

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

Monday, May 4, 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
Robert Long, Township Trustee

B. APPROVAL OF AGENDA

MOTION by Loskill, supported by Phillips, to approve the Planning Commission Regular Meeting Agenda of May 4, 2026, with an amendment to swap Item I.1. with Item I.2.

Discussion –

Parel – We anticipate some of the folks may be here to discuss data centers, so we thought we would move that closer to the top of the docket to accommodate that.

MOTION CARRIED UNANIMOUSLY

C. APPROVAL OF MINUTES

MOTION by Phillips, supported by Loskill, to approve the Planning Commission Regular Meeting Minutes of April 13, 2026, with corrections to Page 22, replacing occurrences of “tracker” with “tractor”.

MOTION CARRIED UNANIMOUSLY

D. UPDATE OF ACTIVITIES

Caitlin Bearer – Zoning Board of Appeals

- We have not had a ZBA meeting since our last Planning Commission meeting.

Dave Campbell – We did not have any petitioners for our May 28th ZBA meeting, so we are cancelling that meeting for lack of any agenda items.

Brian Winkler – Downtown Development Authority

- A summary from the April 21st DDA meeting, which was an informational meeting, is as follows.
- The Insite Commercial Report – 5 & Main:
 - Aikens is pursuing lease deals for the gourmet market, in lieu of the land purchase deal that was moving ahead previously.
 - It is hoped that the shoppette going vertical this year will result in additional interest in the remaining outlots.
 - The shoppette has tenants for each spot, although not all leases are signed.

- Regarding Parcel H, at the northwest corner of Pontiac Trail and M-5, there are two interested parties exploring options on the site, which can accommodate a 4,500 square foot building with a drive-through.
- Regarding the Asset and Liability report; the Township Board approved \$1.8 million advance to the DDA, which was less than the \$2 million advance anticipated.
- The Attorney's Report; ongoing discussions include acquiring the deed for Pad A, and discussions between Walmart and LaFontaine Automotive Group regarding the shared easement and access road between the two properties.

Chairperson Parel inquired about the gourmet market. Winkler explained further that Aikens had gone through most of the necessary process with a purchaser who intended to buy the property for the gourmet market, which would be just southeast of the former library site. However, about a month ago negotiations with that particular market developer stopped due to personal issues. So now there are two other market tenants that might explore leasing, versus actually purchasing the site as the previous market developer had intended.

Chairperson Parel – Dave, is there an advantage to the Township to have a tenant leasing property, as opposed to selling it off?

Dave Campbell – I don't know if there is an advantage to the Township necessarily, other than to say that I think the developer's intent was to take the revenue from actually selling the property to the market developer and immediately buy the library parcel from the Township. I don't know if the economics of that will still be in place if the tenant is now looking to lease rather than buy it. I suppose that could have been the advantage to the Township, is there would have been more cash flow for the developer to buy the library parcel outright.

Chairperson Parel – It sounds like we will find out more in the next few weeks.

Dave Campbell – Well, and maybe Mr. Weber is going to touch on this, but the Township Board did grant a 12-month extension to the developer on his option to buy the library parcel.

Chairperson Parel – Thank you both.

George Weber – Township Board of Trustees

- Our last Township Board meeting was on Tuesday, April 28th. It was a quarterly discussion meeting, which primarily have a lighter agenda to allow the Trustees to deep dive and actually discuss some of the items that are coming forward.
- One of the items, as Dave alluded to, was the 5 & Main project.
 - 5 & Main is the downtown that we are still working on having built at Martin Parkway and Pontiac Trail. After roughly 10 years, it has now gone from a concept to a plan. Things are getting built.
 - We did provide an extension to the developer to buy the old library parcel, which is owned by the Township. It's near the first roundabout north on Martin Parkway. We did that because, as Brian alluded to, one of the primary tenants, which will be a gourmet or upscale market, was going to buy a prominent piece of that, and a lot of the bars, restaurants, salons

and shops, and the rest of the retail that's going in there, some of those were predicated upon where this specific store would be located, how large it would be, et cetera. So, we got pushed back a little bit. As Brian mentioned, there are two other national, high-end markets that are vying for that, and we hope that will happen shortly.

- The first piece that's going up is actually a credit union that has gone vertical now, at Walnut Lake and Pontiac Trail.
- And right next to that is going to be roughly a 15,000 square foot retail building that is expected to be completed by the end of the year. That will have a café on one end, a large national coffee shop on the other end, along with I think a bakery, a salon, and a dog grooming facility. So, we're finally starting to see some progress on that.
- The next item we discussed were criteria for special assessment districts (SADs).
 - An example of an SAD would be if you lived on a private dirt road and you wanted it paved, it might cost \$1 million to do so. The Township provides a mechanism where, if more than half the residents approve it, we will bond that. So, we will pay the upfront costs for that, then each resident would get charged their portion of what that paving would be over a 10-year period. It helps get the job done, and helps make it more affordable to residents. We do the same things with water and sewer projects as well.
 - In this particular discussion, we wanted to reeducate the Board, and also have our attorney describe to us what the criteria is for accepting the SAD proposal. Somebody within the development has to get a petition, get signatures, which have to be more than 51% of the people, and is that based on frontage, the lineal feet that the lot has, or is it based on parcel size. There are State laws that provide boundaries for what we can and cannot do.
- Next we discussed a Pathway Millage.
 - The Board has approved letting the residents make the decision on whether we extend the nonmotorized pathway system within Commerce. Many of those primarily trying to get to schools, parks, the library, our local businesses, and the Michigan Airline Trail. So, this November, that will be on the ballot.
 - The plan is we would bond for this up front. So, it would be a 10-year millage, and rather than waiting for 10 years to collect funds and then start building the pathways, we would actually bond for it and pay the bonds back from the millage. This way, in theory, we could get started and get a shovel in the ground by the end of next year, and hopefully have everything finished within a 48-month time period. This is a plus for everybody. One, it gets finished sooner, and two, it gives us a little more certainty on what the costs will be. It's pretty hard to project what construction costs are going to be 10 years from now. If anybody wants to know, it's roughly \$1.4 million per mile to pave the pathway. It's insane, but that's what it is.
- The final item was our initial discussion on data centers. So, I thought maybe I would take a few minutes and provide an update. The turnout tonight is probably 80% more people than we generally have attending a Planning Commission meeting, and I'm assuming most of you are here to hear about and maybe speak on data centers.

- First, no one has contacted us about putting a data center in Commerce Township.
- We have enacted a six-month moratorium on any data centers within the Township. We've done this so that, one, we could educate ourselves and we could study the issue. What are the pros and cons? Obviously we've heard a lot about the cons on social media, but we really need to understand what the best course of action should be to best protect the Township.
- We want to make sure we take a proactive approach. We don't want to get stuck playing defense if something gets pushed on us because we haven't properly updated our ordinances or our zoning. We've seen what's happened in South Lyon, Saline, or on the western side of the State on if you don't take a proactive approach. So, we've got the moratorium in place so that we can review what we have.
- For now, we know that we're reasonably protected against any hyper data center. We don't have any significantly large parcels of land within the Township that are not zoned residential. Even Mr. Long's farm is zoned residential, and in residential zoning, you could not put a data center. So, we know short term we've got some protections from that.
- No one on the Board wants a hyper data center in Commerce Township. Maybe I shouldn't speak for every Board member, but I feel very confident that **that** is everybody's view. Now, having said that, based on present definitions, Huron Valley Hospital, Homedics World Headquarters on Walnut Lake Road, Williams International, and heck, even this building, could be defined as a data center. Any building that has a large server room that's doing large data processing, technically could be classified as a data center by our present definition.
- At last week's Township Board meeting, as I mentioned, we took our first cut at opening the discussion on this, and I will say and I will give credit to Bethany, Paula and Dave from the Planning Department. They put together a great document for us. Not only viewing what's happening elsewhere in the states, but generally defining and understanding what exactly a data center is. If you think about it, five years ago, nobody would have thought about having to define a data center. So, we want to make sure what we're doing doesn't just fit what a data center is today, but we want to make sure that we're broad enough that we can understand potentially what might happen in the future that we have not even thought about, and how we protect for that.
- At the Board, there was some very good discussion on how we might segment this. Again, this building, versus what's being proposed in South Lyon, are two ends of the spectrum. So how do we define what a data center is and how do we put the guardrails on this? The discussion centered initially on size, and whether that size is square feet, or whether that size is kilowatt usage that's required of a data center. Those are things that we need to understand, and we need to help better define so we can segment this out properly. We don't want to go change zoning or an ordinance that all of a sudden tells Homedics that they can't have their office building here anymore, or Huron Valley Hospital. So, we have to do some logical segmentation in this.

- The other big hot button is obviously water. We had a good discussion, saying that with anything of a certain size, it probably doesn't make sense for anybody to say that you can pull water out of the ground for the cooling required of it. Nor do we think that using city water is a great option for that, because all of that water has to go someplace. We know we have a world class wastewater treatment plant here in Commerce, but we don't want to put an extra burden on that. So, anything maybe above a certain size, maybe it should be a closed loop system so we don't have any of those issues. And obviously, we're in a lake's community. The last thing that we're going to see happen is anything that could impact or compromise any of the aquifers that we presently have.
- And probably finally, the third consideration that was discussed was noise. So, we have decibel levels. We don't have a specific noise ordinance, but within our ordinances, we have certain levels of decibel at certain ranges that are acceptable and not acceptable. So, we should probably relook at those. What does a data center sound like, and what kind of effect might that have?
- So, there are a lot of things that we need to educate ourselves on, discuss and come to a rational and reasonable solution on how we define this. And finally, how we define it and move forward so that we are, again, not just looking at today but looking at tomorrow and how we best protect our residents and our existing business partners that we already have. So, that is a little bit of a preamble or an update on where we are, prior to us getting into the discussion.
- Maybe one other thing. So, I saw one of the posts online where somebody had given Brian Parel, our Chairman, a new business card and I think a promotion. There was a concern on it, and I think it was centered around a conflict of interest. He was identified as a global international real estate developer. I know that Brian has worked for an international auto parts supplier and he is responsible for their facilities in real estate, but I don't think he gets a new business card on being a developer. With that, I will turn it back to you.

Chairperson Parel – I wish I was that important, George. I appreciate it. Thanks for that. I think that was a great lead-in.

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.

Chairperson Parel – As George mentioned, I think a lot of people are here to discuss this. That's why we're here and that's why you're here. We've shifted some things around on the meeting agenda to have this conversation tonight. I think the next step is that we're going to have public discussion on matters for which there is no public hearing scheduled this evening. There is no public hearing scheduled, so we will give everybody here an opportunity to come up.

We have some ground rules.

- We appreciate everyone being respectful.
- We are going to limit comments to 2 minutes, which I think is fair. We have a stopwatch, so I apologize if I cut you off, but we want to be respectful to everyone.
- We ask anyone that comes up to please give your name and address.
- Please come up to the podium and speak clearly into that microphone.
- Please try not to repeat what has already been said. We hear you. Understand that it's part of the public record.
- Unfortunately, it's not meant to be a back and forth, so we may not have the opportunity to address everything. You will have the opportunity to talk, and we will have the opportunity to listen. We will try to answer questions the best we can, whether it's here or later. We will give you opportunities to utilize some of the resources of the Township.
- Again, we don't want to tolerate disrespect toward anybody in the room, so no cheering, shouting, booing, clapping, et cetera.
- So, with that, we will open the public discussion.

Dave Campbell – Yes, we do have a full house and the air conditioning unit is cranking. We all want to take advantage of our microphones so that everybody can hear what is being said. I will echo some of what Mr. Parel said, which is we want to be respectful to each other. We're all grownups here, well, I did see one baby. We want to be respectful to one another, and we want it to be orderly. So, we want everybody to be heard. We want to avoid shouting, clapping, hooting, hollering, booing; the things that we've seen on YouTube. That doesn't do anyone any good to have a meeting like that. We do ask that one person talks, and everyone else listens. Based on the number of folks that are here, we are going to try to keep it to that two minute limit.

Chairperson Parel – With that, I welcome up the first person who would like to speak.

Alan Dean, Cardinal Street, Commerce Township – George, I really appreciate what you said, and you too, Brian. It's good to know that you guys are planning ahead, because my wife and I are not happy about a data processing center. All we've heard is bad. We've already got big construction going on at Pontiac Trail and M-5. That's a big thing. We're just happy to hear that you guys are really trying, and we just need some more information maybe about how you guys are going to move ahead with changing the data center sizes and so on. Thank you.

Sarah Grever, Ponderosa Street, Commerce Township – Thank you for all of your consideration when defining everything that we need to control when the opportunity comes for someone to build a data center. Things I have noticed with other communities is that there's not a lot of transparency because the companies that want or propose a data center might have a non-disclosure agreement that is proposed for the Board or the city to sign. I know, at some point, there has to be some sort of confidentiality within the business and the Township, but I feel like that's something that should be considered. How would we, as a community, address it if the company that wanted the data center wanted an NDA signed? That is something that really worries me because I really don't want it in this area.

Weber – I'm going to break protocol as it is not supposed to be a back and forth discussion, but I can't fathom it. I know exactly what you're talking about. I don't know how that could happen, to be honest, and I can't see anything like it in Commerce Township. First of all, any decision we make, we are bound by the Open Meetings Act, meaning decisions affecting the community have to be made in public, and it is a public vote by the Board. I don't know how that worked, and I think that was in Saline. I don't know how they could possibly legally have a decision to rezone something for a data center and have an NDA, and not have that on public record. But I feel extremely confident that nothing like that would ever happen here.

Sarah Grever – Thank you. I do feel confident in all of you.

Chairperson Parel – Thank you. I appreciate the comment.

