

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

Monday, July 11, 2022  
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  
Chelsea Rebeck, Secretary  
Bill McKeever  
George Weber  
Sam Karim  
Joe Loskill

Also Present:

Dave Campbell, Township Planning Director  
Paula Lankford, Planner  
Jay James, Engineer/Building Official  
Larry Gray, Township Supervisor  
Debbie Watson, DDA Director

**B. APPROVAL OF AGENDA**

Dave Campbell – We do have a public hearing for Mr. McCarty’s pole barn and he is here, so that should go first. Then we have three public hearings for Zoning Ordinance text amendments. I doubt the crowd is here relative to text amendments to Articles 19, 30, and 33. I think most folks are here for the Reserves at Proud Lake project, which is Item I1. Therefore, I suggest moving Items I1, Reserves at Proud Lake, and I3, Costco Outlot proposal, to follow the public hearing for Mr. McCarty. That way, everybody who is here for those matters can then filter out if they so choose, and we can do the text amendments toward the end of the meeting.

The Reserves at Proud Lake is not a scheduled public hearing, so typically we would accept public comment under Public Discussion, however, I think it would be better for all involved if we have an opportunity to go over the project, with my overview, the petitioner’s overview, and then public comments.

Chairperson Parel – I think that’s a good suggestion.

**MOTION** by Loskill, supported by Rebeck, to approve the Planning Commission Regular Meeting Agenda of July 11, 2022, with the changes as outlined by Dave Campbell, and restated by Chairperson Parel:

1. Address the scheduled public hearing for H1, Victor McCarty.
2. New Business, I1, Reserves at Proud Lake, including public comment.
3. I3, the Costco Outlot.
4. Return to public hearings for H2, H3 and H4 text amendments.
5. Last item of New Business, which is I2, Commerce Towne Place Site Condominium Amendment.

**MOTION CARRIED UNANIMOUSLY**

Jay James – For the people who are here for the Reserves, I just told them something different 10 minutes ago. You will be able to speak after we go over the project. It won’t be Item E. It will be I1.

Chairperson Parel – And just for everybody who is here for that, to Dave’s point, the purpose is that we think it will be beneficial all around.

### **C. APPROVAL OF MINUTES**

**MOTION** by Winkler, supported by Loskill, to approve the Planning Commission Regular Meeting Minutes of June 6, 2022, as written.

**MOTION CARRIED UNANIMOUSLY**

### **D. UPDATE OF ACTIVITIES**

Bill McKeever – Zoning Board of Appeals

- Nothing to report.

George Weber – Township Board of Trustees

- The last Township Trustee Board meeting was on June 14<sup>th</sup>. Maybe just a few highlights.
- The Township agreed and amended our contract with the GLWA, attempting greatly to keep water costs down as much as possible.
- We contracted with the OCSO for Marine Patrol on all lakes that have chosen to have patrol on a periodic basis.
- We did more work and amended the ordinance for sidewalks and recreational pathways.
- We approved all the permits for the fireworks, and most of them are over now I think.
- We achieved success in terms of the Board approving the budget to continue moving forward with the update to the 2015 Master Plan.
- Finally, we went through eight different SAD's for snow plowing, lights, dust control and aquatic weed control on three lakes.

Chairperson Parel – Anything exciting in relation to the sidewalks?

Weber – I would not say it was anything exciting. We're moving forward with the ordinance.

Chairperson Parel – It's an ordinance? It's not a plan to put more sidewalks in the community?

Weber – This is an ordinance for managing sidewalks.

Jay James – For maintaining sidewalks.

Weber – Once we do our job with the Master Plan, then we'll go to the Trustees.

Brian Winkler – Downtown Development Authority

- The DDA meeting that was held on June 21<sup>st</sup> can be summarized as follows.
- On the Insite Commercial update, there were a couple of items of note.
  - The Five & Main project, which is on the northeast corner of Pontiac Trail and Martin Parkway; the developer, Bruce Aikens, gave the DDA Marketing Committee an update on June 6<sup>th</sup>.
  - He will be updating the Township Board during their July Board meeting.
  - While the retail portion of the project has remained roughly the same, the location of the residential portion of the project is still being reviewed.
  - Bruce is still reviewing potential developmental partnerships.

- Parcel C, the northwest corner of Pontiac Trail and Haggerty
  - The purchase agreement with LaFontaine Automotive Group has been signed.
  - Their contract to acquire the 8.3-acre lot on Oakley Park has been terminated, which we saw during preliminary review a couple months ago.
  - We will be reviewing the Fifth Amendment to the master deed for that property as a part of tonight's agenda.
- Parcel L, off of Haggerty, behind Merrill Park
  - They're doing soil borings sometime this week
  - The DDA expects to close on that property in August
  - This is the Guideposts Montessori development that we saw in May
- The DDA reviewed a draft RFP for legal services, which was posted on June 27th. The DDA Attorney, Tom Rauch, who has been with the DDA for 22 years, will be retiring at the end of this year.
- DDA Treasurer Phillips reported that the Township audit is complete and therefore, the annual DDA report has been filed with the appropriate authorities.

Chairperson Parel – Appreciate it, Brian. So, the Lafontaine deal went through, but they're not moving forward with the other parcel of land on Oakley Park?

Vice Chairperson Winkler – Not with that parcel.

Chairperson Parel – But that doesn't really change things because it was just going to be an overflow lot?

Dave Campbell – Exactly. They were looking at the approximate 8 acres on the south side of Oakley Park as a potential excess inventory lot, but I think based on some of the concerns they heard from the Planning Commission and the Township Board, they've backed off of that part of their proposal.

Jay James – Building Department

- Permits continue to flow in and we are staying quite busy right now with several developments:
  - Windwheel Estates, around Loon Lake and Benstein
  - Oak Hill, on Glengary and Wixom
  - Townes of Merrill Park
  - Barrington is getting close to wrapping up

## **E. PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA**

**Chairperson Parel opened to Public Discussion of Matters Not on the Agenda.**

Chairperson Parel – This is actually the time when we would have an opportunity for public discussion for any items that we don't have a regularly scheduled hearing for, or that we don't plan on speaking on, as with Reserves at Proud Lake. I would open it up to anybody who would like to speak on any other matters.

Dave Campbell – For anyone who may have come in late, any comments for Reserves at Proud Lake, we're going to get to that one in a little bit. We would ask that you address

those comments at that point. For anything else that you want the Planning Commission to be aware of, now would be the opportunity to do so.

No comments.

**Chairperson Parel closed Public Discussion of Matters Not on the Agenda.**

**F. TABLED ITEMS**

None.

**G. OLD BUSINESS**

None.

**H. SCHEDULED PUBLIC HEARINGS (4):**

**ITEM H1. PPT22-02 – VICTOR MCCARTY – PUBLIC HEARING**

Victor McCarty of Commerce MI is requesting approval as provided for in Section 33.01.A of the Commerce Township Zoning Ordinance to construct a 1,320 square foot accessory structure in the rear of his property at 5980 Ford Road. The parcel is 5 acres.  
Sidwell No.: 17-06-200-033

David Campbell, Planning Director, gave a review of the Planning Department's report.

Mr. McCarty, 5980 Ford Road, Commerce, MI, was present to address the request.

Mr. McCarty – I won't be taking any vegetation down. We can do some kind of a buffer for the guy in the back. It's kind of pushed up into the gravel. During the summer, you wouldn't be able to see it from any house, but you could in the wintertime.

Chairperson Parel – Thank you, sir. Dave, if it's okay with you, I'll open the public hearing.

Dave Campbell – Sure, I will mention, unless Paula tells me otherwise, we have not received any written correspondence, no emails and no phone calls on this particular item.

**Chairperson Parel opened the Public Hearing.**

No comments.

**Chairperson Parel closed the Public Hearing.**

**Commission Comments:**

Karim – I don't have any particular questions. In looking at the site plan, we need more detail in here about the plantings to be provided on his property and for the property behind it.

Vice Chairperson Winkler – I have no issues with what's proposed. I do support the Planning Department's suggestion to add the evergreens to the north and east of the building.

Rebeck – What are you using it for?

Mr. McCarty – My ORV's, 4-wheelers, lawn mowers, just storage.

Rebeck – What is the existing one for?

Mr. McCarty – It's like my party shed.

Dave Campbell – I will mention that the Planning Department's review did include, as a recommended condition of approval, that this structure could not be used for any land use that's not otherwise permitted in R-1A zoning district, such as a commercial business or anything of that nature.

Rebeck – I can't really tell what your building materials are from this, but as long as they're nice and they match.

Mr. McCarty – They're supposed to match this barn. I decided last year, it won't be vinyl siding, but it's all steel painted to match. There's a door on one side. It's all beige vinyl.

Chairperson Parel – I'm sorry, did you say it's vinyl sided?

Mr. McCarty – This building is. The new building is actually a manufactured building from a hard board company.

Rebeck – My only other comment is obviously whatever screening that you can do to make sure that the neighbors are not disturbed by the additional structure.

Mr. McCarty – Absolutely.

Dave Campbell – Do you want to come up to the podium so our Recording Secretary can catch all this.

Mr. McCarty – We do have set of 6-foot evergreens dividing me and Mark. I understand that you'd want them facing Rob's.

Rebeck – Is Rob to the east?

Mr. McCarty – Yes, Rob is my neighbor to the rear.

Chairperson Parel – Dave, can we handle that administratively, as a requirement in the motion language?

Dave Campbell – We can. I might want to hear some suggestions on what you think is appropriate there, quantity of trees, height, et cetera.

Loskill – My only suggestion was mentioned earlier. I think the materials should match either the house or the barn, and you may want to screen to the east; evergreens, spaced appropriately, something that will grow over time to form a nice hedge on the east border.

Dave Campbell – We can make that work.

Weber – Just confirmation that all neighbors within 300' received a notice of this?

Dave Campbell – Yes.

Weber – I don't have any other comments, other than I might recommend you put some white pines every 6 feet. They're going to grow fast and fill out and they'll block Rob's, or whoever buys Rob's house.

McKeever – I have nothing to add.

Dave Campbell – Can I clarify one thing? In our recommended motion language, we said on the east and south sides of the proposed structure. I heard discussion about the east. In looking at a winter picture, this cluster of trees gets a little sparse.

Weber – Mr. McCarty, do you have a problem if we say on the east and the south, with some kind of an evergreen buffer?

Dave Campbell identified east and south on the overhead.

Mr. McCarty – Whatever we've got to do to keep the peace. (He approached the overhead, explained the wooded area, and noted some recent plantings).

Weber – I think we can leave that up to Dave administratively. So, come in with a plan and just show him where you're going to plant the trees.

Mr. McCarty – Okay.

Chairperson Parel – And leave the language as is, right?

Weber – Yes.

**MOTION** by Loskill supported by Rebeck, to approve, with conditions, Item PPT22-02, the request by Victor McCarty of Commerce Township MI for approval, as provided for in Section 33.01.A of the Commerce Township Zoning Ordinance, to construct a 1,320 square foot accessory structure in the rear of his property at 5980 Ford Road. The parcel is 5 acres. Sidwell No.: 17-06-200-033

Move to approve PPT22-02, an application submitted by Victor McCarty for an accessory structure of 660 square feet and when combined with an existing accessory structure is greater than 900 square feet, for his home at 5980 Ford Road. This motion is based on a finding that the proposed 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. The accessory structure shall not be used for any purpose other than those principally permitted in the R-1A zoning district, including but not limited to operating a commercial business within the structure.
3. Installation of an additional evergreen buffer on the east and south sides of the proposed structure, with administrative approval by the Planning Director, as agreed upon herein with the applicant.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 11. PSP22-06 – THE RESERVES AT PROUD LAKE (moved up on the agenda)**

Proud Lake Development LLC (Haytham Obeid) of Bloomfield Hills MI is requesting condominium site plan approval for a new single family site condominium development of 43 homes upon approx. 36 acres located on the north side of Wixom Road, west of the Glengary/Wixom Road intersection. Sidwell Nos: 17-19-201-011 & 17-19-251-009

Chairperson Parel – We will give Dave an opportunity to bring us up to speed. After that, we'll have an opportunity to hear from the developer. Then, we will have an open public discussion, followed by Commissioner questions and comments.

David Campbell, Planning Director, gave a review of the Planning Department's report.

