

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

Monday, May 6, 2024
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
Sam Karim

Absent:

Bill McKeever (excused)

Also Present:

Dave Campbell, Township Planning Director
Paula Lankford, Senior Planner

B. APPROVAL OF AGENDA

MOTION by Loskill, supported by Phillips, to approve the Planning Commission Regular Meeting Agenda of May 6, 2024.

MOTION CARRIED UNANIMOUSLY

C. APPROVAL OF MINUTES

MOTION by Winkler, supported by Loskill, to approve the Planning Commission Regular Meeting Minutes of April 8, 2024, as written.

MOTION CARRIED UNANIMOUSLY

D. UPDATE OF ACTIVITIES

George Weber – Township Board of Trustees

- Our last meeting was on April 30th, which was a quarterly discussion meeting.
- Of note for that, we have approved the WRC budget for selected projects that they're doing at the wastewater treatment plant. There was not a budget for 2024 that was approved, so Oakland County is coming in and we're going to have a meeting with them to go through that. In essence, the projects to keep the plant operational and up to par are presently going to need to be approved on a case-by-case basis. As a result of that, the next meeting is probably going to be a long one.
- We had a long discussion regarding a rental ordinance. Jay and Dave suffered slings and arrows through that for a long time. The ultimate decision of the Board was to not enact a rental ordinance. We will update our website and if any tenants have issues with their landlords, there are services that the County has, and there are processes that people can go through to get satisfaction. But we are not going to legislate that through an ordinance.
- The Board gave a blessing for Jay and Dave to move forward with an amendment to Article 33 for the addition of a 10-foot separation for accessory structures. The public hearing will be held here tonight.

Chairperson Parel – Thanks, George. I have a question on that rental ordinance that was under consideration. Was the topic strictly long-term rentals, or did the topic of short-term or VRBO come up?

Weber – This was not short-term. It was an ordinance involving an inspection process for long-term rentals.

Chairperson Parel – Which I know some other local municipalities have, and we just made the decision that it wasn't right for us?

Weber – Without getting too far into the weeds, the keynote of this is without a tenant giving up some of their rights, by State law we could not enter that premise on our own accord. In order for us to inspect plumbing, electrical, heating, whatever it might be that we wanted to make sure was in proper operating order, by law, we could not enter it. So, our ordinance, without a tenant giving up any of their rights, would be for exterior only. We didn't think inspecting the exterior of an apartment building or a rental property would be the prudent thing to do.

Chairperson Parel – West Bloomfield does exterior only, and I wondered the same thing, what value it is.

Weber – There are a few; Farmington and West Bloomfield do exterior only. There are others that do interior as well.

Brian Winkler – Downtown Development Authority

- I can summarize the April 16th DDA meeting as follows.
- The meeting was a DDA Informational meeting.
- Regarding the Insite Commercial Report:
 - Parcel B1, Phase I - Aikens Five & Main: Aikens and Continental, along with the Township engineer, are continuing to explore ways to reduce the cost of the underground infrastructure for the project. A possible Special Assessment District is also being explored, with assistance from Molly Philips, the Township Treasurer.
 - Parcel C - LaFontaine Automotive Group: On the northwest corner of Pontiac Trail and Haggerty; work has started on the old Dick Morris Chevrolet building, which will be initially used as a Genesis dealership for about a year until the new dealership is built on Parcel C.
- Bob Sackleh reviewed the Asset & Liability Report with the Board. It appears that after September 30th, the DDA debt will be down from \$46M to \$40M.
- The Board authorized the DDA attorney to negotiate with the RCOC a Drainage Easement at the east end of Glengary Road where it terminates at South Commerce Road.
- Committee Reports: Public Relations: The WLCS Art Exhibition will take place at the Community Library from May 20th through the 27th.

Bill McKeever – Zoning Board of Appeals

In McKeever's absence, Chairperson Parel asked Dave Campbell for an update.

Dave Campbell –

- We did not have a March ZBA meeting.
- We will have a meeting on May 16th and we have two petitioners.

Jay James – Building Department

- Just a few updates.
- Brian mentioned that the former Dick Morris building for Genesis, which will ultimately be the service center, has gotten started.
- Some of our developments, the Reserves, both at Proud Lake and at Crystal Lake, are getting started. Crystal Lake has at least 20 homes under construction right now.
- Oak Hill, which is the development at Wixom and Glengary, is getting very close to being wrapped up. The remaining lots are in construction. I would expect that to be done probably by the fall if they don't have any problems.
- Some other construction you will see is the culvert under South Commerce Road, just north of Glengary. That culvert is going to be replaced. They just received approval from EGLE to do so. Luckily, EGLE approved the RCOC to replace it in-kind, otherwise we were going to have to relocate our sewer force mains, which was going to be a substantial cost. That project I think will kickoff later this summer. It will be another road barrier for everybody to work around.

Chairperson Parel – At least the kids will be out of school.

Jay James – Yes, at least when it gets started.

Dave Campbell – Speaking of that, they're also replacing the culvert under Farr Street, east of Commerce Elementary. Not as busy of a road, but they're also doing that one during the summer.

Chairperson Parel – That should be a little quicker because it's not paved. They're not planning on paving it, are they?

Dave Campbell – Yes and no. They're going to pave the portion over the culvert.

Weber – Regarding the development at Glengary and Wixom Roads. We have the anti-monotony requirements. The fronts of the homes look different, but the backs of the homes along the roadway, an exceptionally high percentage of them are the same or close to the same color. How do we think about that?

Jay James – That was not addressed in the monotony ordinance, only the fronts.

Weber – Okay.

Dave Campbell – It does raise a question; is it the government's job to pick out the color of your house?

Discussion continued regarding the anti-monotony standards and the Oak Hill development.

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.

Larry Haber, former Planning Commission Chairperson and Commerce Township resident – It's different from this side, I'll tell you that. I just want to make a quick comment about a subject that's near and dear to my heart from when I was on your board, and that was the Aikens' project.

I beg you to hold firm on what you're doing for him. Contractors always want what they want. We're here to protect the public and get the best we can for Commerce Township. So, I want you to hold firm on what he promised to do years ago, until what he may give you now.

As that project goes forward, which I hope it does, and I really want to see it ... We worked hard on that years ago, all the people here in this room, with COVID and the economy, and all that sort of stuff, things went down the tubes a little bit. But, it's back, the economy's back and it's time to do something. That's going to be the centerpiece of Commerce Township, and it has to be done well. It has to be thought out well, and you are the front line for the community. You have to make this happen.

It's good to see you all. It's good to see that the community is still functioning, and I love it. Thank you.

Chairperson Parel and Dave Campbell thanked Larry Haber for his comments.

Barbara Stewart, 2025 Pauls Way, Commerce Township – I would like to bring up a matter that we have right across the street from us, a vacant home that is not being taken care of. It's being used as a storage unit and it's a very big eyesore in our neighborhood. Some of us are wondering if there's anything that can be done about it.

Chairperson Parel – Sure. I can pass it to Jay and ask his opinion.

Jay James – That falls under the Ordinance Department, but there's a couple things we can do. First, if it is truly vacant, is to make sure that it is not open for trespass; there are no broken windows and doors aren't open for access. Second is to make sure that the grass is being cut. If it is not, if you want to give me the address, I'll be glad to turn that over to our Ordinance Enforcement and they will go out and start the process on that.

As far as it just remaining vacant, there's nothing we can do as long as those items are done. We can make sure that they still upkeep the property, but it can sit there vacant unfortunately until they do find a buyer or a tenant to go into it.

Barbara Stewart – Okay. I do have a picture too, so I'll show you that as well.

Chairperson Parel – Not that it's a matter for this board up here, but you're not implying that a business is being run out of the home, are you?

Barbara Stewart – I don't know what's being run out of the home.

Chairperson Parel – Okay. I think you can find Jay James email address on the website. Alex Rowan, 2039 Pauls Way, Commerce Township – I live right across the street and what she's saying is true. The guy has cut the grass. He's built a new porch, and he did a new deck in the back.

Unidentified Speaker – No he didn't.

Alex Rowan – Oh, he didn't? Anyhow, I've seen people in there, but not like somebody living there.

Chairperson Parel – So, I don't mean to pass you off. I think that's a matter for the Building Department. We appreciate you coming in and talking to us. Jay will handle it. He has a great relationship with the folks in our Township. If you'd like to come up and state your name.

Dave Campbell – And while he's doing so, this is a good time to mention that Deb's doing a great job taking down everybody's comments, so if we can just do one at a time and have everybody come up to the podium. Everybody will have their turn so we can record this.

Frank Agostini, 2040 Pauls Way, Commerce Township – I live right next door to the house. It seems like every time we call, nobody ever comes out. When you say *taking care of the property*, there's all kinds of garbage in the back, wood and bricks laying all over the place, weeds around the house. He doesn't take care of the property. When he opens the garage door, it's full to the ceiling, side-to-side, just packed with garbage. We all take care of our property and it's getting to be really old. He's got dandelions this high. We have called. We've never seen anybody come out. Nobody ever tags the house, nothing. It's like, does this guy have an "in" with somebody in this Township or, because it seems like every time we call, he's out there mowing.

Weber – The answer to that is, no. But we do have an Ordinance Department and that's what they do, is specifically try to take care of blight. There are very specific things that we can and can't do. Like he said, it has to be a secure building, the grass can't be more than 8" tall, and I'm not sure about the storage of lumber and bricks.

Jay James – If they're keeping the stuff inside the garage and keeping it shut, they're allowed to do that.