Taya Lyons, Waterford Township – I'm actually across the border in Waterford, but I am here all the time at the library with my daughter. It's a great place. First, I would like to thank you all for taking proactive steps to protect our communities from the harmful impacts of data centers. I know that Michigan State law won't allow you to outright ban data centers, so I would like to recommend the following policies instead.

1. Only allow data centers in heavy industrial areas
2. Prohibit data centers within 2,000 ft of parcels zoned for residential, K-12, daycares, hospitals, nursing homes, public parks, or mapped prime farmland
3. Ban use of municipal potable water and groundwater for evaporative cooling
4. Require closed-loop systems using non-potable/reclaimed water
5. Require independent grid-impact studies, executed utility upgrade agreements, and developer funding for all necessary transmission/distribution upgrades
6. Limit diesel generator testing to a maximum of 4 hours/year per generator (daytime windows only); require battery storage or low-emission backups and continuous emissions monitoring if fossil fuels are used; set numeric limits to noise pollution with pre-project acoustic modeling and ongoing monitoring plus automatic mitigation triggers
7. Require fully shielded lighting and vibration studies showing no perceptible impacts
8. Limit impervious surface to 40%, require LIDBMPs, off-site mitigation for net runoff increases, and 20-year maintenance covenants with surety
9. Require independent wetland/floodplain/endangered-species assessments and prohibit development in regulated wetlands and floodways
10. Require Traffic Impact studies, a binding Traffic Management Plan, restrict heavy truck deliveries to 9 AM-3 PM weekdays, and prohibit use of residential streets for heavy vehicles
11. Require native landscaping buffers, visual-screening, and low-profile security fencing and equipment placement to reduce community impacts; require a decommissioning plan and an escrow/performance bond equal to 150% of estimated restoration costs
12. Require deed restrictions and maintenance covenants for storm water and monitoring infrastructure
13. Allow denial or conditioning where regional studies show unacceptable cumulative impacts; require contributions to regional impact studies if multiple centers exist within a 10-mile radius

14. Require continuous/periodic public monitoring (noise, emissions, groundwater), annual certified compliance reports, civil penalties, stop-work authority, and conditional-user revocation for repeated violations
15. Require site plan plus independent technical studies (water, noise, air, grid, traffic, stormwater), community benefit agreement, decommissioning bond, and utility commitment letters; approval only if all numeric standards and mitigation are met
16. Only allow minor variances only with independent technical justification; do not allow buffer reductions
17. Provide administrative appeal process and require ordinance reviews every five years with updated findings

My last note would be, if a data center does come up, be really transparent. Put it on your social medias and let people know. Don't label it as "project cannoli" as we've seen in the past. Call it a data center and let people know.

Weber – Taya, if you want to email that, you might make Deb's life a lot easier. Maybe email it to Dave in the Planning Department.

Chairperson Parel – Thank you so much for the comments. Anyone else?

Aaron Wood, 8604 Palomino Drive, Commerce Township – She basically outlined everything, but I just want to make you aware. I don't know if you know, the temperature also rises like 16 degrees within 6 miles of certain data centers, especially if they're large. Also, there is a lot of air pollution that comes out of those because they have independent generators that they have to have because the grid cannot support them alone. I just want to make people aware that these are other factors that are negatives from data centers. They kind of create their own negative ecosystem around them, not just the water. That's all I have. Thank you.

Weber – Aaron, if you have time after this meeting, could you hang around? I'd like to talk to you about a post that you made a couple of months ago.

Aaron Wood – Oh, sure.

Jennifer Russell, Watuga St., Commerce Township – Before I really get started, I want to say, full disclosure, I am the one who raised the conflict of interest concern.

Weber – So you gave him the promotion?

Jennifer Russell – Well, I cut and pasted from his LinkedIn. I'm new to this area. So, there we go. I'm grateful that you're on the same page that most of us are. I am here tonight because we are vehemently opposed to data centers anywhere in Michigan, but especially in this beloved Township we call home. Michigan is the epicenter of the largest freshwater source in the world. Many of our waterways have already been polluted by PFAs, which are forever chemicals that cannot be removed from the environment.

Data centers are a disaster waiting to happen. According to an MIT study released in January 2025, the building of data centers to power generative AI is incompatible with environmental sustainability. People who live near data centers report unbreathable air, undrinkable water, noise pollution so loud people cannot sleep, and light pollution that

illuminates the night sky so much that it appears to be day. And forget about bird migration.

Add to that the government contracts being signed to AI companies like OpenAI which owns and operates ChatGPT, Meta, Palantir and the like, we are signing up for a surveillance state every single time we generate an AI search. Palantir and OpenAI just signed massive contracts with the government last Friday using surveillance technology for everything from our financial information to our social media presence.

Data centers are also driving up household utility costs. My household bill last month was more than \$450 and we keep our thermostat extremely regulated. According to the Brookings institution, there are two main reasons new data centers can push up residential electricity prices. First, data centers are power hungry, requiring the development of new generation. Despite the massive new generation buildout being undertaken, there is still a projected shortfall of 49 gigawatts, roughly 5% of the total generation in the U.S. through 2028.

Second, in addition to new generation, data centers necessitate the construction of improvements for electricity transmission and distribution, such as new high voltage lines and substations. The cost of this new infrastructure is passed on to us through changing rate designs and deferred from data center operators through special contracts or incentive packages, as corroborated by a recent Harvard Law School review.

This is not why we love and live in Commerce Township. We moved here from Detroit because of the natural beauty, the quiet, and the connection to the water. We moved here for our dream home. As a resident of this Township, and I plan to be here the rest of my days, please, say no to data centers. Their economic impact is minimal, usually creating less than three dozen permanent jobs. And frankly, I would not trade any amount of money generated by AI data centers in exchange for clean drinking water, breathable air and soil that is safe to grow food in. Thank you.

Chairperson Parel – Thank you very much.

Brett McDonald, Commerce Road, Commerce Township – I live right across from the wonderful fire station. I might be a little different. I actually worked at, on or with data centers for 43 years. It may be news to everyone in this room, but if you think data centers are new, they're not. And if you think surveillance started with AI and data centers, it didn't. It started about 30 years ago. It's funny because most people here went through Facebook, and Facebook is one of the biggest data grabbers of your life. So, I just wanted to say that, number one, I think you've all made some good points. There's not going to be a hyper data center in Commerce. It's not going to happen because there's no place big enough. The only thing I was concerned about, and you addressed, is Long's Farm, and if that's residential, then we can fight when somebody tries to rezone it.

The next thing is, everyone's upset about water and so forth. There has not been an open water system data center built in a while, and it would not be economical anyways, so they're all closed. And basically, you might as well outlaw pools if you're going to restrict people that much water, because basically that's what you're talking about. As far as the light and the sound, that is very debatable because it's not happened in most of the data centers. They're talking about very exclusive data centers that are actually in the middle of nowhere, and there's like one resident that's complaining.

So, I'd say, as you've already identified, that you will reclassify a lot of places as data centers if you're not careful. And just so you know, a lot of places you may not even

know would be data centers because they have lots and lots of service and lots and lots of space. And the biggest thing for everyone to understand is data centers aren't AI. Data centers are everything. Everything that they're running on their phones is running in a data center somewhere.

The last thing I just wanted to say is, again, think about the fact if you're one of the people that doesn't want everything to go to different states and different countries, we have to have data centers in the United States. They've got to be somewhere, and I understand nobody wants anything in their back yard, but if it's zoned, then don't move in next to industrial. I'd rather have a data center next to me than a plant, and that's what industrial is. Thanks.

Chairperson Parel - Thank you. I appreciate the comments.

Philip Hoyt, Kenicott Dr., Commerce Township – In reference to how you guys all put that together, thanks for the proactive approach of what it classified as a data center. You brought up the Homedics building and I want to give the comparison of the 123.Inet building at the corner of Lahser and the Lodge. Nobody knew it was a data center for eons until Crain's put it out there, and it's not necessarily AI and generating like that. But in August, I visited my uncle Bill in Virginia. He lives in a Del Webb subdivision, \$800,000 or more, so it doesn't really matter what the value was. But I walked every day, 3 miles in the morning and 3 miles at night. I came back two nights later and I said, what's the big white stuff that's down the hill? He goes, it's a data center. He said, we're the biggest data center state. I go, oh, I never knew that. I never heard a buzz. I never heard a hum. I didn't see the night glow because I walk in the morning and walk at night because I have three herniated discs.

So, that kind of fear is there, but my biggest fear is the data centers that are allowed, whether they're hyper or whatever, and if Homedics converts to it, is the alternative or new power, because our conglomerates, our big boys out there, are trying to create small modular nuclear systems, and their justification is to take the grief off the grid or the power outage. So, it's an alternative and it's good for everybody. But is it really good for everybody? So, when you build those proactive things, the alternative power needs to be addressed long before it comes to fruition and it's there. Thank you very much for having our backs.

Chairperson Parel – Thank you for the comment.

Cynthia Weaver, Glengary Rd., Commerce Township – I'm don't want to talk about data centers. I'm the executor for my dad's estate. The Parcel #17-20-101-017. I don't live here, but I sort of live here because I'm doing a whole bunch of stuff. I want to hand this to you and Mr. Campbell. (Approached and provided copies)

Okay, so how it goes is, the May 1st Planning Commission ... If you refer, you know there's a whole bunch of notes in it, so let's just jump directly to what I want to refer to. Please turn to Page 27. The item that I have highlighted there is the adjoining parcel to the west, #17-20-101-019, their last name is Bliss. Their lawyer states that this pole barn, that in my eyes is a monstrosity, and the lawyer states it's in a hole. So, if you could please go to the first page of the pictures, it shows my red car at my dad's, who is since deceased in August of 2022. My car is looking directly at this beautiful commercial pole barn, because it's huge and it's way out of character in an R-1A zoned district. Okay, so if it's in a hole, it doesn't look like it's in a hole. It stands glaringly out every single day and night of the year. Okay, so, if we could go to Page 28. Again, there's a

line that's highlighted, and it says that this particular pole barn, for which a permit was not issued, is going to be given conditional approval. And the conditional approval is based on item #4. Item #4 basically says they are to remove their 7 semi-trailers, which they have done. By the way, the conditional approval is based upon certain things happening by December 1st of 2023.

So, when I'm out there working my tail off to clean off my dad's property, I look over there in January of 2025 and those trailers are still there. So, I think, well, this is a bunch of baloney. I used to be a State regulator, and I know rules are rules, but they also need to be abided by at some point in life, right. So, I hoofed it over to this Township building and I talked to the Building Inspector. I sent an e-mail, I sent documentation. They're still there.

Shortly thereafter, they vanished. Thank you. So, part of Page 28, #4, remove the trailers by December 1st of 2023, as well as all of the equipment that seems to be a shell game. Some of it does a shell game; they move it here, they move it there, they use it. About maybe 10% is moved around and used. All of it is supposed to exist in this huge ... nobody would want it in their backyard or in their visual eyesight as they're driving up. Nobody.

Weber – Ms. Weaver, I'm not sure what you're asking us to do.

Cynthia Weaver – Okay, so, continue. So, at the very bottom of that same page, the question is brought up, what's the penalty for not doing it by December 1st of 2023? Page 29, at the very top, something about, *their approval for the structure becomes void and we will be back to tearing down the unlawful building*. I'm not saying anything other than what is written there and I'm pointing out that I've provided 3 examples of equipment that was there in 2022 that has remained there for four years, and it's there today.

Weber – Okay, so I think I understand.

Cynthia Weaver – The equipment does not move. The compliance is not there. Can you please be fair? My dad's property has been in violation and we've worked our tail off to remove this mess. I'm asking for fairness, that's all.

Weber – Dave, can we get this to Jay and the Building Department?

Cynthia Weaver – I didn't know who to go to. All I know is I saw the notes and I thought I might as well just show up.

Dave Campbell – The answer to your question is yes.

Cynthia Weaver – It's going to take time. The stuff that's out there has been there historically. There's not going to be any magic wand that's going to come along.

Weber – But if there were deadlines agreed to, then we will follow-up on that.

Cynthia Weaver – Three years ago.

Chairperson Parel – We appreciate you bringing it here. Dave has a note, and you have Dave's information.

Cynthia Weaver – Okay.

Stacie Joseph, Treyborne Cir., Commerce Township – So, I wasn't actually going to say anything because I thought all the comments were really addressed, especially by two of the women. However, I want to point out that it used to be long ago that when we had computers, they were in huge rooms. And now we have them on our watch and our rings. And so, when you're looking at making rules, I would also consider the fact that what we envision as a data center, which is large and uses lots of resources, could at some point become small and still use a lot of resources. So, please keep that in consideration.

Chairperson Parel – Thank you so much. Is there anyone else that would like to speak on any matter?

Colin MacKenzie, Welch Rd., Commerce Township – Data centers, I mean we all kind of don't like them. Clearly, we've had two very great articulate women explain some great points on the whole matter. And we've had some points on traditional data centers. I do very much so appreciate the Township taking a proactive approach on the whole topic.

I do want to clarify the difference between a traditional data processing center and these hyper AI centers. I mean the processing power and the capabilities of modern AI technology is something that, I mean, I'm 27, I can barely even fathom it. I would truthfully encourage everybody on this board to learn as much about AI as a whole before making any major decisions on the topic itself. Because I mean, the center is the technology, everything related to that is going to be completely different than your traditional server hosting processing center. I mean the computing power required for AI programs is absurd. I won't harp on it too long. It seems that the Township people and Board are kind of on a similar approach to this.

I would just encourage, like Taya said, to look into those potential restrictions to protect our water and our citizens' rights and property, and property values. I mean, Commerce is mostly residential. Let's be honest. I know we have the 5 & Main, for better or for worse, going on up there. I'd love to see more small business in there than car dealerships, but hey.

