

REGULAR MEETING - PLANNING COMMISSION

CITY OF NOVI

October 5, 2016

Proceedings taken in the matter of the PLANNING
COMMISSION, at City of Novi, 45175 West Ten Mile Road, Novi,
Michigan, on Wednesday, October 5, 2016

BOARD MEMBERS

Mark Pehrson, Chairperson

David Baratta

Michael Lynch

Tony Anthony

Ted Zuchlewski

David Greco

ALSO PRESENT: Barbara McBeth, City Planner

Rick Meader, Landscape Architect, Kirsten Mellem, Planner,

Adrianna Jordan, Planner, David Gillam, City Attorney, Theresa
Bridges, Staff Engineer

Certified Shorthand Reporter: Jennifer L. Wall

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Novi, Michigan.

Wednesday, October 5, 2016

7:00 p.m.

** ** *

CHAIRPERSON PEHRSON: We will call to order the Planning Commission meeting of October 5th, 2016. Kirsten, can you call the roll.

MS. MELLEEM: Member Anthony?

MR. ANTHONY: Here.

MS. MELLEEM: Member Baratta?

MR. BARATTA: Here.

MS. MELLEEM: Member Giacobetti?

CHAIRPERSON PEHRSON: Absent, excused.

MS. MELLEEM: Member Greco?

MR. GRECO: Here.

MS. MELLEEM: Member Lynch?

CHAIRPERSON PEHRSON: Absent, excused.

MS. MELLEEM: Chair Pehrson?

CHAIRPERSON PEHRSON: Here.

MS. MELLEEM: Member Zuchlewski?

1 MR. ZUCHLEWSKI: Here.

2 CHAIRPERSON PEHRSON: With that,
3 if we could stand for the Pledge of
4 Allegiance.

5 (Pledge recited.)

6 CHAIRPERSON PEHRSON: With that,
7 we will look for a motion to approve or amend
8 the agenda.

9 MR. GRECO: Motion to approve.

10 MR. ANTHONY: Second.

11 CHAIRPERSON PEHRSON: Motion and
12 a second. Any other comments?

13 MR. GILLAM: My understanding,
14 there may be a motion for reconsideration as
15 to last week's -- probably do that as part of
16 the approval of the agenda.

17 MR. BARATTA: May I make a
18 motion, please.

19 CHAIRPERSON PEHRSON: Sure.

20 MR. BARATTA: What I need to do
21 is make motion to reconsider a motion that
22 was made at the last meeting, regarding our
23 Master Plan.

1 Several members were not here,
2 and I think it's appropriate to give them the
3 Master Plan motion required, we will call it
4 a super majority, it was a two-thirds
5 majority. So I would like to bring that back
6 and make a motion to reconsider. So all the
7 members of the commission are here --

8 CHAIRPERSON PEHRSON: A specific
9 date?

10 MS. MCBETH: I think it will not
11 be any sooner than November 16th. We are
12 waiting for a confirmation of one more person
13 to make sure all seven members are present.

14 MR. BARATTA: Let me just say
15 that I believe it's fair for everybody to be
16 here since two members were not here. I
17 don't believe one member, that was myself,
18 voted against it, should kill that motion,
19 just in and of itself. Even though the way
20 the motion is currently drafted, the Master
21 Plan is currently drafted, without changes, I
22 would still remain and vote negative for that
23 Master Plan. But I do want that for

1 everybody to sit down and be able to do that.

2 CHAIRPERSON PEHRSON: So we will
3 bring that back at the first available date.

4 MS. MCBETH: Yes, I think there
5 was a motion, you need a second --

6 MR. ZUCHLEWSKI: Second.

7 MR. GILLAM: What we need to do
8 is add that to the agenda and then the agenda
9 as amended can be approved and we can
10 actually address the motion in a second, when
11 that item come up on the agenda.

12 CHAIRPERSON PEHRSON: Can it just
13 come up next, so we approve the agenda, then
14 approve that motion?

15 MR. GILLAM: Whenever you would
16 like to add that on the agenda.

17 CHAIRPERSON PEHRSON: Just add
18 that the next item. So, we will go with the
19 original agenda, was originally approved.
20 Any other comments? Kirsten, call the roll.

21 MS. MELLEEM: Member Anthony?

22 MR. ANTHONY: Yes.

23 MS. MELLEEM: Member Baratta?

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MR. BARATTA: Yes.

MS. MELLEEM: Member Greco?

MR. GRECO: Yes.

MS. MELLEEM: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. MELLEEM: Member Zuchlewski?

MR. ZUCHLEWSKI: Yes.

MS. MELLEEM: Motion passes.

CHAIRPERSON PEHRSON: Now that a motion is on the table from Member Baratta, would you like to restate it? Somebody want to second --

MR. ZUCHLEWSKI: I will second it.

CHAIRPERSON PEHRSON: We have a motion by Member Baratta, second by Member Zuchlewski. Any other comments?

Kirsten, can you call the roll, please.

MS. MELLEEM: Member Greco?

MR. GRECO: Yes.

MS. MELLEEM: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

1 MS. MELLEEM: Member Zuchlewski?

2 MR. ZUCHLEWSKI: Yes.

3 MS. MELLEEM: Member Anthony?

4 MR. ANTHONY: Yes.

5 MS. MELLEEM: Member Baratta?

6 MR. BARATTA: Yes.

7 MS. MELLEEM: Motion passes.

8 CHAIRPERSON PEHRSON: Very good.

9 Thank you.

10 Brings us to presentations.

11 Any presentation?

12 MS. MCBETH: There are none.

13 CHAIRPERSON PEHRSON: Audience
14 participation? This is the first audience
15 participation. If you're here and wish to
16 speak on something other than one of the
17 public hearings at this time please step
18 forward.

19 Seeing no one in the audience,
20 we will close the first audience
21 participation. Any correspondence?

22 MR. GRECO: There is
23 correspondence, but it is related to one of

1 the public hearings.

2 CHAIRPERSON PEHRSON: Very good,
3 thank you. Committee reports? City planner
4 report. Ms. McBeth?

5 MS. MCBETH: Thank you. Nothing
6 to report this evening.

7 CHAIRPERSON PEHRSON: That's
8 good, okay. Moving on. Public hearing. Our
9 first item is Home Sweet Daycare JSP16-51.
10 It's a public hearing at request of the Home
11 Sweet Home Day-care for special land use
12 permit approval.

13 The subject property is
14 located in Section 22 at 45150 Ten Mile Road,
15 on the north side of Ten Mile Road, east of
16 Taft in the R4 one family residential
17 district.

18 The subject property is
19 approximately 0.69 acres and the applicant is
20 proposing to operate a group day-care home in
21 their existing residence.

22 Kirsten.

23 MS. MELLEEM: The applicant would

1 like to operate a group daycare home in their
2 existing residence at 45150 Ten Mile Road,
3 for up to 12 children. The ordinance defines
4 operations, supervising seven to 12 children
5 as a group day-care home, consistent with
6 State of Michigan regulations definitions.

7 Group day-care homes are a
8 special land use and in the R4 one family
9 residential district.

10 The applicant currently
11 occupies the home as their primary residence,
12 and are proposing to offer a center play area
13 from the 1,540 square feet to 2,000 square
14 feet which is required by the ordinance.

15 The applicant is here if you
16 have any questions.

17 CHAIRPERSON PEHRSON: Does the
18 applicant wish to address the Planning
19 Commission at this time?

20 MR. MILLER: We do not. Are we
21 supposed to?

22 CHAIRPERSON PEHRSON: If you
23 would like you, you don't need to.

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MR. MILLER: We are all set.

CHAIRPERSON PEHRSON: This is a public hearing. If there is anyone in the audience that wishes to address the Planning Commission at this time, please step forward.

Seeing no one, do we have any correspondence?

MR. GRECO: Yes, we do have correspondence. We have letter response forms that we received. First one is from Wendy Scarosa (ph) 45260 West Ten Mile Road. Is in support of the Home Sweet Home Day-care plan before us today.

And the other one is from Cliff Trotter at 45000 Ten Mile Road, also supports the plan in front of us for Home Sweet Home tonight.

CHAIRPERSON PEHRSON: Thank you, sir. With that, we will close the public hearing on this particular matter, turn it over to the Planning Commission for consideration. Member Baratta.

MR. BARATTA: Thank you,

1 Mr. Chair.

2 Dave, I have a question.

3 Given that I'm a senior VP for a child care
4 provider, I don't know if I should be recused
5 from considering the two matters in front of
6 us for the two day-cares today. I would ask
7 your opinion on that.

8 MR. GILLAM: My understanding,
9 based upon some emails that I exchanged with
10 Ms. McBeth today, I think with the other
11 application, your company does have a
12 business relationship with that company,
13 where this particular applicant your company
14 does not, is that correct?

15 MR. BARATTA: This applicant, my
16 company has absolutely no business
17 relationship.

18 The other one I know that we
19 bought some businesses from Rainbow, I would
20 say that name, in the past, I don't know if
21 it's the same entity or not. I just did not
22 ask that question. I'm assuming it is. So
23 for the sake of today, I think I should be

1 recused from the second one. This one I
2 don't think I have a problem with.

3 MR. GILLAM: I would agree with
4 that 100 percent, yes.

5 CHAIRPERSON PEHRSON: Very good.
6 Appreciate that.

7 MR. BARATTA: I do have a
8 question for the applicant. Thank you. I
9 just have a question, if you want to come to
10 the podium.

11 CHAIRPERSON PEHRSON: Come to the
12 podium, state your name, please.

13 MS. WILKS: Stephanie Wilks.

14 MR. MILLER: Brian Miller.

15 MR. BARATTA: Thank you. Just a
16 couple of questions. Now, I think security
17 is probably the most critical item for a
18 child care because you got basically the most
19 important asset, we will call it, thing is
20 somebody's life, you're taking care of their
21 child.