Frank Agostini – No, there's like bricks stacked out in the front yard that they pulled, and then in the back yard, there's a bunch of chopped up wood and garbage back there.

Jay James – I'll tell you what I'll do. They would not post it if the Ordinance Officer has been out there. He would come back and write a letter to the property owner. I will check with the Ordinance Department. If they have not been out there, I will go out there myself personally on either Wednesday or Thursday this week. Then if you want to call in and check back with me at the start of next week, I can tell you what we found.

Frank Agostini – Okay, thank you very much.

Weber – And somebody needs to give Jay the address.

Barbara Stewart – It looks like it's 2020.

Chairperson Parel – My guess is if you're on the street, you probably can't miss it.

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

F. TABLED ITEMS

MOTION by Loskill, supported by Phillips, to remove Item PSP24-04 from the table.

MOTION CARRIED UNANIMOUSLY

ITEM F1. PSP24-04 – UNIT 19, HOMESTEAD INDUSTRIAL PARK – TABLED FROM APRIL 8, 2024

Premier Building Solutions of Livonia MI is requesting site plan approval to construct an off-site parking lot located on the southwest corner of Pioneer and Richardson Road for an existing medical office located at 4057 Pioneer. PIN# 17-13-326-042

Dave Campbell gave a review of the Planning Department's report and the written commitment from Dr. Syed for the revised proposal.

Phillips – Dave, one of my major concerns during the last discussion was the declaration by another property owner that this proposal violates their bylaws. I know you investigated it, and in your summary you basically said, *Our legal counsel said, private deed restrictions or restrictive covenants shall have no effect on the applicability of this Zoning Ordinance.*

Dave Campbell – Correct.

Phillips – You went on to say that there was no evidence produced showing that it did, so I think my question has been answered. I do have a question about other bylaws. I live in a community with bylaws and as part of our property purchase, we signed up for compliance. If we don't comply, people call the police, we get tickets and things like that. My understanding was that the association bylaws could be more restrictive than ordinances.

Dave Campbell – They can.

Phillips – But not less restrictive.

Dave Campbell – Correct.

Phillips – So if in fact there was a bylaw that was more restrictive than the Ordinance, would we have a different discussion?

Dave Campbell – If a bylaw is more restrictive than the Ordinance, then that bylaw is a private agreement amongst private property owners. That is not up to Commerce Township or any other municipality to enforce.

Phillips – I tried to think of an example. For example, if the property was zoned commercial residential, but the current use was all single-family and the bylaws said, single-family only. Could the Ordinance override the bylaws? Could a beauty salon go in there?

Dave Campbell – If the Zoning Ordinance and the Zoning Map were to say this property could be used for commercial, but the bylaws said this property can only be used for residential, then that would be more restrictive. It would be up to all of the parties who signed up to be a party to those bylaws to enforce their own bylaws. It could not supersede.

Phillips – So what would our answer be if somebody came in and wanted to put a salon on that property, and it's consistent with the zoning?

Dave Campbell – As long as it complies with all of the applicable standards of our Zoning Ordinance, we as a Township would say it's approved as far as we're concerned. If your association says you're not allowed to do that here, then that becomes a civil matter between the property owners within that association.

Phillips – Now, if they proceed with that project, and the association objects, saying Commerce Township is liable for this problem ...

Dave Campbell – I'm not an attorney, but I would assume our attorney would say we are not liable. We were never a party to those bylaws. Those are agreements that were made as private property owners.

Phillips – Maybe that's a clarification from our attorney.

Dave Campbell – I would say the attorney has already made that clarification, and it's stated as such in our Zoning Ordinance. In Article I, we say that it is not our role to enforce private bylaws, deed restrictions, or any other private agreements amongst private property owners.

Phillips – So I can say that has thoroughly addressed my concern.

Chairperson Parel – Dave, with that, were you finished with your summary?

Dave Campbell – Well, I know Dr. Syed and her builder are here to answer any questions on their own behalf. Within that written commitment that I've referenced, which was included in your packet, they do speak to a commitment to adding additional evergreen trees along the north side of the lot. The commitment to only use it for employee parking, and to put in the curb and gutter as anyone else would if they were building a commercial parking lot in Commerce Township.

They also provided a written commitment for a crosswalk. I would question whether the Planning Commission feels the crosswalk is necessary in this application. Keep in mind where our Zoning Ordinance does allow offsite parking, one of the criteria is that it has to be on the same side of the street. As we talked about in April, the parking lot would be on the same side of Richardson Road, which is obviously the higher traffic road, but it would be on the opposite side of Pioneer. So, if the Planning Commission were to approve this offsite parking lot, they would have to do so based on a determination that the spirit and intent of the Zoning Ordinance is being met, given that it's on the same side of Richardson.

But, to make the Planning Commission feel better about that determination, Dr. Syed's team did offer to put in a crosswalk across Pioneer. I question how much value it would

be, because their driveway for this parking lot would be lining up with the driveway for the office building on the east side of Pioneer. If the crosswalk were to be up closer to Richardson, the employees are not going to go out of their way to get to that crosswalk just to double back in front of the building. I would leave it up to the Planning Commission whether the crosswalk is necessary.

Dr. Suzan Syed, MD, 4057 Pioneer Drive, Commerce Township, MI, was present to address the request, along with her team; John McParland and Sean McParland of Premier Building Solutions, LLC, 33917 Plymouth Road, Livonia, MI.

Dave Campbell – We are setting up for the election tomorrow; Walled Lake and Huron Valley Schools have their bond election tomorrow. That's why you see all of these extra tables. If it's getting tight here, my friend Jay will certainly get more chairs. And, for the record, this is not sensitive voting equipment. These are letter opening machines. All of the sensitive voting equipment is locked up.

Chairperson Parel – Welcome back.

John McParland – Thank you. As representative for the building company, I just wanted to say that we appreciate the opportunity. Hopefully we've answered your questions. I know there was some issue about the bylaws and I believe we've put those to bed. Dave did a great job of researching and putting that together. We're just here to say thank you. Doctor, anything you want to add?

Dr. Syed – My hope is to put the building in, but like we said before, it's timing. I can't and won't promise what I don't know yet.

Chairperson Parel – Understood.

John McParland – We tried to do the things that you requested in terms of curbing, the barrier on Richardson, and some of the things that would make it more acceptable to you. We're hoping it does what you need it to do.

Chairperson Parel – We appreciate everything you've done so far.

Commission Comments:

Karim – If I were the owner of this land, I would build the building as well, just the shell, and try to find a tenant who does not have a lot of traffic.

Dr. Syed – That is my plan, it's just that financially I can't do the building right now. I have to wait, which is why I'm hoping for a couple more years.

Winkler – No comments.

Phillips – No, I'm very comfortable with the language that has been proposed.

Loskill – I have no issues.

Weber – My opinion is a moot point at this point, but I still have concerns setting a precedent for allowing a disparate parking lot on the other side of the street. It's something that is specifically called out as not being allowed in our Ordinance, even though we have the ability to deviate from that.

And maybe one other point. I did read the bylaws, which was painful. The HOA still has to approve the site plan. I saw nothing talking about separate parking lots and things like that, but I thought I read somewhere that the HOA still has to ...

Dave Campbell – Yes, I would agree. The HOA is supposed to have approval authority over any plan on any of the lots.

John McParland – And if I might add, we would intend to comply with the requirements. We're not looking for an adversarial relationship. Actually, we would hope to be able to amend and have a friendly relationship. They're neighbors, so there's no reason to be adversarial about it.

Chairperson Parel – George, to your point, Dr. Syed and her team have come back with a lot of improvements, in my opinion, on what she had previously brought. She took into consideration some of our thoughts. Understanding your position, is there anything else that's not included in this that you would like to see?

Weber – I agree that it would be a waste of paint to put a crosswalk on Pioneer. I do appreciate all that you've done on this, but setting that precedent is something I don't agree with. I don't want to have this discussion with somebody else on a much busier road at some point.

Phillips – My question to you, George, would be, do we have sufficient rationale documented for why we would deviate on this one? So that in the future if precedence is referenced, we can say that situation is very different.

Weber – It's a private road. Yes, arguments can always be made that this one is a unicorn, it's very unique.

John McParland – Well, and it is a private road which is unique in itself.

Dave Campbell – If you wanted to define the unicorn, there's an opportunity to do so within the motion. If you were to go with this motion, part of the language is the determination that it's acceptable, even though it's on the opposite side of the street. You could say, *it is acceptable because of the private road, a low-traffic road, employees only.*

Chairperson Parel – I don't think that's a terrible idea.

Dave Campbell – I do have some procedural items. If it were to be approved tonight, is it something that needs to come back in June, or could it be administrative?

Chairperson Parel – Is there anyone who doesn't feel confident that Dave can handle this administratively, assuming it's approved.

Phillips – I would prefer that he handle it administratively.

Dave Campbell – And it sounds like there is a consensus about the crosswalk, so if you want to work that into the motion that it's determined that the crosswalk is not necessary. In that domain, a sidewalk. So, whether or not a sidewalk is to be required along the frontage of Richardson Road, or whether it could be deferred until Phase II. Seemingly, there's three options; build it today, defer it until they're building a building, or make a contribution into the Township's sidewalk fund, understanding that along this stretch of Richardson Road, there is no other sidewalk to connect it to. It would be a 250 foot stretch of sidewalk without any connection at this point.

Chairperson Parel – My opinion on the sidewalk is, I don't see an opportunity for a sidewalk in an industrial park like this being utilized.