Going on to kind of ... I wasn't even really planning on talking about this either. A million dollars a mile for walkways is crazy. I do construction. I own a local construction company. I talk to Jay and Lisa at the Building Department on a regular basis. That's absurd. I don't know who our contractor is, if it's State, if it's Oakland County. I mean, I do have some, you know, connections at the County I've spoken to.

Weber – If you would like to bid on it, we would love to get that.

Colin MacKenzie – You know like, very much seriously, that's absurd, because what are we talking, asphalt sidewalks?

Weber – Well, that also includes easements, that includes ...

Colin MacKenzie – I mean a million dollars a mile is absolutely diabolical. That's so crazy it's not even funny. I mean I'm getting \$40 to \$50 per square foot for a patio, and that's high-end quality, hand cut, hand laid, brick. You know what I'm saying? Like, that's crazy.

So, jumping in on all that, I think as a Township, we have some priorities to focus on before AI even enters the scope of topic. We have infrastructure that needs to be dealt with. We have septic fields that have been around since the 80s that are in failure all over the Township. I mean, I try to build a deck or a patio anywhere, that's all I run into. We have genuine issues with personal property and infrastructure in this town, especially with all of the private residential and commercial that we've added. I think we need to address those issues before we even consider letting something like an AI data center into the Township.

Chairperson Parel – We appreciate it.

Weber – Please bid.

Colin MacKenzie – I will. I'll give you guys my information, whether it's myself or I find somebody that's reasonable. I mean, that's crazy.

Anne Rzacca, Walled Lake – I lived in Commerce for 30 years and then I moved to Walled Lake, but I can walk a few steps and be in Commerce again, in Wolverine Lake. My comment is, even though I don't live in Lyon Township, I attended the meetings against the AI centers and I learned a lot. Yes, we've had data centers for many, many years, but what I learned at the Lyon Township meeting is that prior past data centers, they said they're an industrial Level 1. That's much different, and what they call the AI data centers is industrial Level 3, which they said was similar to the Rouge plant. Yeah, so that was an eye opener for me and I want to educate as many people as I can. People think, oh, AI centers; we've had data centers forever. But not like this. So, to me, capturing it as the Rouge plant was a nice aha moment to help me comprehend how these are.

I think we're all learning about them. In Lyon Township, there were many smart people there that tried to educate the Board, which unfortunately was too late, and they're recalling the whole Board now because it's an unfortunate situation. So, appreciate your proactiveness. I think that's great. I really do appreciate that. And I loved when I lived in Commerce Township.

Weber – You can always move back.

Chairperson Parel – Would anyone else like to speak? Sir?

Andrew Sowinski, 5059 Elkin St, Commerce Township – When you look at the data centers and the cooling required, groundwater is an extremely efficient way to provide the massive cooling that these centers need. It's not just groundwater for Commerce, it's the entire watershed that becomes at risk. It's not when everything goes right, it's when something goes wrong, and when you look at the watershed with the Huron River, it is pretty extensive. (Holding up a map) That's the watershed. The red line is the main waterway of Huron, which starts north of Commerce, works its way all the way over to Ann Arbor, and all the way to Lake Erie. So, that's a lot to risk.

Closed loop systems; yes, if everything goes right, that's fine. But they're going to have a cooling pond, right? And if that leaks, if a bad storm happens, again, you're putting the watershed at risk. Looking at the data, half of the residents in Commerce Township are on wells, and that water is going to leach right into that water.

The other thing I wanted to say if you're looking for ... I don't know how you construct a data center, because the BTUs, the watts per square foot, don't meet the current Michigan Energy Code. Newly passed, you're only allowed so many watts per square foot for lighting, and only so many BTUs per square foot, either in cooling or heating. So, how do you build that? How does that data center get around that energy code that everyone else has to comply with? I appreciate that you guys are looking at this very carefully with a lot of consideration. Thank you.

Chairperson Parel – We truly appreciate it. Thank you.

Megan Blackmer, Sanderson Ct., Commerce Township – I have kids. This is part of my talking point. (Holding her infant) I'm kind of winging it because I thought someone might actually address this a little bit more. I didn't grow up in this area, and one of the things that was definitely new to me about this area is the community that is in this area. It's hard for me to see ... I would ask for you to consider how a data center, even a small one, adds beneficial qualities to our community because we're focused on the people as the community. You can even see with like 5 & Main; we're trying to bring people to this community. Is a data center in an industrial area adding benefit to our community, and to our infrastructure?

That's just something I would ask you to consider. I couldn't really catch everything, but if a data center is added to our community, it could greatly lower the value of our homes, depending on where it's located, but it doesn't lower our taxable value as far as I'm aware. So, you're talking about people who have invested in this community, and we're being taxed for the things that are being added to our community that we would love to appreciate here. So, is adding a data center going to add an additional cost to our residents that is not beneficial, and could those areas where this data center could be located be better suited to something that's directly giving to our community rather than a data center that's just sitting there? I'm not exactly sure what it's doing.

As someone who is directly influenced by this, in Van Buren Township, my parents live next to a parcel of land that has been zoned and they had intended to put it data center in there for between 6 to 10 years, and it's just now in the process of them looking to put it in. It is massive and it is way bigger than anything that they intended to put in there. Somehow, people didn't hear about it in the meetings because there was no transparency. There are not many preventative things put in place as far as protecting the water, protecting the noise and health risks associated with this. I have a special needs sister who lives next door to that parcel of land and we're looking at how it could potentially affect her and my family. I heard from someone who was here who said data centers could be any range of things, and I know I'm slightly repeating what other people have said, but we're not talking about small data centers. We're talking about large data centers that have potential health risks and that's what we're asking for you to consider, whether or not that is beneficial for our community here. If that's what everyone who's moved here years ago was intending for this community to be, because as someone who was just a couple of cities away, Commerce Township is so unique in the community. I would really be disappointed to have my kids live in an area where there is a data center and it's not giving to the community and the infrastructure in the way that maybe my in-laws, who have lived here for over 30 years, they didn't see it functioning that way. I appreciate you guys being transparent and I know you've said we've heard a lot of cons about data centers, so I would ask you to please focus on what are the pros and do they outweigh the cons, because there are, very clearly to a lot of us, way more cons than pros.

Chairperson Parel – Thank you so much. We appreciate it.

Stefanie Schmitz, Roselawn St., Wolverine Lake – I've lived in this area since I was a freshman at Walled Lake Northern. I brought my boyfriend over here, and we bought our house here. He loved it so much, I convinced this strange man from Midland, MI, to move here with me.

I've seen a lot of phases of Commerce, of Walled Lake, of Wolverine Lake, all the surrounding areas, and it has been exciting to see the last 20 years of development. Obviously, thank you for being proactive and being aware of what we're trying to protect. I've just been kind of listening to everybody's points. I hear the point from the gentleman who has worked in the data center. I hear what you're trying to say, that data centers can be a lot of different things. They can be rooms, the size of this room, with a couple computers, and that's fine. That's one thing. But as the lady mentioned, we're not talking about rooms this size. We're talking about thousands, hundreds of thousands of acres of land that are being taken up for things that we never agreed to. We didn't know what data centers could look like.

We didn't know when we were getting our computers in 1998 that it would envelop this giant internet that we have now, and every single device that we touch is collecting data points; our TV's, our computers, our watches, everything. I think that's the biggest point, is that we are getting involved in all of these stories that we are reading now, because our eyes are opening up to what the potential is, what the loss could be, and what we're trying to protect.

We are in a unique position here in Michigan to protect so much, and in our community here in Commerce, because we have one of the most beautiful watersheds, we have, well water, because we are afforded that luxury. That is a luxury that most places in the country do not have, and we are the stewards of our land, and that is ours to protect. The only other thing I'll add is, you brought up a lot of great points and considerations you're making. I would ask that we consider groundwater impact and also our official wildlife. It's a big part of our ecosystem around here. I know we have a lot of fishers and a lot of hunters around here. So, that's going to impact all of that. And, in regards to the Airline Trail, yes, that cost is astronomical, but if we could get some sidewalks to connect the Wolverine Lake portion, that would be appreciated. Thank you.

Chairperson Parel – Thank you.

Weber – By the way, Wolverine Lake is included in the pathway system.

Chairperson Parel – So they'll have an opportunity to vote on it.

Weber – Yes.

Chairperson Parel – Would anyone else like to come up and speak on this matter, or any other matter? Okay, with that, we will close the public discussion and we will move onto our discussion of the topic that a lot of folks came to talk about and listen to.

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

None.

I. NEW BUSINESS

>> Note: Item I.1. Commerce Lake Market, Optional Preliminary Review, was moved down to follow Item I.2. on the agenda.

ITEM I.2. Data Center Discussion

Potential series of Zoning Ordinance amendments relative to data centers.

Dave Campbell – So, what was included in your packet was a memo that is effectively a recycling of a memo that the Planning Department provided to the Township Board for the quarterly discussion meeting that Mr. Weber referenced last week Tuesday. We wanted to get any insights the Board might have in that discussion forum last week and see if the Township Board felt the Planning Department was on the right track with how we want to pursue any changes to our Zoning Ordinance as they pertain to data centers. I think the Township Board felt, for the most part, that the Planning Department was on the right track, and wanted to have the Planning Commission continue this discussion and see what sort of insights this group might have.

As Mr. Weber mentioned, we are about at the midpoint of a six-month moratorium for any action on any data center. In other words, if any developer were to come to the Township during the six-month moratorium with any kind of an application or petition for development of the data center, we would not accept that application while we're in that moratorium. The purpose of the moratorium is to have meetings, conversations and discussions such as this, to have an opportunity to research data centers and all the impacts that some of the folks have expressed concerns about, and amend our Zoning Ordinance accordingly.

We want to try to do that within that six-month moratorium. The intent of a moratorium is not just to call a timeout and not do anything. The intent of a moratorium is to have an opportunity to do research and do work to hopefully come to a conclusion. In this case, the conclusion would be in the form of a series of amendments to our Zoning Ordinance. And what those amendments most likely are going to be is where data centers could be allowed within Commerce Township, if ever one were to be proposed, and to what standards they would be held.

One of the questions that we've been asked recently, and including during a lot of phone calls today, was why can't the Township just simply ban or prohibit data centers and just zone them out? The answer is, that would be what's called exclusionary zoning, and that is unlawful. It's unlawful for a community to ban a use. It's something that's been tried with other land uses. There was a point in time where Michigan communities tried to outlaw mobile home parks. There's a landmark case where the City of Detroit tried to ban adult movie theaters, and it went all the way to the United States Supreme Court. So, what we cannot do is exclusionary zoning to zone out any particular land use.

What we can do though is come up with reasonable and appropriate standards for where and how a land use can operate. Another point that Mr. Weber made that I think is relevant is, one, no one has approached the Township currently proposing a data

center. No one has made any kind of formal proposal, or even an informal proposal. Number two, it's probably a fair speculation to say that there's not a lot of land still available in Commerce Township for a data center of the size and the scale that's currently being considered or approved in some of the other communities, such as Saline Township, Van Buren, Lyon and Howell Township, and some other communities over on the west side of the state. There are not a lot of sites that are available that would be zoned and are otherwise not already developed. That is why we keep saying we're being proactive with this rather than reactive. Some of these communities have found themselves having to be reactive, or as Mr. Weber says, you're playing defense. That's the position that the Township wants to avoid finding ourselves in.

When we talk about amending the Zoning Ordinance, I think there are two particular zoning districts that we would want to look at within the Zoning Ordinance. One is our industrial zoning district, and the other is our technology and light manufacturing zoning district, what we call TLM. Those would be the two zoning districts that, from the Planning Department's perspective, would be most appropriate for where a data center is most consistent with the other land uses that are already allowed within those zoning districts. But then what we've talked about with the Township Board and what we can talk about more tonight is potentially establishing tiers for those data centers based on their size. When we talk about size, there's different ways to define size; the actual square footage of the facility, versus the amount of energy and electricity that they would utilize. The Township Board felt that looking at it from a square footage standpoint was the more reasonable way to establish these tiers. So, once we have those tiers established, then we could say, these tiers are allowed in this zoning district, and these bigger tiers are allowed in that zoning district. Again, those zoning districts most likely being industrial and TLM.

What the Board talked about was the smaller data centers could potentially be a principal permitted use in TLM zoning district and in the industrial, but the larger data centers, what are often called the hyperscale data centers, would only be permitted and only as a Special Land Use within the industrial district. Then, within the process of reviewing and potentially approving data centers, there would be criteria that would have to be met. Again, those criteria might be different depending on whether it's the smaller tier versus the larger tier. But those criteria could be relative to things like water usage, whether or not the data center is connected to a municipal water supply versus whether they're proposing to install a private well. Those criteria could be relative to electricity usage and where they are location-wise compared to the electrical grid and what, if any, electrical upgrades would need to be made to accommodate the demand for the facility.

We could require things, and a lot of them were mentioned tonight, like a noise and vibration study, an emissions study, because from what our research says, these data centers do have to have these backup diesel generators that have to be operated on something of a regular basis to make sure they're operational. With those large generators, and with the heating and cooling equipment, and more so the cooling and humidity control equipment that data centers typically need, there is going to be an impact relative to noise, vibration and emissions. So, we could make a requirement for an impact study relative to those factors to be submitted.

For what it's worth, I'm trying to cover a good amount of information in a relatively short amount of time, so feel free to jump in and ask any questions you might have. The other challenge with data centers in general right now is that it's something of a moving target relative to the State of Michigan. So, the State of Michigan has legislation that's currently being proposed, and your guess is as good as mine whether it's going to go

anywhere, but the State of Michigan has legislation putting a statewide moratorium on data centers. I think the State of Michigan is hearing a lot of these concerns from its constituents and from its community leaders. So, how the State is treating these data centers is something of a moving target as well.