22 And do you have a fence in
23 back with the gate hardware that you're going

1 to have to protect the children, does that
2 meet all the state requirements?

3 MS. WILKS: Yes, it does.

4 MR. BARATTA: And high enough,
5 you have a mechanism, somebody out there
6 watching the children?

7 MS. WILKS: Absolutely. We also
8 have a video surveillance camera.

9 MR. MILLER: Surrounding the.
10 House?

11 MR. BARATTA: Perfect. We are
12 going that direction now.

13 Are you going to have infants
14 at this location?

15 MS. WILKS: Yes.

16 MR. BARATTA: How do we get the
17 infants out where it's located -- I think
18 it's on the ground floor. Do we have to go
19 upstairs to --

20 MR. MILLER: There is a fire
21 exit.

22 MS. WILKS: Yes.

23 MR. MILLER: That leads out to a

1 staircase.

2 MR. BARATTA: Is it at grade or
3 do you have to --

4 MS. WILKS: You have to walk up
5 the stairs.

6 MR. MILLER: One step, then there
7 is a platform, then a staircase outside.

8 MR. BARATTA: Did the state come
9 in and talk about what the ratio had to be?

10 MS. WILKS: Yes.

11 MR. BARATTA: One to two, two
12 infants per teacher?

13 MS. WILKS: It depends on all the
14 ages of the children. So if we have a couple
15 infants, then you need more staff.

16 MR. BARATTA: So is it like one
17 teacher for two infants or --

18 MS. WILKS: It depends. If you
19 have a two year-old, then you need more
20 staff, if you have a bunch -- if you have
21 four year-olds and one infant, then you need
22 one staff. Again, it depends on all the ages
23 combined.

1 MR. BARATTA: Okay. Because I
2 know one of the requirements that we have
3 when we take on a multi-story building, given
4 that the gentleman two over is a firemen,
5 fire marshal in a particular location,
6 indicated that given we had four or five
7 steps, you can only have one teacher per two
8 infants, because you could put them under
9 your arms to get them safely out of the
10 building. Is it a similar issue here?

11 MR. MILLER: I don't remember
12 that coming up, when the state was there to
13 look over everything. I don't remember that
14 coming up.

15 MS. WILKS: We are currently
16 licensed for six children and I didn't have
17 any infants at the time, so that was never an
18 issue. However, I keep in contact with my
19 case worker, if I have any questions, I can
20 always call.

21 MR. BARATTA: Check on that.

22 MS. MCBETH: Absolutely.

23 MR. MILLER: At the moment we

1 have two infants to three staff members.

2 MR. BARATTA: That's fine. I
3 think it's one to two when I looked at it in
4 the past.

5 MR. MILLER: We are definitely
6 doing very well as far as staff ratio.

7 MS. WILKS: I worked at a current
8 day-care and Farmington for ten years and
9 their ratio was one to two, but it was a
10 bigger facility.

11 MR. BARATTA: Well, I fully
12 support your project and I think it's great
13 that you're taking care of children, and it's
14 a very difficult and sometimes challenging
15 business, but it's very rewarding. Thank you
16 very much.

17 MS. WILKS: Thank you.

18 CHAIRPERSON PEHRSON: Member
19 Greco?

20 MR. GRECO: The two response
21 forms or support that we got, are these -- I
22 read their names and addresses. Are they
23 your neighbors on either side?

1 MR. MILLER: I couldn't tell you
2 who they are exactly. We went door-to-door,
3 just let everybody know that this was coming
4 up, there was going to be a letter in the
5 mail.

6 MR. GRECO: Because the address
7 is 45000 Ten Mile and 45260 seems like they
8 are on either end of you.

9 MS. WILKS: From my understanding
10 we to do -- what was that?

11 MR. MILLER: 300 feet from the
12 property line.

13 MS. WILKS: I went everywhere.

14 MR. GRECO: Very good. Did you
15 meet with any resistance from anyone?

16 MS. WILKS: No. Everyone was
17 very supportive and welcoming actually.

18 MR. GRECO: Very good, thank you.

19 CHAIRPERSON PEHRSON: Member
20 Anthony?

21 MR. ANTHONY: Yes. I was looking
22 through the letter from the state. And I
23 noticed where it said areas not approved. It

1 talked about the main and upper floors are
2 not approved. What floor is the day-care on?

3 MS. WILKS: It's in the basement.
4 So when you enter my -- I have the parents
5 enter through the front door, and then the
6 staircase is directly right there. You can
7 go downstairs.

8 MR. ANTHONY: Along the lines of
9 the earlier question, so with the day-care
10 being in the basement, what kind of egress or
11 how many different egress points are there
12 for the basement?

13 MR. MILLER: There is three in
14 the house. There is one from the floor to
15 going outside.

16 MS. WILKS: So there is a door
17 that does lead directly outside.

18 MR. ANTHONY: So it's a walkout
19 basement?

20 MS. WILKS: Yes.

21 MR. ANTHONY: That's the egress
22 for the basement?

23 MS. WILKS: Yes. Because you

1 either need that or a larger window to be
2 able to escape in case of --

3 MR. ANTHONY: That was sufficient
4 for the state's inspection.

5 MS. WILKS: Yes. It's actually a
6 tri-level, so that level is actually at
7 grade, what they're calling a basement.

8 MR. ANTHONY: Then my other
9 question, is you talked about expanding the
10 play area from up to 2,000 feet. The play
11 area, is all of that outdoors, indoors or
12 give me more information on that.

13 MR. MILLER: It's outdoors and we
14 have to push -- I believe, something like 22
15 feet, we have to push it back eight feet.

16 MS. WILKS: We already have an
17 existing fence there, it's just not large
18 enough that meets the state's requirements to
19 have 12 children. It's okay to have six kids
20 with the size that it is now. But in order
21 to have 12 it needs to be larger.

22 MR. ANTHONY: So the fence is
23 actually inside your property line?

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MS. WILKS: Yes.

MR. ANTHONY: And then matches what the state licensing requirements is?

MS. WILKS: Yes.

MR. ANTHONY: All right. Good.

MR. BARATTA: The state is a little less on square footage with the play area than the City of Novi. As long as they meet a one to 150 ratio, one child per 150, they hit it by being 2,000 square foot, they have a sufficient play area to meet the requirements.

MR. ANTHONY: Okay.

CHAIRPERSON PEHRSON: Any other comments? Member Greco.

MR. GRECO: I'd like to make a motion.

In the matter of Home Sweet Home Day-care JSP16-51, motion to approve the special land use permit based on the following findings set forth in the motion sheet under bullet points A -- I can just do -- counsel, I can do that, correct? And

1 this motion is made because the plan is
2 otherwise in compliance with Article 3.1.5,
3 Article 4, Article 5, and Article 6 of the
4 zoning ordinance and all other applicable
5 provisions of the ordinance.

6 MR. ANTHONY: Second.

7 CHAIRPERSON PEHRSON: We have a
8 motion by Member Greco, second by Member
9 Anthony. Any further discussions?

10 Kirsten, can you call the
11 roll.

12 MS. MELLEEM: Member Baratta?

13 MR. BARATTA: Yes.

14 MS. MELLEEM: Chair Pehrson?

15 CHAIRPERSON PEHRSON: Yes.

16 MS. MELLEEM: Member Zuchlewski?

17 MR. ZUCHLEWSKI: Yes.

18 MS. MELLEEM: Member Anthony?

19 MR. ANTHONY: Yes.

20 MS. MELLEEM: Member Greco?

21 MR. GRECO: Yes.

22 MS. MELLEEM: Motion passes.

23 CHAIRPERSON PEHRSON: All set.

1 Thank you.

2 Next on the agenda is Cellular
3 Tower near Fire Station No. 4, JSP16-08.
4 It's a public hearing at the request of High
5 Tower Development, LLC, for Planning
6 Commission recommendation to City Council,
7 for special land use permit, preliminary site
8 plan. The subject property is located in
9 Section 29 on the south side of Ten Mile
10 Road, east of Wixom Road in the RA
11 residential acreage zoning district. Subject
12 property is approximately 0.5 acres, of
13 leased land as part of the five acre parcel
14 known as 15-22-29-101-004.

15 The applicant is proposing to
16 go build a 150-foot cellular tower with a
17 seven foot antenna, for a total of 157 feet,
18 associated equipment accessory structures and
19 propane tank.

20 Who is this? Hi there.

21 MS. JORDAN: Good evening
22 Commissioners. As was already explained, the
23 applicant is proposing to a build a 150-foot

1 tall cellular phone tower, with the seven
2 foot antenna, for a total of 157 feet, along
3 with associated equipment accessory
4 structures and a propane tank.

5 The coverage maps provided by
6 the applicant illustrate that the proposed
7 tower will eliminate a gap in Verizon's
8 coverage area.

9 I am going to swing back to
10 the zoning map now.

11 The subject property and all
12 surrounding properties are currently zoned
13 RA, residential acreage. The future land use
14 map indicates single family for the subject
15 property and the surrounding properties
16 across Ten Mile Road to the north, public
17 park to the south and east and public to the
18 west.

19 The Reserve at Island Lake
20 residential development is currently under
21 construction across Ten Mile to the north.
22 The proposed cell tower will be visible to
23 some of the properties in this residential

1 development. Due to its visibility, the
2 applicant will use a stealth design for the
3 tower. The stealth design is visible on the
4 screen up there.

5 Due to the nine foot six inch
6 height of the proposed equipment canopy, the
7 applicant is requesting one deviation in the
8 zoning ordinance to allow a fence height of
9 10 feet in a residential district. Given
10 that the fence is located on city property,
11 the City Council will be able to make a
12 determination on the deviation without the
13 need to send it to the Zoning Board of
14 Appeals.