Dave Campbell – This would be along the Richardson Road frontage. In our nonmotorized Master Plan, it does show a sidewalk along the entirety of the south side of Richardson Road from Martin all the way to Newton.

Chairperson Parel – So you're asking whether or not we should require it now?

Dave Campbell – Require it now, or have her pay into the sidewalk fund, an in-lieu-of payment for whatever it would cost to build it now, or deal with it when the day comes that she is looking to do the building.

Chairperson Parel – Anyone up here have any comments?

Loskill – In looking at that stretch of Richardson Road, the possibility of that coming up isn't going to be in the life cycle of this section of sidewalk. You have developments up and down Richardson Road on that south side that are existing.

Dave Campbell – If you're saying there's not a lot of developable land along the south side of Richardson Road, I would agree with that assessment.

Loskill – It would literally be a sidewalk to nowhere.

Dave Campbell – I don't disagree. When we have those scenarios, we say do the in-lieu-of payment. Or, given that everything goes well, the Planning Commission will have another bite at the apple in a couple of years when Dr. Syed comes in to build a building, and you could punt the decision to them then. It is within the Planning Commission's authority with every new site plan to require a sidewalk along the frontage if it is called for in the nonmotorized Master Plan.

Chairperson Parel – I think the fund makes sense, whether it's now or later. Does anyone have a preference?

Weber – It's almost a question for Dr. Syed. At some point in time, we're going to ask for those funds. It's going to be cheaper now, so it's less money if you do it now than if you do it in two years.

John McParland – We have a pretty tight budget on what we're doing, and we've spent a lot of money doing her building to make it usable. We would prefer it be deferred if that's within your realm of options.

Chairperson Parel – Does anyone have any opposition to deferring, with the intention that one day it will be paid into the fund?

Loskill – No.

Phillips – No.

Chairperson Parel – Do we want to put a time period on that?

Weber – You have a time period of 24 months for the south side of the lot for curb and gutter, right?

Dave Campbell – No, they're saying they will do that now.

Discussion took place regarding setting a deadline on the in-lieu-of contribution to the Township's sidewalk fund.

Dave Campbell – With Lakeside Marine, we set a precedent that it either needs to be constructed now, or paid in-lieu-of within so many months, which I believe was 24 months.

Chairperson Parel – Would you be open to 24 months?

Dr. Syed – It's better than nothing.

Dave Campbell – If that's the pleasure of the Planning Commission, you can work that into condition #5 of site plan approval.

MOTION by Loskill, supported by Phillips, to approve Item PSP24-04, Unit 19, Homestead Industrial Park, the request by Premier Building Solutions of Livonia MI for site plan approval to construct an off-site parking lot located on the southwest corner of Pioneer and Richardson Road for an existing medical office located at 4057 Pioneer. PIN# 17-13-326-042

Move to approve PSP24-04, a site plan for Dr. Suzan Syed for a new 13-space off-site parking lot on Unit 19 of the Homestead Industrial Park condominium to serve the existing office building Dr. Syed owns at 4057 Pioneer.

Site plan approval is based on the following findings of the Planning Commission:

1. Off-site parking on the west side of Pioneer serving an existing building on the opposite/east side of Pioneer is acceptable given the proposed parking is intended for the employees within the building;
2. A frontage sidewalk along Pioneer Drive will not be required as it is not envisioned in the Non-Motorized Master Plan;

3. A 50-foot Bufferyard E will not be required between Phase 1 of the proposed development and the adjacent property to the west (Birmingham Gun Club) that is partially zoned R-1B, but may be considered if & when Phase 2 is proposed;
4. A revised site plan will be submitted and approved administratively to ensure compliance with the petitioner's written commitment submitted on April 30, 2024.

Site plan approval of Homestead Unit 19 is conditional upon the following items:

1. Review and approval of engineered construction plans by the Township Engineer, Building Official, and Fire Marshal;
2. An executed stormwater management agreement;
3. An off-site parking agreement between PIN's 17-13-326-042 and 17-13-326-010 to be drafted by the Township Attorney and recorded with the Oakland County Register of Deeds;
4. No outdoor storage shall be permitted beyond the day-to-day parking of registered and operational automobiles of employees/users of 4057 Pioneer Drive;
5. Deposit of a contribution to the Township's sidewalk fund in an amount proportionate to the Twp Engineer's cost estimate of an 8ft concrete sidewalk along the site's 250 feet of Richardson Rd frontage in lieu of actual construction of said sidewalk, to be deposited within the time period of 24 months of tonight's approval;
6. A revised site plan to be administratively reviewed and approved to include:
 - a. A revised landscape plan to include 6ft spruce trees along the Richardson Rd frontage to supplement the exiting deciduous vegetation proposed to be preserved to create a year-round screen of the parking lot;
 - b. Curb and gutter around the entire perimeter of the proposed parking lot;
 - c. Signage clearly identifying the lot as "employee parking only";
7. Administrative review and approval by the Planning Department of any planned exterior lighting to ensure consistency with the standards of Article 31, particularly relative to fixture height and design;
8. Signs to be reviewed and approved under a separate Sign Permit by the Building Department subject to the requirements of Article 30 of the Zoning Ordinance;
9. No crosswalk will be required across Pioneer Drive.

AYES: Loskill, Phillips, Winkler, Karim, Parel

NAYS: Weber

ABSENT: McKeever

MOTION CARRIED

G. OLD BUSINESS

None.

H. SCHEDULED PUBLIC HEARINGS

ITEM H1. PPT24-02 – WISAM BRIKHO – ACCESSORY STRUCTURE – PUBLIC HEARING

Wisam Brikho of Commerce Township MI is requesting retroactive approval as provided for in Section 33.01.A of the Commerce Township Zoning Ordinance for a 1,040 square foot accessory structure (pole barn) that was erected without building permits. The 2.3-acre property is located at 1992 N. Pontiac Trail. PIN#: 17-26-278-005

Dave Campbell gave a review of the Planning Department's report.

Wisam Brikho, 1992 N. Pontiac Trail, Commerce Township, was present to address the request.

Wisam Brikho – I'm here to get a permit or approval for the pole barn. I put it up for my lawn mower equipment and my boat.

Chairperson Parel – Is there a reason you did not pull a permit?

Wisam Brikho – I didn't think I needed a permit because the land is such a big piece of property, plus I saw that some of the houses next door to me have buildings put up too. So, I didn't think I needed a permit.

Chairperson Parel – Okay. Dave, with this new Ordinance, the power that has been granted to you and Jay, if this petitioner had come to you prior to construction, under this new regime, do you think this would have been approved?

Dave Campbell – We have had this conversation internally, and the answer is that we think we would have approved it, given that the fence provides a screening to the neighbors to the south, and given the existing vegetation providing a natural buffer. Also, given the distance that it is from Pontiac Trail. We think we would have allowed it, but it would have been conditional upon the same conditions that we recommend the Planning Commission consider, particularly that the existing vegetation to the south and to the east has to remain. If it were to be removed for whatever reason, it would have to be replaced with something comparable in terms of providing screening.

Chairperson Parel – The vegetation you just referenced, is that in the recommended language?

Dave Campbell – Now that I'm looking at it, we should have included it. I am recommending it now – if you were to approve this tonight, it should be conditional upon the existing vegetation remaining, and that it remains in a healthy condition.

Chairperson Parel opened the public hearing.

Dave Campbell – I would add, if this had been considered administratively through normal channels, we would still have sent a letter out, per the Zoning Ordinance, to every neighbor and we would have given them 10 days to reply. You asked if we would have approved this administratively. If the neighbors came back and brought something to our attention that maybe we didn't consider, we certainly would have taken that into account. That's what I hope will happen now with the public hearing.

Alex Rowan, 2039 Pauls Way, Commerce Township – I live directly behind Mr. Brikho's pole barn. My concerns are that the pole barn went up in a day. A couple weeks or maybe a month before that, he built a fence. I didn't have a problem with the fence, other than the fact that he built it 4-feet from the property line, so now I've got 4-feet of rough and tumble terrain that I have got to take care of. I'm also wondering if that pole barn is on a foundation.

I also think, and I can't prove it, but I think he's trying to run a business out of there. For the last 8 years, I've watched him literally burn thousands of pounds of trees in a big firepit that is now full of ashes. Usually in late summer, with the damages from the storms, they would just bring that in and burn it. The last time, he literally set his tree on fire. I was thinking of calling the Fire Department, but they ran a 100-foot hose from his house and put the fire out. Other than that, I don't have anything else to say, unless you have questions for me.

Chairperson Parel – Jay or Dave, could you address this gentleman's concerns? Maybe the easiest one is the foundation.

Jay James – It's my understanding from talking with Mr. Brikho that it does not have a foundation, but he's going to have to put one in. He will have to underpin that structure. Anything over 600 square feet, according to the State of Michigan Building Code, requires a foundation. He indicated there is not one there, so he is going to have to do an underpin. Basically, he is going to dig underneath it in sections, pour the concrete, create it, and then move to the next section and go all the way around.

Alex Rowan – And this has to be below the frost line?

Jay James – It has to go down a minimum of 42-inches. As far as the 4-foot between the fence and the property line, that is still Mr. Brikho's to maintain. If he is not maintaining it, you call the Ordinance Department. We will go out there and start sending him letters to maintain it. If he doesn't, we'll send him tickets and ultimately it goes to court.

Alex Rowan – Thank you very much, gentlemen.

Chairperson Parel – Thank you, sir. Dave, anything we need to add in this language regarding the footing, or is it already in here?