Where this would all be leading to is changes to our Zoning Ordinance. Anytime we change the Zoning Ordinance, whether it's for something small or for something very, very important, such as data centers, by State law, we do have to have a public hearing with this Planning Commission. So, this is certainly not going to be the last conversation we have on this topic. The public hearing would have to be noticed in the Oakland Press, and we'd have to go through proper noticing requirements. If and when the Planning Commission is prepared to take any formal action on any amendments to our Zoning Ordinance that pertain to data centers, that action would come in the form of a formal recommendation to the Township Board. So, if and when the Planning Commission is prepared to do so, you would make a formal recommendation on those Zoning Ordinance amendments, and then those amendments would proceed to the Township Board who would have the authority to take final action.

So, there would need to be a series of several meetings with both the Planning Commission and with the elected officials of the Township Board before any amendments to the Zoning Ordinance could be formally adopted. To get to the point where we're actually writing a series of amendments to our Zoning Ordinance, somewhere in there we would need consultation from the Township Attorney, and probably the Township Engineer, and there's a cost that goes along with that. So, before we get to that point in the process, we wanted to start with this informal discussion tonight, similar to what we had with the Township Board last week Tuesday, to again, ask if the Planning Commission feels that what we're outlining in our memo is on the right track, if there's any suggestions, revisions or things that you would like us to research further, so that when we come back to you sometime within the next couple of months, we have Zoning Ordinance amendments that are more fleshed out and getting close to a point where you as a Planning Commission would be ready to make a decision whether to make a formal recommendation to your Township Board.

So, with that, I'll take a pause and see what questions there are for me, and certainly give the Planning Commission an opportunity to have a discussion amongst yourselves. And by the way, I do appreciate all the public input. Mr. Parel was right, this is the most full we've seen this room in a long time. I do appreciate that everybody is passionate and interested in this topic, and I appreciate that everybody, for the most part, followed the rules in terms of how we handle public comments. Again, we've seen where public meetings can get a little out of hand sometimes, so I appreciate that everybody was on their best behavior.

Commission Comments:

Weber – Dave, you mentioned, and I guess I was not aware, whether the Senate, or the House or the State was discussing a ban of data centers, which is exactly 180 degrees from what the State did where they created a tax incentives specifically to lure data centers to Michigan.

Dave Campbell – So, if you're asking me to rationalize how they do things in Lansing, I don't know. But you are correct, on the one hand, there are significant incentives being offered at the State level for these data centers, and I think that a lot of those incentives are what were applied to the facility that's now currently under construction in Saline Township. But, on the other hand, yes, there is legislation that has been introduced. I

don't know how seriously it's going to be taken, or whether it will ever find its way out of committee. But there is bipartisan legislation that has been introduced for a statewide moratorium on data centers.

Bearer – Dave, when you were meeting with the Board, was there any discussion based around a hybrid version of the tiers based on square footage and resources? Or was it exclusively based on square footage or resources?

Dave Campbell – I don't think any formal decision was made necessarily. I mean it was, again, an informal discussion kind of like we're having tonight. The thought was that asking the development team of a data center how much electricity they are going to use, there's potential there that they could maybe use some funny math perhaps. Whereas if you base it on how big your buildings are going to be, that's harder to do funny math with. They would have to submit a site plan; here are our buildings, here's our parking lot, here's our driveways and so forth. That, I think from the Board's perspective, was more of a straightforward way of defining the tiers, how big the facility is going to be from a square footage standpoint.

Chairperson Parel – We're trying to be proactive here. We understand that technology changes fast. In that scenario, though, could there be a scenario in which the buildings get smaller, but the intensity and use of resources gets larger?

Dave Campbell – There could be, so that's where this is a worthwhile discussion of how you define the tiers, or whether you want to establish tiers. That was one idea, and I think it was a decent idea to have tiers and maybe base where they could be located based on those tiers. As we've discussed, there are data centers that are relatively small, and some which already exist. We don't want to zone out the data centers that may already exist. So, there is some logic to defining small, medium and large or something like that.

Chairperson Parel – And we also don't want to zone out other development that we want for the Township.

Dave Campbell – We would never want to do that.

Chairperson Parel – We have to be conscious about it.

Weber – Caitlin, I think there was discussion on both. So, intensity and size. I think maybe some of the size discussion was thought about because of the horror stories that we're hearing in Van Buren and Lyon, Howell, et cetera. But I still think there needs to be, and maybe it's not an *either/or*, maybe it's an *and*; maybe if we do look at tiering, maybe it's size and intensity, because with the usage, with the electrical, or whatever the power usage, it's going to have a direct correlation to what's going to be required to cool it. And then that gets into the whole discussion on water and closed systems, et cetera.

Bearer – I'd like to see some type of hybrid here. The woman who brought up that computers used to be a room, and now they're a watch; that's a great point. Just seeing how far AI has come in two years, I know we've reviewed our zoning laws, but who

knows what next year is going to bring. We could say we're going to review it in five years, and that may be too late. So, I'd like to see some type of hybrid tier situation.

McCanham – As for that statewide moratorium, the governor has said publicly that she would veto that bill because of economic issues. Over 50 communities have moratoriums in place right now in Michigan.

Dave Campbell – I had not heard that part about the governor, but as I've said, it's a moving target.

Weber – So, I think as we're moving forward, we're going to have our crack staff in the Planning Department help to create the guardrails for what we're talking about.

Dave Campbell – I'm going to quote you on that one when we get to budget season, crack staff.

Weber – I think we've talked about the need to tier, and whether that's two-tier or three-tier, I think we need to understand our existing businesses that we don't want to tier out, or we don't want to create undue regulations which would lead to undue cost. So, I think we need to understand what that criteria is to tier. And then for each of those criteria, we need to understand what the impacts are, whether you call it environmental impact or if it's more centered on water and cooling. What are the requirements for different tiers in order to do that? So, whatever this building is, or whatever this business is, it is reasonably functional with whatever the standards are that we want to adhere to. Then, just our overall normal due diligence, which I think we're probably fine on, but we should just understand lighting, noise, vibration, versus some of the other requirements, whether it's a diesel generator. My question is, I guess I don't know enough, and maybe Mr. Long can educate me later on the efficiency of a diesel generator versus a natural gas generator, which would be much cleaner. Those are my thoughts to start developing guardrails.

Loskill – To answer your question, natural gas generators are only good to a certain size.

Dave Campbell – Was that Mr. Loskill's turn?

Loskill – Yes. Everything else has pretty much already been mentioned.

Phillips – We've talked a lot about the operating characteristics of these data centers. We've talked about acreage, power usage, water usage, noise and light pollution. My concern is, to put something in place, we have to quantify it. I don't know that we have anybody on this Commission or within our organization that is qualified to set those parameters and actually quantify what it means to each of us. So, I agree, I think we should undertake this and it's necessary, but we need to do it right. I think we need to get some other brain power to help us.

Dave Campbell – Agreed, and we're already doing so. There's a lot of information out there, and more comes out on a daily basis. So, part of what we're doing during the six-month moratorium is collecting as much of that information as we can. Our Township Engineer, Giffels Webster, who works for a lot of client communities throughout

Southeast Michigan, that has a planning team that works on the data center issue has been sharing a lot of great information with us as well. I agree with what you're saying and it's something that we're actively working on, trying to get as much expert analysis and information as we can compile.

Winkler – One thing that has come to mind is, the biggest concern we've heard here was the power consumption that the data center will take. Is it worthwhile to explore maybe requiring in our ordinance language that the building has solar power and it has geothermal power to offset even a minute amount of the power of the data centers might use.

Chairperson Parel – I think that would be such a minute amount.

Winkler – I don't know. I have no idea how much energy those sources would produce compared to the energy that the data center would use.

Chairperson Parel – I'm fairly confident ...

Weber – I'm pretty sure I have this correct, but in order to ring all of the bells for the State tax abatements, and the bells and whistles from the State, I believe it's within six years of opening, the data center must acquire 90% of its energy utilization from renewable sources, which I think sounds like an unachievable, impossible number. I'm pretty sure I read that in the State language.

Chairperson Parel – But, those renewable resources aren't necessarily on the site.

Weber – No, not on the site, but whatever they are using has to be 90% renewable in order to get their tax benefits.

Chairperson Parel – So, it might be coming from a hydro project in a different part of Michigan.

Weber – I'm sure they will massage the data.

Chairperson Parel – Yes to try to take advantage of the tax credits. I just know from my experience, you're not going to run even 1% of the data center putting solar panels on the entire property and running geothermal. You would be lucky to heat and cool an office, and maybe some LED lighting, which a lot of these data centers I don't believe use that much lighting. Just my experience and my opinion.

McCanham – A companion bill to that statewide moratorium is legislation that would prevent the Michigan Public Safety Commission, which regulates energy and all those types of things, from getting involved during the moratorium periods and such. So, there are two different bills there that they're involved in.

Chairperson Parel – They're trying to cut them out.

Dave Campbell – That's where I keep using the term moving target. It's a challenge.

Chairperson Parel – Dave, just for my own clarification, this tiered system that's being suggested, can you describe it a little clearer? I guess I'm not very clear on how the tiered system would work and maybe you could put an example against it.

Dave Campbell – I can try to make up an example on the fly. If what we're saying is that data centers are allowed in specific zoning districts, and what I think makes sense is those specific zoning districts for Commerce Township would be our industrial zoning district and our TLM. Within those two districts, we have what we call principal permitted uses and Special Land Uses. The Planning Commission is very familiar with those. I could see where a data center that is of a lower tier could be considered a principal permitted use in one or both of those zoning districts. Whereas a data center of a higher tier could only be permitted in, say, one of the two zoning districts, and only then as a Special Land Use, because the Special Land Use classification gives the Township more teeth in the criteria that we would apply as part of the approval process. So, we could add criteria such as they must have a contained cooling system. We talked with the Township Board about, it could only connect to the municipal water supply, and only then, a municipal water main of X size, like a 12 inch water main, so that we know that the capacity is there to serve a facility of that size. That's where part of the logic in my mind makes sense of having the tiered system so that we could then say these tiers are allowed here, and these tiers are allowed here, but if we are going to allow them here, they can only be allowed as a Special Land Use and only then if they meet these criteria. Did that answer your question?

Chairperson Parel – I think so. I just wanted to understand. So, in our highest intensity zoning, which would be our industrial zoning, in that scenario that you just drew out, you're suggesting that the highest tier would either only fit in our most intense zoning, or only fit in under a Special Land Use.

Dave Campbell – Yes, I would think the most intense tier would only be allowed in industrial, and only then as a Special Land Use.

Chairperson Parel – Oh okay, so both of those criteria. I understand. That clarifies it a little bit.

Weber – With that Special Land Use then goes the restrictive covenants associated with it. Logically thinking, if we think about where we have industrial zoning, there's only a couple of places. You have Williams International, you have Ladd Road, and you have the one parcel off of Maple on the south side. I think that's the only industrial that we have.

Dave Campbell – We can pull up our zoning map if you'd like.

Weber – But, having said that, those are small pieces of land that likely wouldn't lend themselves to, or be economically feasible for somebody to even think about putting a data center there. But again, that's today's technology. This could become a much smaller footprint with a higher intensity sometime in the future. We want to make sure we're protecting this.

Chairperson Parel – What's to stop somebody from assembling multiple properties?

Weber – Even if you think about Ladd Road, there's not much geography there.

Chairperson Parel – Are there any other single parcels that are maybe utilized for something different now that could be retrofitted for a data center? I know we've talked about vacant land.

Dave Campbell – I might want to give that more thought, but I think if the answer is even maybe, it would only be maybe if someone were to assemble a collection of properties, dozens of properties. I would think many, if not most, of those properties already have an existing use on them with buildings, parking and everything. So, somebody would have to assemble a bunch of properties, tear down a bunch of buildings in order to create a piece of land of the size that these data centers require, at least the ones that are currently being proposed in these other communities. That seems less feasible to a developer than going out and finding a few hundred acres of farmland and proposing it there.

Chairperson Parel – I agree with that. That's particularly of interest to me. I was actually in Cleveland for a volleyball tournament with my daughter two weeks ago. The guy at the door who was taking our tickets told me this is the last year we can have the tournament at the convention center, which is next to the airport in Cleveland. It has been there for years. They said they sold it to a developer and it's more economically feasible as a data center. They had the infrastructure in place. I know we don't have a convention center in Commerce Township, but I'm just trying to think about other ways that a developer could come in and assemble property, or utilize an existing property. I just want to make sure we're not only focused on Williams International for instance, which we know is probably going to change hands soon or be redeveloped.

Dave Campbell – Sure. And I guess while we're talking about size and scale, one of the things that's mentioned in our memo is a potential requirement of a data center, and probably a data center of one of the bigger tiers that we're talking about, is a decommissioning plan and a decommissioning bond, or a financial guarantee. The thought is that these facilities are evolving so rapidly, and it's very possible that 10 years after you build one of these places, it becomes obsolete because technology has evolved. So, now you've got this massive building that is no longer needed for a data center, but that no other user has a use for. So, you can't repurpose this building, and now you've got this massive vacant building. To avoid that scenario, the Township could consider requiring a financial guarantee, essentially saying, if and when that day comes, we need to have money in place to put everything back the way it was. We talked about that with the Township Attorney and he thinks that's something that we could make work. That's one of the thoughts that comes to mind when we talk about how massive these places can be, and what happens if they ever go dark.

Chairperson Parel – Yes, we just have to be careful with that, to our prior conversation, the development that we want here, whether it's data centers or not. We don't want to block out other development that may be more of what we're looking for.

Dave Campbell – That brings us back to the conversation of tiers. If it's a facility over a certain size, that's where maybe we talk about a decommissioning bond.