15 Planning staff supports the
16 deviation. The only other tower in the
17 vicinity is the DTE transmission tower
18 located approximately 2,400 feet to the east
19 of the proposed site. This tower currently
20 holds equipment for T-mobile and Sprint.
21 According to the applicant, Verizon cannot
22 co-locate on this tower because it is too
23 short and structurally incapable of holding

1 the equipment. Further the applicant states
2 that ITC will not provide a letter regarding
3 its tower's structural capabilities to hold
4 additional cellular transmission equipment.

5 Also, it appears that the
6 canopy covering the equipment is open on all
7 four sides and should be replaced by a four
8 sided cabinet to comply with ordinance
9 requirements.

10 I'd also like to note that the
11 proposed tower is 150 feet in height, if the
12 lightning rod communications equipment and
13 foundation are excluded, if they are
14 included, the tower is at least 157 feet
15 tall.

16 Planning would like the
17 applicant to revise the tower's height so
18 that it does not exceed 150 feet tall as
19 measured from the surrounding grade.

20 Planning staff supports a Planning Commission
21 recommendation of approval to the City
22 Council for a special land use permit and
23 preliminary site plan and supports a

1 deviation from maximum fence height in
2 residential districts. This deviation can be
3 granted by the City Council due to the
4 proposed fence location on city property.

5 The proposed project meets the
6 general requirements for Chapter 11, the
7 stormwater management ordinance and the
8 engineering design manual. Engineering
9 supports a recommendation of approval for a
10 special land use permit, preliminary site
11 plan and preliminary stormwater management
12 plan. Our engineer, Teresa Bridges, is here
13 if you have any questions.

14 The proposed project meets the
15 general requirements of Chapter 37 with the
16 protection zoning article 5.5 landscaping
17 standards, the landscape design manual and
18 any other applicable provisions of zoning
19 ordinance. Landscaping supports a
20 recommendation of approval for a special land
21 use permit and preliminary site plan. Our
22 landscape architect, Rick Meader is here if
23 you have any questions.

1 The proposed project meets
2 fire department standards. Fire supports a
3 recommendation of approvals for a special
4 land use permit and preliminary site plan.
5 The applicant's representative, Bob Pryzbylo,
6 is here tonight. Both the applicants,
7 representatives and staff will be glad to
8 answer any questions you have for us. Thank
9 you.

10 CHAIRPERSON PEHRSON: Thank you.
11 Appreciate it. Does the applicant wish to
12 address the Planning Commission?

13 MR. PRZYBYLO: Yes, sir. Good
14 evening. My name is Bob Przybylo. I
15 represent Parallel (unintelligible), Verizon
16 Wireless. Along with me is our attorney
17 Steve Estes. Thank you for your time this
18 evening.

19 Just a real brief overview.
20 Verizon Wireless has been looking in the area
21 of Wixom Road and West Ten Mile Road to put
22 in a new wireless communication facility to
23 improve our coverage. As you could see from

1 the coverage maps, and also not only to
2 improve the coverage but also to help with
3 capacity. One of the downsides to the
4 wonderful Island Lake development, is that
5 there are hundreds of houses that have been
6 built in there, and if national statistics
7 hold true, every one of those households has
8 an average of five to six wireless devices in
9 the household.

10 So those are devices that are
11 stationary or are -- causing taxing on our
12 networks, so we are looking in the area to
13 build a new wireless communication facility.

14 As always, we were looking in
15 communities to build new facilities. We
16 always are looking for existing structures,
17 whether it will be existing towers, existing
18 rooftops, whatever that structure may be,
19 that will provide the height for us necessary
20 to build our facility.

21 Unfortunately, in this area,
22 there are no existing structures that will
23 work to fill the gap in coverage, and that we

1 are looking for in our network. And that's
2 why we approached the city. The city has a
3 very large parcel, actually two parcels, a
4 small one surrounded by a large one. We
5 entered into negotiations with the city, the
6 City Council approved the lease agreement.

7 We have a fully executed lease
8 agreement with the city in place, that was
9 signed back in March. We are now before you
10 this evening requesting the recommendation of
11 approval for our site plan and special use
12 permit.

13 A few of the things that the
14 Planning staff have identified, the variance
15 that we are requesting on the 10-foot fence
16 was actually a request that was made by the
17 planning department. So we are more than
18 willing to put an eight foot fence and a
19 10-foot fence, whatever the city would deem
20 necessary for -- it doesn't matter to us.

21 Another issue is the height of
22 the tower. This is a stealth tree pole, as
23 you saw in the picture that we are proposing,

1 which is required by the ordinance.

2 The ordinance requires that
3 the height of the tower be no more than
4 150 feet, so the height of our tower, the
5 actual tower is 150 feet. That does not
6 include any appurtenances that would be
7 involved in the tower, say, like branches
8 that need to be on top as well as a lightning
9 rod that would stick above. So we think that
10 we are in compliance with the ordinance with
11 at the tower being at 150 feet.

12 The planning staff and I have
13 agreed to disagree on what that
14 interpretation of that 150-foot tower means,
15 but without a doubt, it is, as stated, simply
16 stated in the ordinance, it says the tower
17 cannot exceed over 150 feet. Our tower does
18 not exceed 150 feet.

19 In terms of the discussion of
20 the ITC tower, the structural capability and
21 the height of the tower was secondary to the
22 location. As I discussed with the planning
23 department, as the planner noted, that tower

1 is almost 0.45, almost a half a mile to the
2 east of this proposed facility, it's too far
3 east for us to have the impact that we are
4 looking for. As well as has been our
5 experience that the ITC towers can no
6 longer -- they were never designed for
7 co-location of wireless communication.

8 It's been our experience that
9 the towers cannot, as they stand, hold our
10 equipment. In fact, one of the carriers that
11 are on that tower, has approached your city
12 administration, wants to come off that tower,
13 and they want to build a facility at the
14 property we are on.

15 And now have contacted us to
16 co-locate, to come off that ITC and co-locate
17 on our tower once our tower is built.
18 Assuming that hopefully getting that approval
19 from the city to do so.

20 So I think that I covered
21 everything. Do you want me to add anything?
22 I certainly would be happy to answer any
23 questions that the Planning Commission or the

1 planning department have. I thank you for
2 your consideration.

3 CHAIRPERSON PEHRSON: Thank you,
4 sir. I appreciate it.

5 This is a public hearing. If
6 anyone in the audience wishes to address the
7 Planning Commission at this time, please step
8 forward.

9 Seeing no one. Any
10 correspondence?

11 MR. GRECO: No correspondence.

12 CHAIRPERSON PEHRSON: Close the
13 public hearing. Turn it over to the Planning
14 Commission for their consideration. Member
15 Baratta.

16 MR. BARATTA: Thank you.
17 Petitioner, please. What is your first name?

18 MR. PRZYBYLO: Bob.

19 MR. BARATTA: Bob, did you get
20 any of the structural detail on the ITC
21 tower?

22 MR. PRZYBYLO: No, we did not.

23 MR. BARATTA: So we don't really

1 know whether it can or cannot accommodate
2 your unit?

3 MR. PRZYBYLO: That is correct.
4 But that is not the primary issue. That's a
5 secondary issue.

6 The primary issue is it's too
7 far to the east. It's almost a half a mile
8 to the east of where we want to be.

9 MR. BARATTA: Thank you very
10 much.

11 CHAIRPERSON PEHRSON: Member
12 Zuchlewski.

13 MR. ZUCHLEWSKI: Bob, get you to
14 backup again.

15 MR. PRZYBYLO: I will just stay
16 up here.

17 MR. ZUCHLEWSKI: The projected
18 seven feet, on this overall height, seven or
19 10 feet that you're looking for, actually
20 lightning rod, et cetera. I would assume
21 that seven feet is very, very critical to you
22 as far as signal, is that correct?

23 MR. PRZYBYLO: Well, yes. Well,

1 it's not only that, but it's also the fact
2 that we have to put branches on top. If you
3 could put back the picture. I mean, if we
4 are limited to 150 feet, which clearly is not
5 the intent of the ordinance, we would have no
6 branches on top of that tree pole. So it's
7 going to look like the tree pole has been
8 chopped off.

9 MR. ZUCHLEWSKI: So it's more of
10 an esthetic thing than it is a mechanical
11 thing?

12 MR. PRZYBYLO: It's a combination
13 of both.

14 MR. ZUCHLEWSKI: Not that you're
15 going to move or -- the lease I understand is
16 \$2,800 a month, is that correct? Or
17 something close, 24?

18 MR. ESPER: It's \$2,000 a month.
19 It's \$24,000 annually.

20 MR. ZUCHLEWSKI: It's a five year
21 lease with options, so many options?

22 MR. PRZYBYLO: Correct.

23 MR. ZUCHLEWSKI: Now, I know this

1 is a new business, so what happens 25, 30
2 years out from now? I know this is kind of
3 looking out there, but what happens if you no
4 longer want that spot, if there is new
5 technology, 10 or 12 years out, who is
6 responsible to remove the tower or would it
7 have to be removed? Is that addressed in the
8 lease?

9 MR. PRZYBYLO: Yes, it's
10 addressed in the lease agreement. In the
11 unlikely event that the lease is terminated,
12 we are required to remove everything that to
13 ground level.

14 MR. ZUCHLEWSKI: Give the site
15 back as it was?

16 MR. ESTES: It's also a direct
17 requirement of the ordinance.

18 MR. ZUCHLEWSKI: Thank you.

19 CHAIRPERSON PEHRSON: Member
20 Anthony?

21 MR. ANTHONY: When you construct
22 those towers, are they constructed in
23 sections that are essentially bolted

1 together?