Weber – Just clarification Dave; basically, what we reviewed here was the same material we reviewed when we had the rezoning discussions and the rezoning public hearing. At the time, I'm assuming that a large number of you were here for those discussions. The concern was if the zoning remained R-1B, that could allow a developer, in theory, to put 25 more homes in than what is being discussed here. We took your feedback, and a recommendation was made from the Planning Commission to the Township Board to limit it to R-1A, or make it the least dense as possible. Once we get through the presentation, when you're coming up with comments, I think it would help the Commission here to understand what has changed from those original discussions. I think the majority of people left that meeting happy that we had restricted the rezoning.

Dave Campbell – One distinction with that, Mr. Weber, is when you're having those discussions, I don't know that anyone envisioned that the developer would acquire that house, demolish it, and provide a second point of access via Wixom Road. I think the assumption at that time was, whatever developed on this property would entirely utilize the existing road network within Country Hills.

Haytham Obeid, Applicant, 3596 W. Maple #230, Bloomfield Hills, MI, was present along with Mike Noles, Engineer, Umlor Group, 49287 West Road, Wixom, MI. Mr. Noles delivered a PowerPoint presentation on the overhead.

Mr. Noles – I'm representing Pine Cove Building Company tonight. Haytham will be the principal owner of Pine Cove. He is here with me as well to answer any of your questions. We're happy to present The Reserves at Proud Lake for your consideration. We hope we can count on your support for a recommendation for site plan approval this evening. Pine Cove has several decades of history building quality homes in Commerce Township, most notably at The Hills of Loon Lake, just down the street from the subject site. Pine Cove was not only the successful bidder for the Township-owned 34-acre parcel, but Mr. Obeid also had the foresight to acquire a 1.5-acre double lot that Dave mentioned,

right here. It is contiguous with the Township property and contains 265-feet of frontage on Wixom Road. This additional parcel acquisition will serve as the development's primary point of access. It will also permit the extension of public utilities from Wixom Road. Country Hills will no longer serve as the sole point of access for this landlocked property, as it was once envisioned.

Both parcels in question are zoned as R-1A, one-family residential properties, and are designated Rural Residential on the Township's Future Land Use Map. The Reserves at Proud Lake will contain 43 single-family homes on 35.9 acres, or 1.2 units per acre, which is comfortably below the Master Plan designation of 2 units per acre, which would have a total of possibly 71 units under the current Township Master Plan. All 43 of the home sites comply with the requirements of R-1A zoning district, and contain large lots with a minimum of 20,000 square feet, at a minimum 100-foot wide.

This slide depicts the original 1992 master deed for Sandhill Paddocks, aka Country Hills. It identifies the property as a future development area. The master deed grants the property unrestricted use of all the roads for ingress and egress within the Sandhill Paddock and Country Hill Estates.

Pine Cove's acquisition of the Wixom Road parcel relieves Country Hills of the burden of serving as the sole point of access for this development. In addition, the maintenance agreement that Mr. Campbell mentioned; Pine Cove has agreed to honor the maintenance and cost-sharing provision recommended in the review.

This slide depicts the Conditional Rezoning to R-1B that was approved by the Township in 2006, which permitted 63 new homes. The R-1B plan was never built and the zoning has reverted back to R-1A. The plan before you tonight is compliant 100% with R-1A requirements for all 43 units, and is a much-improved scenario over the prior plan.

This slide shows the current property ownership today. You can barely see the old tree line. I'll point it out for you. That shadow along here, that's where the trees were cut. There was a cul-de-sac cut in at this location, and also at this location. It is clearly visible on Google Earth; click back to 1997 and you'll see that these trees are now all 25 years old. It was cleared and graded in anticipation of this development. Also highlighted in red is that key additional piece that Pine Cove owns to give it direct access to Wixom Road.

This slide shows the site plan for consideration tonight. I want to highlight a few features of the plan. First, the boulevard entry at Wixom Road. We purposely did not allow any lots along Wixom Road. We have 265-feet of frontage, with about a 60-foot right-of-way, and it gets to be about 100 at the boulevard entrance. We wanted to have a nice landscaping area that would give a nice buffer to the lots along Wixom Road, which are all R-1A compliant lots, at 20,000 square feet, approximately 100 feet in total frontage. Our lots are also the same size. That cannot be said about all of the lots within Country Hills. We want to create a nice open space with a classy entrance and high-end homes.

Sidewalks will be on both sides of the street, throughout the entire neighborhood, as well as across the frontage along Wixom Road for future connectivity into Township path networks. Sidewalks are a big deal in Commerce Township. There are stub street tie-ins for secondary access which will primarily be emergency vehicles, but also for the convenience of residents living in both neighborhoods. The way the master deed is written, it says that any of the homes that have a shorter route to Wixom Road from this development area, through Country Hills, will pay their pro-rata share of maintenance. Of the 43 lots proposed, there are zero homes that are closer to Wixom Road utilizing the Country Hills roads. The closest one would be this unit, and we measured the distance; it's just under 1,500 feet to Wixom Road, whereas via Country Hills, it's just over 1,700 feet. By the letter of the master deed, none of these units would technically share the



maintenance obligation of Country Hills Estates. Mr. Obeid has agreed to using the traffic engineer's recommended trip generation to write into the master deed that this new development will pay its pro-rata share. There are 31 lots in Country Hills, so it's 11/42, which is about 26% of the maintenance obligation for the roads in Country Hills. He's not obligated to do it, but he's willing to do it.

It's interesting that there will be trips generated through here, and by no means will everybody always take the shortest route to the exit. The roads go both ways and they're public roads in The Reserves at Proud Lake, so residents of Country Hills may also travel over the Reserves' roads, and there is no reciprocal cost sharing agreement. Benefits are being offered under this plan, with lower density and cost sharing. The tie-in to Wixom Road is a huge benefit because the easements in the master deed for Country Hills also say it can be the route for the utilities. That was the SAD in question, so we don't have to try to cut utilities in through an existing neighborhood. Mr. Obeid had the foresight to make an offer on this property so that he could be a good neighbor to Country Hills by providing his own entrance, his own maintenance and also these additional benefits.

The added cul-de-sac was at the request of the RCOC. One really important feature of this plan is the open space at 10.3 acres or 29% of the site. That is compared to the zero acres of open space that are required under straight zoning.

Mr. Noles continued to explain that open space is usually associated with PUD's and cluster plans. He also compared the old R-1B plan to the current R-1A proposal, stressing the advantages of the Reserves at Proud Lake, including tree preservation, buffering and common open space areas. He also discussed home values he had researched on Zillow.

Mr. Noles – Country Hills doesn't have a sophisticated storm system. It was built in the 90s. It doesn't have rear yard storm, and it does have drainage running across these lines. This is the high ground, and all of these lots drain from the back of the lots to the front, and comes toward the Reserves. I'm here to tell you that we will collect the storm water into a Commerce Township storm water management basin that's built to Commerce Township regulations – not that the Township owns it. The regulations are very clear in the ordinance, and we've built the basin to the T. We are picking up the storm water, and the reason that's important here is because we don't need rear yard storm. They need to be here, along the street. These will all have swales through the side yards, leading to drainage along the street. So, we have a better chance to save the tree screening along the existing Country Hills houses.

Likewise, for some of you folks out on Wixom Road, there are a ton of trees in an open space right through here that are going to be preserved as part of the development. There's also some trees here, at these rear to front drainage lots, that increase the screening, as well as a new landscaped entrance. That gives you a well landscaped, well-thought-out, well-planned development that complies with all of the Commerce Township's requirements.

The large lots and abundant open space create opportunities to save trees. Every area in green shows potential tree saves. The open space is even larger and that's anywhere where there aren't lots. As the final engineering proceeds, we will dial in those trees. We're not using any of those trees to qualify for our landscaping, so there's no need for a tree survey, although we are qualified to do so. I'm a certified arborist and our firm does tree surveys, as well as every other type of survey in civil engineering. If one arises, we'd be happy to take care of a tree survey in the areas that we are calling out as preserved trees. Oftentimes, that is a requirement.

Back to the storm water management. There have been some concerns raised that potentially, all of this new impervious area could cause additional flooding in the area. This storm water management basin is a two-stage basin with a forebay, a storage bay and an outlet to the existing wetland. This wetland is about 10 feet higher than the wetland to the west, and it continues on to the west.

One of the things that could be done in this development through the final engineering process is to simply go to a retention basin instead of a detention basin. What's the difference? If the police *detain* you, they stop you and then they let you go. But, if they *retain* you, they lock you up and throw away the key. That's the same thing with the detention and retention basins. The retention basin requires us to store four times as much storm water. Instead of a 10-year storm event, we'd be required to store back-to-back 100-year events in the volume of the storm water basin.

We did the calculations to see if we have enough area preserved to convert this to a retention basin, and we do. The only issue with that is that it requires additional area; it's deeper and has a bigger footprint, and therefore more trees would be coming down as a result. It's a tradeoff, and one that we're willing to make if that is the direction we're told in the final engineering. This is site plan tonight, so we're trying to get vested in the road layout, density, and lot sizes. As engineering proceeds, we'd be happy to pursue that if it is a concern.

The plan is compliant with zoning, the Master Plan, and with the Township purchase agreement. The Township did not take selling this property lightly. They held onto this property for a very long time, and they decided that the highest and best use would be for a residential development. However, they wanted to ensure that it would be in accordance with the Master Plan and their zoning rules, so they wrote it into the purchase agreement. The Township was looking out for its residents by preventing cluster plans and double density. They also required compliance with anti-monotony standards and maintenance cost-sharing, which will all be incorporated into the master deed as a condition of this approval should you choose to support our development tonight.

Pine Cove Building Company is proposing high-end homes ranging from just over 2,500 square feet, to just under 4,000 square feet. All homes will have side entry garages. We expect the delivered price to range between \$600,000 to \$800,000, subject to market conditions. This is in the range of the neighbors' homes according to Zillow sales over the past three years.

Mr. Obeid and Pine Cove build a fantastic house; brick, stone, siding, modern looks, varied looks between the houses, plenty of structural options to customize, and he has agreed to the anti-monotony standard. We're grateful to come before you tonight with unanimous recommendations for approval from the Commerce Township staff and consultants. The applicant has agreed with all of the conditions put forth in Mr. Campbell's review letter. We have a recommendation for approval from Planning, Engineering, Landscape, and Fire. Legal does not make a recommendation, but will be reviewing the master deed. We respectfully request that you support our request for site plan approval for the Reserves at Proud Lake this evening. Thank you.

Chairperson Parel – Thank you. That was a great presentation.

Jay James – Mr. Noles mentioned the possible change from detention to retention. West of the site, there is a long history of drainage issues that extend over to Wixom Road where it heads north. That wetland that was originally thought to be a possible outlet; that actually drains to the west to Willow Way, goes under a culvert, enters another smaller

detention basin, which ultimately overflows to the west to Chickory Lane. It floods some of the neighbors on Chickory Lane, eventually crests the road and then heads through the Horse Farm, across to the homes on Wixom Road. I spoke to Haytham earlier today about this. He agreed that if it's possible, they will do retention. Even as we sit here today, some of that property drains to the west naturally. By them putting in retention, that's actually going to reduce the amount of storm water that goes to the west and therefore will help those issues. I would hope that any approvals that you do tonight would include that they go with retention in lieu of detention.

Weber – Thanks for clarifying that.

**Chairperson Parel opened to public comment.**

Dave Campbell – While this is not a formal public hearing, I think maybe the same rules would apply. Typically, we ask folks to keep their comments to two minutes or less. We ask that everyone be respectful. This isn't intended to be a pep rally. We're not cheering or booing. This is not necessarily intended to be a question and answer with the Planning Commission. You provide your comments and they will take those under consideration. Once the comments have been received, some of those questions may come back to me or to the developer.

It doesn't do anyone any good if the same comment is received over and over. If the Planning Commission hears it once, they've certainly heard it. Do your best not to repeat the same comments that your neighbors have already provided. Please provide your name and address so it can be recorded into the official minutes with our Recording Secretary.

Chairperson Parel – Regardless of whether we react, or whether we answer, we are hearing you and we take everything under consideration.

Shelley McQuillen, 2995 Chickory Lane, Commerce Township, MI – I've lived here since 1990. We built our house on Chickory Lane. We have been dealing with this water issue since 1992 when Sandhill Paddocks originally started construction. They changed the lay of the land on Sandhill Paddocks, and after the Township allowed the builder to do so, all the water started coming west. I believe everybody here lives west of this development. We have been fighting with this Township since 1992 to resolve the water issue.

