they should just be adding to their garage and attach it to the house. We actually have, and Brady you can probably relate to it, some people have put canopies on their boat lifts that are bigger than Ben Hur and we've heard complaints from the neighbors, but we have no teeth about it. It's a huge eyesore when you get that high on a lake. It's so obvious.

Chairperson Parel – I'm not sure I disagree. Brian or Caitlin, did you have any comments?

Winkler – No, I don't.

Bearer – I have just one comment. Regarding the minimum separation requirement, as a prickly lake owner, as Brian so eloquently described, my concern is that neighbors would be in a race to build and would push right up on that 3-to-4-foot boundary, forcing the next homeowner to have to build further out. I don't love this in general, but I especially don't want that. I do think that would just be the recipe for a race to build.

Jay James – I agree. I added that in once I realized. Like I said, I wanted a larger setback which would eliminate that issue. If it's more than 5 feet, it eliminates that.

Bearer – Yes.

Jay James – I'm hearing people say, let's get it more toward the center of the properties and not tight to the property lines. If they're going to impede a view, they're more

impeding their own than they are the neighbors. I'm sure they're still impeding some neighbors.

Chairperson Parel – I think you'd have less requests.

Jay James – That's also true.

Chairperson Parel – You might get more requests for things like pergolas and other outdoor seating areas, things that you can see through as opposed to sheds.

Bearer – And if we do move forward, I'm not sure it needs to be quite to the level of Wolverine Lake, but I do feel like this is way too ambiguous for what the type of structure would be for my taste.

Jay James – Are there particular structures you would not want to see?

Bearer – Yes.

Chairperson Parel – Is one of them a 14-foot shed?

Bearer – Yes, exactly.

Jay James – The 14 feet is the peak height. When you say 14 feet like that, it makes it sound like it's one mass. It's actually to the peak, so the eave is down more toward 10.

Weber – Could you build a flat roof?

Jay James – No, I wanted to get away from that. That's why I put in the eave of 10. We can put a minimum slope on the roofs if we want to help prevent that. I suppose they could do a 10-foot flat roof.

Weber – What would be a realistic maximum side yard setback? Most lakefront homes, I'm going to guess, are going to be in the 60-foot range.

Jay James – Some of the older subs are at 45, like Ray said. So, if you go 10, you're scrunching them down into the middle 25 feet.

Weber – What about the 300 square feet? If you went 15x15, you could still get your paddle boards in and pretty much everything you wanted. That would be 225, and then you're not going to get the 10x30 that somebody is going to want to build. To me, you've hit, and Caitlin hit on it; more centered in the yard, a lower peak, because I think having less pitch for a small structure is okay.

Jay James – If we reduce the size, we can definitely reduce the peak height. If we go down to 15x15, or 225, so we could reduce the peak down to 12, which probably makes the mid-peak around 10.

Chairperson Parel – And when people are coming in to you right now and finding out that they can't do this, are you getting an idea of what they're looking for?

Jay James – They're looking for whatever they can get to be honest with you.

Weber – And if you see those that are built on the lake, illegally built on the lake, at least those that I've seen along Commerce Lake and those that are legal nonconforming on Wolverine Lake, there's nothing near 14 feet. I don't recall ever seeing anything that exceeded 12 feet. The gazebos have a different pitch to them. I would be in favor of something that we limited to 225, a 10 foot side yard setback minimum, and as low a peak as is rational.

Jay James – Yes, so like a 2/12 pitch, we could probably get it under 12 to peak, to like 11 to the peak.

Weber – I don't think anybody is going to be building fireplaces. People will put outdoor firepits. Or they'll do pizza ovens, but in theory, that would be legal here, you just couldn't have the height of your chimney above 12 feet.

Phillips – I support that approach.

Dave Campbell – So if Jay is able to incorporate some of these revisions that are being discussed this evening, then the next step, and maybe I'm asking Jay, and I'm asking Mr. Weber to put on your Trustee hat, would it make sense to take those revisions to the Township Board, or would we want to come back here again first? If we're talking the Township Board meeting in July ...

Weber – Why don't we come back here, especially because it's actually getting to be warm and we can go outside and look around and see. Maybe we can all take another bite at this apple and get a feel for setbacks, side yard setbacks, and do a little driving around.

Jay James – I'll do a little more research on smaller lots and how it would impact those. I'll put what I've heard here today into the revision and bring it back to you next month.

Phillips – Let me comment; it's really more of a positive aspect for these structures. Presently, you go around the lake and you'll see backyards just littered with toys and things and it's unsightly. And even at my own home, we have things and I go, I wish I had someplace to put those. So, in many respects, especially if you had some construction material requirements to have it blend with the home, I think it could be beneficial to the view of the lakefront, or at least the view from the lake looking at the homes, which is what I see when I'm going around in my pontoon.