2 MR. PRZYBYLO: They are
3 typically -- yes, a tower of this height
4 would typically have three to five different
5 sections that are stacked on top of each
6 other.

7 MR. ANTHONY: I would imagine
8 that when the city is asking that your tower
9 only be 150 feet, it wouldn't be to chop the
10 top of the stealth material off, but rather
11 one of those sections, just somewhat shorter.

12 MR. PRZYBYLO: I mean, the height
13 matters though. If we could have it taller
14 than 150 feet, we would prefer that. So
15 every bit of height matters, to some extent.
16 I mean, that's -- to put a caveat on that, to
17 some extent it does matter.

18 MR. ANTHONY: What is the range
19 of your tower?

20 MR. PRZYBYLO: Well, that's a
21 loaded question. I mean, the answer to that
22 depends on the topography, it depends on the
23 density of the population. It depends on the

1 amount of users on a particular site. I have
2 been in business for 20 years, 20 years ago,
3 the original design of a cellular network is
4 never designed for people to use a cellphone,
5 in a particular location. The network was
6 always designed for people to use it while
7 they were traveling, right. So you would --
8 an analogy would be like cars, moving through
9 the jungle going from vine to vine. Each
10 cell site only has a certain amount of
11 traffic or calls or cellphones, if you will,
12 that it can handle. So as this industry has
13 evolved in 20 years, people have cut their
14 landline, people are using their cellphones
15 more and more in their homes, and, you know,
16 statistical averages, you know, average
17 family has four to six wireless devices. We
18 are finding that cell sites are active
19 passing, because people aren't moving, they
20 are staying in the finite position. That's
21 taxing the network.

22 So it's not only affecting --
23 as you have more people on a single site, you

1 shrink the coverage of the particular cell
2 site. So as we go -- say, when we are in the
3 middle of nowhere, like up north, you're
4 traveling up I-75, you would have a cell site
5 every five miles up and down I75. When we
6 get into a suburban area like Novi, we
7 actually provided a map of where our existing
8 sites are. I don't know if you guys have
9 that in put in.

10 But if you look at an existing
11 map like this, I mean, our cell sites are
12 within three miles of each other. In some
13 instances, they're a little less, when we get
14 into a really urban area, like in Detroit or
15 in Grand Rapids, they could be a tenth of a
16 mile or a quarter of a mile apart. So it's a
17 bit of a loaded question. It depends on the
18 usage. But what we do, before we look at
19 investing half a million dollars in new cell
20 site, we look to optimize our existing sites
21 as much as we can, but there is only so much
22 you can do with existing cell sites.

23 And as you include density,

1 like the Island Lake development, there is
2 only so much you can do until you have to add
3 a new facility. So hope that answers your
4 question.

5 MR. ANTHONY: Actually triggered
6 a lot more.

7 So I understand that, you
8 know, that cellphone usage has moved from
9 being just mobile in the car to increasing in
10 the home. A lot of people are getting rid of
11 their landline and using their cellphones, so
12 I understand that.

13 So one of the things that you
14 mentioned is that topography is a big issue
15 for you in the range, and where you would
16 locate that.

17 So I'm just thinking along
18 that line, that seems to be relatively flat.
19 I mean, your topographic study, how does
20 that -- in this location relate?

21 MR. PRZYBYLO: In this case, the
22 topography wouldn't be an issue because it is
23 relatively flat. That would be a non-factor.

1 MR. ANTHONY: So that wouldn't
2 interfere with you range?

3 MR. PRZYBYLO: Correct.

4 MR. ANTHONY: So when I look at
5 these, I'm assuming that these other towers,
6 the green area around there, probably
7 suggests what the range is or the coverage of
8 that tower.

9 MR. PRZYBYLO: What that map
10 indicates -- is a color indication of our
11 network. In a perfect world we want that
12 whole map to be green. The green means we
13 have good, solid in-building coverage. We
14 anticipate your cellphone to have success
15 using voice and data at 100 percent.

16 The yellow indicates that we
17 have okay coverage. We don't have very good
18 in-building coverage, and then the red
19 indicates that we have power in-building
20 coverage, we have okay outdoor coverage, but
21 poor in-building coverage. So in a perfect
22 world, we would want that whole map to be
23 green to have an effective operating network.

1 MR. ANTHONY: So the distance,
2 when I look at this map, for instance, if you
3 look at the two towers on the left side, so
4 your distance there looks like you probably
5 have a mild radius, mild --

6 MR. PRZYBYLO: Can this be turned
7 on. Let's see if we can zoom this in.

8 So if you look at this map, it
9 gets a little whited out. You can see there
10 are pushpins that indicate our existing sites
11 because they sit here. You can see down,
12 it's three miles.

13 So this green push pin is our
14 proposed facility here. There is a yellow
15 pushpin down here that's an existing site,
16 you can see the Northville site. We have an
17 existing site down here. Our existing site
18 to the northwest is an AT & T stealth site
19 right here. Then we have our existing site
20 up here along Grand River. Then have another
21 existing up here by the freeway along Grand
22 River as well. So you can see the close
23 proximity to these two, and that's a perfect

1 example of densification, not only are we
2 having trouble there because of the hospital
3 built up there and the density of the
4 development there, but also we are covering a
5 huge amount of traffic on 96.

6 MR. ANTHONY: I can see from that
7 earlier map the distance, the radius of
8 influence of your tower that where you are
9 locating it matches with that.

10 So now let's come back to the
11 height. Especially since topography isn't an
12 issue out there. And what I'm concerned
13 about is those are really nice neighborhoods
14 out there and one of the neighborhoods it's
15 now under construction, I mean, it could be
16 new and visible, and really seven feet,
17 10 feet in height, even with it being stealth
18 can make a difference, just in it's visual
19 appeal to the neighborhood.

20 And I wouldn't want that
21 height removed from the stealth material,
22 because rather from one of the columns that
23 construct that.

1 So I would -- I'm going to
2 encourage that, you know, my condition is
3 that you work with staff to achieve the
4 height that they're asking, that is inclusive
5 of all materials, that are attached.

6 MR. PRZYBYLO: That would not --
7 I like to point out, with all due respect,
8 Commissioner, that we are -- not only is this
9 a stealth tree facility that is designed to
10 blend in with the forested area, we can agree
11 to disagree whether a stealth facility
12 actually does that, because in my opinion I
13 think a mono pole is better than a tree that
14 look two or three times taller than the rest
15 of the trees.

16 But we are over 700 feet south
17 of the property line that abuts West Ten Mile
18 Road, and it is heavily forested around this
19 whole facility. This property is basically a
20 wetland, so the chance of future development
21 around our facility is remote. So I would
22 beg to differ that I think that it's not a
23 visual blight at all because its set so far

1 in the property.

2 In terms of sighting wireless
3 communication facilities, this is about as
4 good as it gets in a residential area. We
5 are stuck in the middle of a heavily forested
6 city owned piece of property that's over
7 700 feet from any residential development.

8 MR. ESTES: There is one thing I
9 would like to add. My name is Steve Estes,
10 I'm with Dykema. By lowering the height, and
11 all we are talking about here is the
12 lightning rod. The lightning rod, as Bob as
13 pointed out, is not part of the tower. It's
14 just an addition of the tower for safety and
15 protection of the electrical equipment. By
16 lowering the towering height itself, you're
17 also going to eliminate the potential for
18 future co-locations. Because if you start
19 bringing the tower height down seven to ten
20 feet, you have three potential co-locations
21 that can go on this tower, and that risk is
22 not enabling those people to go on this tower
23 in the future, or pushing them to this site,

1 when they come in for new sites.

2 So, I would just ask the
3 Commission to take that into consideration as
4 well because it is an important factor with
5 every tower, the ability to have additional
6 co-locations for other carriers.

7 MR. ANTHONY: Okay.

8 MR. PRZYBYLO: If I could.

9 Mr. Chairman, there was
10 another item brought up that I forgot to
11 address.

12 That is the outdoor equipment
13 cabinets. If I could re-address that. That
14 was again, a misunderstanding, I think
15 between myself and planning staff. I think I
16 described it poorly.

17 But we have proposed outdoor
18 weatherproof cabinets that sit on a concrete
19 slab here. On top of that is a canopy
20 that -- the only reason the canopy is there
21 is for weather protection from our
22 technicians when they do routine maintenance
23 on the facility, which is once or twice a

1 month. So though staff had asked multiple
2 times why we don't enclose that. It's not
3 designed to be in an enclosed building. It's
4 designed to be outdoor weatherproof cabinets
5 on a concrete pad with a canopy over it for
6 weather protection for our technicians.

7 And again, we propose the
8 increase to fence 10 feet, which will address
9 the overall height of the canopy. I mean, in
10 laymen's terms, it shouldn't matter what's on
11 the fence, it's all going to be covered by a
12 10-foot fence anyway. But our design is not
13 to have a building there. It's designed to
14 have outdoor weatherproof cabinets. I just
15 wanted to address that.

16 MR. ZUCHLEWSKI: So the
17 equivalent is designed for it to work in
18 ambient temperatures rather than trying to
19 work -- when you got a temperature range that
20 you are working with on that equipment on the
21 ground.

22 MR. PRZYBYLO: The equipment, the
23 cabinets themselves have a built-in fan

1 system, if they do overheat, so they are
2 weatherproof cabinets. So they're designed
3 to work outdoors in all temperatures.

4 MR. ZUCHLEWSKI: One last
5 question, if I may. The height of the
6 existing towers that are in Novi now, do you
7 have any idea what those are?

8 MR. PRZYBYLO: I do not have that
9 information. I know they run the gambit,
10 they run the range of -- I don't know that
11 for sure. I could provide that information
12 to you, but I don't have it.