I didn't even know Commerce Township owned this property. That makes sense. They owned the property at Chickory Lane as well. There is a drain that's under the property at Chickory Lane, owned by the Township. It is a crushed drain. It has never been dealt with. They had a builder apparently here, and a builder that bought Chickory Lane. The Township bought into, let's help them improve it by bringing in water and I think sewage. These two builders went belly up. Now the Township owns that property. I have no idea how that's affected the taxpayers of Commerce Township, but I'm sure we're paying for it somehow. How we're paying for it, everybody west of here, is with a water issue.

Now, I listened very closely to what this gentleman was saying over here, and Mr. Noles, I listened to you as well. Here are the issues. You're doing sanitary sewer in here. You are not requiring storm drains. Now, with all due respect to Commerce Township, you say that you're following your rules and guidelines for a hundred-year storm. We don't need a hundred-year storm to be flooded out west of this development. We're flooded out every

single spring. Willow Way, their road has washed out. Chickory Lane's road washes out every year. These are private roads. We pay to maintain those roads, not the Township. Okay, you did the traffic study. You're saying traffic is going to be increased by 75%. Well, if you drive down by Chickory Lane, past the property that's owned by Commerce Township, there is a dip in the road. The speed limit on that road is 50mph. Increasing the traffic on this road is going to increase the danger for us, our children, our grandchildren. That's a problem. So, if you allow a subdivision to go in, you need to put a traffic light at this new entrance that they're going to have.

There's a couple of slides that Mr. Noles showed. He showed a slide that was purple that showed this retention pond that they're going to potentially put in. I'm here to tell you, retention ponds don't work. We had a retention pond that was on Willow Way. It didn't work. Bill and Sherry, their property is a lake every spring; not just the road in front of them, their entire property. They have two more sellable lots that they could sell, but they can't sell it if they wanted to because it's under water.

Let's go beyond Bill and Sherry. There's a culvert pipe across Chickory Lane that's plugged. I fight the Township and my neighbors on clearing out that drainpipe because if we do that, we are moving the Township's water to Cindy Sheptack's back yard and the people that are on Wixom Road. They're here as well. Those people, their back yards are filled with water and the water comes all the way up to Wixom Road.

It gets better, because then we have the people that live on Collendale, that is north of Cindy Sheptack and everybody on Wixom Road. On Collendale, there are two marshes. One sits behind my property, and one sits on the other side of Collendale. Those marshes, the water is going up, and it is within feet of these homeowners' doorsteps.

When it was explained to us a long time ago by Zoner, when Sandhill Paddocks was developed, *"Oh yeah, we know it's a problem. The more roofs you put in the area, the quicker the runoff and it doesn't have time to saturate into the ground and that's when the water flows."* The water has to be dealt with. The Township cannot allow a subdivision to go in if they're not going to deal with the water.

I don't want to lose the value of my house. Gail and Joe have a beautiful home. They don't want to lose the value of their house. As much as we may think that his presentation was right and his subdivision is going to be beautiful, and whatever, but not at the expense of our properties. The people on Wixom Road, they are dealing with the exact same thing, because the water just rolls down their backyard. If you look at the elevation, or the slide that he had that was purple, you can literally see the elevation lines on that slide. Elevation tells you everything about the way the water flows.

Weber – Ms. McQuillen, I'd like to interject here on the water discussion. I can't tell you what happened 20 years ago, or 15 years ago. However, not just for this project, but for all the projects we are reviewing, I can tell you that water management and water runoff is a very high priority, and we are trying to address it.

Now, I have a couple of points that I'm going to ask Jay to come in on. I have driven Willow and the entire area, and I don't live very far from here. It's my understanding that on Willow, there is no retention pond. It's a detention pond in that area, which is one of the things that we were just discussing here, and the differences between detention versus retention, and how a retention basin at this development, which I think would be required for moving forward in my singular opinion, will help the water runoff that is presently happening right now if no action is taken. Let me ask Jay to jump in here and to maybe discuss the difference between retention and detention again, and the affects that retention will have versus what is there today, which is nothing.

Jay James – Sure, I can do my best, George. So, Shelley, first of all, this subdivision is required to have storm sewers. They're going to have storm sewers, as Mr. Noles mentioned, all in the roads. Therefore, the lots that drain from the back to the front, the water will go to the roads and get into the drains. The houses on the other side are going to drain toward the road and into the drain.

It's all going to go to the retention basin which is sized to hold two 100-year storm events. That means that none of that water, unless we get the mother of all storms, and if we do, all bets are off anyway, but you are not going to get any water going to the west from that basin. The only water that may continue west is the back half of the yards of the houses that are on that property line, and that is all. The houses on the north end are actually going to go to the north and head into Proud Lake. The amount of water leaving this site, when this is done, will be less than what is happening today. I don't know what else we could do for the storm water for the issues farther to the west, other than to prevent them from discharging and actually have them discharge less water than they're doing today.

Shelley McQuillen – Have you seen the water that is at Proud Lake recently? Because those water levels are already astronomically high as well.

Jay James – Shelley, I'm very aware of this whole drainage course and I've been at the Township now for over 25 years. I've dealt with the Sheptacks, I've dealt with everybody and I'm very familiar with this whole drainage course. What I'm telling you today is that the developer is agreeing to put in retention to stop any of their storm water from going to the west. That is all they can do. If they're going to send you less water than today, I don't know what else they can do regarding storm water for you.

Shelley McQuillen – I think the concern of the residents is that you're asking us to trust the Township and the Building Department to take care of this water issue, and sorry, actions speak louder than words. I apologize, but we've been asking you to take care of this water problem since 1992 when it started happening, and we haven't seen anything. And your 100-year storm statistics, I question whether or not that's going to include 43 more roofs being put in that area.

Jay James – It does, and anybody that wants to come in and go over the whole storm water course out there, feel free to give me a call and I'll make time to meet with you, individually, or all at once.

Shelley McQuillen – Okay. Well, I think that it needs to be much bigger than what you currently have it slighted at on this slide, and he's saying they can make it bigger. It probably should be even bigger than that.

Jay James – If they're not going to be discharging any water that way now, making it bigger is not going to change that. They're still not going to discharge any water your way. I'll be glad to go over it with you, Shelley. I think they've heard your comments and we'll take it into account.

Shelley McQuillen – I will be watching how the water moves, because you can't move the water from one property to another. You're flooding us out with your decisions. It needs to be addressed before anything is approved, it needs to be addressed.

Chairperson Parel – That was a good kick off. We appreciate it. Those were great comments and a good discussion with Jay. Let's try to keep everything to a minute and not repeat, we would really appreciate it.

Gail Fenech, 2468 Willow Way Drive – Yes, our sewer that goes from the east to the west has collapsed. It overflowed and has washed out our road. It caused us financially to put more money into it. It is a private road. I was hoping that maybe you would also consider that, with some help with that. We have to replace that whole thing now because it was washed out.

Weber – Jay, can I ask a question. Did we have an SAD for Willow?

Jay James – No, there is no SAD for Willow.

Gail Fenech – And that is also a 100-year retention pond, and it didn't hold.

Joe Fenech, 2468 Willow Way Drive – You're saying that ours wasn't a retention pond. Ours is, on Willow Way Drive, it was set up for a 100-year rainstorm, right, to hold ... what you're talking about, like what they were going to do on the next property over. Well, we never had a drop of water until that sub went in. I was thinking, what's a 100-year rainstorm, because our property was dry, and all the sudden Sandhill Paddocks came in. Then we started realizing what it was all about, because it started filling up. Everything heads from west to east and that's just with Sandhill Paddocks, and now you're talking about 43 more homes, and you're going to direct that water, thinking that by doing a 100-year rainstorm over there, it's going to solve the problem of everybody to the west of that? I don't think so.

Gail Fenech – Our property is up by the last two homes on the cul-de-sac, on the left upper corner of the subdivision. There is no buffer there. I remember when they did Sandhill Paddocks, they had said in that contract that they were supposed to put a buffer of trees between the property so the home is not visually right at our property line and we can't see it. It's not there now, and I know there's a green spot below that. I would ask if there were some way we can have a buffer. Everyone else has a buffer, both sides. We do have 10 acres, and it would be nice if they would consider the original plan which said there would be a buffer.

Dana Swacey, 2960 Chickory Lane – I'm wondering if you could expand the size of the retention pond, over to the green area that you have left that's trees, because right now ... [inaudible off-mic] (Mr. Swacey approached the overhead and reviewed the retention area).

If you're going to have this size, our water flow already comes this way. In the process, your Commerce Township property benefits. If you guys were ever to sell this and develop it, I don't think you could because of the amount of water. Could you possibly increase the size of this?

Jay James – That's what he was referring to when he said they're going to change it. What you see there is depicted as a detention basin. They have agreed to go to retention, which is going to dramatically increase the size of that basin. It's going to be built out large enough to meet the design capacity. I can't tell you the configuration.

Dana Swacey – Have you guys ran the topographical, all the elevations?

Jay James – At this point, we haven't, but that is something we do at engineering design, yes.

Dana Swacey – Well has someone did that with a builder or developer to say that we already have a problem with this elevation going down?

Jay James – I can't say it clear enough – they will not be discharging any water your direction from that pond.

Dana Swacey – Are you sure?

Jay James – I will give you my business card and my home address. I don't know what more I can say.

Dana Swacey – Okay, now let's go to the traffic study.

Weber – Dana, a key is when they put the storm water sewer system in, all of that water that is now running through the land to the west, it's going to be captured in the sewer system along the roads and diverted into the retention system.

Dave Campbell – This will make it better than what is currently going on.

Dana Swacey – I understand. I'm concerned with how big it is. The other thing I had is the traffic flow. If you have an entrance coming in where that house is, are you going to extend a lane and put a left turn lane in? Let's say 3 cars per 43 houses is 123 cars ...

Chairperson Parel – We understand the question, I just don't know if ...

Dave Campbell – The traffic consultant evaluated this. It does not meet the RCOC's standards for a center left turn lane. It also does not meet the standards for an eastbound passing flare; however, the developer is volunteering to put in an eastbound passing flare along the south side of Wixom Road, such that if someone is making an eastbound left turn into this new neighborhood, someone looking to continue eastbound on Wixom Road would have the opportunity to pass them. Correct me if I'm wrong, Haytham and Mr. Noles.

Dana Swacey – What about the north side?

Dave Campbell – On the north side, there's going to be a right-turn deceleration taper, and also an acceleration taper, so that someone pulling in or out of this neighborhood with a right turn has space to accelerate or decelerate before they enter or exit.

Dana Swacey – How many car lengths?

Dave Campbell – I don't know the exact dimensions of the deceleration taper.

Jay James – It has to meet the RCOC standards.

Dana Swacey – I agree, but the traffic flow on Wixom Road is very heavy, especially with all the cars between 3pm-7pm. And on the crest of that hill, no one can see cars coming either way. It's very hard to pull out. Are they maybe considering a light there?

Dave Campbell – This is nowhere near meeting the threshold for a new traffic signal along Wixom Road. Again, that's a threshold that's determined by the RCOC. You have the existing signal at Wixom and Glengary. The volume of traffic from this neighborhood is not even close to a volume that would warrant a new traffic signal.

Judy Schlotta, 2382 Wixom Road – We are the residents of Wixom Road. We deal with the traffic because we deal with the mobile home parks that have 1,032 homes across the street from almost our driveway. We sometimes spend 15 minutes trying to get out of our driveways. The thing is, I petitioned Oakland County. We need a double line through there, but they won't put one in. The main thing, we had a death at the entrance of the mobile home park who has one entrance to it. What happens is the people come out of Commerce Meadows and they head east on Wixom Road; puts them about my driveway, and people start to pass. They're not anticipating the people coming out of that park. We'd settle for a double line so they don't pass. I've had a car upside down in my driveway. It is an issue on Wixom Road.

Cindy Sheptack, 2862 Wixom Road – I am directly west of this development that you want to put in. I am the last stop of the water. I got my house in 1992, long before you came on, moved in in '93, and the water problem began when Sandhill Paddocks or Country Hills came about. No one trusts Commerce Township. No one trusts anybody on the board, I'll tell you right now. Not particularly you people, because you weren't there when the problem arose, but I was blown off so many times.

Nobody knows what we go through with this water issue. I had a walkout basement that had 4 feet of water in it several times. Now it's all well and good you want to develop it. It's revenue for the Township, I get it, and everybody wants to live out here. It's not what it used to be when I moved out here. If I knew this was all going to be happening, I wouldn't have moved out here. But I love Commerce Township, but I want the water problem fixed too.