Winkler – Dave, I just looked up a website with the U.S. Department of Energy. They have a specific website just for geothermal as it relates to data centers. I think it's something we should look at.

Chairperson Parel – And Brian, I apologize. I was more focused on your solar comment. I have very little experience when it comes to geothermal. I know it's used and it's used efficiently for cooling spaces, so I will read that as well. Thank you.

Weber – So Dave, what do you see as next steps then, with everything that you've heard so far?

Dave Campbell – We're on something of a shot clock with this six-month moratorium. It was adopted by the Township Board during their February meeting, which would then take us to their August meeting. That doesn't necessarily mean that the Township Board has to adopt something within those six months. The Township Board could always extend that moratorium, but we would have to do so on the justification that we're still actively working on these amendments. Again, it can't just be take a moratorium so that nobody does anything. We have to be actively working on it.

As far as next steps, I would hope that within the next couple of months, say July, we are coming back to you with a series of draft amendments to our Zoning Ordinance, and the Planning Commission would have the opportunity to discuss the topics again. If the Planning Commission feels we're on the right track, then maybe we could target the August Planning Commission meeting for a public hearing, and then from there, it could potentially proceed to the Township Board if the Planning Commission is ready to make their formal recommendation at that meeting.

I know the Township Board wants to be very involved in this process. I believe the next quarterly discussion meeting would be July. So, maybe in addition to bringing something back to the Planning Commission by July, we could also look at having a joint meeting, which we are maybe overdue to do, to discuss this topic and again, make sure everybody feels we're on the right track. I'm not sure we would have anything ready for the June meeting. It's coming up fairly quickly on us and we've got a lot of work to do. In addition, that's already looking like a very full agenda for the June Planning Commission meeting. So, I might say that July would be a reasonable target date.

Then, if we have to, if the Township Attorney tells us it has to be done before the moratorium, there's always the potential to schedule special meetings and so forth if we really have to meet a deadline.

Chairperson Parel – Any other comments from anybody up here? I think it was a great discussion. I'm incredibly grateful that everybody came out tonight to make comments, or just showed up.

Dave Campbell – I'll mention one last time; everything we're discussing is speculative and everything is hypothetical. No one is proposing or has even asked about a data center in Commerce Township yet. We are doing all of this to be ready for if and when that day comes.

Bearer – I have one more question. When are we getting asparagus?

Mr. Long, Trustee and Owner of Long's Farm – When it warms up.

Dave Campbell – It sounds like we're close to moving onto our next agenda item. If that is where we are, I might suggest taking a break. Everyone is welcome to stay for the rest of the meeting, but if anyone wants to sneak out, we won't hold it against you.

Chairperson Parel – Thank you again. We will take a brief break.

[Break from 8:41 to 8:47pm]

ITEM I.1. COMMERCE LAKE MARKET – OPTIONAL PRELIMINARY REVIEW

Property/business owner Steve Bakko is requesting an optional preliminary review for the redevelopment/expansion of the Commerce Lake Market at 1740 Glengary to include fuel pumps, including the residential lot at 2750 Benstein Road.

PIN#'s: 17-21-276-064 & 17-21-276-063

Dave Campbell – This is a project that the Planning Commission has seen before in some of its earlier iterations. This is the northeast corner of Benstein and Glengary. It's a picture taken very recently and that's why everything looks all brown and dormant. The Commerce Lake Market is the existing party/convenience store here at 1740 Glengary, on the north side of Glengary Road. The owner, Steve Bakko, has come to the Planning Commission, I want to say at least twice, with evolutions of a concept to expand his store, or replace his store, and most recently to replace the store with a newer, bigger store, but also add gas pumps to the facility, and that's what we're going to talk about tonight. I think the last time we saw Mr. Bakko, it may have been long enough ago that we've got a couple of new faces on our Planning Commission since then. So, we thought it would make sense for Mr. Bakko to be here this evening and reintroduce his project.

As I mentioned, the existing store at 1740 Glengary; what Mr. Bakko has also done is acquired this existing home at 2750 Benstein. What he is proposing to do is combine these two pieces of property to develop it with the site plan that I'm about to show you here in a moment. What's key about the conversation we're about to have is the existing store at 1740 Glengary is zoned B-2 Community Commercial, and the existing home at 2750 Benstein is zoned R-1D Single Family Residential.

To do what Mr. Bakko hopes to do, which is to replace his store with a new store and add fuel pumps, the properties would have to collectively be rezoned to B-3. While a convenience store could be allowed in B-2, the gas station is only allowed in B-3, and only then as a Special Land Use in the B-3 zoning district. So, what we're going to talk about this evening, and potentially in the meetings subsequent to tonight, is a Conditional Rezoning of both of these properties from their current zoning designations of B-2 and R-1D to B-3 zoning and to do so via Conditional Rezoning.

The Conditional Rezoning, if it were to be approved, the outcome would be a layout like the one we have on the screen, so I'm going to zoom in a little bit. This is a concept plan at this point, so not the level of detail that we would see if and when this project gets to the site plan portion of the process. As you can see, the existing store, which sits here, would be replaced by parking for the new store, which would sit on the currently undeveloped land behind the store. And then the house along Benstein Road would be demolished and replaced with a fuel canopy for four double loaded fuel pumps, so a total of eight fuel nozzles. The existing points of access along the north side of Benstein Road would remain. Hopefully they'll be better defined than what they are now, with some better curbing and so forth, but maintaining two points of access along the north side of Glengary Road, along with a new commercial driveway along the east side of Benstein Road.

The driveway for the existing home already exists, but this would be a new commercial driveway a little bit further north than the existing residential driveway. Keep in mind that there is an existing building at the actual corner, 2718 Benstein. That's an existing building that has had a few users through the years, including at one point, a gas station. What's in there now is a masonry contractor's showroom, Geary Masonry. This site would wrap around the Geary Masonry site, which would remain in place.

Chairperson Parel – Dave, can I ask, what is the masonry property zoned?

Dave Campbell – It is zoned B-3.

Chairperson Parel – I think it's relevant to the conversation.

Dave Campbell – So, in terms of the rezoning, as I mentioned, Mr. Bakko is hoping to take advantage of the Township's Conditional Rezoning process, which as the Planning Commission is well aware, is effectively when the petitioner asks the Township for the zoning that he needs for the project that he hopes to accomplish, and would guarantee that I only need the zoning to build this and only this, so he would not be allowed to get a B-3 zoning and then do anything that's allowed in B-3. He would only be allowed, via a contract with the Township, to develop a site that looks like what's up on the screen currently. So this site plan, or an enhanced version of this site plan, would be included as an exhibit to a Conditional Rezoning agreement, which is a contract between the developer and the Township, memorializing the idea of give me the zoning I need, and I promise I will build this and only this.

Within a Conditional Rezoning, there are meant to be conditions. The petitioner is meant to volunteer conditions within the Conditional Rezoning agreement, and it is within the Township's discretion to accept or not accept those conditions. So, we did have a preliminary meeting with Mr. Bakko and his team last week, with the Township Attorney, to start roughing out the framework of a Conditional Rezoning agreement. We can talk a little bit more on that, and it is summarized in our review letter what some of those conditions that were discussed included.

What's important to note with the Conditional Rezoning process is the Township is not meant to compel the developer of what conditions they are to offer. The developer is to volunteer those conditions, and then the Township either accepts, or does not accept. Some of the conditions that we did discuss were the hours of operation. With the store that would be a replacement of what already exists, but then with the addition of the fuel pumps, one of the points of discussion was the hours of operation. So, the Conditional Rezoning agreement is potentially going to limit those hours, I think to 11:00 PM on weekdays and 10:00 PM on weekends.

We talked about a condition including where and how they could have any outdoor storage or sales or displays of the things that we often see with gas stations; firewood, the propane exchange, windshield washer fluid, and so forth. We discussed limiting that to a specific area on the site. We discussed the fuel canopy itself and how tall it needs to be, what level of illumination it's going to have, and what sort of an aesthetic it is going to have. What the developer has offered preliminarily is something of a generic, what they call a skin, which goes around a gas station canopy. I think we've all seen the canopies that have bright colors that are meant to draw the eye. I think Sunoco has the whole NASCAR rainbow thing going with checkered flags and so forth that are meant to be eye catching. One of the things we discussed was that probably is not consistent with the surrounding neighborhood in this case, and we want this site, if it were to be

developed, to be harmonious with the surrounding neighborhood. So, what they offered is something of a generic canopy without any adornment in the form of signage, logos, neon lights or anything like that. We did talk about the height of the canopy and trying to keep it in scale again with the surrounding neighborhood, understanding that there does need to be a certain level of clearance under that canopy for large vehicles and vehicles pulling trailers and so forth.

It's notable that there's nowhere on the site shown for a detention or retention pond, and what the developer intends to do is underground stormwater detention with underground chambers to collect its stormwater. Another point that's important with kind of the history and the evolution of this project is Mr. Bakko had to go to the State of Michigan, the Office of Licensing and Regulatory Affairs, to get what they call a variance from the State of Michigan. The variance is relative to the underground fuel storage tanks. So, when underground fuel storage tanks are within so many feet of domestic wells, which most of the folks in this part of the Township are on wells, there have to be additional layers of protection or fail safes with those underground tanks when they are within that isolation zone for the residential wells. So, Mr. Bakko was successful in getting his variances from the State, under a whole host of conditions. The tanks themselves have to be double walled. The lines servicing those tanks have to be double walled. There have to be sensors, alarms and regular monitoring and reporting. Therefore, so long as the underground tanks and the operation of them meet those criteria, then he would comply with the variance that he received from the State of Michigan back in January. I remember talking to Mr. Bakko about when in the process he should seek those variances from the State and a conversation of it being a chicken or the egg scenario. Does he get his approvals from the Township first, or does he get his approvals from the State of Michigan first? He opted to go to the State of Michigan first.

Another thing that's notable about this location is with it being on the north side of Glengary Road, Glengary Road is not an Oakland County road. It is actually a Village of Wolverine Lake road. So, Glengary Road is under the jurisdiction of the Village. So, when we talk about traffic impacts, driveway access and turning movements in and out, and how those impact existing and future traffic, usually that's a conversation that is had with Road Commission, and it will be in this case too because Benstein Road is under the jurisdiction of the Road Commission for Oakland County, but those conversations will also be with the Village of Wolverine Lake since they have jurisdiction over Glengary Road. We've already had preliminary emails back and forth with Dave Gillam, who is the Village Administrator for Wolverine Lake, and he did express some concerns with traffic, and particularly left turns in and left turns out via those Glengary Road driveways. We did talk to the petitioner that with any rezoning there has to be an analysis of traffic in the form of a traffic impact study, so we are having our traffic engineer develop a scope for a traffic impact study for this development, and assuming that scope gets accepted, approved and funded, then we would we would proceed with the traffic impact study.

Another thing that's maybe unique about this location is being right across the street from the Dairy Twist. Let's go back to the aerial for a moment. I think a lot of us have seen the Dairy Twist when it's really hopping on a warm summer evening and some of the traffic conditions that already exist through there. And so, when we do a traffic impact study, typically we look at the afternoon peak hour from 4:00 PM to 6:00 PM, and try to collect traffic data during the evening rush hour. On this one, we may have the traffic engineer go a little later into the evening to try to pick up some of the traffic

from the Dairy Twist, given that it's a unique animal in terms of how much traffic it generates at certain times of the day.

One more thing I'll mention, relative to this being next door to the Village of Wolverine Lake, anytime you have a rezoning proposed on a property that borders another community, by State law, you have to go to Oakland County's Coordinating Zoning Committee. So, we had this happen with the project recently up on Bogie Lake Road; that project bordered on White Lake Township. In this case, this project borders on Village of Wolverine Lake. So, if and when the Planning Commission makes a formal recommendation to the Township Board on the Conditional Rezoning, before this project would proceed to the Township Board, it would first have to go to Oakland County's Coordinating Zoning Committee. Their job is to try to have some oversight and ensure that one community is not approving a rezoning that's completely contrary to what's going on across the municipal border in the other community. So, that would be another step in the process that the developer would have to go through if he opts to proceed with this Conditional Rezoning.

I'll mention one last thing and then I'll take a break to see what questions or comments you may have for me, and I know the development team is here and hopefully wants to speak on their own behalf. This is going to be a significant process for the developer. I mean a significant number of meetings, and studies, and contracts, all of which are going to have a cost to the developer. The developer understands that, but what I want to avoid is the developer going too far into that process and incurring too much of that cost, only for concerns to be raised later in the process. In other words, if there are significant concerns, I would hope that some of those could get brought up and fleshed out this evening, just so the developer knows what those concerns are and has an opportunity to address them sooner rather than later. Tonight's meeting is what we call the optional preliminary review of a Conditional Rezoning. It's the developer's option whether they want to have this meeting. The developer in this case, I think wisely said yes, I'd like to get in front of the Planning Commission at the May meeting to get their thoughts and any concerns they might have, so that if we're able to get right back in front of you at the June meeting for a public hearing on the Conditional Rezoning, we've heard their comments and had a chance to address them. Again, I don't want anyone wasting their time, their money or their effort if this project seemingly doesn't have legs. With that, I'll take a pause and see if there's any questions or comments for me. Otherwise, Mr. Bakko is here with his son Cameron, and his architect, Mr. Abdelnour. I would think they'd want to come up and reintroduce themselves to the Planning Commission and touch on any points that I may have missed.

Weber – Dave, can you pull up the satellite image again, and just go to the north a little? Okay, I just wanted to see the property that was north of Mr. Bakko's two properties.