13 MR. ZUCHLEWSKI: I thought if you
14 had it, then maybe that, you know, averaging
15 the same, we could see we have something
16 close to that height, or whatever currently
17 in similar situations, that's what I was
18 looking for.

19 MR. PRZYBYLO: I can certainly
20 provide that information, but I don't have it
21 with me.

22 CHAIRPERSON PEHRSON: Member
23 Anthony.

1 MR. ANTHONY: This is for staff.
2 When I'm looking at the zoning, so is this
3 right that we are zoned single family for
4 that subject property?

5 MS. JORDAN: That's correct, it's
6 RA.

7 MR. ANTHONY: So the single
8 family allows cellphone towers in our
9 ordinance?

10 MS. JORDAN: It's a special land
11 use in an RA zone.

12 MR. BARATTA: Does it requires an
13 approval?

14 CHAIRPERSON PEHRSON: Yes, it's a
15 special land use approval.

16 MR. ANTHONY: Okay. So we would
17 be changing to a special land use approval
18 for the residential property. That's what
19 the request is.

20 CHAIRPERSON PEHRSON: Just this
21 piece that we are talking about, cut out --
22 it's residential, so just that little piece
23 where the tower is going. It's like any

1 non-conforming use where we have to approve a
2 special land use for X, Y, Z, whatever it is.

3 MR. ANTHONY: Then our ordinance
4 does say 150 feet on cell towers, and the
5 basis of our 150 for cell towers, do you
6 recall what that was?

7 MS. MCBETH: There was a study
8 that was done in the early 2000s that had
9 identified the best practices at that time.
10 And I believe the ordinance was based on that
11 study.

12 CHAIRPERSON PEHRSON: Thank you
13 for the reference, Ms. McBeth. The cell
14 tower that we did approve on M5 is 150 feet?

15 MS. MCBETH: I believe that's
16 correct.

17 CHAIRPERSON PEHRSON: Anybody
18 that can imagine the M5 between Twelve and
19 Thirteen, that's the height we are looking
20 at.

21 MS. MCBETH: Now that I have the
22 microphone. The ordinance states that the
23 City Council may approve these kinds of

1 facilities in districts other than the I1 and
2 I2 district, with certain findings. So those
3 have been included in the packet, too, if the
4 City Council decides, based on some of those
5 findings.

6 MR. BARATTA: Ask one question.
7 Barb, was there a notice that was sent out on
8 this?

9 MS. MCBETH: Yes, there was.

10 MR. BARATTA: I live in Island
11 Lake, and I don't recall ever getting a
12 notice.

13 MS. MCBETH: The notice would be
14 similar to the day-care that was before this
15 within 300 feet of the property, the
16 perimeter of the property.

17 MR. BARATTA: It might have
18 included the Island Lake across the street,
19 but not the big subdivision that's on the
20 Wixom side.

21 MS. MCBETH: That's right. It's
22 also -- notice is provided in the Novi News.

23 MR. BARATTA: Well, I know my

1 other associate here, who is not here, is
2 also from Island Lake, Commissioner Lynch.

3 Looking at this, it was a
4 surprise looking at the package, and seeing
5 this, I have to tell you, I know that while
6 this area looks like there is houses under
7 construction, you know, all built today, on
8 the top side of the aerial that we have in
9 the package, over to the east, I know two
10 subdivisions were built at Beck and Ten Mile,
11 I hate to tell you, I think a cellphone tower
12 at this location is inappropriate.

13 I think I have seen the
14 cellphone towers with the pine tree
15 camouflage, I think they look worse than the
16 cellphone tower without, to be honest with
17 you.

18 So, I am opposed to it, to be
19 honest with you. I don't know what
20 Commissioner Lynch would say if he was here,
21 but I would -- I just don't think that
22 putting that in a residential area with all
23 that growth that you have there, with those

1 higher income homes, make any sense at all.
2 But I have absolutely no problem with
3 coverage living in Island Lake. So whatever
4 that's worth.

5 CHAIRPERSON PEHRSON: I can tell
6 you from being at Station No. 4 with Verizon
7 and being able to get cellphone coverage is
8 kind of messy when trying to address an
9 emergency call situation. So from my
10 standpoint, Barb, the ordinance clearly
11 specifies 150 feet to the top of the hill in
12 the blank pole, with lightning rod, with --

13 MS. MCBETH: It says
14 specifically, antenna tower shall not exceed
15 150 feet in height as measured from the
16 surrounding grade.

17 CHAIRPERSON PEHRSON: So while we
18 debate this particular one, do we do
19 ourselves justice in the future to resolve
20 the fill in the blank part so that we don't
21 end up with this discussion going forward
22 possibly maybe implementation.

23 MS. MCBETH: I think we could

1 bring that forward to an amendment. Thank
2 you.

3 CHAIRPERSON PEHRSON: Member
4 Greco.

5 MR. GRECO: I have a few
6 comments. With respect to the height, the
7 150 feet, I mean, is -- you had indicated
8 you're not sure regarding the height. Some
9 of the others, I know we brought up one that
10 was 150 feet. I mean, is it your
11 interpretation -- I know you're trying to get
12 the maximum height, so you just went to
13 150 feet, then put the lightning rod on top
14 and your interpretation is that's the way we
15 can do it.

16 It's not necessarily that --
17 comes in, you know, sections of 100, 125, or
18 150. It's just like this is how you are
19 maximizing your height, right?

20 MR. PRZYBYLO: That's correct.

21 MR. GRECO: Do we have -- I know
22 Chairperson Pehrson had indicated having
23 Verizon, having some difficulties in the

1 area. Have we received any -- I mean, do we
2 have any evidence or statistics of anything
3 with regard to Island Lake or that area about
4 what is not being covered or complaints other
5 than from what we heard tonight from the
6 Chair, the need for the coverage? I mean, we
7 saw your map, but --

8 MR. ESTES: So the coverage maps
9 are the primary piece of evidence that the
10 applicants in these tower cases rely upon in
11 terms of developing the gap in coverage and
12 the need. I don't think there was any
13 dispute about the need in the staff's report
14 and the acknowledgment that there is a need.

15 In the first map, you can
16 clearly see with the red there is a
17 significant gap in coverage. That without
18 this particular tower, we would -- it would
19 effectively prohibit wireless facilities in
20 this area, and that would be a significant
21 detriment to the applicant.

22 The other thing I want to
23 note, I respect Commissioner Baratta's

1 statements, but, you know, we worked on a
2 lease with the City Council for over a year
3 and a half. And there was a lot of work that
4 went into that. They were certainly aware of
5 the fact that at this fire station location,
6 where the tower is being placed, it's a
7 municipal site and they were well aware of
8 the Island Lake development. We worked hard
9 with planning staff and with City Council to
10 put forward a design with the stealth
11 component.

12 We put one plan forward,
13 initially staff came back with some reports.
14 We modified that plan. I think you can tell
15 from pictures, I mean, given the height it
16 does blend in with the wooded area there. So
17 it -- also, you know, this application was
18 filed in March of 2016. So it's been quite
19 some time before we were here before you
20 today for this hearing.

21 So I think that, you know,
22 City Council supported this lease. I think
23 that we met the criteria and the requirements

1 of the ordinance as well as the Zoning
2 Enabling Act. I think we have been in excess
3 of the time frame set forth therein, and we
4 would request your approval tonight.

5 With regard to the tower, I
6 interpret the tower height, I certainly defer
7 to legal counsel, but the requirement in the
8 ordinance is simply 150 feet at the tower.
9 This tower is 150 feet. It's simply a
10 lightning rod that extends it. I do this all
11 over the state. I have never had a community
12 that's told us the lightning rod is included
13 in the height of the tower. Again, that's
14 necessary simply to protect the equipment on
15 the tower. There is lightning rods in many
16 buildings, for similar reasons. So that
17 their electrical equipment internally doesn't
18 get knocked out.

19 So we did not view that as a
20 part of the overall height of the tower.
21 Obviously, you have legal counsel here
22 tonight, you know, they will give you their
23 own interpretation of your ordinance. But we

1 think we meet the 150 feet and we would
2 request an approval at the height with the
3 tower.

4 MR. GRECO: Just a few final
5 comments for the commissioners.

6 I mean, looking at this plan,
7 looking at the use, I think, you know,
8 cellphone towers and cellphone coverage is
9 something that we need to deal with as a --
10 not only as a community, just as a public
11 with regard to the increased use.

12 For this spot, it being off
13 the road, I mean, it is zoned residential,
14 but on public property, in that area. I
15 mean, I don't really have any problem with
16 the location.

17 With regard to the height, I
18 mean, we will need to make a decision on
19 that, on what we are going to do with this
20 particular application. But I suppose we
21 would maybe like legal counsel's opinion on
22 whether or not an antenna is normally, you
23 know, considered a part of the tower or not.

1 MR. GILLAM: To be honest, I
2 don't know if this is a question we have
3 specifically looked at. I think staff has
4 made their interpretation. Mr. Estes and the
5 applicant have their position. I mean, it is
6 something we could do some research on if you
7 would like additional information.

8 CHAIRPERSON PEHRSON: For what
9 it's worth, this site once housed an oil
10 well. So I would certainly consider an oil
11 well a lot more detrimental to the area than
12 a cellphone tower.

13 And when the last cellphone
14 tower came in front of us, I was one of the
15 ones that suggested the stealth looking type
16 based upon what I had seen from where they
17 have in Farmington Hills over there. It's
18 700 feet off of the main roadway. I can't
19 imagine that being an eyesore to anybody
20 driving up and down the road. I am pretty
21 much sure that given the fact that staring at
22 what would be maybe out of character from a
23 vegetation standpoint, as opposed to the

1 inconvenience of dropping a cellphone call,
2 I'd rather have that than sitting there in my
3 backyard. I would also consider the
4 lightning rod not part of the main structure.
5 It's not going to pose anymore of an
6 inconvenience or an eyesore as that
7 electrical pole that's sitting in the
8 foreground right now.