We put a berm up in the back. Took it upon myself to do it because the Township wouldn't help, period. Every time we went to many board meetings, no one paid attention. There's nothing you can do. Well, Country Hills was supposed to have a retention basin. They never put it in. They just flowed the water to the west, and wherever it ended up, that's where it ended up. It ended up on my property and the property of my neighbors. I got it the worst because it got into my basement.

I'm a direct line from the east to the west. It scares me. We had to move out of our house three, four times, and move my kids when they were little to live with friends out here. Have any of you had to ever do that? Does anybody know what it's like to have 4 feet of water in your basement and not know where to put it? There's nowhere to put it. In the springtime, my front yard even fills up. Thank God it hasn't gotten into my septic tanks. The water in the back comes right up to the berm. It has cut over the berm and we've had to have that repaired.

When there's storms happening and you know the water is coming from the east and there's no way to stop it ... retention basin or not. I understand the difference, believe me,



I've had 30 years of understanding what that is. I'm with Shelley, a lot of them don't work. You dig down into the dirt to put these retention basins in, I'm not an engineer but I've learned a thing or two over the years, not that I wanted to. You've got a water table that comes up and fills those things up too. You know that. You say it's going to be able to help a 100-year storm, that we won't be getting any water. Come live at my house for a while when we've had storms and see what you think about it. Maybe you could spend some time with me on sleepless nights, when it's storming, and maybe the electricity went out and my sump pump is not working.

I don't begrudge anybody coming into the Township and building. I don't like it. It's not the bedroom community I once came to, but it happens everywhere. It's just the fact that no one did anything for 30 years. Tom Zoner, former Supervisor, told me there's nothing you can do, no big deal. He was pretty cocky about it. I don't like the guy, just because of what we went through. There was no help. I had to put the berm up to protect my home. That helped, but I ended up having to fill in my basement. I don't have a walkout anymore. That takes value off your home. I liked the house with the walkout.

Chairperson Parel – We understand. We want to give everybody the opportunity and we have to be fair to everyone else. It's very interesting to me. I didn't know the water issue would be at the top of everybody's list.

Cindy Sheptack – It's horrible.

Chairperson Parel – I understand, and it has to be terrible for you. It sounds like nothing has been done to this point. With that said, I do feel confident that this is a solution. This is one person, and we have several members up here who have worked with professionals like Jay who knows what he's doing. I don't know how much of a solution, but from what I'm hearing from the experts, with this development, I think there's going to be less water. I can't quantify how much less, but I'm confident that what they're doing, and what we're requiring them to do, above and beyond their original plan, retention versus detention, it is going to reduce the amount of water coming out west to your property. I understand you've been told things in the past. I think we've got a good crew here and I feel confident that's going to happen.

Mr. Noles – Dave, can you zoom in on Cindy's house and the boulevard entrance. One of the things you may not know, if it hasn't been explained to you, the plan shows five storm water management inlets within 150-feet of your structure. Right now, there's zero. When the water comes from the high side, you don't need rear yard storm; it gets picked up in the front. But where it continues to slope down here, this is an inlet. Each one of these green circles is a manhole or an inlet. There's got to be 60 shown on the plan. This will help to undo what Sandhill Paddock did back in 1992.

Cindy Sheptack – Well 60 inlets, with all that asphalt, cement and rooftops, and hundreds of rooftops, that's just the quicker the water gets to the retention or detention basins. That's the quicker it can overflow. They overflow, those things do.

Jay James – It is designed to hold two 100-year rain events.

Cindy Sheptack – Well, I'd like to see that.

Jay James – I'll be glad to show you other developments. We can go out and look at those basins, and I'd be glad to go over the plans.

Cindy Sheptack – I've seen other ones. They are not the same as what we're dealing with here.

Chairperson Parel – Okay, we've heard you. We appreciate it. We have to give other people opportunities.

Cindy Sheptack – Thank you for listening, have a blessed night.

Chairperson Parel – You as well, thank you. Again, I would just say if it's water related, we've heard it and we understand. We want to be cognizant of everybody's time.

William Watkins, 2810 Chickory Lane – I'm going to drop this to make sure you hear. A lot of it, the other ones talked about the water. I'm talking about the trust. The trust is here and I've watched it. That's what I would like to ask him, or get an answer from him. When you say something is a retention pond area, and you build the place, can it be sold and filled in?

Chairperson Parel – No.

William Watkins – You did it right behind me because a guy bought the house right behind me, and they didn't have enough room to take and build a second house, so they let him fill in ... buy that strip of property and cut that basin down. I said, well, how the hell do you sell one? Well, it's his property and I don't want to get into that again. We okay this one, what if he doesn't live up to it? What's the penalty? Who is going to marshal this?

Chairperson Parel – That's fair, and that gentleman in the blue shirt there, he's our marshal.

William Watkins – I've been going through this since ... I've lived here, built our house, and started in '72. I've seen a lot of things. Up one of the streets across there where they put in a catch basin by the church, I seen that guy raffle. You know how every basin where they decide to hold the water, retention, you can have a four-inch drain for overflow. The guy put one down below it and went 30 feet down the road and brought it back up to the top, and they flooded Wixom Road.

Chairperson Parel – I don't see that happening. This is a good size development and it's being handled at the highest levels of administration in our community. They're going through all of the proper engineering. We've got a good developer. I keep hearing the same thing. Not to put aside some of the comments, but Jay's a smart engineer and he knows what he's talking about.

William Watkins – I've known Jay for a long time.

Chairperson Parel – Jay has offered to have these conversations and I would recommend that you take him up on it if you have the concern, and maybe do it all together because he's busy on other stuff too.

William Watkins – My whole thought would be that we get some kind ... if they have to come down and dig some more of that green area out, they'll do it, if it doesn't work, the plan that they've got. With a commitment like that, we can't go wrong.

Loskill – That's what they said they will do.

Chairperson Parel – And we will hold them to that.

Jay James – I'm going to make the commitment now that once they develop their engineering plans, and the size and shape of the basin and the storm sewer system have been designed, I will send out letters to each and every one of you to the west and we will hold a meeting here in this room. You can come here and ask me as many questions as you want and I'll explain that whole storm sewer course. I will go over it with you until you are satisfied.

William Watkins – What I'm saying is, what if their estimates are low, can that be expanded because of the green area, or is everything etched in stone when they build?

Jay James – All of the calculations are based on the size of the tributary area and the amount of impervious surface which is in that tributary. Obviously, with rooftops and driveways, more runoff comes off of those than it does off your lawn, and there's an industry standard for those factors. You multiply all of those together and you get a volume of water, and you must have a pond in order to hold it. We go above and beyond with the required two 100-year storms. Like I said, we have many others in this community that have those type of retention basins. I'll be glad to show you where those are at. To my knowledge, one has never overflowed, at least in the 25 years I've been here.

I will be glad to go over any storm water issues and concerns, especially with this development, along your whole tributary. Between this development and Mrs. Sheptack, there are private culverts under Willow Way, under Chickory Lane. Those are private culverts under private roads and those need to be maintained. Like Shelley said, that needs to be maintained. I'm hearing a lot of comments about storm water and I honestly can't say it enough – I'll be glad to go over it with you guys, but that's what he's agreeing to do to make it better.

William Watkins – That's how I started out when I said trust. I've stood at the edge of those waters, with you, with other people. That's what I want to see, is after they're done. If it works, that's great. But if it doesn't, is there room? Do we get a commitment that will make that area larger?

Jay James – In their master deed, they are required to maintain that basin. So, when we develop the size of it, in my opinion they're all overkill and I've never seen one overflow.

William Watkins – I never seen one sold either.

Jay James – Well, that's a different debate and I'd love to have it with you someday. Bill, sitting here, as an engineer, all I can tell you is two 100-year storms is above and beyond what most communities do. I do not believe you're going to see an ounce of water from this development, from that pond, go your direction. You may not trust it, and that's why I'm willing to go over it all and explain it to you.

William Watkins – I don't want to see it on paper. I want to see it work.

Jay James – Once they design it, and they build it, then they are required to have the surveyor go out and show that the capacity built meets with the design. Then they are required to maintain it over the course of the years. If it doesn't, then the people in that subdivision are required to maintain that and clean it back out to the required capacity.

William Watkins – Because there were people that laid out, when they sold that part of that reservoir next to me to build a house, so that the salesman could sell another house on that property he purchased. That was supposed to have been all engineered and everything. Well, that didn't last any time, and it was coming over. Then they had to come back with a bulldozer and take some more out, and the problems never changed. People have addressed them. That's why the lady and other people have seen, we can't trust. The way to get trust back is to earn it.

Chairperson Parel – We completely understand and I agree with you. When you hear Jay, the Township Engineer, say I'm willing to sit down and go over this with you, and show how this is going to help you, I think that's the first step. He could have just cut you off and said I'm not going to have a conversation.

Jay James – I can't cut him off, he's got my phone number.

Chairperson Parel – It's kind of you to do that Jay and I think that's a good first step.

Lori Huisman, 2574 Collendale – I think their presentation covered everything that the Township wants. We don't mean to step in your way, but there is no measurable until those streets are fixed. I know everybody is saying kicking it down the road, but the road needs to be fixed and then we'll have a measurable of whether or not it's less or more. Also, a bond in place once it's fixed and they start building to ensure that it actually does work, but the money is sitting there ready to go to pay for enlargement, whatever it might be. What is the hookup for an individual for water at a house? Years ago, it was like \$2500.

Jay James – The total cost to hook up to water is probably around \$5000 to \$7000, depending on ...

Lori Huisman – Okay, so times 43 homes ...

Jay James – That's not the cost the Township gets. You as a homeowner, it would cost you-

Lori Huisman – Right. Well, you probably know the answer (to Mr. Obeid). What are you going to pay to have water?

Jay James – Tap fees are \$2000.

Mr. Obeid – Plus \$1600.

Lori Huisman – Do you have a total number or-

Chairperson Parel – Ma'am, I think you're ...

Lori Huisman – [inaudible].

Mr. Noles – The water mains that run through the development generally run about \$80 per linear foot, and as I mentioned, there's a couple thousand feet of road through the development, so 2000 x \$80 gives you a water main. Then you have to buy the leads, and those are each ...

Lori Huisman – So do you know what that total is approximately? [inaudible]

Jay James – It's hundreds of thousands of dollars.

Lori Huisman – Nobody knows the answer? You have a budget and you don't know what it costs?

Mr. Noles – We do. There's 43-

Weber – Ma'am, I'm sorry. This can't be a Q&A session for individual water hookup questions.

Lori Huisman – Well I thought we were allowed to ask questions and this is my question. That money could potentially be used to offset some of the costs of the roads.

Chairperson Parel – We appreciate your comments and we hear you.

Greg Garner, 3791 Stallion Way – I have no issues about water right now. I'm sorry for all of you. I really feel for you. My main concern, and I think that of Country Hills, is these public roads connecting to our private road and how that is going to work. We don't want a physical connection between ...

McKeever – It was written that way when you purchased your property. That was the way it was always intended and envisioned. There's nothing we can do about that.

Greg Garner – I understand that they have right-of-way or an easement, whatever, to come across, because it was envisioned that that was going to be the only access to that land. Now that they have come up with the other entrance, we don't want that traffic coming across our roads that we have to maintain. We plow and we get a 6-inch storm, and Oakland County doesn't come plow this subdivision forever. It's going to be a lot more than 25% of those people that come out through our plowed and salted road entrance so that they can get out safely. That is the biggest concern.

One of my other issues was just the tree preservation along the power line easement and they have 1.6 acres of open space on that easement. That's open space that's not accessible to anyone. They're going to cut all the trees underneath there.

Ruth Ann Welko, 2316 Wixom Road – I'm the property directly to the east of the entrance. Is there a proposed width of this boulevard at the entrance?

Mr. Noles – Ruth, the roads themselves are in a 60-foot road right-of-way, and the boulevard is in a 100-foot right-of-way. The width of the road is 27-feet from back-to-back, through the normal section, and then each of the boulevard legs narrow down to 24.

D.J. Vandercook, 2900 Colt Court – I'm also a member of the Country Hills neighborhood. Main concern for us again is the roads; public versus private. Bill, to your point, and Mr. Noles, I'll just ask you; you mentioned benefits to Country Hills. I'd like to understand what those benefits are, other than probably taking advantage of an antiquated master deed in which those were always going to be part of the Country Hills neighborhood, and virtually the same subdivision. This is by no means the same subdivision. Mr. Noles, you mentioned there's only one house that has a shorter drive to the main outlet to Wixom Road. If that is the case truly, what is the benefit of connecting the roads? Certainly, it serves no benefit for us in Country Hills, other than having an additional expense to repave the roadways when that day does and will come.