Dave Campbell – I think what he will tell you is that property is unoccupied and it has some signs of neglect. I think I've heard that it went to the County's foreclosure auction, and then was pulled at the last moment. I think Mr. Bakko has made efforts to acquire that property and assemble it as part of this project, but he has not gotten cooperation from the property owner in his efforts to do so.

Chairperson Parel – Maybe I could kick off the conversation by asking a question. Dave, in order to rezone this, the Township Trustees would have to approve it, right?

Dave Campbell – Yes.

Chairperson Parel – My assumption is that our Township Supervisor has seen this, along with another Board member, George, has also seen this. Do we have any feedback, or has anybody else at the Township Board taken a look at this?

Dave Campbell – As I mentioned, we've had several meetings with Mr. Bakko, which are always a pleasure, and I don't remember anyone beyond Mr. Weber or Supervisor Gray being a participant in those meetings. I think the last time we met with Mr. Gray on this was a little while ago. And I mentioned that we had what we call the preliminary conference last week for the Conditional Rezoning, and by Zoning Ordinance, the Township Supervisor is to attend that meeting. Mr. Gray did attend that meeting virtually via Zoom. He was asking questions and making comments during the meeting. They were all good questions and productive comments, but none of those were anything that I interpreted to say I don't like this at all.

Chairperson Parel – The reason I'm asking, back to your point, I don't want to spend our time, but more importantly, I don't want to waste the developer's time or his money for something that the Township Board is not supporting.

Dave Campbell – We have had that happen, not very often, but we have had it happen where the Planning Commission makes a recommendation to approve or deny, and when it gets to the Township Board, the Board takes the opposite action. Another thing to consider on this one is that even if this property were successfully rezoned to B-3, a gas station in the B-3 zoning is still a Special Land Use. So, another scenario that I hope we all want to avoid is some scenario where the rezoning gets approved, but then the Special Land Use is somehow denied. That would be another example of a waste of a lot of people's time. The other thing I would hope is that the Planning Commission, when considering the rezoning, is also thinking ahead to the Special Land Use and not inadvertently putting us in that predicament of approving the zoning, but then later on denying the Special Land Use.

Chairperson Parel – That Special Land Use is based on those seven or eight criteria, such as immediate need, their traffic implications, et cetera. And we know that there are some questions we still have to answer as it relates to traffic. Again, we'd also have to take into consideration other things.

Dave Campbell – Yes, you're correct. There are kind of generic criteria that apply to any Special Land Use, including the hurdle that's often hard to clear, which is demonstration of a documented and immediate need. Those are the more generic criteria, and then there are also use specific criteria for gas stations; how big the site has to be, how much frontage they have, how far they are away from residential driveways and so forth. So, we as a staff are looking at all those things. It's early to try to do a site plan review, but again, we don't want this to go too far only to run into a pitfall. So yes, there are criteria for the Special Land Use that I hope we would think ahead on.

Chairperson Parel – When you say think ahead, I just want to be cognizant of the time and money everyone is putting into this. As it relates to just thinking through traffic from my own perspective, you mentioned that the supervisor or mayor next door has some concerns about traffic. We're going to do a traffic study. I don't know if it's possible, but I would suggest that study be run prior to doing a lot of the work behind the scenes and

incurring the cost. We know that traffic implications could be one of the criteria required to meet the Special Land Use.

Dave Campbell – Before this Planning Commission could make a formal recommendation, we would need to have the results and the recommendations of the traffic impact study.

Chairperson Parel – But what does the developer have to do to get to that point? Does he have to go through the entire process to get a site plan that's presentable?

Dave Campbell – No, the developer wouldn't have to produce a whole lot more than what has already been produced. When I say produce, I'm referencing this concept plan. Now I know the architect is working on making revisions to this concept plan, and I think he will be able to talk to some of those this evening. For example, I know they were trying to find a way to reconfigure the store and the footprint to have there be a kitchen component, a hot, prepared foods component. He's working on that and maybe he'll be able to update us on where he is with that.

The other thing the developer and the architect want to have within the Conditional Rezoning agreement is some preliminary conceptual building elevations so the Planning Commission and the Township Board both have an idea of what this building is going to look like and be convinced that this is a quality building with quality materials, and that is going to be included within the language of the Conditional Rezoning agreement. They will indicate the materials that will be permitted, and those that won't be used, as they are well aware of how the Planning Commission feels about EIFS, so that will not be included.

Chairperson Parel – We have some preliminary renderings in here. I don't think that is going to be the challenge, and I'm not necessarily set that there is going to be a challenge. For me, just to kick it off, if there is going to be a traffic impact that is significant enough to not move forward, I think it would be respectful and nice to know ahead of time. And, if there is a path to knowing how the Township Board feels about this prior, I'd personally like to have that out of respect for the developer as soon as possible.

Dave Campbell – I'll do my best and maybe Mr. Weber can help me to try to gauge the receptiveness of some of the Trustees.

Weber – I'm not sure I'm comfortable with gauging Township Trustees with something that's not a little further along.

Chairperson Parel – Let's be honest, my concern is that the Township Trustees don't want a gas station here. I'm not worried about the quality of the building. I think we can get past that. Traffic is what it is and we will resolve that. And maybe there isn't a path to getting it now.

Weber – I'm not aware of Township Trustees ... We don't want to be Walled Lake which is putting in their 6th gas station within one square mile. But the concerns have always been that the gas stations are demanding alcohol sales. So, it's either an existing or a new station, and they don't want to put the station in unless they can get alcohol. We have Zoning Ordinance restrictions already on so many liquor stores per square mile.

This is a bit of a unicorn because it's an establishment that already has liquor sales. So, you're not proliferating more liquor sales. And Mr. Bakko has said he is not expanding his liquor square footage within the store. I think that's an important differentiation in this. I think the other factor for us to consider is that there is not another gas station within 2 miles or more of this location. But I don't have a feel for what any of the other Trustees would have on this, because I don't think we've had a gas station go to the Board of Trustees. We've had gas stations die here at the Planning Commission, but I'm not aware of others, with the exception of Costco which really wasn't new. It was ginormous, but it wasn't new.

Dave Campbell – That one did not have to go to the Board either.

Weber – Yes. So, has there been a gas station discussion that has gone to the Board?

Dave Campbell – One that comes to mind, and I think they're with us this evening, is the Marathon, formerly Clark Station, in the Commerce Village. As part of their knock down and rebuild expansion, they did something quite comparable, which was they were assembling other properties with it and had to rezone those properties through a Conditional Rezoning.

Weber – But that wasn't a new station.

Dave Campbell – If you're talking brand new from scratch, I can't think of any right now. If I may, I'm glad the alcohol component came up. I failed to bring that up. It is correct that if this were a new alcohol retail sales outlet, it would be subject to the Special Land Use criteria within our Zoning Ordinance. In this case, and again similar to how it was handled with the Marathon Station, so long as there is a commitment to not expand their alcohol sales, then they would not be subject to the Special Land Use criteria. Again, similar to how we did it with Marathon, we would make a determination of how much square footage or volume of alcohol sales currently exists in the existing store, and if it were 1,500 square feet, we would say that the new store cannot have more than 1,500 square feet of sales area dedicated to alcohol sales. And the developer has agreed to that, and has agreed to have that as part of their Conditional Rezoning agreement. I'll let them speak on their own behalf, but their intent, and part of the reason they're agreeable to that is they want this to function more as a neighborhood market and less as a party store. Going back to the hot food offerings, that's part of why they want to have a kitchen, to have pizza or pitas, or whatever it might be so that it does function as a neighborhood market.

Winkler – Dave, a question I had is, you've mentioned that Benstein Road is owned Wolverine Lake.

Dave Campbell – Glengary Road is owned by Wolverine.

Winkler – Now, would any changes to the entryways fall under the same requirements? Will Wolverine Lake follow the same requirements that the Road Commission has as far as locations of entries from intersections?

Dave Campbell – My understanding, and I asked this question of the traffic engineer, unless Wolverine Village has standards that are different from the Road Commission,

then the Road Commission standards would otherwise apply. For example, the Road Commission has standards for when a left turn lane is warranted. It's based on how many left turns are expected to be made versus how much through traffic it conflicts with.

Winkler – I think the standard that I'm referring to, that the Road Commission has, is how far can a driveway be from an intersection. If my memory is not failing, I think that is 150 feet.

Dave Campbell – I would want to double check that number, but yes, in general, the Road Commission absolutely has standards for how far apart commercial driveways can be.

Winkler – So, if the Road Commission standards apply to that particular issue, the west entrance to the site, from Glengary, is too close to the intersection. You have 125 feet for that parcel from the corner to that western property line, so it might not be 150 feet away from the intersection.

Dave Campbell – So we will look at that. It's also possible, given that they are keeping driveways that already exist, then the Road Commission will often say, we will let you keep that driveway, but we need to improve it; define it better, or maybe put a turn restriction on it. It's tough from a legal standpoint for the Road Commission or the Village of Wolverine Lake to say, you don't get to have that driveway anymore. The intent would be to improve on the existing access.

Winkler – On issues regarding the Special Land Use and the rezoning, I would like to suggest to the developer and his architect to get rid of that western drive. He can then pull that southern band of parking south to the property line, and then he can widen the eastern drive, as well as, by bringing the parking down to the south, he widens the area between the parking at the building and the parking to the south. Then he is able to add more parking, two or three more spaces. So, if there is an issue with the 150 feet, it takes care of that, and it also gets rid of the conflict with the Dairy Twist because you're eliminating that drive that could conflict with the Dairy Twist drive across the street.

Dave Campbell – It's something we want to look at.

Winkler – It's just a suggestion.

Dave Campbell – The other thing to consider, and it's kind of hard to see, is that this driveway is something of a shared curb cut with the building next door. It looks like one big open driveway. We would have to make sure that we're not somehow severing access for one property by doing what you're suggesting. But yes, it's something we should take a look at.

McCanham – If you got rid of the driveway Brian is talking about, you could still get fire apparatus through there it looks like.

Dave Campbell – That's another question, any time you're talking about moving, changing or eliminating driveways, we always want to go back to the Fire Department and have them look at it.

McCanham – It looks like he's got fire trucks in there.

Dave Campbell – We did have them do what's called auto-turn. It's important that they use the proper vehicle when they do that. It has to match up with the ladder truck that the Fire Department has.

McCanham – Have there been any issues with all of the other left hand turn driveways in that area, the ice cream place, Little Caesars, et cetera. Both of them have two left turn driveways. Have there been any traffic issues with that?

Dave Campbell – I'm not personally familiar with any issues. I'm sure folks who live in that area could probably tell you all sorts of stories. That's part of why we would want to do a traffic impact study is to try to evaluate what those issues are and what those issues could be.

Weber – There were periodic traffic issues. This intersection is not horrible, except for during rush hour, and then it gets backed up from both ways.

Chairperson Parel welcomed the development team.

Mr. Bakko, owner of Commerce Lake Market, was present along with Cameron Bakko and Mr. Ghassan Abdelnour, Architect, GAV & Associates, 24001 Orchard Lake Road, Farmington, MI 48336.

Mr. Abdelnour – Thank you for having us here for the study session. We did meet with the Planning Department and they've been very helpful, back and forth, exchanging drawings with the Fire Department, showing them the drives, showing them the schematics. You're absolutely right, we'd like to know where we are in the project, what we're doing right, or something we need to fix, or something that is never going to be fixed. It's a good thing that we're here tonight.

The whole idea is to create a new project. It's a nice intersection. The existing building is working, but it's always nice to renew it and make it better for the neighborhood, and make it unique. We do have retail on four sides of this intersection, so it would make it more attractive to have more retail around it. What we're proposing to do is to build a new 6,000 square foot market. Like David said, we are limiting the number of square feet to what we have for the liquor sales, but we're making the market a little bigger. We're adding more space for milk, eggs, and all types of market items. Plus, this actually came as a suggestion; the owner and the Planning Department wanted to create that extra food component of the market. So, we are creating it to do a type of restaurant, maybe pizza, maybe chicken, or any type of product that makes it more attractive for the neighbors.

We're proposing a nice, clean building that goes with the neighborhood and looks more residential. We're keeping the colors beige, with limestone and brick. The lighting creates a nice walkable area next to the building. On top of the building, we're using some metal panel or siding, and that also goes to the front at the top of the main entrance with a darker metal seam. We didn't want to put a lot of different materials. We wanted to make it look more residential and clean. At the same time, we created a lot of big windows in the building. The windows make it light and makes it safer for people to walk around. The more windows you see through the building, the more people feel like

it's better to walk around. From one side, it's all more like retail. We have the parking, we have the entrances, and the building can act still as a market.

That's why we ended up putting the gas on the other side. So, if people don't need gas and they're just coming to the market, we kept it to one area and made it more accessible. At the same time, part of the project is to create more walkability in the neighborhood. We have the front part on Glengary Road. We're creating a seating area with benches for people walking around, if they want to come, even from the ice cream place on the other side, or if they're buying sandwiches, and they could sit in that area. We're trying also to create that neighborhood look at the same time by clearing that existing building and cleaning up the site in general to make it more attractive.

The gas station itself, we have four pumps. After we met with David, the attorney and everybody, we said we don't want to have any signs on the canopy. We're trying to use the same materials that we have on the building. We're thinking about different colors; one may be silver or something very simple. No signage on the canopy and don't make a big deal about what you're buying from the gas station. We're trying to make more of a big deal about the market itself.

The size of the building could end up being around 6,500 square feet, so there's a lot of product that's going to help in the neighborhood, because we're limiting the alcohol. That's what I have and I can take any questions, unless Cameron would like to add anything.

Cameron Bakko – I'm more than happy to answer any questions you might have.

Chairperson Parel – Thank you very much. We appreciate you guys coming in. I see Brady has his microphone on, so we will go to you sir.