9 I would be in support of the
10 motion as it stands at this point in time.

11 MR. ZUCHLEWSKI: If I just might
12 just add to that, that lightning rod,
13 probably an inch thick, so if we got any
14 golfers in the area, you know, they would add
15 300 yards, you can't even see it. You know,
16 I would think that it's going to be so
17 miniscule, we will save the equipment and we
18 will get coverage for people that need it.
19 If this helps one or two people that normally
20 wouldn't be able to get coverage and they
21 needed it in case of an emergency, I am all
22 for it. I think you guys have done a
23 wonderful job.

1 MR. GRECO: With that, I would
2 like to make a motion.

3 In the matter of Cell Tower
4 Near Fire Station No. 4 JSP16-08, motion to
5 recommend approval to the City Council's
6 special land use permit for cellphone
7 monopole tower associated equipment
8 structures and accessory structures subject
9 to site plan approval by City Council. And
10 this motion is made for the reasons that the
11 Planning Commission finds that the proposed
12 tower meets the requirements of Section 4.86
13 of the zoning ordinance as set forth in A
14 through E of the motion.

15 And this motion is also made
16 for reasons that the Planning Commission
17 finds that relative to other feasible uses of
18 the site, the proposed site, the proposed use
19 will not cause any detrimental impact on the
20 existing thoroughfares or compatibilities of
21 public services and facilities. It's
22 compatible with natural features and
23 characteristics of the land and adjacent

1 land, uses of land, it's consistent with the
2 goals, objectives and recommendations of the
3 City's Master Plan for Land Use, to promote
4 use of the land in a socially and
5 economically desirable manner, is number one,
6 listed among the provision of uses requiring
7 special land review as set forth in the
8 various zoning districts of this ordinance,
9 and two, is in harmony with the purposes and
10 conforms with the applicable site design
11 regulations in the zoning district in which
12 it is located, and that's it. Otherwise in
13 compliance with the ordinance.

14 MR. ZUCHLEWSKI: Second.

15 CHAIRPERSON PEHRSON: Motion by
16 Member Greco, second by Member Zuchlewski.
17 Any other comments?

18 Kirsten, will you call the
19 roll.

20 MS. MELLEEM: Chair Pehrson?

21 CHAIRPERSON PEHRSON: Yes.

22 MS. MELLEEM: Member Anthony?

23 MR. ANTHONY: No.

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MS. MELLEEM: Member Baratta?

MR. BARATTA: No.

MS. MELLEEM: Member Greco?

MR. GRECO: Yes.

MS. MELLEEM: Member Zuchlewski?

MR. ZUCHLEWSKI: Yes.

MS. MELLEEM: Motion passes.

MR. GRECO: I'd like to make another motion in the matter of Cell Tower near Fire Station No. 4, JSP16-08, motion to recommend approval to the City Council of the preliminary site plan subject to the following.

A, City Council approval of deviation of the maximum fence heights in a residential district in order to surround the proposed equipment, eight foot maximum of the plan, 10 feet proposed, and the conditions and items listed in the staff and consultant review letters, being addressed on the final site plan, and because it is otherwise in compliance with Section 3.11, Section 3.6, Section 4.86, Article 5, special land use

1 considerations of Section 6.1.2 and all other
2 applicable provisions of the ordinance.

3 MR. ZUCHLEWSKI: Second.

4 CHAIRPERSON PEHRSON: Motion by
5 Member Greco, second by Member Zuchlewski.

6 Any other comments?

7 Kirsten, please.

8 MS. MELLEEM: Member Baratta?

9 MR. BARATTA: No.

10 MS. MELLEEM: Chair Pehrson?

11 CHAIRPERSON PEHRSON: Yes.

12 MS. MELLEEM: Member Anthony?

13 MR. ANTHONY: No.

14 MS. MELLEEM: Member Greco?

15 MR. GRECO: Yes.

16 MS. MELLEEM: Member Zuchlewski?

17 MR. ZUCHLEWSKI: Yes.

18 MS. MELLEEM: Motion passes.

19 CHAIRPERSON PEHRSON: Thank you.

20 MR. PRZYBYLO: Thank you very
21 much for your time.

22 CHAIRPERSON PEHRSON: Next on the
23 agenda is Matters for Consideration, item one

1 Rainbow Day-care, JSP16-34.

2 It's a consideration at the
3 request of 814 Development, LLC for approval
4 of the preliminary site plan, stormwater
5 management plan approval.

6 The subject property is
7 located in Section 17 of the City of Novi,
8 north of Grand River Avenue, west of Beck
9 Road, in the existing West Market Square.
10 The applicant is proposing to construct a
11 single story day-care building consisting of
12 10,782 square foot office space, outdoor
13 recreation area, which includes three play
14 structures and associated site improvements.

15 I would ask -- Member Baratta
16 wanted to be recused, so --

17 MR. BARATTA: Do you want me to
18 leave the room?

19 MR. GILLAM: That would be my
20 recommendation, yes.

21 CHAIRPERSON PEHRSON: Do we need
22 to vote on the recusal?

23 MR. GILLAM: I think a motion

1 would be appropriate, yes.

2 MR. ZUCHLEWSKI: He is out of
3 here.

4 MR. BARATTA: I haven't left yet.

5 MR. GRECO: Motion to accept
6 Member Baratta's recusal from this matter.

7 MR. ANTHONY: Second.

8 CHAIRPERSON PEHRSON: Motion by
9 Member Greco, second by Member Anthony. Any
10 other comments? Kirsten, call the roll.

11 MS. MELLEEM: Chair Pehrson?

12 CHAIRPERSON PEHRSON: Yes.

13 MS. MELLEEM: Member Zuchlewski?

14 MR. ZUCHLEWSKI: Yes.

15 MS. MELLEEM: Member Greco?

16 MR. GRECO: Yes.

17 MS. MELLEEM: Member Anthony?

18 THE WITNESS: Yes.

19 MS. MELLEEM: Motion passes.

20 CHAIRPERSON PEHRSON: Kirsten.

21 MS. MELLEEM: So the subject
22 property is in Section 17, north of Grand
23 River Avenue and west of Beck Road in the

1 northeast corner of the West Market Square.
2 It is zoned B2, community business district,
3 surrounded by the same on all sides except
4 the freeway service on the east.

5 The proposed use of day-care
6 is a permitted use for the zoning district.
7 The future land map indicates local
8 commercial for this property and surrounding
9 properties on north, south and west. The
10 properties on east are identified as office
11 research development and technology with
12 retail service overlay. There are no
13 regulated woodlands or wetlands on the
14 property.

15 The applicant is proposing to
16 construct a single story day-care building
17 consisting of 10,782 square feet for office
18 space, outdoor recreation area, which
19 includes three play structures and associated
20 site improvements.

21 The subject day-care intends
22 to operate with 13 employees and a maximum
23 capacity of 100 students. The applicant does

1 not intend to split the parcel and is
2 proposing to develop as a building condo like
3 the rest of the existing development.

4 The site plan also proposes a
5 temporary turnaround until development occurs
6 on the north vacant space. At that time a
7 thru connection will be provided.

8 The site plan is in general
9 conformance with the zoning ordinance except
10 a few deviations identified in the review
11 letters.

12 The applicant is requesting a
13 ZBA variance for absence of loading spaces
14 as their use does not require one.

15 The applicant is also
16 proposing a black chain link fence enclosing
17 the outdoor recreation areas, which is their
18 typical fence for all other locations as
19 indicated in the picture. While it meets the
20 minimum requirements for enclosures, staff
21 does suggest the applicant consider a
22 material that is more attractive in
23 appearance and provides better screening of

1 the play areas from Beck Road, the bank
2 parking lot and the shopping center views.

3 This would also improve the
4 privacy of the children at play. Planning
5 recommends approval with minor comments noted
6 in the review letter.

7 The applicant is also
8 requesting a variance for absence of the
9 required eight foot bike path as there is no
10 public sidewalk within 300 feet. Engineering
11 can grant the variance administratively. The
12 applicant is proposing a temporary T
13 turnaround on the north side of the proposed
14 parking lot for emergency vehicles to turn
15 around.

16 The applicant has agreed to
17 revise the turnaround to meet city standards
18 to avoid a council variance. Engineering
19 recommends approval. Landscape has
20 identified a couple of variances from the
21 landscape requirements for proposing a
22 decorative fence in lieu of the required
23 berm, for not meeting the minimum

1 requirements for parking lot landscaping,
2 building foundation landscaping and utility
3 screening. The deviations are supported by
4 staff for better design and space
5 limitations. Landscape recommends the
6 approval.

7 The 10,782 square foot
8 facility is generally large enough to
9 accommodate up to 280 students, which would
10 generate additional traffic that would
11 warrant a traffic impact study. However, the
12 applicant is limiting the current facility to
13 only 100 students and has provided a tech
14 memo for a similar size day-care.

15 Upon revised review, traffic
16 recommends that a traffic impact study is not
17 warranted at this time, as long as the number
18 of students are limited to 100. Traffic is
19 recommending approval.

20 The proposed elevations exceed
21 the minimum required percentage for cement
22 composite siding and asphalt shingles, which
23 would require a section nine facade waiver.

1 Our facade consultant supports the waiver, as
2 the deviations are augmented by architectural
3 features and are consistent with the style.

4 The applicant has provided
5 images of existing day-care center elevations
6 that indicate a similar percentage of asphalt
7 shingles. They have also provided pictures
8 of the building interiors of their existing
9 facilities to indicate the quality of
10 construction and service.