Chris Tiernan, 3580 Stallion Lane – To all our neighbors to the west, I apologize. I had no idea you guys had such water problems. When you talk about the master deed, with the roadway being there originally, is also part of that master deed the assumption that the secondary phases would also be under the same HOA? That would be something that I would like to see. Also, if there is that road study that showed the 25% and 75% split, if that could be made available that would also be very helpful.

Chairperson Parel – I think we made our way through all of the comments. I guess I'll just wind it down. That was a lot. I didn't expect that many for a pretty typical development, but I appreciate all of the comments. I hope you, as a community, can appreciate that we're doing our best to bring the two groups together. We don't want to be anti-development, but it's also extremely important to us that our current residents are made happy and they have a great place to live. I learned a lot during this presentation, mostly thank you to Jay. I'm actually pretty excited for the community to the west. Sure, we're going to develop some beautiful homes here, but I think this is going to solve some issues for some people. Sometimes it takes a development like this and money coming in from a developer to fix a problem. The community doesn't always have that money. My hope is that this fixes it. I feel confident and I trust these folks.

**Chairperson Parel closed to public comments.**

**Commission Comments:**

McKeever – I have nothing to add.

Weber – Just to thank you, again, everybody for taking two hours out of your day to come and visit with us, and share feedback with us. I think Bill left, I don't see him, but I think he made one of the most profound statements that we all have discussed in the past, and it's that trust isn't given, trust is earned. We can't fix history, but we can fix today and tomorrow. You have all of our commitments.

I'm the liaison to the Township Board. My email is [gweber@commercetwp.com](mailto:gweber@commercetwp.com). I will make sure that I'm here when Jay has the study session on storm water management, once we're ready for that, to be the liaison for the Board for that discussion as well. Water management is such a priority for us, or at least it has been for the last 5 years I've been

involved. Every single development, we have detailed discussions to manage that and to not make something that is bad worse, or if something is bad, try to find a cure for it. A question for Jay, as we're moving forward, do we have requirements or conditions for approval, some language addressing retention and storm water management to make sure that it goes on the public record.

Jay James – I would say, *required to meet with the Township's retention requirements, to meet two consecutive 100-year storm events for the storm water which comes from that development.*

Weber – Dave, can you pull up NearMap? At the top, where the proposed cul-de-sac would be going in, I want to address the buffer between the homes on the cul-de-sac and the home in that area on Willow Lane.

Dave Campbell – The Zoning Ordinance and the landscape standards do not require a landscape buffer when it is single-family residential to single-family residential, when all the properties involved are zoned R-1A. If this were transitional zoning from R-1A to R-1B, C or D, then a buffer might be required.

Weber – We have required buffers.

Dave Campbell – We have done it more in developments that came in as a PUD, where there's more of an opportunity for discretion, negotiation and so-forth.

Weber – Mr. Noles, let me put you on the spot. What's a buffer that you can commit to on that northwest end of the property?

Mr. Noles – It's difficult to make a commitment about that particular area standing here tonight, because there is some development right on the property line. It really becomes a question of grading. If we're able to pull the cul-de-sac back a little bit, we could probably save some existing trees at the end of that cul-de-sac. But again, everything drains from the east to the west, and without looking at a grading plan, it's difficult to say that I can develop a cul-de-sac with a sidewalk that's two feet off a property line and save a tree.

Weber – I don't think we're talking about the same area. I'm talking about the back of the yard.

Mr. Noles – Those houses front on the cul-de-sac, Lot 17 & 18, and their side yards are probably 15 feet from the property line. That becomes extremely difficult for me to make a commitment for that particular area without the benefit of a grading plan, where I can study it as part of the final engineering process.

Weber – If some of the existing vegetation can't be saved within that area, we could put in some new vegetation, correct?

Mr. Noles – Yes, sir. And, as part of the landscaping requirements for the development, we would certainly have street tree requirements. The cul-de-sac is no different. It will have requirements for plantings along that area and we can congregate them, or add a couple additional plants if we're not able to save some trees.

Joe Fenech – Does the houses have to be 15 feet from my property line?

Mr. Noles – Excuse me, I was just estimating it based on the way the slide looks. The side yard setbacks are set as R-1A setbacks. Dave, do you have those figures?

Dave Campbell – It's a minimum of 4 feet to the side there, and a total of 14 feet, and a minimum of 10 feet of separation between any two structures.

Mr. Noles – So it could be as small as 4 feet from that property line.

Joe Fenech – And I had a barn put up, and you wanted 100 feet from the property line for a barn. Then the next neighbor puts a barn up, then you want 50 feet. Next neighbor comes up, now it's 10 feet.

[Crosstalk]

Dave Campbell – I think we've closed public comments.

Weber – As we go forward, I'm going to be looking to add language on administrative approval of landscaping within the cul-de-sac to provide a buffer.

Dave Campbell – I assume you're describing along the westerly property line at Units 17 & 18.

Weber – Yes.

Chairperson Parel – Mr. Noles, that works for you?

Mr. Noles – Thank you, yes.

Loskill – I have a couple issues. The grades that I see on the site plan, are those existing grades and not proposed grades?

Dave Campbell – It depends on which sheet you're looking at. There should be an existing topography and then a proposed grading plan.

Jay James – I don't believe he has a proposed grading plan yet. That's something they do at ...

Mr. Noles – Sheet 2 is existing conditions.

Loskill – My first comment was going to be that I'd like to see more trees saved, but I think the biggest thing we need to address is the water going to the west. I would like to see the engineering done because the grades drop off precipitously as you go west, so I understand why there's a water problem. I think with the opportunity we have here today, they can capture all that water coming from the east, but it's going to take some engineering to make that happen. We need to make sure that the grades are such that



they berm it, or use retaining walls or whatever to make sure all the water is captured and it's not just flowing to the west.

Dave Campbell – And that is the commitment of the developer, along with the Township Engineer, and that's Jay's personal commitment.

Jay James – I'll invite you to the meeting, Joe.

Shelley McQuillen – We'd like it to be a requirement, not a commitment.

Loskill – On those two lots George mentioned. There's no reason you couldn't do a front entrance on the garage to be able to move those homes a little bit more to the east. In fact, there's a section in the Zoning Ordinance, 27.03.b.3. that requires different options for garages, as opposed to all side entrances as currently shown.

Dave Campbell – That's one of the many opportunities to comply with the anti-monotony standards, variation of the orientation of the driveways and the garages.

Loskill – How is the developer going to deal with snow removal on those two sections of the road that are not public?

Mr. Noles – The developer is going to be obligated to plow those sections that are private. It's going to be written into the master deed and bylaws. It's going to be the obligations of all 43 homes, not just the homes on that front. So, just as there are common areas for maintenance of the storm water basin, or maintaining the front entrance, those common elements are jointly owned by all 43 homes, which is why it's impossible to sell one. That's where the maintenance obligations for the private sections of road get spelled out. As somebody else pointed out, and I've lived this myself, oftentimes the County's last priority is to plow the subdivision streets, so many times the HOA's, even with public streets, still have a private plowing company. During construction, Mr. Obeid will be paying somebody to plow those streets. He wants his customers and his trades to get to the houses and he can't wait for the county to do it. Yes sir, there will absolutely be maintenance set up and it will be paid for by the HOA in the long run, and in the short run by the developer.

Loskill – I'd like to see a really developed landscaping plan to be able to screen the homes on either side of that entrance off Wixom, from all the headlights that are going to be coming in and out of that area.

Mr. Noles – Absolutely. It's part of the requirements for final engineering and that is going to be the centerpiece of the development.

Rebeck – I don't have anything to add that hasn't already been said.

Winkler – In the past, where we've had site plans come in front of us where there's this kind of public engagement, we sometimes urge the petitioner and the concerned homeowners to have a conference or a meeting, or give the petitioner a chance to address the adjacent homeowners' concerns. I don't think that's going to be productive, given the fact that the petitioner is doing something that is going to improve the drainage,

both for Country Hills and the new development. I just want to bring that up in case somebody saw that as an avenue we might want to pursue.

First, if you look at the development as proposed, how often do we see 25% plus greenspace? We never see that. Secondly, the zoning that's allowed on that property is more dense than what the petitioner is asking for. That impacts the traffic and the density. And the fact that the petitioner is adding that voluntary passing lane to the eastbound or south side of Wixom Road, I really can't see anything else that he could improve on the site plan, other than the things that George has suggested with screening.

I've got to give you some credit because you've been more than accommodating in listening to these comments from the public, and it's great to hear, but there is a bit of a separation between this petitioner's proposal and the adjacent property, and the fact is that it's going to improve the situation over there. I can't help but support the project.

Karim – This scenario was set to develop with housing, so it's going to be housing. Originally, it was R-1B, and now it's R-1A, which is less housing in the area to be built. I'm an architect and a planner. Frankly, with the new entrance from Wixom Road, I wouldn't dream of better planning than this.

That doesn't say anything about the water problems, but according to my knowledge, developing this will help the water problem for the area next to it. It won't solve it. It will be solved when other areas develop, and the whole area would have basins and sewer systems.

I live in an area where the whole street has been developed by this developer. From the drawings and elevations I've seen, he's going to build the same housing that he's building in my subdivision. He didn't build my house, by the way. It just happened that I have a house in the sub that he took over. He's a quality builder with quality house. That will upgrade and be an advantage to the area.

Chairperson Parel – Dave, we talked earlier today about the potential for a non-motorized connection to the Proud Lake Trail. Is that still under consideration by the developer?

Dave Campbell – I don't know. Of all the things that we have discussed, that has not come up. Given the adjacency and proximity to the asset that is Proud Lake State Recreation area, and if the DNR were agreeable to it, is there an opportunity to provide a non-motorized connection from this development into the pathway?

Mr. Noles – 100%. If we were permitted to do it, we would do it in a heartbeat because it would pay for itself 1,000 times over, just with marketing the neighborhood. The path is just north of that easement.

Chairperson Parel – I think that would be a great thing, and wonderful for the adjacent residents too.

Dave Campbell – I'll repeat what the Planning Commission said. We truly do appreciate hearing these public comments. Often this is an empty room when we have these meetings. So, to actually have an instance where the public is engaged the way they are, it really is good to see.

One of the questions that was raised is, what would be the benefit to the existing Country Hills neighborhood? In my mind, the benefit is emergency access and circulation. If you look at the existing roads, which were designed to be extended, but we have dead end

stub roads that are a significant distance from public access. God forbid there was ever an emergency where someone needed to get to the homes that are near the dead ends, and at the same time if there was an incident where that access was blocked, with a tree or power line down, or a wreck. The existing neighborhood is one way in and one way out. This now provides a secondary point of access for emergency responders.

Also, because the developer is bringing in municipal water through their development, and stubbing it at the road stubs they're connecting to, that is also an opportunity for the existing neighborhood to extend those water connections and loop it through their development. That's a positive for all involved, to have a looped water system, which is called redundancy. Now, if there were ever a problem with a water main at one end, there's an opportunity to loop it through and bring it in from the other end.

There's also another opportunity for those folks looking to travel west on Wixom Road, they now have another means to do so as the public roads are accessible to all.

If there's any more questions, I'm happy to take them.

Chairperson Parel – Direct them to Jay, right?

Dave Campbell – Well, Jay is an engineer and I wasn't smart enough for engineering school. So, if we talk about the storm water calculations, I would defer to the Township Engineer and also to Jay. What I'm hearing, however, is that this would actually be a solution toward a long-standing problem. Not only would it not exacerbate the issue, but it would actually be part of the solution. It's not the entirety of the solution, but it's part of it. I think that's a very relevant point.

Chairperson Parel – I couldn't agree more, and if this does pass, I'm excited to see what happens with that. I'm optimistic.

Unidentified Resident (off-mic) – I would like to add a comment on Dave's feedback regarding benefits for the residents. We are the residents and we don't see those as benefits. I know you closed public comment, but we don't want additional traffic. We love the look and feel of our quaint, quiet neighborhood. This is going to bring in more people. We bought in the neighborhood for a reason, and this is completely changing the dynamic of that neighborhood. We wish nothing but for us to remain intact as we are now.