Dave Campbell – I would say if it were to be approved, one of the conditions would be to provide a foundation that complies with the Michigan Building Code.

Jay James – I think as long as you put in there that he has to obtain a building permit from the Building Department, that would be one of the requirements.

Barbara Stewart, 2025 Pauls Way, Commerce Township – We're directly behind Mr. Brikho. My husband and I don't have a problem with what he has done. He has cleaned up the area. The fence looks great. Even the pole barn in the corner, what we're looking at is very clean. Everything is clean and done very nicely. I just wanted to say that we don't have a problem because everything is being maintained and it looks great. I wish everyone would maintain their property like that.

Chairperson Parel – Thank you. Jay, when folks put up structures like this, is there a recommendation or do they have to stay a certain distance away from the property line?

Jay James – Yes, our Ordinance does outline that accessory structures can go as close as 3 feet to the back property line, and 3 feet from the side property line.

Chairperson Parel – So if he's at 4 feet, he's right in there.

Jay James – It's 4 feet for his fence. It's 18 feet from the property line to the structure.

Chairperson Parel – The issue was potentially with the area between the neighbor's yard and this fence.

Dave Campbell – I think the concern is that it becomes a no-man's land because nobody will be back there mowing it or maintaining it.

Chairperson Parel – As far as a fence, they could put it in the middle of their yard?

Jay James – Correct.

Chairperson Parel closed the public hearing.

Commission Comments:

Weber – Just a clarification, Dave. The report speaks to a 4,000 square foot pole barn. I'm assuming that's a typo.

Dave Campbell – Where was that?

Weber – Page 3.

The correction was noted for Page 3 to change "4,000" to "1,040" square foot pole barn.

Dave Campbell – I would also note, you would want to include in your conditions of approval that he obtain a building permit.

Weber – For clarification, I did drive by today and I saw you have a front loader parked in the front, but you're not running a business out of there?

Wisam Brikho – No, I'm just cleaning up the landscape.

Weber – Did you build this yourself, or did you have somebody build it?

Wisam Brikho – I built it.

Weber – We obviously have heartburn when anybody is building something without a permit. If this came to us as it was built, I think we would not have a problem with it either. So, I'm okay with it, as long as we clean up the permit.

Chairperson Parel – Unfortunately, if you had done it the proper way, you wouldn't have had to come here tonight and you wouldn't have to remove it to put in the footing, which is going to be a hassle.

Wisam Brikho – Yes.

Loskill – I have nothing.

Phillips – My concern is with his neighbor. With 4 feet of property on the wrong side of the fence, requiring him to maintain it, I don't know how you access that to maintain it without trespassing.

Wisam Brikho – There's a way to get around on each end.

Phillips – So you have access, you won't trespass, and you're committed to maintaining it?

Wisam Brikho – Yes.

Phillips – Thank you.

Winkler – No comments.

Karim – No comments.

Chairperson Parel – Any vote would include maintaining vegetation ...

Dave Campbell – Maintaining vegetation, and obtaining and complying with a building permit. Jay and I were just talking, and we're wondering if it makes sense to put a deadline on that; not just to get the permit, but also to do the work. We thought by year's end.

Chairperson Parel – So by year's end, the work would be done?

Jay James – It would be completed.

Chairperson Parel – Are we able to do that?

Dave Campbell – Yes.

MOTION by Phillips, supported by Loskill, to approve Item PPT24-02, the request by Wisam Brikho of Commerce Township MI for retroactive approval as provided for in Section 33.01.A of the Commerce Township Zoning Ordinance for a 1,040 square foot accessory structure (pole barn) that was erected without building permits. The 2.3-acre property is located at 1992 N. Pontiac Trail. PIN#: 17-26-278-005

Move to retroactively approve PPT24-02, an application submitted by Wisam Brikho for an existing accessory structure built without a Building Permit that is greater than 900 square feet, for his home at 1992 N. Pontiac Trail.

The motion is based on a finding that the subject structure satisfies the applicable standards of Section 33.01.A.5 of the Commerce Township Zoning Ordinance.

Approval is conditional upon the following:

1. A deed restriction recorded with the Oakland County Register of Deeds shall be provided to the Township's Building Department prior to the issuance of any building permits. The deed restriction shall prohibit any land division creating a parcel of less than 2 acres for the property the structure is located upon;
2. Removal of the existing shed;

3. The accessory structure shall not be used for any purpose other than those principally permitted uses in the R-1B zoning district, including but not limited to operating a commercial business within the structure;
4. Petitioner will obtain and comply with a building permit, including providing the footing/foundation that complies with the building code, as discussed herein, and the work will be completed by the deadline of year-end 2024;
5. Petitioner will maintain the 4 feet of property along the fence and property line as discussed herein, and all other existing vegetation, to the south and to the east, which provides coverage, has to remain, and remain in a healthy condition. If removed for any reason, it would have to be replaced with comparable vegetation to provide screening.

Discussion –

Parel – Dave, there are no issues with the materials?

Campbell – From a code standpoint or an aesthetic standpoint? And I guess my answer to both is, we didn't see any.

Parel – And I guess they would need to be up to standards in order to get a permit.

Campbell – Correct.

MOTION CARRIED UNANIMOUSLY

ITEM H2. PZ24-02 – COMMERCE TOWNSHIP – TEXT AMENDMENT – PUBLIC HEARING

An amendment to the Commerce Township Zoning Ordinance No. 3.000, to amend Article 33, General Provisions, Section 33.01.A Detached Accessory Structures, to require a minimum 10 feet of separation between detached structures (house, shed, detached garage etc.) on a residential property.

Dave Campbell – What's being proposed this evening is something that existed in our Zoning Ordinance for decades up until 2010. That requirement is for a minimum of 10-foot separation between any detached structures on a residential property. The intent is to protect public safety, health and welfare. If your shed or pole barn were to catch fire, the last thing we want to see happen is to have that fire spread to the house. The idea is to have 10 feet of separation so we can avoid that scenario. We already require it whenever two structures on a property are adjacent to one another.

I asked Jay, what is the logic there when we allow attached garages? The answer is that when you have an attached garage per Michigan Building Code, you have to have a one-hour fire rated wall between the garage and the occupied structure, which is not a requirement if it's a detached structure.

So, we are trying to reimplement something that was in our Zoning Ordinance for many decades that somehow got omitted, I think inadvertently, when we adopted a revised Zoning Ordinance in 2010. We have continued to apply the standard, even though none of us realized it had been omitted. We are trying to bring back what we think is a very reasonable and necessary standard requiring 10 feet of separation.

If the Planning Commission is in favor of this amendment, it would proceed to the Township Board, next week Tuesday, for adoption.

Chairperson Parel opened the public hearing.

No comments.

Chairperson Parel closed the public hearing.

Dave Campbell – If you were to take advantage of the motion language we provided, after we drafted it, we moved where the new language will be. We want it to be at the top of the list of requirements for a detached structure. Therefore, please remove 5.e. where we reference Article 33.01.A.5.e.

Commission Comments:

None.

MOTION by Loskill, second by Phillips, to recommend approval, to the Commerce Township Board of Trustees, of Item PZ24-02. An amendment to the Commerce Township Zoning Ordinance No. 3.000, to amend Article 33, General Provisions, Section 33.01.A Detached Accessory Structures, to require a minimum 10 feet of separation between detached structures (house, shed, detached garage etc.) on a residential property.

Move to recommend the Commerce Township Board approve PZ#24-02, an amendment to Sec. 33.01.A (Detached Accessory Structures) of the Commerce Township Zoning Ordinance, to add a minimum required separation of 10 feet between detached accessory structures on a residential property.

The Planning Commission's recommendation is based on a finding that the proposed amendment would maintain the existing standards of Article 33.01.A while adding a requirement that is intended to protect the public health, safety and welfare of the community from potential adverse impacts. **MOTION CARRIED UNANIMOUSLY**

I. NEW BUSINESS

ITEM 11. PSP24-05 – LOWE'S – SITE PLAN AMENDMENT

Lowe's of Commerce MI is requesting a site plan amendment for year-round and seasonal outdoor storage & display within Lowe's existing parking lot located at 2745 E. West Maple Road. PIN#: 17-25-376-034

Lashonda Hawk, Store Manager, Lowe's store #1814, 2745 E. West Maple Road, was present along with District Manager, Esther Chang.

Chairperson Parel – Apologies ahead of time to our petitioner, because I'm probably going to use the words Home Depot a lot today, talking about our prior experience with a similar matter.

Dave Campbell – Sure. Home Depot was kind of our guinea pig last fall when we went through the same process with them, the process for amending an approved site plan to include both seasonal and permanent outdoor storage.

In the case of Lowe's, the Commerce Township Lowe's store was approved in late 2004, and was built and open by 2005. The originally approved site plan did not include any outdoor storage, other than a designated garden center on the west side of the store, and a designated outdoor enclosure at the north end of the store. Through the years, Lowe's has offered more and more products outside the store, whether that be seasonal material, mulch, topsoil, rock and so-forth, or whether that be live plants, the equipment along the front of the store, lawn mowers, grills, et cetera, and then also sheds.