Phillips – Okay. I was trying to think of when we actually first sat down and talked about this concept. It was January 22nd of last year when I first got exposed to it. At the time, we were talking about Special Land Use and having an immediate need for the gas station there. Part of that discussion was, what data do you have, or can you collect some data, or get some input from the community demonstrating the need for the gas station? I'm just wondering if you were able to do that.

Mr. Bakko – Hi everyone. I collected about 600 signatures and I gave a copy to Paula, and I still have a copy. If anybody wants to see it, I'd be more than happy to provide it. About 95% of my customers were happy with the project. Maybe two or three didn't want to see anything new because the store has been there for 40 years, but just about everybody else was happy with it. We do the best we can to work with Dave and make everybody proud of the project.

Phillips – I recall that you did have a number of signatures. I'm not sure what question or proposal was presented to them, and whether it specifically addressed the addition of gas availability.

Cameron Bakko – What was presented to them was obviously preliminary, but it was more the idea of adding gas, an expanded building and food. Food is a big one really. That was one of the highest requests added on, on top of the gas. Based off of the basic ideas we presented to them, their feedback was positive for the most part.

Dave Campbell – Mr. Phillips, can I piggyback off your question?

Phillips – Of course.

Dave Campbell – Cameron, my understanding is that you're talking to different fuel suppliers. You guys call them jobbers.

Cameron Bakko – Yes.

Dave Campbell – I think that often with gas stations in particular, the jobbers are able to provide data that helps answer this question about the need. They provide market research that shows, here is what is available in the area, here is how much traffic is passing this site, and it's more databased than anecdotal, than people just saying, yes, that would be nice. I wonder if that is something you could talk about with the jobber. Could they create a market analysis to help answer the question of, is there a need at this location?

Cameron Bakko – Yes, it shouldn't be a problem. The last jobber we were considering working with, they're no longer part of the plans anymore, but I think they did a preliminary estimate of 70,000 to 130,000 gallons a month would move through there. But it shouldn't be a problem to speak to the current rep we're working with.

Dave Campbell – That was when you were with Corrigan?

Cameron Bakko – Yes, that was from the March meeting last year and I believe he presented that to the panel.

Weber – I can't recall the specific data, but when the gas station representative was here, he referenced data that he had specific to this. As I recall, it was fairly generic, but it was based upon the number of automobiles within three square miles of this location, or the number of registrations by it, that would dictate this much demand or capacity. It wasn't perfect data, it was generic, but it was something for us to look at.

Phillips – I just think if you have some data behind it, your chance of success in getting the rezoning is going to be a lot better.

Cameron Bakko – That shouldn't be a problem. We can provide whatever you request.

Mr. Abdelnour – I have another item I'd like to talk about. We've been talking with Dave about part of what we'd like to do; we're planning to put a screen wall all around the building for the neighbors. That would be a 6 foot wall, plus adding all types of landscaping to create a good buffer. And, the back wall of the building itself, we're going to finish it with nice brick and nice details, like the front, but there are no windows or doors in it that could affect the neighbors in the back, on two sides. We're trying to work with the neighbors not to create sound at the back. The building would create a buffer between the street and the neighborhood. We thought that would be something good.

Dave Campbell – Yes, we talked about the impact on the neighborhood residential. We also talked about exterior lighting and being smart about how the site is illuminated, including illumination under the canopy so that you're not shining light into the

neighbor's backyard and into their windows. In addition, we talked about lighting that is more consistent with a residential setting as opposed to a highway setting.

Chairperson Parel – Brady, are you good?

Phillips – I'm good.

Bearer – I feel like I remember when you were here previously that you discussed providing rec fuel as well for boating. Is that still part of the plan?

Cameron Bakko – Yes, we did, and yes, it is. And so is diesel. And those two are more per the request of the feedback that we got. We have a lot of customers that do a lot of commercial work and they use diesel for their trucks. And obviously with the lakes around us, people probably prefer to get their rec fuel from there and bring it back to their homes on the lakes.

Bearer – And where is the nearest gas station? Is that on Wixom?

Cameron Bakko – I think the nearest one is about two miles west of us, which is the Wixom Saroki's gas station.

Bearer – Okay, that's all. Thank you.

Dave Campbell – Cameron, with the rec fuel and the diesel fuel, is that dispensed from the four pumps that you're showing under the canopy? Sometimes you see rec fuel dispensed from a separate pump somewhere else on the site.

Cameron Bakko – If I'm not mistaken, I'm pretty sure it's part of the same area. Any fuel dispenses from that canopy.

Dave Campbell – You're showing four pumps there.

Mr. Bakko – There are some pumps, they use diesel, and also gas. But the rec, I don't know how they're going to do that. It could be a separate pump.

Dave Campbell – So, it would be important to know where that separate pump might be.

Mr. Bakko – We can talk to the jobber and he could explain everything.

Dave Campbell – Okay.

Winkler – One other thing did come to mind and that is sidewalks. But I don't see any sidewalks along Glengary or along Benstein north of Glengary as part of the Township's sidewalk program, so it's a moot point. Just something I wanted to mention to consider.

Mr. Bakko – There is no sidewalk.

Cameron Bakko – Yes, if we create a sidewalk, it would be the only ... I don't know how long it takes for the rest of the neighborhood to follow suit, but if we were to put a

sidewalk over there, you're looking at just that corner that has a sidewalk. There's no traffic light that allows pedestrians to cross.

Dave Campbell – It's something we want to look at. Keep in mind, I will go back to Geary Masonry for a moment. When you look at their site and their corner, it's just one big, paved area. If there were to be a sidewalk, seemingly it would just be paint, a crosshatching over top of existing pavement. So, we can look at that potential. Going southward a little bit, and here's what I'm talking about, instead of having actual physical sidewalk, it's paint going across the driveway of the Dairy Twist. One of the things we need to look at is the potential for having a legitimate crosswalk across this easterly leg of Glengary Road. You mentioned earlier, folks may be going back and forth between the Dairy Twist and the new store. Maybe we would want to look at the potential for having an actual signalized crosswalk across that leg at least to make sure that's a safe movement.

Chairperson Parel – It's a very good idea. I can foresee people doing that. I'm hoping people do that.

Mr. Bakko – That would be nice.

Chairperson Parel – Thank you, Brian.

Loskill – The only comment I had that has not already been mentioned would be to look at your merchandising plan, because you've got a lot of liquor bottles in windows, and coffee bars in front of windows, and sometimes those aren't the most attractive things to look at. Short of that, good luck.

Dave Campbell – Cameron, maybe this is a question for you. Ghassan talked about having these windows and I agree, those could be a nice feature to let some daylight into the store and so forth. What there is often temptation to do though is block those windows, either with racks of merchandise on the inside of the store, or with a lot of signage advertising beer specials and whatever it might be. When we're showing these very nice windows, are they truly going to be clear windows that people can see through, or are they going to be blocked off on the inside, with merchandise or shelving, or posters and advertising?

Maybe it's not something that you're going to want to commit to one way or the other right here, right now, but I think the hope of the Township would be that these are real functional windows that are complementary to the building.

Cameron Bakko – What I can say right now is, our goal is to try to let in as much natural light as possible through the windows. We want bigger windows for a reason, it makes people more comfortable to be in a store where there's more that natural light, more visibility outside. As far as the commitment part, that might be a little early, but we would like to let as much natural light in as possible.

Dave Campbell – They're windows. They're not billboards.

Cameron Bakko – All right. We're not putting any advertisements in the windows. That's for sure.

Mr. Bakko – We might have the “Open” neon sign.

Cameron Bakko – Of course an “Open” sign which is standard for everybody.

Dave Campbell – We’ve all seen the stores where they cover their windows with signage.

Mr. Bakko – No.

Cameron Bakko – No, we’re looking for a more modern, neighborhood friendly approach.

Mr. Bakko – Maybe you’re going to see a slushie machine or a coffee machine in front of one of the windows so we can line them up. Nothing big deal.

Cameron Bakko – Nothing that will interrupt anyone’s view or anything major.

Dave Campbell – It’s a safety thing too, right. You want them to be able to see inside your store, particularly law enforcement. You want them to be able to make sure everything is going okay inside.

Mr. Abdelnour – Most of the shelving will be like 3 to 4 feet. These windows are 14 feet.

Weber – First, I love the idea of creating more of a market. I think there is a need for that. There isn’t anything else that’s close within the Village or the Township right there. I applaud you for upgrading the facility. Traffic is obviously a big concern. We will see what comes out of the traffic study; the ability to make the turns in and out, and it is close to the intersection. I will reserve judgment based on the traffic engineers. They will tell us what the smart thing to do is with that.

It’s not lost on me that the corner is zoned B-3 already. Obviously, I have concerns any time we’re going to have a somewhat high-intensity usage like a gas station next to residential. That’s always going to be a concern. I would want to see a little more detail once we get to that point; what is the wall and what is the buffering actually going to look like. The lighting is easy, I get that. That’s something I will be interested to see. It is a neighborhood commercial corner. You have the Dairy Twist, and even Geary Masonry, the way he has designed it, he made that building much improved over the previous gas station that was there, and the old auto shop that was there.

My first question is, do you have to have a canopy over the pumps? You’re right next to residential and you’re going to have a 16 foot high canopy. I appreciate the comments that say we’re going to tone it down and not light it up, but it’s still going to be 16 feet in the air.

Mr. Bakko – It’s very important to have it. There are so many reasons; snow, rain, sun. You don’t want to stand for two minutes pumping gas in the direct sun when it’s 90 degrees outside, or if it’s raining.

Cameron Bakko – There’s also a safety concern about that.

Weber – For fire suppression.

Mr. Bakko – Yes.

Cameron Bakko – Yes, the canopy hangs those extinguishers. Without a canopy, I don't think that's ...

Weber – That is something I think would be important to me, and once we get further along, what does the elevation look like? If I'm sitting at the Dairy Twist, or across the street, or if I'm a neighbor, what does that canopy look like in proportion to Geary Masonry and the surrounding area? Is it going to stick out like a sore thumb? With the renderings so far, I can't see that.

Mr. Abdelnour – As a proportion, the building will be 20 to 23 feet, and the canopy is only 17 feet, so it's actually shorter than the building itself. What we're planning to do for the canopy columns, we will be using the same materials as the building itself; the limestone, brick, metal. And on the top of the canopy, we're recessing all the lighting inside the canopy itself and we're using a natural material on the top for the metal that doesn't make a big statement. So, when you look at it, you're really looking more at the building than just the canopy. And we will provide the information.

Weber – The first hurdle to get past is traffic.

Mr. Abdelnour – The traffic is the big issue because if the traffic doesn't approve it ...

Weber – Right, I don't want Steve and Cam to spend money until we get the traffic feedback, so we understand if it is viable from that standpoint.

Mr. Abdelnour – That's the plan.

Weber – Once we get to that, it would help me to see those elevations so we can see what the street view will look like and how the canopy intersects with the residential and the market, et cetera.

Dave Campbell – Mr. Abdelnour, I think we talked about providing an updated version of this rendering, but with the canopy included, which helps show the scale of the canopy relative to the building.

Mr. Abdelnour – I will do that, yes.

Weber – My last comment is, I'm probably not a fan of adding a fifth pump for rec fuel. If it can be incorporated into the four ...

Mr. Abdelnour – With our experience, I think with the four, there's going to be one pump that is dual.

Weber – So I would assume that one of the pumps would have rec fuel rather than having diesel.

Cameron Bakko – From what I've seen at other gas stations, and I don't know if this is a standard in the industry, but you have 1, 2, 3, 4 and then in between two of them, there is typically another one, a standalone pump, but it's in between so it's not standing off

on the side and it's not another dispenser on a different side of the lot. It's still part of the square.

Weber – I get what you're saying. That would be helpful if you could show us.

Cameron Bakko – We will speak with our jobber about that, and about the statistics of gallons per month or the need.

Dave Campbell – You have to demonstrate that there is a need. That often comes in the form of a market study, and in your case, the jobber is often the one who can provide it.

Mr. Abdelnour – They do check a lot of traffic counts too for that.

Dave Campbell – It has to do with traffic, population, rooftops, and there's all sorts of ...

Weber – They've done it before.

Cameron Bakko – Yes, it shouldn't be a problem.

Mr. Bakko – And if I'm not mistaken, Dave, we spoke about the traffic study.

Dave Campbell – Yes, we're hoping to get a scope back from our traffic engineer, and a price tag.

Mr. Bakko – Okay.

Cameron Bakko – So we wait to hear that from you before the traffic study.

Dave Campbell – I just said to Paula, we're going to remind the traffic engineer that we are hoping to see that scope. Her office is busy like everybody else, so we will try to get that going.

Chairperson Parel – Dave, back to George's comment, do we know the height of the masonry building?

Dave Campbell – Next door?

Chairperson Parel – Yes, on the corner.

Dave Campbell – I don't, off the top of my head. I can go to Google street view.

Chairperson Parel – Yes.

Mr. Bakko – It's like somewhere around 14 feet high, because mine is about 10.

Cameron Bakko – It's probably slightly taller than ours.

Chairperson Parel – So 12 to 14 feet. Okay, are you all set, George?

Weber – Yes.

Chairperson Parel – Thank you, sir. Mickey?

McCanham – You guys have asked all the big questions.

Mr. Bakko – Basically, our canopy is going to be maybe 3 or 4 feet higher than the masonry building.

Chairperson Parel – Yes, I think it would be nice to see that and have that view of the canopy as mentioned. What was the rationale for having later hours during the week than on the weekend?

Dave Campbell – Unless I had that backwards. It was 11:00 PM on weekdays, and 10:00 PM on weekends I thought.

Mr. Bakko – I don't know ... Was it 11:00 PM weekdays, 12:00 AM on Friday, 10:00 PM on Saturday.

Cameron Bakko – No. Do you have my original conditions?