[Crosstalk]

Chairperson Parel – We understand. Thank you. We've closed to comments. We have to be respectful to everybody.

[Inaudible comments continued off-mic.]

Chairperson Parel – George, can I get a motion from you? I think you potentially have a couple additions, one regarding retention, and another regarding the landscape buffer at the cul-de-sac, and maybe some others.

Weber – I'll give this a shot. Again, we do hear you. My motion is in the spirit of, this is a much better solution than anything that has been proposed or has been incorporated into the development that you bought into. I appreciate the concerns.

**MOTION** by Weber, supported by Winkler, to recommend approval, **with conditions**, to the Commerce Township Board of Trustees, of Item PSP22-06, The Reserves at Proud Lake, the request by Proud Lake Development LLC (Haytham Obeid) of Bloomfield Hills MI for condominium site plan approval for a new single family site condominium development of 43 homes upon approx. 36 acres located on the north side of Wixom Road, west of the Glengary/Wixom Road intersection.

Sidwell Nos: 17-19-201-011 & 17-19-251-009

Move to recommend approval of PSP#22-06, a condominium site plan by Proud Lake Development LLC (Haytham Obeid) for The Reserves at Proud Lake, up to a 43-unit single-family residential site condominium to be developed on a combined approximate 36 acres on the north side of Wixom Road, just west of Glengary Road, adjacent to the existing Country Hills neighborhood.

The Planning Commission's recommendation of approval is based on a finding that the proposed condominium site plan complies with the applicable standards of the Commerce Township Zoning Ordinance for a new single-family development in the R-1A zoning district. The Planning Commission further finds that the Township should review the standards of Chapter 34 of the Code of Ordinances, which requires most new roads to be public, and address scenarios where developable properties are accessible in whole or in part by existing private roads.

**The recommendation of this approval is subject to the following conditions:**

1. Final approval of the condominium site plan and master deed by the Commerce Township Board of Trustees following a review by the Township Attorney, with revisions to the master deed to include:
  - a. Prohibition on petitioning the Township for dimensional variances;
  - b. Inclusion of the "anti-monotony standards" of Section 27.03;
  - c. A commitment to contributing a proportionate share toward the maintenance of the private roads within Country Hills determined by the number of new homes within The Reserves whose closest means of access to Wixom Road is via the existing private roads, subject to the percentages determined and agreed upon herein, 25.9% of 43 homes, which is 11.1%.
2. Review and approval of engineered construction plans by the Township Engineer, Fire Marshal, and Building Department, and by applicable agencies of Oakland County and the State of Michigan as required;
3. Administrative review and approval by the Planning Department of revised plans that address any items noted in the Planning Department's review letter, and any revisions required by the Planning Commission;
4. New roads and new access to Wixom Road to be reviewed and approved by the RCOC;
5. Compliance with the Fire Marshal's review letter dated July 6, 2022, with a particular emphasis to the requirements for the placement of fire hydrants;
6. Entrance sign to be reviewed and approved under a separate Sign Permit by the Building Department subject to the requirements of Article 30 of the Zoning Ordinance;
7. Stormwater management retention must meet Township engineered standards of a minimum of two consecutive 100-year storms;
8. The Township Planning Director will have administrative approval for vegetation and landscape, specifically to the northwest section, for Lots #17 & #18.

**MOTION CARRIED UNANIMOUSLY**

Dave Campbell – Procedurally, this would now proceed to the Township Board for final approval, potentially at their meeting on August 16<sup>th</sup>. That would be another opportunity for the Township Board, for your elected officials, to receive public comments during their call to the public at the top of their agenda.

Everyone is welcome to stick around for the rest of the meeting. If not, we are required by State law to keep that door open, so to the extent that any conversations can be taken beyond the hallway so that we continue on with this meeting, that would be appreciated. Thank you to all who attended.

Chairperson Parel – Can't thank you enough. We appreciate your time.

**ITEM I3. COSTCO OUTLOT – CONCEPTUAL REVIEW (moved up on agenda)**

Representatives for Costco are requesting a conceptual review to add additional fuel pumps and expand the parking lot onto the vacant parcel to the south of the existing Costco fuel facility located at 3000 Commerce Crossing.

Sidwell Nos.: 17-36-200-028 & 17-36-200-031

David Campbell, Planning Director, gave a review of the Planning Department's report.

Larry Dziurdzik was present representing Costco.

Larry Dziurdzik – Dave, thank you. Nice job summarizing. I think you covered a lot of points. Tonight's meeting is to introduce myself and the project to the Commission, get feedback and get your perspective on what Costco is proposing.

Dave mentioned about the vacant parcel where we're proposing a parking lot. We looked at that parcel in two ways. One, a way to deal with the queueing and backup problem that we currently have going on at the fuel station. I couldn't tell you how many projects I have in my office where we're looking at expanding the fuel pumps and stations, expanding the canopy, and looking at ways to reorganize and get cars moving faster through the queueing lane. That's not because they were designed improperly. It's just that after ten years, things change and evolve. We can look at the gas prices right now, but it's not solely just inflation and gas prices. I think the problems we're seeing today are here to stay for a while.

We're seeing Costco membership increase throughout the country. That's a solid point that I want to make tonight with all of you. Memberships are on the rise and it started before COVID. We're seeing sales transactions increase in the warehouse, in the tire centers, and in the fuel stations. We have more members, and we have people waiting longer periods of time to get in front of a fuel pump.

With this parcel of land that has become available, which we have not purchased yet, our broker is still negotiating with the seller, but it looks like it's going to happen. We took advantage of not only looking at maybe placing additional parking here, but as Dave mentioned, sliding that existing drive south allows us to expand the fuel station. It's tough to tell in this site plan how far south we're sliding it, but it's about 28 to 30 feet. By doing so, we can add four fuel pumps on the south side, and we're going to add three pumps on the north side. Dave, I did have an enlarged site plan if you wanted to go back.

**Commission Comments:**

Weber – So this is not increasing the width of the footprint for the pumps?

McKeever – The center bypass lanes.

Larry Dziurdzik – That’s correct. The width stays the same.

Weber – Maybe I should wait until the end, but the center bypass lanes are not adequate today. I’m a customer of this particular Costco, and my truck will not fit. If the pump to the south is open, I still can’t get there. I have to wait. So, if you’re looking to add significantly more pumps within that same width of a footprint, I don’t think you’re going to be solving a lot of your problems, because people won’t be able to get through.

Larry Dziurdzik – I’m glad you raised that point about the width of the bypass lane, because I wasn’t aware of that, and that’s not contemplated on the site plan. We’re expanding north and south, not east and west. But that may change and we’ll have to take a look at that. I was there about 3:00pm today, and I was observing how people move through this facility. I did notice that if somebody is finished with the pump to the south, the person who is waiting in line can’t get around and they don’t want to backup. So, the existing pumps, we are spreading the distance out to about 28 to 30 feet. That’s our national average, so it allows somebody to move around somebody, through the bypass lane, but we’ll have to take a closer look at the width of the bypass lane to get around that car that’s in the way and pull in. You don’t have to be a great parallel parker to get in there.

Weber – But what you’ve got here does not contemplate a width change?

Larry Dziurdzik – Correct. That’s right.

McKeever – The concern here is, even with the additional pumps, if people aren’t taking advantage of the pumps as they open up in front of the cars, then we’re really not correcting the problem where people are backing up into the roundabout.

Larry Dziurdzik – I have noticed today that there were a lot of open pumps and people just weren’t coming around, for whatever reason. It could be that they didn’t feel comfortable passing through the bypass lane. You mentioned that your truck cannot get through.

Weber – Not comfortably, because again, unless your cars are scraping the sides of the pump, meaning you’re really close, for most people, the bypass lane is uncomfortable. If you’re in a truck, you generally don’t do it.

Larry Dziurdzik – I’m going to make a note of that because I was not aware of that.

Karim – Are you going to close the station during the development?

Larry Dziurdzik – No, it’s ongoing. The way the construction works, it’s never closed down. It does work. I have seen it in action. We cannot close down the gas station during construction.

Karim – The other solution is to build another gas station on the other side, where they go from the back and front, and in the middle lane they go out, so you don’t have to close the existing one. It’s just an idea.

Larry Dziurdzik – Costco has an internal gas operation department. These guys are experts at fuel stations, and that's all they do. Costco is also now putting up car washes on some of their properties out west, and they're slowly moving toward the Midwest. They've looked at this and this was the perfect candidate for something to be done. That's why I'm here tonight, to look at how we can get the cars moving faster through the queueing lanes. As Dave mentioned, we're almost doubling the capacity by adding those 14 additional dispensers.

With that parcel now that's available to the south, we're able to expand it. I think we've worked that entrance drive, about 25 to 30 feet south of where it's currently at, and add more parking. So parking is another point of my presentation tonight. Most new projects for Costco were over 800 parking spaces. That's what we're designing to. This property is 744. We've looked at this for potential expansion, which was possibly mentioned during an earlier meeting with Planning. We're looking at 799 with the additional 55 spaces. Costco would like to build additional parking, and this is our only opportunity because we're basically landlocked. We're trying to solve two things here; the fuel station and the parking.

I think with a little more input in design, I think we could do it. If we have to go a little bit wider, I think we have some room to do it. One thing I didn't point out, we are on the north side. Something I saw today which was really interesting; cars come in and they want to hug the turn and go to the first couple lanes to your left, and they block traffic. They don't let anybody else come around to the other pump. The other lanes were empty, but cars were starting to back up.

McKeever – Have you ever tried to drive through the parking lot?

Larry Dziurdzik – Another thing that Costco is doing is reteaching some of the gas attendants. Every Costco fuel station has a gas attendant. Some are assisting customers, actually getting the fuel into the cars, and some are actually directing traffic at times. In this particular case, I think our attendant needs to direct traffic and actually move those cars around. So, we've punched the north drive a little bit. We increased it by about 20 square feet of impervious pavement. We've got it curved around to get cars up and around to reach those other aisles. You can see the dashed line that shows we're basically trying to get cars up and around. The only way to get cars to do that is to have a gas attendant directing traffic, until people realize.

You can see with the aerial how much we're going to remove from the landscaping. It's not much. In our landscaping plan, we're not holding back. I talked to David about this, and we are prepared to plant where we can around the perimeter of the parking lots, along commons, along Loop Road. I did a quick inventory of what's out there today, and we do have some dead trees in the parking lot. We really want a beautiful landscape. It looks nice now, but I think we can add to it. Costco goes above and beyond the minimum landscaping requirements for most municipalities.

Dave Campbell – I have a great question from my boss, whose name is also Larry. Could any part of the solution be effectively reversing the circulation, and bringing the gas customers in from the south and routing them through this way so that they're exiting through this driveway as opposed to entering? If you buy this outlot, you've got more space. Is that a potential solution, to make it a south to north operation?

Larry Dziurdzik – Dave, I'm glad you asked, and we do look at that. We've looked at other existing gas stations and said, what if we reverse the flow? We work with a national traffic consultant, Kittelson, and they've looked at this, as well as our architects and planners. The issue here is that we have our fuel tanks on the north side, on the northeast corner. Those dashed areas are large tanks, and actually, for these pump dispensers, we're going to have to put in another 30,000-gallon tank. We can't really expand the pumps to the north. It works out better and it's more efficient if the pumps are to the south, and you can see we're short one pump on the north. We could only provide three because there's four, and then the large one, five. In our minds, the circulation needs to be from north to south. It seems like there may be a conflict if you exit on the north side, with cars coming in. What I observed today, there's a lot of flow coming from the north to the south, but not much from the south to the north. I'm afraid that our traffic consultants were concerned about the traffic conflict, right at Commerce and what would be the new exit at that area.

Weber – If you didn't change your layout, I don't understand the issue of having it go from south to north. People could come in any place, but then exit to the north and go right out that drive as the exit rather than the entrance. What's the concern there?

Larry Dziurdzik – Our traffic engineer looked at this. He was looking at the amount of traffic that's coming in from north to south.

Weber – Right, but you've trained them to do that because that's the way the flow is. If you change the flow, your customers are going to come in from the south.

Larry Dziurdzik – And I'm not talking about customers for the fuel station. I'm just talking about customers coming down this lane, bypassing that. I'm talking about a conflict with all the traffic coming out here, and there's quite a bit of traffic that's not going to the fuel station, just getting to the warehouse. I was there from about 3:00 to 5:00, and there's a lot of traffic flowing here that's not going into the fuel station. They were concerned about that conflict.