Greg Woelfel, 4911 Winewood, Commerce Township – I'm in Lake Sherwood, and I am on the Architectural Control Committee. And Jay is exactly correct, and first, I'm in support of him saying that they already exist, and it causes us, in our positions, some consternation because we'll have people come to us and say, well, he's got one, how come I can't have one? And then what am I supposed to do? Go to him and say, you're not supposed to have that? I know of a number of them on our lake. So yes, it is a current issue, ongoing issue.

My question for you is, are you going to have within this what you consider the definition of a detached accessory structure? And I ask that because I recently ran into a situation

on our lake where we had to decide whether someone had a children's play set, a massive children's play set, a two-level, all wood with beams and posts and everything else, a place set. Is that a structure? We decided that it is, but I would like to have a definition from the Township of what you consider a detached accessory structure to be. How about an open prefab pergola from Costco? And if you say, yeah, that is a structure, I'm fine with that, except now you're not going to have the ... It's got to have the siding and the appearance of the home situation, how are you going to do that? Or an outdoor kitchen?

Jay James – We do have a definition of what a structure is. It's already in our Ordinance, and it's very general. It's anything that sits on or is secured to the ground, I believe. So, a play set, I mean, it's called a play structure, right? I would consider that a structure by definition. But we've had that discussion in the Township for a long time, because people take the portable pop-up canopies, right? They'll put those down by the water and stake them in so they don't blow over. Well technically, that's a structure, but it's temporary. It's not a permanent structure.

Gary Woelfel – In those situations, because it is temporary, the setbacks might be considered differently. But with a play structure, the one I'm talking about, we had a situation where somebody put it right on the property line, and it caused a real problem between some neighbors. I just want to make sure that, from our perspective, we can say to people, yes, that is a structure according to this ruling.

Dave Campbell – I want to remind everyone that where this would be heading is an amendment to our Zoning Ordinance, which by law requires a public hearing, so at some point in the near future, there will be a formal public hearing on this topic. This is kind of an unofficial public hearing right now. But for the sake of our Recording Secretary, we want to hear these comments in the formal public hearing setting.

Chairperson Parel – Jay, do you have enough to go back?

Jay James – I do, and then some. I've got some other notes here and some new stuff. You made a great point with the pergola. I think that's going to probably have to be defined, because I think we would all encourage pergolas because they're open roof and slatted without walls and without a continuous rooftop to it. Yes, I'll come back with something.

J: OTHER MATTERS TO COME BEFORE THE COMMISSION:

Weber – Mr. Sarkisian brought it up. For the residents here, there is still the push within Lansing. There are four House bills; House Bill 5529, 3031, and 3032, that have a lot of momentum behind them. Correct me if I'm wrong, Dave, but I think that House Bill 5529 states that a municipality could not zone a property smaller than 1,500 square feet.

Dave Campbell – I forget which one that says that. When I first saw that number, I thought it was a typo.

Weber – I thought it was a typo as well. So, the minimum dwelling would be 500 square feet, and the minimum property would be 1,500 square feet. Which would mean for our friends at Commerce and Carey, could you imagine how many homes could be jammed

with a 1,500 square foot lot, or what that would require. There's language to say that the area must have infrastructure to support it, but they're only talking water and sewer. There's no mention of roads or traffic or anything on this, and it is truly all down to, they think that this will lower housing costs. And in metropolitan or greater metropolitan areas, no doubt that it can when you are building apartments. If you have apartments, you're going to classic economic supply and demand, and the prices will generally come down. But once you get outside of an economic area, it would be a disaster. So, I'm asking, contact your state representatives and let them know. I can tell you, the state representatives closest to us are not in opposition of this, which again, seems very odd to me if they're trying to be the voice of their community. Pick up the phone or send some emails to your representative on how damaging this could be, or at least it needs to be modified significantly. I think our smallest lot that we will allow now is 7,200 square feet.

Dave Campbell – Correct.

Weber – With this, you could put four homes on our smallest lot that we have presently. I don't know how you could feasibly do it, but I don't see it in lakes communities how it's going to lower the price. It will greatly improve the profitability for developers, and it would probably lead to significantly more rental properties and rental units. The other point I had, Dave, is that we probably need to put a plan together to come back to the Planning Commission on having a data center discussion.

Dave Campbell – I agree. So, where I know us to stand with that is at the Township Board's quarterly discussion meeting coming up here on April 28th. I want to at least bring some preliminary discussion points with the Township Board, get some thoughts and feedback there, and then sometime shortly thereafter, bring it to the Planning Commission. I use the word shortly thereafter because we are about a month and a half, two months into a six-month moratorium on any action on data centers. So, if anyone came through the door tomorrow with an application for a data center, we could say we're in the middle of a six-month moratorium. But during a moratorium, you're supposed to be actively working on whatever new standards and procedures you want to come up with. So, we are looking at a discussion with the Board in the later part of April, and then maybe as soon as our May meeting, have that comparable discussion with the Planning Commission.