11 Fire also recommends approvals
12 with some minor changes.

13 The Planning Commission is
14 asked tonight to approve the preliminary site
15 plan and stormwater management plan. The
16 applicant, Amy Labadie, is here with Rainbow
17 Day-care representative Rod Blight, and
18 engineer Alex Orman, who are here to answer
19 any questions you may have. Thank you.

20 CHAIRPERSON PEHRSON: Thank you.
21 Does the applicant wish to address the
22 Planning Commission at this time.

23 MR. BLIGHT: I'm here to answer

1 any questions for you.

2 CHAIRPERSON PEHRSON: Thank you.
3 Turn it over to the Planning Commission for
4 their consideration.

5 MR. ZUCHLEWSKI: I have a few
6 questions. The building is sprinkled?

7 MR. BLIGHT: Rodney Blight from
8 Rainbow. The building is not sprinkled with
9 the fire code. We have egress from the
10 classroom directly to the outside. It's not
11 required by the fire code to be sprinkled.

12 MR. ZUCHLEWSKI: Is there smoke
13 alarms or --

14 MR. BLIGHT: Yes, we have a
15 monitored fire alarm system throughout the
16 building. That's all submitted to the State
17 of Michigan Bureau of Fire Safety.

18 MR. ZUCHLEWSKI: Storage closets,
19 they would be sprinkled, just a single head
20 off the domestic line?

21 MR. BLIGHT: They are rated, but
22 they're not sprinkled.

23 MR. ZUCHLEWSKI: Not sprinkled.

1 I think this has got to do something with the
2 occupancy of the rooms, is that correct? Are
3 these rooms all the time?

4 MR. BLIGHT: Yes, it's the size
5 of the building. It's under 12,000 square
6 feet, which is below the maximum for
7 sprinkling buildings, 12,000 square feet,
8 it's mandatory over that, from what I
9 understand. The size of the room is because
10 of the egress directly to the hallway and
11 directly outside on the main floor, there is
12 an exception in the fire code that does not
13 mandate that it be sprinkled.

14 MR. ZUCHLEWSKI: Having the
15 egress to the outside, the children are
16 leaving the rooms and they're going directly
17 out into the play area that's fenced, is that
18 correct?

19 MR. BLIGHT: Correct.

20 MR. ZUCHLEWSKI: With this
21 particular site, how would the fire trucks
22 get around to that area to get to them? I
23 understand there is a lockable door on the

1 north end or a lockable mechanism on the
2 gate?

3 MR. BLIGHT: The gates, it's a
4 pull type latch, it's not a key latch or
5 anything that requires special knowledge to
6 open. It's a magnetic latch to keep children
7 from pushing it open, like a typical gate,
8 but it's not a locked mechanism. It's not
9 like a key that they would have to have to
10 get out of the gates from the playground, to
11 access that area.

12 MR. ZUCHLEWSKI: So are there
13 windows on the north end of the building so
14 that someone could see that gate at all times
15 or how is that gate monitored?

16 MR. BLIGHT: We have the fencing
17 set up so that when the children are on the
18 playground, one, they're supervised by staff,
19 there is a short section of fence that goes
20 from the northwest corner of the building to
21 the perimeter fencing so the children can't
22 get down along that dog run fencing behind
23 there. So all of our playgrounds, same thing

1 to the southwest corner, there is a section
2 of the fence that comes from the corner of
3 the building to the perimeter fencing as
4 well. So we try to limit off any areas that
5 children can get to where they might not be
6 supervised.

7 MR. ZUCHLEWSKI: Then the
8 temporary road into this for the fire
9 department, is that on the southwest corner
10 of the site?

11 MR. BLIGHT: The darker area in
12 front is the parking and then continuing in
13 the drive to the north, for the future
14 development to the north of us. Then we put
15 the hammer head turnaround there at the
16 request of the fire department for access for
17 the fire trucks to be able to turn around in
18 the event they did have to come to the site.

19 MR. ZUCHLEWSKI: For people
20 loading and unloading their children, they're
21 coming in at that entrance you talked about,
22 they're going north, then they're going west,
23 they're coming back across the front of the

1 building to drop off the kids?

2 MR. BLIGHT: We do not allow
3 curbside drop-off. Our policy is our parents
4 have to park and walk their children into the
5 classroom and sign them in.

6 MR. ZUCHLEWSKI: What I meant by,
7 that was -- the staffing was my concern. I
8 am fine with that. Thank you.

9 CHAIRPERSON PEHRSON: Anyone
10 else? I am going to ask a question. So
11 you're currently anticipating less than 100
12 students, is that correct?

13 MR. BLIGHT: 100 students is what
14 we are targeting, yes.

15 CHAIRPERSON PEHRSON: What
16 happens when the impact or the probability
17 that this expands beyond 100 students, then
18 other consideration to the building has to
19 occur?

20 MR. BLIGHT: If you base it on
21 the traffic study, that's one thing I would
22 like to comment on. It was pointed that the
23 building could accommodate 280 children.

1 That is incorrect. It could -- under
2 standard capacity and 20 square feet per
3 person for a typical office or retail
4 occupancy, they could potentially hold that
5 many, but with child care, we are limited to
6 children two and under to 50 square feet per
7 child in the building, 35 square feet for two
8 to five, it's much larger required area for
9 each child. So the maximum capacity in that
10 building is targeting around 100 with the
11 staff, 115, so we are estimating, we have got
12 the same square footage buildings all over
13 Michigan and multiple other states and the
14 highest we ever been licensed for in more
15 lenient states down south is 130, I believe,
16 135, with staff. So we are targeting 100.
17 We think that will cover the market, we
18 should be fine.

19 CHAIRPERSON PEHRSON: And glad
20 for covering the market, I'm covering the
21 traffic. I.

22 Just want to make sure that we
23 don't exceed within some percentage of that

1 100, so that we find out that the ticking
2 point for the traffic that we are going to
3 allow this to go forward without a traffic
4 study, I want to make sure if we are
5 fortunate we go to 105, 110 children, we
6 don't hit that tipping point for the traffic
7 concerns.

8 MR. BLIGHT: We did provide a --
9 I believe we provided a traffic study that we
10 had done at a more recent center, as a
11 comparison to a retail development, which I'm
12 assuming when this entire community was
13 planned, they took into account that would
14 potentially be a retail or some type of
15 office, and our impact was much lower on
16 traffic than retail or restaurant or
17 something else that may be used in this
18 location, so because of the fact that our
19 school does not have a specific drop-off
20 time, like you would need for an elementary
21 school, where they start at 8:00 and they all
22 pick up at 2:00 or 2:30, our pickup and
23 dropoff times range from six in the morning

1 to ten, our peak times in the morning, then
2 afternoon is from three until six, depending
3 on the parents' work schedule. We don't have
4 an influx of a huge amount of traffic, be
5 stacking at 8:15 in the morning, then at 2:15
6 in the afternoon, like an elementary school.

7 CHAIRPERSON PEHRSON: Considering
8 the screen, and just I guess, has there been
9 any thought relative to changing the chain
10 link fence to something a little bit more
11 permanent for visibility sake?

12 MR. BLIGHT: Well, the visibility
13 from Beck Road, all playground is behind the
14 building. I'm not sure where that request
15 came from, but you won't be able to see the
16 playground from Beck Road.

17 CHAIRPERSON PEHRSON: If any part
18 of that development to the north gets
19 altered, changed then we don't know what's
20 going to go in there. I guess it would be my
21 impression and recommendation that we want to
22 try to create as much of an obscure screen to
23 the playground area as possible.

1 MR. BLIGHT: We would probably
2 prefer if something did develop to the north,
3 we don't know how long that could be, ten or
4 15 years, that at that point we address maybe
5 with some additional landscaping or
6 something.

7 The chain link fence, we do a
8 five foot high fence around the perimeter and
9 then a four foot high fence with the interior
10 partitions between like on sections, five
11 foot fence in -- we own 120 centers
12 throughout the country, and that's a very,
13 secure safe fencing. We have used that in a
14 number of PUD's like this. We're opposed to
15 shielding the children with a privacy fence,
16 because if you put a privacy fence all the
17 way around, almost makes children feel
18 imprisoned and we feel it's better for them
19 to actually be able to see, not feel like
20 they are confined in -- you know, in a 6-foot
21 high wall.

22 CHAIRPERSON PEHRSON: Okay,
23 interesting. That's all I have. Member

1 Greco?

2 MR. GRECO: Yes. My only
3 comments are, in looking at the plan, it
4 looks good from my perspective. We have all
5 the waivers, they all me seem to make sense.
6 Both from the applicant and the waivers that
7 the staff support.

8 So with that, I would like to
9 make a motion, in the matter of Rainbow Child
10 Care JSP16-43, motion to approve the
11 preliminary site plan, based on and subject
12 to the items listed in A through I on the
13 motion sheet, and this motion is being made
14 because the plan is otherwise in compliance
15 with Article 3, Article 4, and Article 5 of
16 the Zoning Ordinance and all other applicable
17 provisions of the ordinance.

18 MR. ANTHONY: Second.

19 CHAIRPERSON PEHRSON: We have a
20 motion by Member Greco, second by Member
21 Anthony. Any other comments?

22 Kirsten, can you call the
23 roll, please.

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MS. MELLEM: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. MELLEM: Member Zuchlewski?

MR. ZUCHLEWSKI: Yes.

MS. MELLEM: Member Anthony?

THE WITNESS: Yes.

MS. MELLEM: Member Greco?

MR. GRECO: Yes.

MS. MELLEM: Motion passes.