Dave Campbell – Part of it is, I think what you're saying is, you're introducing an exiting left turn, correct? Folks would be exiting the fuel station and making a left into the main driveway and introducing more conflicts.

Larry Dziurdzik – That's right. We studied it, and he looked at the counts. We've already started our traffic impact study for the property, and he didn't recommend it. Our architect also didn't recommend it. Believe me, that's something that has worked on other properties, reversing the flow, but it just doesn't work out because of the location of that entrance and exit. It is a tricky situation, but I think with the added fuel pumps ...

Weber – So Larry, your goal is to solve two issues; efficiently getting cars through the pumps, and increased parking.

Larry Dziurdzik – That's correct.

Weber – Could you put your expanded pumps to the east of your existing pumps? Utilizing your same tanks, where you have parking today, so go to the right, which is east. Add your suite of pumps there, and not have to move the road. You still buy the lot for your



excess capacity, or for increased parking, and then you don't have as much of a queueing issue trying to get numerous cars through your bypass lane. Your whole solution here is predicated on cars using the bypass lane to get around other cars.

Larry Dziurdzik – Not exactly, George.

Weber – But it has to be, because if that doesn't happen then you haven't solved anything. You still have your backups.

Larry Dziurdzik – What we're doing is providing more cars in front of a pump. What I observed today was two cars in front of the pumps, and three cars behind waiting. Out of those three cars, two will now be in front of a pump.

Weber – Yes, but you can't get to the pump, unless your bypass lanes are open so that people can get around and get to the pump. To get past that, couldn't you put, rather than stacking them at four, you still keep it at two, but you expand to the east and change that drive right there. That goes away. Traffic still comes in the way it is, and you can go around. (Weber approached the overhead to review his suggestions for layout and circulation, to avoid quadruple stacking of cars.)

Larry Dziurdzik – And your solution is because of that bypass lane. We need wider lanes to get more ...

Weber – I think it's more efficient that way, and maybe a more efficient use of your geography for parking.

Loskill – As another person who frequents your station on a very regular basis, the issue I see is that people in the front will finish and exit, and people stacking are hesitant to try to work around that car. So now you're going to make it twice as bad. Now you're going to have four spots, and three of them you'll need to pull in and back out, or parallel park at. If you have cars at pumps 1, 3 and 4, somebody will have to do a parallel parking job to get into pump #2. I'm not sure, without making these lanes wider and easier to maneuver, whether you're going to be successful.

My other concern is that you're taking out 6 queueing spots on the north side to put in those new pumps. You're expanding 3 on the north side, and 4 on the south side.

Larry Dziurdzik – That's correct, these 3 and these 4.

Loskill – Right, so with the 3 on top, you're eliminating 6 stacking spots. I would be more in favor if you would add 2 more to the south so that you don't reduce the existing queueing line.

Larry Dziurdzik – You're talking about the length that somebody could actually queue while they're waiting for the pump.

Loskill – Right. Currently, you're reducing your number of stacking spaces. We have a stacking problem at this station to start with. I've been there when it's literally out onto Commerce Crossing. I think adding more pumps to the south would be a better solution than removing stacking spots, because that's where cars need to go. Even if you're

increasing the number of pumps, I still think stacking is an issue, with the way you have to come in and make that immediate right, and you've got cars coming up the other way trying to make a left. There's a lot of conflicts with the way that works right now. People are coming from both directions and the problem I see, when it gets backed up both ways, nobody wants to give in. Everybody is trying to get in next. There's no orderly way.

Larry Dziurdzik – I noticed that today, right there. It was a mess.

Discussion continued on the gridlock issues upon entering the fuel station, and ways to open up or widen the entrance.

Karim – That's a good idea if you can do something about that entrance. I've been thinking about other ways to prevent this sort of stacking, but I couldn't find any solutions. You can't expand to the side because that will ...

Winkler – If you expand to the south, then it impacts the alignment of the road.

Karim – Personally, I come from that road to get to Costco. The only other solution is to build another gas station across the drive, but that's probably very expensive.

Larry Dziurdzik – We could look at it, but I don't think we'll consider it.

Karim – I'm just thinking about other solutions.

Loskill – What is your spacing, pump to pump?

Larry Dziurdzik – Right now it's tight and does not meet our national standards. Those pumps are way too close.

Loskill – Nobody has mentioned that.

Larry Dziurdzik – Part of this project is that we are actually moving a whole row of existing pumps, we're moving them south. The only pumps that stay are northerly ones that are existing. Everything else changes because we've done studies. We realized years ago that they were placed too close together. I saw it today. I saw that cars cannot get around, and only the smaller cars are able to back up. Larger trucks just didn't move, and that's what backed up. They will be 30 feet from center of pump to center of pump. We are making a significant investment to move those existing pumps.

Chairperson Parel – So you're widening the space in between the pumps, as well as the space between the pumps in the same row.

Loskill – They're widening it north to south, but not east to west.

Larry Dziurdzik – Not east to west, although we're going to have to take a look at that.

Chairperson Parel – Is that possible?

Weber – They're landlocked. I don't think they can, and keep the same number of lanes that they have.

Larry Dziurdzik – We're going to have to take a look at it.

Chairperson Parel – I'm just not sure this solves the problem.

Discussion took place regarding Chairperson Parel's electric vehicle.

Dave Campbell – Larry, I don't know if it's good news or bad news for you that you have a bunch of Costco customers who are very familiar with this whole dynamic.

Larry Dziurdzik – Every township that I've presented in, there's multiple Costco customers. We're really trying to look at this.

Weber – Where have you done this design? Have you done this other places?

Larry Dziurdzik – Yes, and it works.

Weber – With the same width?

Larry Dziurdzik – Yes, but I'm going to take a look at the width. I cannot tell you tonight that I know the width of that lane. Every fuel station that I've been involved with, we've always added pumps in succession, at the proper spacing, and it really does move the traffic through.

Weber – Is there one in the area we can look at?

Rebeck – In Madison Heights, I think they might have four stacked. It might be a little bit wider, but it works and the traffic goes through quickly. Here in Commerce, people will fight you. You cannot pass them in the middle.

Dave Campbell – How much of that is a staffing operations issue? Could some of that be alleviated if there were folks out there in their orange vests, guiding people?

Rebeck – They're only making sure you don't go back in your car while you're pumping.

Dave Campbell – At the one in Green Oak/Brighton, they do seem to be more active at that location at trying to direct traffic.

Larry Dziurdzik – Attendants do different things at different properties. I don't know why. They're all trained by the same group.

Rebeck – It's not Madison Heights, but there is one around here that I've been to.

Loskill – The one in Bloomfield is a double as well.

Winkler – When the site plan came in front of me, when you expanded this site years ago, one of the things I mentioned at that time that wasn't addressed, and I don't know if it can be addressed, was at least a quarter of the time that I make that right hand turn and pull into the gas station, there's somebody going north on that drive and they turn left into the

gas station, ignoring people who are turning right. If there's any way you can put up some signage that says "yield to incoming traffic".

Larry Dziurdzik – So they're ignoring that you have the right of way?

Winkler – Yes. I don't know if it's solvable. I'm just mentioning it.

Discussions continued regarding circulation and lane width issues that were evident in the aerial photo.

Chairperson Parel – I get that you're landlocked. Is the answer cutting out one of those lanes of cars? Then widen the balance of them and then expand the number of pumps to the south?

McKeever – They're not as wide as a parking space.

Dave Campbell – In Commerce Township, we require 10-foot parking spaces.

Weber – Many people do not wait for a pump to open on the side where their gas tank is. I bring the nozzle over to the other side of the truck.

Larry Dziurdzik – Most people don't.

Weber – When people do, that nozzle is sticking out in the bypass lane and people aren't going to go past that. I think you've really got a width problem. It's not just if somebody doesn't hug the pump, people will also drag the nozzle on the other side.

Larry Dziurdzik – I know gas attendants do help people pull the nozzle over, but most people are looking for the lane that is on the same side as where their fuel tank is.

Loskill – Except when there's a bunch of people backed up, then they'll take whatever lane is shortest. It doesn't matter what side the fuel tank is on. I will always pull up on the right side of the pump where my gas tank is.

Dave Campbell – Is it a worthwhile endeavor for Larry and his team to continue evaluating this? Are they doing the right thing?

Loskill – Absolutely. We just want to make sure it works well for you.

Larry Dziurdzik – Absolutely. Costco has looked at this and said, something has to be done.

McKeever – In all honesty, I would drive past there before I sit in the line. If I don't get gas at 6:00am, I drive right by it and I'm not the only one.

Loskill – I've got a corporate gas card. I'll pull up here first, but if it's full, I'll go on to the next station.

Larry Dziurdzik – That's good to know, and I'll tell my gas operators what's going on.

Rebeck – Can you make sure that there is a new EV charging station in the new parking lot for Mr. Parel. He feels really left out of this conversation.

McKeever – Put it in front of the movie theater.

Larry Dziurdzik – It's interesting about the EV chargers. Costco has put in solar EV chargers. They don't get used. I would have to say all of them look pretty and they have a great solar panel on top, and there's never a car in front of them. I can't tell you why, but they don't get used. In newer developments, that has been a high priority.

Chairperson Parel – Are you putting them by the gas station, or by the warehouse itself?

Larry Dziurdzik – By the warehouse and somewhere that it gets sun exposure.

Chairperson Parel – Are they all solar?

Larry Dziurdzik – No, they could be hard wired too.

Chairperson Parel – I'm wondering if they're not fast enough. I've gone to a lot of outdoor retail centers and they have EV parking. I was fighting for spots.

Weber – But it does depend on speed. If it's not a super charger, people will not ...

Chairperson Parel – If it's a really slow one, it's not even worth it.

Weber – Dave, to your question, does this make sense to go forward. I think what might be different between this and why Valvoline failed; one of the comments on why Valvoline didn't go forward was that there's a point in time, before we even got to capacity, that oil changes were not going to be around for another 25 years or so, or the volume will be dramatically reduced.

This I think is different because it's not a new facility going in. It's an expansion of an existing operation that is already demonstrating that it's got a significant capacity issue, and probably will still have a capacity issue for a number of years, but it's not a whole new development, which I think for the Township Board is a key difference. If Costco didn't have a gas station, and you were coming in to say you wanted to put one in, you'd probably have a very hard time.

McKeever – And you'd have to qualify for the Special Land Use, being as there's three gas stations at the end of the street.

Chairperson Parel – We agree to move forward, I think that makes sense. I don't know if we have the solution, but we obviously have some ideas and we're willing to work with you.

Larry Dziurdzik – And I appreciate that.

Chairperson Parel – We want to see it resolved from a safety standpoint, and from a management standpoint. The only other concern I have is, personally I don't like driving up M-5 and seeing a hundred cars in queue. I think the landscape plan looks good to me.

Dave, I definitely want to make sure that the Costco gas station is screened. I don't think they need visibility.

Dave Campbell – In fairness to his team, if there were red flags or opinions that this was a non-starter, then this would be the opportunity to say as much.

Chairperson Parel – Definitely not a non-starter. I think we just need a better solution.

Weber – Do we want any public comments?

Supervisor Gray – Dave relayed my comments pretty clearly. I still think coming from the south would be a lot better than the north, even if you shut that down and move that lane over so cars were not exiting to the left. You could just put the pumps that way and have them come out back to Costco. Everybody is talking about bottlenecks. How about one way in and one way out. Move the entrance away from that, and you only have one way in and one way out. I think you could develop that, but that's just my thoughts.

Larry Dziurdzik – So your thought is reversing the flow.

Supervisor Gray – Correct.

Weber – Costco customers are sheep if you train them.

Larry Dziurdzik – We'll take a look at it. When I come back, we'll have a plan, and we'll have more information about EV chargers.

Dave Campbell – This is Southeast Michigan; this is Metro Detroit. Everything we're hearing from the Big Three is that EV is their future, with serious commitments and investments on their parts. Maybe addressing that future is more important in Metro Detroit than it might be in other metro areas.

Weber – And if you could send us aerials of location where you do have the four stacks.

Larry Dziurdzik – Right, we could take a look at those.

McKeever – And if you could just relay the addresses to Dave, we all have access to NearMap.

Larry Dziurdzik – I can do that.

Chairperson Parel – Hopefully we've given you some good information to move forward.

Larry Dziurdzik – Thank you very much.