Dave Campbell – That's in the Planning Commission packet. *Hours of operation will be limited to 6:00 AM to 11:00 PM Monday through Friday, 8:00 AM to 10:00 PM Saturday and Sunday.* I guess the question is, why close earlier on the weekend?

Chairperson Parel – I would have thought it would have been the opposite.

Cameron Bakko – I might have been mistaken. Can that be amendable?

Dave Campbell – It can, but you've got to do it because you have an attorney who is going to put it into an agreement. We need to make sure we've got it.

Cameron Bakko – We can go over that tomorrow.

Dave Campbell – What makes sense to you? Keeping in mind ...

Cameron Bakko – Closing earlier on Sundays is something we've done. That is a given. That schedule for Sunday alone would make sense. On Saturday ...

Dave Campbell – Keep in mind that, again, part of the idea here is that this is more of a neighborhood setting, a neighborhood market, and this isn't meant to be a place that's open late into the night, and I don't think that's what you guys want either. That's part of what the Township is going to consider.

Cameron Bakko – We are always open to feedback with what you guys feel is appropriate for hours scheduled, I just ask that you take into account that our hours of operation right now are based off of people that we serve in the area, and we're more than happy to provide that. We do still get a lot of people between the hours of 9:00 PM and 11:00 PM when we close because that's when a lot of people get off work. Believe it or not, most of those sales aren't even alcohol; people come in for milk, snacks, cereal. In the summertime, we have the campground, Proud Lake, and we get a lot of

people who come in when they're camping there. We sell a lot of merchandise for that, and they're happy that we're open because nobody else around us is open. It's 11:00 PM and they need charcoal fluid, charcoal, firewood. That's why we're open until 11:00 PM because it's more accommodating.

Chairperson Parel – So your current operation is open what hours?

Cameron Bakko – We're 9:00 AM to 11:00 PM Monday through Saturday, and on Sunday, we're 9:00 AM to 10:00 PM.

Chairperson Parel – So I guess the question is what do we want for the neighborhood feel of this new operation? Does it differ? Is the marketplace portion potentially different than the gas? Is there a rationale to further limit the time in which the operation is open for gas? Is there a scenario in which the market is open different hours than the gas pumps?

Cameron Bakko – I've never seen something like that done.

Chairperson Parel – We've had that conversation. The building is being expanded closer to residential, and that's I think what triggered this conversation originally regarding hours of operation, to reduce impact on the neighbors. I don't know if we have to resolve that now.

Cameron Bakko – What I can tell you is that we have no interest in expanding it late into the night, later than we already have. If we were to continue with what we have now, that's more than enough right now. Anything past 11:00 PM, we have no interest in that. That's a given.

Chairperson Parel – A question for the Commission is do we think 11:00 PM on a weeknight is what we want to see?

Phillips – I personally think it would be fair that they could maintain the same hours they have today, with the addition of gas. Also, if I'm a customer and I see the store is open, and I want gas and I pull in, I'm going to be upset when you tell me you're closed.

Mr. Bakko – Yes, you can't shut off the pumps. You might shut the kitchen at 10:00 PM at night, but not the pumps.

Dave Campbell – Is it fair to say that 11:00 PM is the upper threshold of what the Township and the Planning Commission would think is ... Are they kind of scraping the ceiling with 11:00 PM? I'm an old man. I'm in bed by 9:00 PM.

Chairperson Parel – I'm the wrong person to ask.

Cameron Bakko – Again, we're only accommodating people who have been coming to us for the last 11 years during those hours. For them to see that we start closing at 10:00 PM and they would come there one day and be ...

Chairperson Parel – I understand where you're coming from and I completely understand the business aspect of it. From my perspective, and I want to have the conversation, I think the reason we're even talking about the proposed hours is because

of the expanded building and making it closer to residential, and we wanted to potentially limit the hours of operation to help out the neighbors.

Dave Campbell – You're pushing the intensity further north. You want to keep that in mind as you're making your case to the Township. Part of that case is, what are the hours?

Cameron Bakko – We're open to that conversation.

McCanham – Will there be sound, music and TVs at the pumps, and would that come to a stop at a certain time of night?

Mr. Bakko – We spoke about this before. You can always put the volume down, or you can put it up.

McCanham – Okay, so you've looked at that.

Mr. Bakko – Yes, that's not a big deal for us.

Cameron Bakko – I don't think people want to hear stuff like that at nighttime, and that's not a problem for us.

Weber – I think when we talked about it last time, you said you were not going to have the pumps running TV commercials on them.

Cameron Bakko – Are you talking about the modern pumps that are a full screen now?

Weber – Yes, where they're literally blasting a TV commercial while you're pumping gas.

Cameron Bakko – I have seen new gas stations that have the big screens, and I think Sheetz has those now, but they don't have TV or anything blasting. It's just a touchscreen.

Weber – That screen is fine.

Dave Campbell – Maybe you want to think about committing to that, that the screens will not have an audible advertising component to them.

McCanham – If you go to a Meijer station, on that big screen, they're trying to get you to come inside to buy a drink.

Mr. Bakko – They advertise.

Cameron Bakko – Yes, we don't have to do that.

Mr. Bakko – No, no, we're not going to say yes or no. Why? Because the new pumps, you don't know how they're going to come in. What are you going to tell the jobber? Okay, I don't want the screen, and then they have to redo the whole pump.

Chairperson Parel – I just want to make sure we're talking about the same thing. What you were talking about was an LED or LCD screen that will show you what you're paying for your gas per gallon, and it has the counter on it. Those I don't think we're challenging. It's the television sets that sit up on the pump scrolling through advertisements.

Dave Campbell – Is it specifically the audio?

Chairperson Parel – No, I think it's video as well.

Weber – It's bright.

McCanham – It's both.

Cameron Bakko – As long as the jobber says it's optional, we don't have to have the option.

Weber – And I'm sure it's optional.

McCanham – I would imagine those can be programmed the way you want.

Cameron Bakko – I would hope so.

Mr. Bakko – Yes, we can advertise chicken, pizza, or Pepsi.

Chairperson Parel – We are hoping for no advertisements. When we talk about pushing the intensity further north, is there an option or a plan ... What happens if you're closing your operation at 10:00 PM or 11:00 PM, do the lights in the canopy shut off?

Mr. Bakko – Yes.

Chairperson Parel – Do you keep lights on outside the building?

Mr. Bakko – You keep lights on for safety.

Cameron Bakko – Those are on a timer. That's more for employees to walk out. Lights are on for an hour after that, and then they turn off.

Chairperson Parel – In regard to parking, how many spots were you looking at total? Do we have that number?

Cameron Bakko – 26?

Mr. Bakko – About 26 spots.

Mr. Abdelnour – We have 18, plus 8 at the pumps. We have enough parking.

Chairperson Parel – Part of the reason I'm asking is because with hot food offerings, I think it's going to be successful with outdoor seating, and you need that parking.

Mr. Bakko – Especially on the market side.

Cameron Bakko – That's why we put the outdoor seating on that side, away from the gas pumps, to make it more appropriate.

Chairperson Parel – Then they'll go across the street for ice cream.

Mr. Bakko – Or get ice cream and come over here.

Cameron Bakko – We thought that was neighborhood appropriate and friendly.

Chairperson Parel – Which goes back to our conversation about safely getting people across the street. I'm good. Any other comments from anybody? Hearing none, did we help you to get closer to your decision?

Mr. Abdelnour – I think we're on the right track. The main thing, as we've said, is that the traffic study is very important. After that, maybe we can meet every requirement.

Chairperson Parel – Dave, anything else?

Dave Campbell – I know they've talked about getting back in front of you June 1st, which is going to be here before we know it, so there is a lot of work to be done if that deadline is going to be met.

Mr. Abdelnour – The main thing is getting the traffic study quickly. We're doing one right now and it has taken 3 to 4 months.

Dave Campbell – Again, you're hearing a lot of comments, suggestions and questions, many of which would want to be incorporated into the agreement that we talk with the attorney about. Some of these, such as hours of operation; if you're going to adjust what we talked to the attorney about, we need to get that information to the attorney. That's just one example.

Mr. Bakko – As Brady said, if we maintain the same hours, we're okay with that. If we have to shrink it on a weekend, it's not going to kill us. It is what it is.

Dave Campbell – Again, you would have to offer that, and the attorney would have to insert it into the agreement.

Mr. Bakko – Sure, let's maintain it the way it is.

Dave Campbell – I would say, let's talk tomorrow and we will go over what we heard tonight.

Chairperson Parel – So we will continue the conversation about hours of operation.

Dave Campbell – Yes. And assuming we are going to have a public hearing on this, sometime in the near future, whether it's June or not, one of the items I think would be included in the Conditional Rezoning agreement was them volunteering to limit their

hours to X-Y. What I hope they're hearing is that's very important to the Planning Commission.

Chairperson Parel – Anything else we can answer?

Mr. Abdelnour – No, thank you for having us.

Mr. Bakko – Thank you.

Cameron Bakko – Yes, thank you for your feedback.

Mr. Bakko – We want to make sure everybody will be proud. We're going to make it look good.

Chairperson Parel – Thank you, gentlemen. Have a great evening.

J: OTHER MATTERS TO COME BEFORE THE COMMISSION:

Chairperson Parel – Dave, or anyone else, any other matters for the Planning Commission to discuss?

Dave Campbell – I don't have anything, other than the Planning Director's report.

Chairperson Parel – I have a question. A woman came up tonight during the public discussion and brought up a Conditional Rezoning adjacent to her father's property from a few years ago. I noted that she highlighted some of the comments I had made in regard to what happens in the instance that the people on the other side of the fence don't abide by the Conditional Rezoning. We've agreed to look at that. Your department will talk to Jay and the folks in Building, but could you follow up with this Commission?

Dave Campbell – Yes. Point of clarification; this was not a Conditional Rezoning. It was a pole barn, and up until recently, to get an oversized pole barn approved, you had to come to the Planning Commission to do so. In this particular case, the neighbor had already built their pole barn. I think it was one of those buildings that went up during COVID times, so they were retroactively seeking approval for a pole barn that they had already built. So, what's she's saying is that they have not abided by the conditions that the Planning Commission imposed to let the neighbor keep the pole barn. For what it's worth, I have not heard from Ms. Weaver in the three-plus years since this meeting. She did call today and spoke to Beth, but that's the first time that we have heard about any of this since this meeting. So yes, we are going to follow-up, but everything she said was new to us.

Chairperson Parel – The terminology was conditional approval. Yes, it would be nice to get an update on that when you have it. I understand that it's new to you and Jay.

Dave Campbell – The other thing I heard her say was that he will move the cars just long enough to get us off his back, and then he moves them back. That's the game of whack-a-mole that we always have to play.

Chairperson Parel – Sure. Thank you.

K: PLANNING DIRECTOR'S REPORT

NEXT REGULAR MEETING DATE: MONDAY, JUNE 1, 2026, AT 7:00PM.

Dave Campbell – Looking ahead to the June Meeting:

- We are potentially going to have a public hearing for what they're calling Wingate Preserve. The folks who have endured this meeting all the way to the end are the contingent from Commerce and Carey. The developer is seeking the Conditional Rezoning process. If everything aligns, they would like to have their public hearing at the June 1st Planning Commission meeting.
- Obviously, we just heard from the Commerce Lake Market team, and they would love to be back in front of us in June. There's a lot of work to be done to be able to make that happen.

Weber – Dave, you said Wingate Preserve is a Conditional Rezoning, or is that a PUD?

Dave Campbell – They are going the Conditional Rezoning route, from R-1A to R-1D.

Weber – Okay.

Dave Campbell – It's their option. There are a lot of similarities to the processes. The distinction, with a PUD, you're asking for something that doesn't fit in any zoning category. For them, what they want to do fits in R-1D.

Weber – With a PUD, the developer has to include a significant and recognizable benefit to the community.

Dave Campbell – True.

Weber – So, a Conditional Rezoning does not have that requirement, but we still achieve that based upon the conditions.

Dave Campbell – They have to offer conditions and you have to accept those conditions. So, the conditions they offer could be in the spirit of public benefit.

Weber – I will anxiously await to see what those are. I'm assuming it's what has already been described as primarily significantly more greenspace and buffering, and road improvements within the surrounding community.

Dave Campbell – Those are the things that have been discussed. And yes, road improvements, and again, we have traffic consultants looking at it. That is a goofy intersection over there. So, what the developer wants to do is make it not so goofy, and make it more of an attractive entrance feature. To do that, we also have to do so within the parameters of the Road Commission, so the traffic engineers are looking at it. There's also a weird ownership situation with that corner. It's unclear who actually owns it. It's old right-of-way, and it's something of a no-man's land. So, if everything aligns, they would like to be on that June 1st Planning Commission for a public hearing, and Commerce Lake Market, same thing.

- Bogie Lake Residential; I referenced this earlier. This is the 46 houses between Walled Lake Northern and the old West Winds nursing home on the south side of Bogie Lake Road. This has been idle for a while because they have not yet

proceeded to the Township Board, and it was by choice. At the last couple Township Board meetings, there have been some absences of the Township Trustees, and they would like their rezoning considered by a full, 7-member Township Board. So, they have been asking not to be included on the agenda for the last couple meetings, but I think they're to the point now where they're saying, we've got to keep our project moving forward. They may ask to be on the Township Board's May agenda. If they do, and if they get their rezoning approved from the Board, it's possible they would be back in front of you in June looking for approval of their condominium site plan.

- Then, a continuation of our discussion with our Building Official about lakeside detached accessory structures.

L: ADJOURNMENT

MOTION by Weber, supported by Loskill, to adjourn the meeting at 10:12pm.

MOTION CARRIED UNANIMOUSLY

Joe Loskill, Secretary