CHAIRPERSON PEHRSON: I would like to make another motion in the matter of Rainbow Child Care JSP16-43, motion to approve the stormwater management plan, based on and subject to the findings of compliance with ordinance standards in the staff and consultant review letters and the conditions and items listed in those letters being addressed on the final site plan and this motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the ordinance.

MR. ANTHONY: Second.

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CHAIRPERSON PEHRSON: Motion by Member Greco, second by Member Anthony, any other comments? Kirsten, please.

MS. MELLEEM: Member Zuchlewski?

MR. ZUCHLEWSKI: Yes.

MS. MELLEEM: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. MELLEEM: Member Anthony?

MR. ANTHONY: Yes.

MS. MELLEEM: Member Greco?

MR. GRECO: Yes.

MS. MELLEEM: Motion passes.

CHAIRPERSON PEHRSON:

MR. BLIGHT: Thank you.

(Whereupon Member Baratta re-entered the hearing room.)

CHAIRPERSON PEHRSON: Next on the agenda is Zoning Ordinance Amendment, 18.279. It's to set a public hearing for Text Amendment 18.2.79 to consider amending the City of Novi zoning ordinance in order to modify the TC Town Center and TC1 Town Center One's districts to better accommodate the

1 mixed use and residential development in the
2 Main Street area. Ms. McBeth.

3 MS. MCBETH: Mr. Chair, I would
4 like to have a brief introduction before
5 Kirsten goes over the staff recommendation.

6 You may recall several weeks
7 ago, the Planning Commission considered some
8 text amendments that related to the Town
9 Center district. During the study session,
10 one of those was recommended by staff, those
11 were -- a set of amendments were based on the
12 Town Center area study. Those will be coming
13 back to the Planning Commission very soon.

14 The other one that was
15 discussed briefly at this meeting was a
16 request by a different applicant. That was
17 to allow drive-thru restaurants in the Town
18 Center district. This is yet another set of
19 amendments related to this Town Center area.

20 It's specifically in relation
21 to a pre-application that staff has seen, but
22 you all have not seen yet regarding a
23 development for Main Street.

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So the intent of this one is specifically focusing on the Main Street area and doesn't relate to either of the other two directly that we were talking about previously. Thank you.

CHAIRPERSON PEHRSON: Okay.

Anyone have any comments?

MS. MCBETH: Kirsten has a brief overview, if you don't mind.

MS. MELLEME: So in the packet, you found a proposed ordinance amendment addressed a mixed use development requirements in the TC and TC1 districts. These recommendations include the maximum length of the building, building orientation, yard setback restrictions, dwelling units per acre by unit, number of rooms and area parcel, building setbacks, mixed uses on the same floor and reduced mixed use minimums. The current ordinance states that multiple housing dwelling units in TC and TC1, shall meet the requirements of the RM, which is low density, multiple family district. In many

1 instances the characteristics of the low
2 density, multiple family district are
3 contrary to the intent of the TC and TC1
4 district, which basically strives for a
5 pedestrian oriented mixed use downtown.

6 The proposed amendments would
7 align the requirements of the intent of the
8 area. Staff has proposed this amendment in
9 response to new developments anticipated in
10 the Main Street area. The proposed amendment
11 would promote a pedestrian oriented mixed use
12 development that would accommodate the
13 density proposed in the 2016 Master Plan for
14 Land Use.

15 Any questions, please ask
16 staff.

17 CHAIRPERSON PEHRSON: Thank you.
18 Anyone on the Commission have any comments?
19 Member Anthony.

20 MR. ANTHONY: I want to follow-up
21 a question, did you say mixed use on the same
22 floor, would that include residential with a
23 commercial or retail use on the same floor?

1 MS. MELLEEM: The modification
2 that we are recommending is that since the
3 residential use with a door to the outside
4 rather than a door to a shared hallway, that
5 would be recommended rather than having the
6 same uses on the same floor.

7 MR. ANTHONY: So it would be more
8 of a brownstone, as opposed to like what we
9 have there now where you have a big hallway?

10 MS. MELLEEM: Yes.

11 MR. ANTHONY: That makes sense.

12 CHAIRPERSON PEHRSON: Barb or
13 Kirsten, the reduced mixed use minimum on
14 page two, Section 4.25, at least 10 percent
15 in the GE and 20 percent in the TC, TC1, does
16 that come from another part of the ordinance
17 somewhere or how were those numbers derived,
18 is one question I had. You don't have to
19 answer, but when we come back.

20 Because that's going to lead
21 me to my second question, because my
22 Alzheimer's just kicked in, I had a note here
23 about Section 3.8.1.A, does that still exist

1 in this use? So since I just wrote that note
2 a week ago, and I don't remember why I wrote
3 it, you can try to decipher that for me.

4 Sorry.

5 Then on the -- I had another
6 note, I will do research on my notes so that
7 I can try to help you a little bit better.

8 But on the principle permitted
9 uses for this area, the TC, TC1, I think
10 there were some things, and when I was
11 looking through the ordinance, as far as the
12 principle permitted uses, there were some
13 things that caught my eyes relative to things
14 that just didn't seem to fit.

15 I think some of them might
16 have been like a funeral home, or something
17 very odd, which I would assume would be a
18 special land use that we would -- I am
19 assuming this is kind of that office business
20 thing as opposed to whether it was a funeral
21 home, or adult bookstore, whatever the thing
22 that caught my eye.

23 I want to make sure that we

1 are not including those kind of things or
2 that would have to be special land use where
3 we would have some discretion to say, this
4 really doesn't fit that location.

5 MS. MCBETH: We can certainly
6 look at those, either as part of this
7 amendment, or the other amendments that we
8 have.

9 Discussed. And again, these
10 were specifically related to development
11 plans that we saw, albeit in an at early
12 state. We can either address it with this
13 amendment that we are proposing now or with
14 the other one that will be coming forward
15 shortly.

16 CHAIRPERSON PEHRSON: I promise
17 to make better notes and remind myself why I
18 wrote these things down.

19 Member Baratta.

20 MR. BARATTA: You know, one of
21 the use questions that you have, noxious
22 uses. What you might want to look at are
23 some of these smoke shops they are coming up

1 with nowadays.

2 CHAIRPERSON PEHRSON: Hooka

3 bars --

4 MR. BARATTA: Hooka bars and

5 vapor shops, and different names for them.

6 My suggestion would be that you take a look

7 at that also.

8 CHAIRPERSON PEHRSON: Perfect.

9 Anybody want to make the motion to set a

10 public hearing.

11 MR. GRECO: I would like to make

12 a motion to set Zoning Ordinance Text

13 Amendment 18.279 for a public hearing.

14 MR. BARATTA: Second.

15 CHAIRPERSON PEHRSON: We have a

16 motion by Member Greco and a second by Member

17 Baratta, slash Anthony. Any other

18 discussion. Kirsten, please.

19 MS. MELLEEM: Chair Pehrson.

20 CHAIRPERSON PEHRSON: Yes.

21 MS. MELLEEM: Member Zuchlewski?

22 MR. ZUCHLEWSKI: Yes.

23 MS. MELLEEM: Member Anthony?

1 MR. ANTHONY: Yes.

2 MS. MELLEEM: Member Baratta?

3 MR. BARATTA: Yes.

4 MS. MELLEEM: Member Greco?

5 MR. GRECO: Yes.

6 MS. MELLEEM: Motion passes.

7 CHAIRPERSON PEHRSON: Thank you.

8 Last is the approval of the September 14,

9 20167 Planning Commission Minutes. Any

10 changes, modifications, or a motion to

11 approve.

12 MR. ZUCHLEWSKI: Motion.

13 MR. ANTHONY: Second.

14 CHAIRPERSON PEHRSON: Motion by

15 Member Zuchlewski second by Member Anthony.

16 Kirsten, please.

17 MS. MELLEEM: Member Zuchlewski?

18 MR. ZUCHLEWSKI: Yes.

19 MS. MELLEEM: Member Baratta?

20 MR. BARATTA: Yes.

21 MS. MELLEEM: Chair Pehrson?

22 CHAIRPERSON PEHRSON: Yes.

23 MS. MELLEEM: Member Anthony?

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MR. ANTHONY: Yes.

MS. MELLEEM: Member Greco?

MR. GRECO: Yes.

MS. MELLEEM: Motion passes.

CHAIRPERSON PEHRSON: Thank you.

Matters for discussion. Anyone?

Supplemental issues? Our last audience participation. Close the audience participation, unless Rick wants to say something.

Looking for a motion to adjourn.

MR. ZUCHLEWSKI: Motion to adjourn.

MR. GRECO: Second.

CHAIRPERSON PEHRSON: All those in favor.

THE BOARD: Aye.

(The meeting was adjourned at 8:19 p.m.)

** ** *

1 STATE OF MICHIGAN)

2) ss.

3 COUNTY OF OAKLAND)


4 I, Jennifer L. Wall, Notary Public within and for the
 5 County of Oakland, State of Michigan, do hereby certify that the
 6 witness whose attached deposition was taken before me in the
 7 above entitled matter was by me duly sworn at the aforementioned
 8 time and place; that the testimony given by said witness was
 9 stenographically recorded in the presence of said witness and
 10 afterward transcribed by computer under my personal supervision,
 11 and that the said deposition is a full, true and correct
 12 transcript of the testimony given by the witness.

13 I further certify that I am not connected by blood or
 14 marriage with any of the parties or their attorneys, and that I
 15 am not an employee of either of them, nor financially interested
 16 in the action.

17 IN WITNESS THEREOF, I have hereunto set my hand at the
 18 City of Walled Lake, County of Oakland, State of Michigan.

19

20 11-15-16

21 

22 Date Jennifer L. Wall CSR-4183
 23 Oakland County, Michigan
 My Commission Expires 11/12/22