Weber – And there's nobody knocking on our door to put a data center in Commerce. It probably wouldn't be financially a good move for somebody, but we want to make sure we get ahead of the curve.

Dave Campbell – We do. There are aspects of Commerce Township that differentiate it from communities such as Howell Township or Saline Township or even Lyon Township in terms of infrastructure that maybe make the conversation different for Commerce than what it might be in some of those other communities. But that's something we'll certainly be talking about here soon.

Chairperson Parel – Okay, anything else? Otherwise, we'll move on to your Planning Director's report, Dave.

K: PLANNING DIRECTOR'S REPORT

Dave Campbell –

- Mr. Weber mentioned Commerce and Carey.
 - We did have a what we call the preliminary conference with the prospective developer of the 77 acres that have been assembled at the northeast corner of Commerce and Carey. The preliminary conference is the first formal step in a Conditional Rezoning. What they are likely to move ahead with is to conditionally rezone the property from its current zoning of R-1A to the proposed zoning of R-1D.
 - Their intent would be to go for the R-1D zoning, not so much to get more rooftops out of the project, but in an effort to cluster the rooftops more in the center of the property and be able to maintain a natural green space buffer around the perimeter, both for the benefit of the neighboring property owners, the neighboring neighborhoods, and also for the folks who would eventually live in the homes within this development. So, with the Conditional Rezoning, what the developer would be committing to is saying, if you give us the zoning we need, we promise we'll build this and only this.
 - So, what they rolled out in front of us today was a proposal that shows how they would lay it out. It's a layout that they've had two meetings with the neighboring residents and homeowners at the Township Library. They had an initial meeting where they showed one concept and then took in some of the comments that they heard at that meeting and made some revisions to their layout. And that's what they presented to us today.
 - The next couple things that need to happen over the next month or so are for one, there needs to be a traffic impact study by the traffic engineer. We're going to get the engineer going on that. And then the attorneys, both for the developer and the Township, are going to come up with the framework for a Conditional Rezoning agreement. And that's where the developer would be committing to what conditions they are offering to the Township in order to gain the zoning that they're looking for.
 - We're thinking the June 1st Planning Commission meeting is kind of what we're targeting right now as potentially a public hearing for that Conditional Rezoning.

Phillips – Dave, on Commerce and Carey, when they say they're proposing this to preserve greenspace, are they preserving greenspace, or replacing it? Pretty much every development we've seen where we have given some leeway, they come in and completely clear the land and then say that they have green space that they're going to plant things or have grass or whatever.

Dave Campbell – I understand. That was one of the points we discussed today. I think part of what you're describing, Mr. Phillips, is they will say they're going to maintain a buffer around the perimeter, but then what happens sometimes, and I'm going to pick on Jay and his fellow engineers, is while everybody has an intent of preserving a natural vegetative buffer on the perimeter, by the time the engineers get done grading the sites so that the storm water all flows the right way, and by the time all the underground utilities get put in, a lot of that greenspace that was intended to be preserved and the

trees that existed on that greenspace a lot of times have to go away to make the site actually function correctly.

So, that was the point of the conversation today. The developer had their engineer there, and I think we asked that a couple times. Okay, you understand that your client is saying they're going to preserve all this existing vegetation around the perimeter. Do you as an engineer anticipate that you're going to be able to keep their promise and keep your utilities and keep your grading such that they actually are going to be able to maintain the vegetation that they intend. Their engineer, at least at this preliminary meeting, said yes, I'm hearing you loud and clear, and it's everybody's intention to not have any of the engineering aspects, the stormwater management and so forth, get into this preservation area such that anybody's going to have to take out any more vegetation than we have to.

Phillips – So, is it possible that when they say their intent is to retain greenspace, that their intent to cluster homes is really to financially improve their situation by connecting water lines and everything else it takes?

Dave Campbell – There is a financial benefit to the developer. If you're building a house on a 100-foot lot, you have to build 100 feet of street, 100 feet of water main, 100 feet of sewer main, sidewalk, and so on. If you build that same house on a 50-foot lot, then that is 50 less feet of infrastructure you have to put in. So yes, there is a financial benefit to the developer to have narrower lots.

Phillips – Okay, so where is the end of this for developers? Aren't they going to come in every time and say, we want rezoning so we can do it this way because it's greenspace, but there's really a financial incentive? It just concerns me. Commerce Township set up the Master Plan and the zoning. They will have to build very differently if it stays R-1A.