## **ITEM H2. PZ22-03 – COMMERCE TOWNSHIP – TEXT AMENDMENT – PUBLIC HEARING**

An amendment to the Commerce Township Zoning Ordinance No. 3.000, to amend Article 33 - General Provisions, to add language for portable storage/moving containers

and utility trailers on residential properties, including requirements for placement and duration.

David Campbell, Planning Director, gave a review of the Planning Department's report.

**Commission Comments:**

Chairperson Parel – I think the 72-hour limit makes sense. Dave, you and I talked about in the instance when a resident calls a pod company, we need to train these folks so that the company knows the resident needs to pull a permit.

Dave Campbell – That was one of my questions to Jay. Who would be reasonably expected to be responsible for knowing that these regulations are in place and applying for a permit? Jay, when folks are doing any improvements that require a permit, I assume there are instances where people do things without a permit, not intentionally, but because they weren't aware it was required.

Jay James – Absolutely.

Dave Campbell – How does the Building Department usually handle those situations?

Jay James – The homeowner can always pull a permit, or they can have the company, pods or whatever it might be, pull the permit for them. If we find somebody who is doing it that wasn't aware, we send them a letter and tell them they need to get a permit. We give them a number of days to come in and get that pulled. These are permits they can get the same day. They don't have to submit and wait a couple days to get approved. If we see it out there for a couple days, we'd probably leave a tag for them to call the Building Department.

Chairperson Parel – Do you think the companies themselves are going to help enforce this?

Jay James – If they're smart, they would.

Weber – A homeowner probably doesn't know he needs to pull a permit when he's got a plumbing problem. He calls the plumber. The plumber knows he has to have a permit.

Jay James – Yes, but that's uniform, statewide, you have to pull a permit per the building code. I'm guessing this is not. It's community to community.

Dave Campbell – I would speculate that if I was in the pod business, I would know that every community is different. It would be my responsibility as a business owner to make sure I was complying with regulations of the community I'm in. It would be part of my business model to know what the rules are in the communities I service.

Weber – I'm assuming pods are a franchise, and you can't have too many within a geographic area. Can we proactively communicate with them?

Jay James – Absolutely. If this is approved, we will send out letters informing them of the new ordinance and make them aware of the process.

Chairperson Parel – And George, you're good with the update that describes how the industrial trailers work?

Weber – Yes, I think that solved my issues. Thank you for that.

**Chairperson Parel opened the Public Hearing.**

No comments.

**Chairperson Parel closed the Public Hearing.**

**MOTION** by Rebeck, supported by Loskill, to recommend approval, to the Commerce Township Board of Trustees, of Item PZ22-03, an amendment to the Commerce Township Zoning Ordinance No. 3.000, to amend Article 33 - General Provisions, to add language for portable storage/moving containers and utility trailers on residential properties, including requirements for placement and duration.

Move to recommend the Commerce Township Board approve PZ# 22-03, an amendment to Article 33, General Provisions of the Commerce Township Zoning Ordinance. The Planning Commission's recommendation is based on a finding that the proposed amendment provides reasonable standards for portable storage/moving containers and trailers.

**MOTION CARRIED UNANIMOUSLY**

Weber – Maybe just one follow-up question for Jay. I've read where some communities are having a problem with pods or trailers; people are turning them into accessory sheds, or even part of their dwelling and bolting them onto their house. Does this solve for that as well?

Jay James – It will help for sure.

McKeever – If it's being used as a structure, it requires a permit. So, if it's a metal shipping container, you would need to have a permit.

Jay James – We did have one that moved a shipping container in next to their garage and gradually, over time, it became part of the garage. This will definitely help with that.

**ITEM H3. PZ22-04 – COMMERCE TOWNSHIP – TEXT AMENDMENT – PUBLIC HEARING**

An amendment to the Commerce Township Zoning Ordinance No. 3.000, to amend Article 19 - Town Center Overlay District, to allow outdoor vehicle display for new & used vehicle sales for automobile dealerships when approved by the Township as a planned unit development (PUD).

David Campbell, Planning Director, gave a review of the Planning Department's report.

**Chairperson Parel opened the Public Hearing.**

No comments.

**Chairperson Parel closed the Public Hearing.**



**Commission Comments:**

Chairperson Parel – I'm still not super comfortable with it, but maybe you can get me there as far as how we can limit the number of vehicles in storage on this parcel that are viewable from our two main roads.

Dave Campbell – I would remind you that it has to be done as a PUD, which gives the Township and the developer discretion and opportunities to go above and beyond what the Zoning Ordinance requires, but also at the same time, deviate from the Zoning Ordinance with the overall goal being a better project than could otherwise be achieved. Within that development agreement, that we haven't started yet with Lafontaine, I think it's reasonable to include limits in there to how many vehicles could be displayed in certain locations.

Chairperson Parel – Perfect.

**MOTION** by Loskill, supported by Rebeck, to recommend approval, to the Commerce Township Board of Trustees, of Item PZ22-04, an amendment to the Commerce Township Zoning Ordinance No. 3.000, to amend Article 19 - Town Center Overlay District, to allow outdoor vehicle display for new & used vehicle sales for automobile dealerships when approved by the Township as a planned unit development (PUD).

Move to recommend the Commerce Township Board approve PZ# 22-04, an amendment to Article 19, Section 19.04.C.1. - Uses Not Permitted, of the Commerce Township Zoning Ordinance. The Planning Commission's recommendation is based on a finding that the proposed amendment provides reasonable standards to the Towne Center Overlay requirements to allow for automobile dealerships, with the outdoor display of vehicles when approved by the Township as a Planned Unit Development.

**MOTION CARRIED UNANIMOUSLY**

**ITEM H4. PZ22-05 – COMMERCE TOWNSHIP – TEXT AMENDMENT – PUBLIC HEARING**

An amendment to the Commerce Township Zoning Ordinance No. 3.000, to update sections within Article 30 – Signs, to ensure consistency with precedential case law including rulings by the United States Supreme Court regarding Constitutional protections of free speech.

Dave Campbell – At the direction of the Township Attorney, this will be deferred. There have been recent Supreme Court decisions, most recently, the City of Austin, Texas versus a billboard company. The Supreme Court's decisions impact the way a lot of municipalities, including Commerce Township, can regulate off-premises signs including billboards. Based on that decision, the Township needs to do a series of updates to our sign regulations to ensure content neutrality.

There had been an urgency from the Township Attorney's office with getting these sign regulations on tonight's agenda and getting tonight's public hearing scheduled but as of today that urgency has subsided some.

For the time being, the Township Attorney is recommending, since we've already scheduled a public hearing, open the public hearing, but do not close the public hearing, but instead adjourn the public hearing until the August 8<sup>th</sup> Planning Commission meeting.

If there are public comments that come up between now and August, the hearing will still be open and we can still receive them without having to republish. That gives the Township Attorney another month to continue working on the redline changes within Article 30 of our Zoning Ordinance.

**Commission Comments:**

Chairperson Parel – Does anybody have any questions?

McKeever – Does that have to be in the form of a motion to adjourn?

Dave Campbell – First you'd have to open the public hearing, but then a motion to adjourn it to the August 8<sup>th</sup> date.

Discussion continued regarding adjourning and tabling.

**Chairperson Parel opened the Public Hearing.**

**MOTION** by Loskill, supported by Rebeck, to adjourn the public hearing for Item PZ# 22-05, a series of amendments to Article 30 - Signs of the Commerce Township Zoning Ordinance, to the next regularly scheduled Planning Commission meeting on Monday, August 8, 2022. **MOTION CARRIED UNANIMOUSLY**

**ITEM 12. PSP22-07 – COMMERCE TOWNE PLACE – SITE CONDOMINIUM AMENDMENT**

The Commerce Township DDA is requesting approval for a 5th amendment to the Commerce Towne Place Condominium Master Deed.

David Campbell, Planning Director, gave a review of the Planning Department's report.

**Commission Comments:**

Weber – I'd like to make a comment so we can get it in the record. I think Mr. Campbell did an excellent job of finding a creative solution for this problem, and that Ms. Watson did an outstanding job of getting all owners with the Commerce Towne Place condominium to agree to this.

Debbie Watson – Thank you.

Dave Campbell – I would then defer much of that credit to Township Planner, Paula Lankford.

Paula Lankford – Thank you.

**MOTION** by Loskill, supported by Rebeck, to recommend approval, with a condition, to the Commerce Township Board of Trustees, of Item PSP22-07, Commerce Towne Place, Site Condominium Amendment, the request by The Commerce Township DDA for approval of a fifth amendment to the Commerce Towne Place Condominium Master Deed.

Move to recommend the Commerce Township Board approve PSP22-07, the fifth amendment to the Commerce Towne Place condominium master deed. The Planning Commission's recommendation is based on a finding that the proposed amendment is consistent with a corresponding amendment to Article 19 of the Commerce Township Zoning Ordinance, and that the amendment is necessary to allow for the development of a high-quality automotive dealership with outdoor vehicle displays upon Unit 3 of the Commerce Towne Place condominium.

**The Planning Commission's recommendation is subject to the following condition:**

1. Should the sale of Unit 3 not finalize, the fifth amendment to the master deed shall not be executed or recorded.

**MOTION CARRIED UNANIMOUSLY**

**J: OTHER MATTERS TO COME BEFORE THE COMMISSION:**

- Winkler – I will not be at the August meeting.

**K: PLANNING DIRECTOR'S REPORT**

- **NEXT REGULAR MEETING DATE: MONDAY, AUGUST 8, 2022**
- Our report was in your agenda packet. I'm sure you all read it very thoroughly.
- Looking ahead to our August 8<sup>th</sup> meeting, we of course just adjourned the public hearing on the sign amendments.
- Other potential projects that we think may be on that agenda:
  - This is the Union Lake Baptist Church and they own all of this property behind. They are proposing to sell it to a developer for a single-family residential development. They're calling it Shepherd's Grove. Their primary point of access initially was this existing boulevard, north of Wendy's, and back here are the Redwood homes. However, this is a private road. They would be asking for public roads, which the Township requires, to be coming off a private road, which the RCOC does not allow. Knowing this, the development team is saying their primary access would come off of Commerce Road. They would just have gated emergency access back in here. If they get everything submitted and get through their reviews, you may see this at the August meeting.
  - The Claranton Industrial Park, off Ladd Road, is proposing outdoor storage just north of the pond, to use as a contractor's yard. They're proposing a nice screen wall around the perimeter.
  - Costco may return in August.
  - And of course, the Master Plan. Paula and I had a meeting with Jill and Rose from Giffels. Jill sent me some updated materials today that I want to forward onto you. We may have a study session before the August meeting, starting at 5:30 or 6:00pm. I know Mr. Winkler will not be here. That also might be a standing schedule for the better part of the next year, to have a study session prior to the regular Planning Commission meeting at 7:00pm.

Weber – We had talked about having an update for the Township Board at the quarterly discussion meetings. Are we planning on having something to update the Board with in two weeks?

Dave Campbell – I can certainly provide that update. If you want Giffels to be there as well, I can check with their schedule.

Weber – I don't know that they need to be there, but just keep the Board aware of the status.

McKeever – Is there a subdivision of property that will come into play with this land split that they're proposing at the church?

Dave Campbell – Yes, one way or another, they would have to split off that undeveloped portion of the church property and turn it into a site condominium with a master deed.

McKeever – Does that give us any leverage?

Dave Campbell – The property is zoned R-1C, so it is zoned for single-family development and that's what they're proposing.

McKeever – Right, but I'm just looking at the boundary lines. I see the line that delineates the church, and I see the parking and all of the vacant land. They would have to seek another property split to maintain the parking lot, wouldn't they?

Dave Campbell – Yes, they would. And keep in mind, the reason this property is the way it is, I think that's a parsonage, I'm not sure if the Baptists call it that, but it's where the reverend or the minister lives in that house. It's my understand that's why it's separated out. This area would remain as a shared playground and sports field, used by the church and the residents of this neighborhood. But yes, somewhere in here there would be a land division, separating the church property out from what is proposed to be a new single-family neighborhood.

This private road situation, there were concerns about all this new traffic coming in from this driveway, especially given the offset from the existing driveway for Planet Fitness and the trampoline park. You get what's called a left-turn interlock with northbound and southbound left turns.

Weber – Don't forget the effect that Scooter's Coffey is going to have on that issue.

Dave Campbell – That's part of the reason they are proposing access here.

**L: ADJOURNMENT**

**MOTION** by Rebeck, supported by Loskill, to adjourn the meeting at 10:42pm.

**MOTION CARRIED UNANIMOUSLY**

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Chelsea Rebeck, Secretary