Lowe's has in recent years, based on the direction of the Township Supervisor, gotten some notices from our Code Enforcement Officers, and in conversations with Lowe's

public relations folks and the Township Supervisor, the understanding was that Lowe's would submit two plans essentially. One was called the interim plan, which was something that Lowe's submitted late winter, which was an effort to say here is what Lowe's is allowed to do without getting anymore tickets, until such time as they can get a revised site plan in front of the Planning Commission for action. The target date for that Planning Commission meeting was tonight, May 6th. The plan that would be coming before the Planning Commission would be more of the permanent plan. So, Lowe's has met their commitment to get a site plan amendment in front of the Planning Commission for tonight's meeting. That does not necessarily mean that the Planning Commission is obligated to act on that site plan. If there are things that the Planning Commission wants to see changed or revised, you certainly have the option to do so, but they did meet their commitment based on the timeline with the Township Supervisor to get in front of the Planning Commission this evening.

What's being proposed comparable to how Home Depot did it is both the permanent outdoor storage and the seasonal outdoor storage. I'll just kind of go around the perimeter of the store and point out what those areas are. So, this area just directly west of the store and then more toward the front of the store to the west along M-5 is for seasonal outdoor storage for drive-through pickup of mulch, topsoil, those types of materials that we all need this time of year. They defined what that season is, March 1st through July 4th.

Then along the front of the store is what they're calling the sidewalk sales. So, toward the west is the live plant material in front of the garden center. And then moving more toward the east is the grills and the mowers, and then an area more toward the contractors' entrance for construction materials.

Out along the easterly of the two Maple Road driveways on a permanent basis would be a display of sheds. I think they're proposing to utilize 9 parking spaces for the outdoor display of sheds. Moving northward, this area along the east side of the store is meant for permanent outdoor storage of lumber. And then this basically surplus parking area to the north of the store would be for permanent outdoor storage of the palleted goods; again, the mulch, the topsoil and those types of materials.

We keep mentioning Home Depot. Maybe one of the distinctions between Lowe's and Home Depot, at least at these stores, is the Home Depot had the outdoor equipment rental; the trucks, the trailers, the woodchippers, the trenchers and so-forth. To my knowledge, Lowe's does not offer any of that at this store and I guess I'll look to you folks. It's not something that's envisioned anytime the foreseeable future. So that's maybe one distinction with Home Depot is that Lowe's is not proposing to have any of that type of equipment outside.

Lowe's, I think maybe to their benefit, has this parking area in the back, which if you look at historical aerial imagery, it's overflow parking. It doesn't get a lot of customer parking or certainly never appears to whenever the aerial photos were taken. I did want to get some Planning Commission feedback on this area though, relative to the impact on the neighboring residential. So, this is all single-family residential to the east. I mean those folks could make a reasonable argument that is meant to be customer parking. It's not necessarily meant to be a loading/unloading area for pallets full of material, and that they have a reasonable expectation that they shouldn't have to hear trucks coming and going, or forklifts banging around. So, if the Planning Commission were to allow for this area to be permanent outdoor storage of palleted goods, the Planning Commission might want to talk to Lowe's about restricting the hours that there can be equipment moving around back there with backup beepers and so-forth. Because again, the folks

who live in these houses, if they had looked at the Lowe's site plan back in 2004, they would have just seen customer parking back here, not an outdoor storage yard.

Chairperson Parel – That area you're referencing, is that strictly for workers? Customers don't go back there, right?

Dave Campbell – Well, I think if you go back ...

Chairperson Parel – Is it a loading zone for customers?

Dave Campbell – No. On the site plan, it was just customer parking.

Chairperson Parel – No, I'm sorry. George confirmed. And the area they're proposing to use back there would just be storage. There would not be customers back there loading and unloading.

Dave Campbell – That is my understanding, correct.

Chairperson Parel – Sorry to interrupt.

Dave Campbell – Now that I have it up, this is the aerial photo from 2005 when it was brand new, and yes, it was just meant to be general parking. So, I think that covers the overview of what Lowe's is proposing.

Lashonda Hawk, the local Store Manager is here. I don't know who her friend is, but they're welcome to come up and introduce themselves and go over anything I may have missed.

Phillips – Do they have just a super excess number of parking spaces in order to do this, and do they still have the remaining spaces to meet the ordinance requirements based on the size of the building?

Dave Campbell – So, the ordinance requirements ... what was approved back in 2004 was based on the Township Zoning Ordinance. That's based on the use and the size of the use. If you look at the aerial imagery, and there are plenty of shots that were taken through the years, it certainly never appears that Lowe's has ever short on parking. If we did the calculation, it would probably turn out that, with all of these spaces taken up, that they would be deficient as far as the Township Zoning Ordinance is concerned, but in practice, I don't know that Lowe's has ever had a shortage of parking.

Phillips – So is that a variance we have to approve?

Dave Campbell – It's not. The Planning Commission can, and very often does deviate from the Township's parking standards. Our parking standards are frankly probably pretty outdated. I know we require more parking than we need a lot of times, and that's why this Planning Commission often does deviate from the standards.

Lashonda Hawk – I am the store manager of the Lowe's at 2745 E West Maple. This is my district manager and friend, Esther Chang. I'm sure this plan is much different than what 2004 needed and what was set forth. We know that customers' needs today have

grown exponentially, so we, as a community, wanted to make sure that we had enough product. We weren't here in position when this initially started, but we are doing everything that we can to be compliant to the needs of the Township at this point.

Commission Comments:

Chairperson Parel – I'm sure we're going to have some questions and comments. I know I have some. Sam?

Karim – The only thing that I'm really concerned with is the storage at the back, with the residential next to it. Wouldn't it be a noisy area with trucks coming in and small carriers? Would it be better for you to build a small building in there, like a shed or something like that to put those things inside?

The other question; is this going to be used for people to go in there and look at the products, or just a storage area?

Lashonda Hawk – Strictly storage. I don't know that it would be any less noisy if we built a building. We would still have to use the same power equipment to move the product around. In the time that I've been at the store, I don't know that we've gotten any complaints from our residential neighbors about sound. The store has been there and I'm sure they've used this space for bagged goods storage for probably the last 10 years or so.

Chairperson Parel – When you say bagged goods storage, that's mulch and palletized items like that?

Lashonda Hawk – Yes, mulch and soil.

Karim – It's not very high. I was worried about the neighbors with stacked storage in the back, and with the equipment.

Dave Campbell – It does sit in a valley. I don't know if the aerial will reflect that. A question about that area. From an operational standpoint, what is the activity level back there? What time of day? If I was a neighbor, what would I reasonably expect in terms of noise, if this were to be approved? And, would Lowe's be able to commit to saying, we won't have anybody clanging around back there during this time of day?

Esther Chang – I think it's largely dictated by the ebbs and flows of the sales; bagged goods, bagged rock, pavers, blocks, everything we have back there. What we essentially do is we store the majority in this parking space, and associates will drive forklifts in there and take it to the west side of the building and stage it there. It's like a two-parter. So, what we could do is make sure, if it's necessary, to minimize or restrict the time that we do operate in that way, to certain hours. We can make sure we get everything out to the west side of the building, so that when it comes time to refill or restock the quick load seasonal area, we could do that. But, we don't really have a set time frame that we're back there.

Dave Campbell – Let's say you could.

Lashonda Hawk – We could, if necessary, but we have not.

Chairperson Parel – And they're currently doing this right now?

Lashonda Hawk – Yes.

Karim – And you're not getting any complaints from the neighbors.

Lashonda Hawk – Not one.

Chairperson Parel – Dave, I'm going to comment really quick and ask you a question that may be hard for you to quantify. With the similar site plan that we approved, for the other retailer, did we give them similar space? I know they were all different, but they had a site plan like this that was all marked up with different colors and different types of seasonal storage. Did we give them a similar spot to this? This seems to be a big point for a lot of us, this maroon space we're talking about. Did we give them a space like this for these items outdoors? If we did, it definitely wasn't the size of this.

Dave Campbell – It was not the size of this, and it was not permanent. With Home Depot, it was seasonal, all the mulch and topsoil, the bagged palletted goods. Where it was allowed out in the parking lot was seasonal. Outside of that season or that duration, they committed to keeping it inside of their garden center.

Chairperson Parel – But my understanding is that Lowe's here is proposing two different mulch and topsoil options. One is this storage we're talking about that's maintained by their employees, and the other is similar to Home Depot's drive-up where they will have the limited amount that's ready for customers.

Dave Campbell – Yes, to the west of the store is the seasonal drive-through.

Chairperson Parel – Where is Home Depot's permanent storage of palletized items like this?

Dave Campbell – They don't have it. I can go to the aerial, and this aerial is from just a few weeks ago, so it's consistent with what was approved. This is what they have for their drive-through area. This is their plant corral. This is all of their pallets of mulch and so-forth. Then, for surplus, they were allowed this area here, but it's fenced in.

Chairperson Parel – It's fenced in and it's temporary, seasonal. So, if I'm hearing you correctly, those green pallets at the bottom, those two little rows there, we approved only on a seasonal basis to align with mulch and topsoil sales, from March to July. And I think what Lowe's is asking for is exponentially more of that, and it also happens to be next to residential.

Dave Campbell – I would agree it's a bigger space. I would agree it's permanent, or meant to be year-round. They're not proposing any screening. What they might contend is that there's a retaining wall right along here. There is a pretty significant grade drop. The retaining wall may be 6' or so.

Chairperson Parel – I'm not sure. I'm stealing Sam's thunder a little bit, but I agree with your point. For me, this is something that should be inside of the building. I think this is a

storeroom kind of thing. I don't think it's an outdoor thing. I understand they've been doing it. For me, I'm one vote, this area is a big pain point. Dave, I know we're going to talk about a couple other areas, especially the one that is furthest south. My belief is that, they have the real estate and they should use it. If they don't have enough, they should build the real estate, or have a distribution center. I understand that this is a convenience.