Dave Campbell – What I think the developer would say to that, and this developer will say it on this one, is we're looking for a number of units comparable to what we could get by right if we kept it zoned R-1A. The difference is, if we kept it R-1A, then we could clear all the way to the lot line lot. We could clear it all the way to the property line and the Township would seemingly have to allow it because we're complying with the existing R-1A zoning.

Phillips – Would they undertake that project if it was not financially viable? I mean I know the answer to that.

Dave Campbell – Of course not. No one is going to do a project that's not financially viable.

Phillips – But you're going to have that argument every time. Oh, well then I'll clear the land. It's like the Long Farm conversation where Rob Long said, if you're going to pass the tree ordinance, his thing was, well, I'll just clear all my land today.

Dave Campbell – I remember that being said.

Phillips – And he's got the right to do that. I'm just concerned that we're in this endless loop of rezoning, even though for another project, I voted for it. I see this a little differently.

Dave Campbell – I certainly hear the concern. I can only answer what I think the counter argument might be. Whether we want to agree or disagree with that counter argument is everybody's perspective. The counter argument is, the alternative is we clear all the way to the property line and we don't want to do that. It's beneficial to us as the developer and it's beneficial to you as the Township, and it's beneficial to the neighboring residents that we cluster everything together and preserve the greenspace around the perimeter. That's what the developer's response would be.

Phillips – Okay, well it will be interesting to hear their comments. I know that property has been the subject of commentary for people visiting this meeting.

Dave Campbell –

- We also had a meeting today about the pair of roundabouts that are targeted for the year 2028 at Martin and Richardson, and Richardson and Union.
 - We met with the Bay Pointe Golf Course owners, which is the Chaldean Catholic Church, primarily so that the Road Commission could have preliminary conversations with them of what right-of-way they would need from Bay Pointe in order to make the roundabout fit at that intersection. It would likely mean they would have to move at least one tee or one green around and probably a tee box. I'm not a golfer, but there would have to be some reconfiguration of the golf course.
 - A lot of their concerns were, Bay Pointe already has some stormwater management issues just naturally. It's a soggy golf course a lot of times of the year, and so now their concern is that you add a new roundabout and how much more water are you going to be pushing onto our golf course that already has too much water as it is.
- Speaking of Conditional Rezoning, so the Bogie Lake residential Conditional Rezoning that this Planning Commission saw a couple months ago, it's going to go to the Township Board tomorrow night for the Board's consideration. This was the 46 houses next door to Walled Lake Northern High School, between Walled Lake Northern and the West Lake Senior Living Campus.
- You may remember a couple years ago, Costco got site plan approval to put an addition onto the south side of their store, which the store had already been laid out in future anticipation of an addition. It looks like they're finally going to move ahead with that now that the gas station is up and running. And the old gas station, by the way, is supposed to come down this spring. They originally wanted to take it down last fall, and then they just ran out of weather. So, they're going to take down the old gas canopy this spring and put that all back together.
- And last thing I'll mention is the Kroger approved at Midtown on Haggerty. So, this is the Kroger store just north of 14 Mile Road, the new Kroger store. We're still going back and forth with them as far as what they will have for outdoor storage and displays. The Planning Commission kind of left that to the Planning Department to sort that all out. So, we're wanting to be sure that this is an aesthetically pleasing site and doesn't have giant pallets of topsoil and mulch and

firewood and some of the other things that Kroger and the Kroger gas station sometimes like to have sitting on their site.

Chairperson Parel – Is that holding up construction?

Dave Campbell – I don't know if they still anticipate getting a shovel in the ground this year. I hope it's not holding them up. I think we're getting them responses fairly quickly, and then what they come back with probably has to move up and down the chain of command in Kroger, and so what they come back with often takes a good amount of time. So those are the things I had to update you on, unless you got any more questions.

Abbie Burgess, Carey Road, Commerce Township – Am I allowed to make a brief statement?

Chairperson Parel – Sure.

Abbie Burgess – I'm one of the residents who did meet with Mr. Kassab concerning the property at Commerce and Carey. We did discuss the possibility of clustering the housing toward the middle of the property in order to accommodate the residents' requests that we do keep that buffer of mature trees, so we don't lose those mature trees that are on the property, and also so that existing residents, their sightlines from the back yard to the front yard is not impacted, and that we're not able to see the new development. Many of the people that live near the property have seen it as a field for 50-plus years, and they don't really want to lose that view. So that was where some of that consideration of clustering the houses came from residents.

Chairperson Parel – Thank you. With that, I will take a motion to adjourn.

NEXT REGULAR MEETING DATE: MONDAY, MAY 4, 2026, AT 7:00PM.

L: ADJOURNMENT

MOTION by Weber, supported by Loskill, to adjourn the meeting at 8:53pm.

MOTION CARRIED UNANIMOUSLY

Joe Loskill, Secretary