Dave Campbell – If we're going to continue to discuss this area, would it make any difference if it were not permanent? I can't speak for Lowe's of course, but if they were to say that it's seasonal, comparable to how Home Depot did their seasonal surplus area, would that relieve any of the pain?

Phillips – I would find it hard to use that much space seasonally and move everything around, or where you take it when it's off-season.

Chairperson Parel – Respectfully, it's an excuse to put crap in the parking lot.

Dave Campbell – I might question that too, and again, Lowe's knows their operation better than I do. Is it necessary to have a whole lot of mulch and topsoil back there in November, December, January? Does it need to be there?

Phillips – They don't like moving it multiple times. They want to have it available, I think.

Lashonda Hawk – When the season hits, we want the product there and available for the customer. Now I will say, we ran a promotion for a month and we sold out of every bit of the premium mulch we had back there. We're waiting for more shipments of it. We sell it rapidly. We can't predict when the weather changes in Michigan, and when customers will be ready to get out and do their yardwork. It just makes it easier for us to have that product already onsite, to the car and to the home.

Weber – Maybe a couple of observations. So one, there might be somebody, but I'm not aware of any company who has gone to the Michigan Tax Tribunal more than Lowe's to get property values reduced for tax purposes. Basically, about every four years, you're back to the point where the property is now assessed from a tax base at less than half of what it was when you owned it. To me, this business model is a financial model for you. By having it as outdoor storage, you don't have to put any brick and mortar up. That's a savings. You don't have to keep the material at your distribution center. You don't have to truck the material back and forth.

I understand the significant cost savings that this is providing to you, and how it's affecting your store's bottom line, but I don't think that's our job here, to help you become more profitable. We want you to thrive and I think you are thriving, but we need to look out for the total community and what you're asking for, and be consistent with what we've done for other business partners. With that backdrop, I agree with some of the comments. If we are going to allow any storage for the mulch, and products that are moving at a fairly high velocity, then it would be seasonal. So, we would cap it within the same that we did for Home Depot.

I have concerns though, with the amount of square footage that you're asking for, for this outdoor storage, particularly as it does relate to backing up to residential. I drove past there, and I actually sat in your parking lot for about 15 minutes to watch what was

going on. I think that the property, what's being stored on the east side, might not have to be there. Maybe all that extra storage, maybe there is a row or a similar square footage, that we allowed Home Depot to have, for you.

The sheds are actually dangerous. I sat there and watched two pickup trucks that were heading westbound on Maple Road just zip right in there. If there was anybody standing out in front of those sheds, they were toast, because it's 45mph, and it's a bit of a blind turn as you're coming in there. I think those would probably have to be moved, probably down to where you have the lumber storage on the outside. Those are my observations and comments. I think we need to be consistent. I think we need to take into consideration the residential footprint, and I think we need to take into consideration the safety on where the sheds are.

Chairperson Parel – Yes, the sheds are definitely something we're going to address. I agree with everything you've said. We also look at the value that it brings to folks in our community as that's who shops here. When you look at the Lowe's pickup and how you guys run it, I think that's a benefit. I love pulling up and having things loaded. The flowers outdoors, and even the grills and things like that; personally, I enjoy it because it's not tucked in the back of the store. That said, I don't think the drop storage adds any value to the folks in our community. I support everything George said.

Winkler – I agree with what has been said by Sam and George. I'm very uncomfortable with those residential properties to the east backing up to this. I wouldn't like to see that material stored permanently in view of my backyard. At the same time, I go to Lowe's, and I would hate to see something like this be a reason for them to leave Commerce Township for that matter. But I think something needs to be improved to be sensitive to the residential properties to the east for me to sign off on this.

Chairperson Parel – I appreciate it, Brian. I totally agree. The permanent outdoor storage just to the south of that; do we have a similar challenge or issue with that? I would think we would.

Dave Campbell – These are residential homes right through here.

Chairperson Parel – I wonder if there's less volume in and out there.

Loskill – That's for sale stuff, whereas stuff in the back is storage.

Dave Campbell – Is this like packaged lumber, stuff that's already packaged together for a project, or is this just surplus?

Lashonda Hawk – It's just stock.

Chairperson Parel – My understanding with Home Depot is that we did approve something similar to this area, but that was staging for ...

Dave Campbell – Staging for trusses. They set them back there, but they said they would not be back there more than 48 hours.

Chairperson Parel – So this to me sounds like a different version of the permanent storage.

Dave Campbell – It's overflow from the store.

Loskill – The stuff on the east and on the north is permanent outdoor storage, and we didn't give Home Depot any of that, or very little. To be frank, that stuff on the east and the stuff around the perimeter of the building is a mess. There are pallets stacked up all over the place, there's stock that has been taken apart and moved around. It's not really appealing. I can imagine what could be living in some of these things. I would rather see them put a permanent structure in the back, and then they could get rid of the whole parking lot. They could store whatever they want in that. I would much prefer to see that rather than all of this permanent outdoor storage.

Chairperson Parel – Dave, would you agree that outside the magenta area, the area on the east that we just referenced, the balance mirrors what was approved for Home Depot.

Dave Campbell – I share the concerns about the location of the sheds. Home Depot had sheds as well. Otherwise, I would agree. In fact, Lowe's might have the advantage relative to Home Depot of not having the equipment rental.

Chairperson Parel – I agree, I think we should keep that in mind.

Phillips – I agree with the comments that have been made. My question is, what is permanent storage? Is this a covered structure, or are you just going to have wood sitting out in the snow?

Chairperson Parel – Is it on one of the aerials?

Discussion of the current outdoor storage situation took place. Dave brought up the aerial of the current view and indicated the palletted goods to the north, the lumber to the east, and the location of the sheds. He noted that what they have currently onsite is what's being sought.

Phillips – I'm surprised that if you want it permanently, and you're living in Michigan with strange weather, that you want to have your wood soaked and your bags wet.

Lashonda Hawk – It is treated wood that's outside so it can withstand the weather.

Phillips – Menard's in Wixom has an outdoor lumberyard and it's covered. The front pedestrian area, I was there recently, and presently, all of the products are right up next to the crosshatched fire lane. I'm not sure how much you're going to be able to put out there once you address that issue.

Chairperson Parel – I know when we went through the iteration with Home Depot, there was concern from the Fire Marshal with regard to the fire lanes and walkways, and people being forced off the sidewalk into traffic. Do we have any of those concerns?

Phillips – That's how it is today. To get around that, you have to walk in the fire lane.

Chairperson Parel – Either the fire lane or the street.

Phillips – Yes, the products are right up to the edge.

Weber – I think the difference with Home Depot was that you actually had to cross the fire lane and be in traffic. Whereas here, they're right up to the fire lane.

Phillips – If you're reviewing the product, presently what I saw was that you would be standing in the fire lane. They're going to have to eliminate some of that product to create a pedestrian walkway.

Chairperson Parel – In the Home Depot scenario, the people would actually be standing in the street or the drive, and I think we agree, it was a more dangerous situation than what we see here.

Phillips – I think their proposal is to have sufficient pedestrian space to not have to walk in the fire lane, is that correct?

Discussion continued regarding walking in the fire lane versus the drive or street.

Dave Campbell – The language that we used with Home Depot that I think we cut and paste here is, if this were to be approved, it would be conditional upon; *sidewalk sales shall not impede emergency access, shall comply with ADA, maintain barrier free, and shall comply with all applicable standards of the fire code.* So, they would have to maintain barrier free access, and they would have to not impede emergency access for emergency response, however they laid out the sidewalk sales. In other words, they have to provide sufficient space within the sidewalk for someone to get through in a wheelchair and so-forth.

Chairperson Parel – Does that answer your question?

Phillips – It's a concern, but yes, it's better than walking in the drive. The other question I had; you're currently using that back lot for storage for the products you want to have there permanently. There's a lot of product back there. What are you doing presently? Where do you take it? Does it get used?

Lashonda Hawk – This product drives around to the front side of the parking lot where we do the quick load, or it goes into the garden center, depending on what the product is and where we need to stock it.

Phillips – When it's December and nobody is buying mulch, do you still have mulch out there? Is it being used permanently already?

Lashonda Hawk – Yes.

Dave Campbell – And that's where there is maybe the distinction with Home Depot. Outside the season, it was limited to being in the garden center.

Chairperson Parel – And a much smaller square footage. I think we're going to come back to those two topics. Brady, are you good?

Phillips – I'm good.

Loskill – I've already said my piece.

Chairperson Parel – Dave, do we want to start a conversation about the sheds? I think George reiterated some of the comments you mentioned today and the dangerous condition with having the sheds there.

Dave Campbell – It's how I perceived it. I have boys who, every time you go to Lowe's or Home Depot, they want to run in and out of the sheds. That's just what kids want to do. I feel like having them right next to the driveway with folks coming in off westbound Maple Road is asking for trouble.

Chairperson Parel – Do you have an opinion as to where the appropriate place to move those to would be?

Lashonda Hawk – We would love to have the sheds on the garden center side along with our quick load, just like the competitor does. That would be ideal for us.

Esther Chang – But, we were told that we could not have those structures there because of M-5, so we moved them to the east.

Dave Campbell – That's correct. The Township Supervisor, when we were talking through the interim plan and how to hold off on anymore code enforcement citations, one of the aspects of the plan was getting the sheds away from the M-5 corridor. So, if your question, Mr. Parel, was do I have any thoughts, I know it reduces the visibility of the sheds to some degree, but I might also contend that sheds are not exactly a spontaneous purchase. I was wondering would they make more sense in this area.

Loskill – In the lumber storage area.

Chairperson Parel – That's possible. I also wondered about this purple area. I don't know ... sidewalk sales, building materials ... is it better or worse to have something in front? I've seen stores like yours have some sheds adjacent to the storefront. Is it better to have lower height items like building materials out in the lot so they're not visible from M-5, and then you put the sheds up against the building?

Dave Campbell – I would be curious whether there's enough space in front of the building to not block the sidewalk as we've been discussing. I can't picture the sidewalk well enough, but it looks pretty tight there.

Chairperson Parel – If we go back to where the sheds are currently situated, it looks like we have some spaces to the north. Would it help if we moved them north 4 or 5 spaces, and maybe reduce the amount of space? Does that help a little bit?

Dave Campbell – Ultimately, these are questions of the Planning Commission. When I referenced the Township Supervisor, obviously I have to keep him happy, he's my boss. But, what he was approving was the interim plan to tell the code enforcement team to

back off. As far as amending the site plan, this is a decision of the Planning Commission.

Chairperson Parel – Maybe I'm just asking for the opinion of everyone here on this topic. I understand we can't put them on M-5, and I agree with that. I understand there may not be space for them up against the building, and I also understand that the Lowe's group wants them visible. But, if we move them, in looking at the site plan, it looks like there's 4 or 5 spots to the north. If we moved them a little north, does that give people time to slow down? Is that the proper place to put it?

Phillips – I think that would help, but I really wasn't joking about a speed bump.

Loskill – My thing is, I really don't like all of this permanent outdoor storage. If it's seasonal, I understand it. If you get rid of the permanent storage on the east side of the building, you could put the sheds there.

Chairperson Parel – The Lowe's team might argue that's not very visible.

Weber – Even if you moved the sheds those 5 spots, people are going to be walking through the parking lot to get there.

Chairperson Parel – It may help, but it's not going to solve the problem.

Weber – If you move them to the far east ... again, I don't think sheds are a spontaneous purchase. People are going there specifically to do it and they will go find the sheds to look at.

Chairperson Parel – I know it's lower intensity, but are we putting people in a drive lane again?

Weber – They're in a drive lane wherever you go.

Phillips – But in the lumber area, you've got forklifts ...

Weber – But only the lumber area stays there and I don't think there's been a lot of support for that.

Esther Chang – It's a main thoroughfare for delivery trucks to go through, regardless of product being staged on the side. That's where the delivery trucks go through.

Chairperson Parel – So now we have delivery trucks up high, and kids down low.

Esther Chang – Flatbeds, yes.

Weber – Some of the rationale for "not along the M-5 corridor" was looking at the back of sheds.

Dave Campbell – If I were speaking for Larry, yes, especially in the winter months when there's not a lot of foliage on the vegetation along M-5, having sheds sitting out front. If you're going north on M-5, that's our gateway into Commerce Township through there.

Chairperson Parel – Plant some evergreens.

Weber – I get what you're saying. When something is sensitive, we ask for some level of additional screening to make it not look like the back of a shed.

Chairperson Parel – To me, that solves a couple of problems. It solves the safety of folks shopping there, and personally, I'm not a fan of seeing a lot of parking lot when I drive down M-5.

Weber – Dave, can you go to the north a little bit? Right now, where they have the quick load area.

Lashonda Hawk – Which we've reduced substantially from what we've had in previous years in order to try to work with the Township the best we could.

Weber – I'm just wondering, when you're on the far west side of that, where the sheds were ...

Lashonda Hawk – During season, they were where he's pointing the cursor. In the off-season, we did push them further toward M-5.

Weber – Okay, let me just throw this out. It looks like you have more sheds there than you do right now.

Lashonda Hawk – We reduced the sheds as well. We did have approximately 12.

Weber – If you put the sheds in that far northwest portion, where those pallets are, for seasonal, you just move the pallets further south, so your drive-through, you drive past the sheds to get up to that first island, and have that for your seasonal loading. And, with whatever kind of screening. I don't recall what the screening is but I think they're deciduous plants. I don't think they're evergreens.

Chairperson Parel – Even if we agreed on that, is it feasible? Is it possible to do that in that area? We may try to approve it tonight based on that. This is one of the concerns I had coming into this. This is pretty detailed. Maybe there is, yes, it looks like you've got a lot.

Weber – There's not a lot of evergreen.

Chairperson Parel – Could it be properly screened? Logistically, it makes the most sense to put it there, from a safety standpoint.

Dave Campbell – I think this is the part we're talking about. With the deciduous trees through here, it gets pretty open through here. This was taken in November. I remember talking about that with the Township Supervisor.

Chairperson Parel – I would support that. George, it sounds like maybe you would.

Weber – Does that work?

Lashonda Hawk – That was an option that was presented from our regional. We can definitely bring it back up with Richie and Lisa at our regional.

Chairperson Parel – It's one of my challenges, I think you'd have to look into it. It's not a decision that can be made here.

Dave Campbell – Which part do you see the challenge? The location of the sheds or offering more trees.

Lashonda Hawk – Offering trees/screening.

Dave Campbell – You guys are Lowe's, you can get your own trees.

Discussion of additional screening continued.

Winkler – Dave, can you go to the east side of the site in the front and zoom in? With all the loss of parking taking place with what they're proposing, the site plan they have isn't accurate because it does not show those two lanes, and there's another 15 spaces lost. As to the overall aggregate total of parking, there's other parking that has been lost over the years when they restriped that.

Chairperson Parel – Oh, so you're saying the originally approved site plan is no longer accurate because the lot has been restriped?

Winkler – This site plan says it's dated December 2003.

Esther Chang – The contractor trailer parking is fairly new.

Chairperson Parel – I'll keep that in mind. It appears that there's a sufficient amount of spaces for the amount of business and the number of cars that are coming in. I think we agree on that. I think you agree on that?

Esther Chang and Lashonda Hawk both agreed.

Dave Campbell – I would trust that Lowe's knows their parking needs better than we would. I've never felt like I couldn't find a parking space and I've gone at busy times.

Chairperson Parel – Would anyone be opposed to requesting that the ladies move the permanent storage of sheds. Dave, correct me if I'm wrong, but we gave permanent shed storage to Home Depot.

Dave Campbell – Yes.

Chairperson Parel – We're doing the same here. Would anyone be opposed to moving it to the M-5 side, the west side, as long as it's properly screened, and if we're able,

giving Dave and his group the authority to approve that at a later date. From what I'm hearing, you can't make that decision right now.

Esther Chang – No.

Dave Campbell – I'm comfortable with it.

Chairperson Parel – I'm trying to solve the easiest one first.

Weber – I have no issue with that one. It's when it gets to the storage part, that's more complex.

Chairperson Parel – I agree, the storage is more complex. My comment on that stands and I don't think it should be allowed. To George's point, everyone has made a comment on that.

Weber – For the sheds, you're saying move them into that northwest section where the present drive-through quick loading area is, properly screened with evergreens, and then move your seasonal loading to the south of that same lane. And, seasonal would be consistent of March 15th through July 31st.

Chairperson Parel – Whatever dates we gave Home Depot.

Dave Campbell – They're showing a little bit different dates, but I don't think it's dramatic.

Chairperson Parel – It should be the same or similar.

Dave Campbell – March 1st through July 4th is what Lowe's is defining as their season.

Chairperson Parel – Okay. George, you're comfortable, and everyone else is comfortable, giving dates with administrative control over proper screening if we were to move it over to that location. I think we're all good there.

Real quick, what is the temporary block and timber corral enclosure on the west side of the building?

Dave Campbell – I think that is to define the drive-through operation.

Loskill – They have 4x4's and cinder blocks.

Chairperson Parel – So it's just a corral, and folks are going through that with their car?

Lashonda Hawk – We do have that.

Chairperson Parel – But it's on the side of the building. How does that work? Do they go behind the building?

Weber – No, you're walking out of the garden center. It's an extension of the garden center.

Chairperson Parel – Okay, so we have no issue with that either?

Weber – Yes. It's storage. We're going to be consistent.

Chairperson Parel – That's our goal. I want to make sure. I think it comes down to the magenta area and the area on the far east of the building. I know there's six of us up here; respectfully, I don't think I could vote for that. I don't think I need to reiterate the other comments. George, I think you agree with that.

Weber – I have concerns with where the lumber is on the east. I have concerns where the permanent outdoor storage is on everything east of the centerline. I don't know that I would have as much of a concern with some of that outdoor storage. That would be the horizontal section on the north right there, and maybe the row or something along there. I think that's far enough away from residential.

Chairperson Parel – Even though we did not grant storage like that ...

Weber – Well, I think we did, didn't we? Just a smaller footprint.

Dave Campbell – It wasn't permanent.

Weber – It wasn't permanent. It was just the stuff that was ordered, waiting for pickup.

Dave Campbell – Are you talking about mulch or lumber? With Home Depot, on the west side of their store is where they're allowed to have 48-hour lumber pickup. And, to the south of the store where they have that fenced in area for surplus mulch and topsoil, and that was seasonal.

Chairperson Parel – When you say west, that's the rear of the store, right?

Dave Campbell – Home Depot was allowed to have staged lumber pickup along the west side of the store. And, if you're about to ask what all of this stuff is, I guess we need to go look at it. And then they were allowed to have this area to the south on a seasonal basis, and they had an enclosure. And, part of the reason we wanted them to enclose it is because, hopefully soon enough, there's going to be some high-end residential right here.

Weber – But we did, based on what Joe has here, there was an area, not very large, but for 20-foot lumber outdoor storage, to include lumber that's either too long or unsafe to be stored or merchandised within the building.

Dave Campbell – I forgot about that. You're right.

Weber – It's still seasonal, March 15th through July 30th.

Dave Campbell – For the oversized lumber?

Loskill – Yes.

Weber – Oh, and a third of that is to remain until September, but it is not large.

Loskill – And it's a temporary thing.

Weber – Basically, it would be the area that was magenta that was horizontal.

Chairperson Parel – Behind the building.

Weber – It's behind the building. I would say that's consistent in size.

Chairperson Parel – On a seasonal basis.

Weber – Yes, March through July, with one-third of that square footage going until September.

Chairperson Parel – I think we should be consistent.

Dave Campbell – Lashonda, let me ask you this. Whatever we may come up with tonight, am I correct in assuming you guys have to go back to your folks to get clearance for all of that?

Lashonda Hawk – Yes.

Dave Campbell – So, at least in your minds, maybe it doesn't make sense for the Planning Commission to take action tonight, but to at least give you some very strong recommendations that you can take back to the folks on your team.

Lashonda Hawk – Yes.

Dave Campbell – And then come back, maybe in June, to finalize this?

Chairperson Parel – Will that appease our Supervisor and hold off on ...

Dave Campbell – Well they have to make their bosses happy, and my boss ...

Chairperson Parel – My understanding is our Supervisor has put a hold on any fines and fees.

Dave Campbell – Correct, as long as they are actively working on this. So, if they're saying they have to go back and talk to their higher-ups, then is that a good way to leave it this evening? To give them some very strong opinions.

Chairperson Parel – I think it is, but I want to make sure we're clear. Everyone, feel free to correct me if I'm wrong. We talked about moving the sheds to the M-5 side which is the west side and those are permanent, but that may alter some of the seasonal goods that are sold there, and we're okay with the plan there. The far east side and the rear, that rectangle that Dave is referencing in the northeast quadrant; I don't think we have the support to approve that. However, the horizontal piece that George referenced behind the center, we would allow a similar size and similar dates, on a seasonal basis, that we approved for Home Depot. Is that accurate? Is there anything I missed?

Weber – And I think the message for your management team is that it's important for us to be consistent with what we just approved for Home Depot, so that they don't come and say, *well you gave Lowe's all this, why didn't you give it to us?* We want to be consistent.

Phillips – Did Home Depot ask for it, or did they even have the space for it?

Weber – They asked for a lot. And by the way, it took them a couple of trips too.

Dave Campbell – The layout is different. Home Depot didn't have all of the surplus parking in the back. What Home Depot did have is all of the surplus parking between them and Staples.

Lashonda Hawk – Which they used for their rentals, and that's all year round.

Dave Campbell – So, their message back to their management team is Commerce Township is not favorable toward all of this outdoor storage in the back, but maybe some portion of it as it moves westward. I know there was a lot of talk about this row, and maybe that column? Maybe I'm looking at Mr. Weber when I ask that question.

Weber – Again, location wise, I'm okay with that. I just want to be consistent on the square footage and duration.

Dave Campbell – And then what should their message back to their management team be as far as the permanent outdoor storage of lumber?

Weber – I don't think there should be any permanent outdoor storage.

Dave Campbell – The message is, *you're an indoor lumberyard; find a space for it inside.*

Weber – Or build a shed out back.

Chairperson Parel – With a permit.

Esther Chang – Get a permit first.

Weber – A facility to house it, so similar to a Menard's if they need that.

Chairperson Parel – Does that give you what you need to go back? Is there anything else we can answer for you?

Lashonda Hawk – I just want to make sure that I'm clear. Now, we are okay in the maroon area, the horizontal area, and then the one row of parking that's vertical, right where the cursor is.

Dave Campbell – Do you want the laser pointer?

Lashonda Hawk – Yes. That area, and then the horizontal, I guess that's L-shaped.

Weber – I think we need to understand what the square footage is that you're asking for. This doesn't tell us that.

Chairperson Parel – George, would it be okay if we had Dave supply these ladies with the square footage that was made available to Home Depot and have them replicate?

Weber – It should be something similar.

Dave Campbell – What they're going to say is, *yes, but they had all that square footage for their rental equipment.*

Weber – There's a difference between rental equipment and bags of mulch. At least they're not as unsightly.

Chairperson Parel – I think that's a different argument.

Weber – Some Lowe's are in the rental business. If they chose to be in the rental business, then I think we'd take that into consideration accordingly as well.

Chairperson Parel – Agreed.

Dave Campbell – Part of what I want to avoid tonight is for the Planning Commission to take any action, and then have you go back to your folks and have them say, *well we're not agreeing to that.* Then we would just be doing this all over again.

Chairperson Parel – I think we've agreed that it probably doesn't make sense for us to take action tonight.

Weber – This is more informational.

Chairperson Parel – Yes, and if they're willing to come back next month, I think that's the perfect thing to do after they've talked to the folks that need to approve this. But I think it's helpful if they work with Dave to understand the screening on the west or M-5 side, as well as what we gave Home Depot in regard to seasonal outdoor storage, and how they will have the ability to replicate approximately that square footage in the rear.

Dave Campbell – The next meeting is June 3rd. Do you think we could be back by then?

Lashonda Hawk – At the same time, 7:00pm?

Chairperson Parel – Yes, 7:00pm.

Dave Campbell – But we would want to see a revised plan at least a week ahead of that so we have a chance to summarize it in a cover memo.

Lashonda Hawk – That's fair.

Dave Campbell – I'll explain to the Township Supervisor that we're all working in good faith to get this sorted out.

Chairperson Parel – Okay, you'll have some time because we're not making a motion.

Dave Campbell – If any questions do come up, I'll do everything I can to answer them. If it is a question that is a decision or consideration of the Planning Commission, who are my 3 volunteers for the interim work group that I could bounce questions off of in an email? That will prevent wasting time.

Chairperson Parel – Who was on the last group?

Dave Campbell – It was Brian Parel, Brady Phillips and Joe Loskill.

Loskill – I'm always available.

Phillips – I'm available.

Chairperson Parel – Perfect.

Dave Campbell – You are hereby designated as our work group.

Chairperson Parel – If necessary.

Dave Campbell – Paula is reminding me what she wants Lowe's deadline to be. The agenda goes out on May 30th.

Paula Lankford – Yes.

Dave Campbell – Should we say May 22nd? Can we shoot for that? And Todd Simmons is your engineer.

Lashonda Hawk – Yes. We will work through Richie, Lisa, and Todd. We should be okay with that.

Phillips – I may not be a good volunteer because I'll be gone May 23rd to May 30th. So, if that's when input is required ...

Chairperson Parel – Oh, I will be gone for Memorial Day.

Dave Campbell – They have these phones now and you can check your email.

Phillips – I may not take my phone.

Dave Campbell – I'm mostly teasing, but the spirit of this is to try to get this done in June.

Chairperson Parel – I promise you from this Commission, we will work to get it done. We won't hold it off. If it has to be other members and Brady's unavailable, we will figure it out.

Dave Campbell – For the sake of Lowe’s, myself and the Supervisor; we don’t want to see this drag any further than it has to.

Chairperson Parel – You have my commitment. Is there anything else we can answer for you?

Lashonda Hawk – No, I think we’re all set.

MOTION by Weber, supported by Loskill, to table Item PSP24-05, Lowe’s Site Plan Amendment. **MOTION CARRIED UNANIMOUSLY**

J: OTHER MATTERS TO COME BEFORE THE COMMISSION:

None.

K: PLANNING DIRECTOR’S REPORT

Dave Campbell discussed the following with the Commission:

- **NEXT REGULAR MEETING DATE: MONDAY, JUNE 3, 2024, AT 7:00pm.**
- In this same neck of the woods, Costco is going to be back in front of you wanting to move the new gas station again. It would land here. The nice, brand new parking lot they put in – They’re going to tear that out. And, they would have to demolish what is now Ghost Taco to make it land through here. We just got the site plan this afternoon.

Weber – I’m sorry, the gas station where the new parking lot is. Did they purchase Ghost Taco as well?

Dave Campbell – They have a purchase agreement for Ghost Taco.

Discussion continued regarding relocation of the Costco gas station, the traffic flow, the number of gas pumps and screening along M-5. In addition, discussion took place regarding potential expansion of the Costco store.

Dave Campbell – We talked about Five & Main earlier. The latest on that is that they are going to come to the Township Board seeking a special assessment district, SAD, for their water and sewer construction. We had a conversation with them. It sounds like the number they’re looking for is \$2.8 million, which is a combination of construction for the sewer main, the water main and for the capital charges or tap fees. They will ask for a 15-year term. They are building in a very healthy contingency in anticipation of dewatering costs, as they have to go down 30-feet for the sewer.

Discussion continued regarding the Five & Main infrastructure and the potential SAD. Procedurally, the SAD has to go to the Township Board for three resolutions. The intent resolution and the establishment resolution will be at the May 14th meeting, and the roll resolution will be at the June 11th Board meeting.

Chairperson Parel inquired about the status of Lakeside Marine with Dave Campbell. He is working through his engineering plan and reconfiguring the storm water.

Dave Campbell – Lastly, there is an election tomorrow for both of our school districts.

L: ADJOURNMENT

MOTION by Phillips, supported by Weber, to adjourn the meeting at 9:19pm.

MOTION CARRIED UNANIMOUSLY

Joe Loskill, Secretary