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OCT 28 2021

CHARTER TWP OF NORTHVILLE
BUILDINGS DEPARTMENT

Township Use Only

Petition #: _____
Date: _____
Fee Paid: _____
Tax ID #: _____

Appeal of Administrative Decision Application

Application Fees	
Publication*	\$100
Residential	\$100
Non-Residential	\$200
Special Meeting	\$1,000

*Publication fee is required for all applications

Property Address for Request	Zoning District

Petitioner

Name: Al and Mary Lou Posa by Cindy Rhodes Victor, Esq.

Address: 2851 High Meadow Circle, Suite 120

City/State/Zip: Auburn Hills MI 48326

Phone: 248-364-3090 Fax: _____ Email: cvictor@kuseyan.com

Property Owner

Name: [same as above]

Address: _____

City/State/Zip: _____

Phone: _____ Fax: _____ Email: _____

Description of Appeal Request

Reverse decision of planning Commission approving PSHV21-0001 at September 28, 2021 meeting [see attached appeal and exhibits]

Application Signature

All correspondence and notices regarding the application will be transmitted to the petitioner. By signing this application, the petitioner is indicating that all information contained in this application is complete and accurate to the best of his/her knowledge, and gives permission for Northville Township officials, staff and consultants to inspect the property for the purpose of verifying information relative to the request. If the applicant is not the property owner, written authorization from the property owner is required.

Legal Owner: Cecyl Vitt / October 28, 2021 Cindy Rhodes Victor
(Signature / Date) (Print Name)

Project Representative: _____
(Signature / Date) (Print Name)

October 27, 2021

Zoning Board of Appeals
Charter Township of Northville
44405 Six Mile Road
Northville, Michigan 48168

APPEAL TO THE ZONING BOARD OF APPEALS FROM PLANNING COMMISSION
ACTION

DECISION OF NORTHVILLE TOWNSHIP PLANNING COMMISSION ON APPEAL:

Approval of Special Land Use
New Maintenance Building
PSLU21-0001

Decision Taken at September 28, 2021 Planning Commission Meeting

Al and Mary Lou Posa, Ron and Linda Malec and Tanya Pado ("Appellants"), by their counsel, Kus Ryan & Associates, PLLC, submits this Appeal to the Zoning Board of Appeals from the decision of the Planning Commission on September 28, 2021, pursuant to Northville Township Zoning Ordinance Section 170-41.3.

Appellants state that the grounds for their appeal are as follows:

I. THE DECISION OF PLANNING COMMISSION AS EXPRESSED IN THE SYNOPSIS OF THE SEPTEMBER 28, 2021 MEETING IS NOT WHAT WAS MOVED OR PASSED AT THE SEPTEMBER 28, 2021 MEETING

The Agenda for the September 28, 2021 Planning Commission meeting states that the issue before the Planning Commission at that meeting was:

PSLU21-0001	Special Land Use - Meadowbrook Country Club
Representative:	Michael Rossen, General Manager
Owner:	Meadowbrook Country Club
Location:	40941 Eight Mile Rd.
Request:	To construct a new maintenance facility at the west edge of the property
Action:	Approve, Approve with Conditions, Postpone, Deny

(Exhibit 1 - Agenda, September 28, 2021).

Throughout the lengthy meeting, the only issue which was discussed was whether the Planning Commission should approve the request for a special land use. The Township Planner specifically advised the Planning Commission that this was not a site plan review.

Yet, the motion which was made by Planning Commissioner Matthew Wilk had nothing to do with a special land use. At the September 28, 2021 Planning Commission meeting, Commissioner Wilk specifically stated:

I move to approve the **Site Plan** PSLU2109991 with the following conditions....

At no time after Commissioner Wilk made this motion did anyone correct or amend or modify this motion to change it from approval of a site plan to approval of a special land use. As the Planning Commission can only act in open meeting, and the recording of the meeting demonstrates that no motion seeking approval of a special land use was ever made or voted upon by the Planning Commission, there was no approval of a special land use as requested by the applicant Meadowbrook County Club ("Meadowbrook")..

Yet the Synopsis of the September 28, 2021 Planning Commission (Exhibit 2) states that at the meeting, the special land use was approved with conditions:

PSLU21-0001	Special Land Use - Meadowbrook Country Club
Representative:	Michael Rossen, General Manager
Owner:	Meadowbrook Country Club
Location:	40941 Eight Mile Rd.
Request:	To construct a new maintenance facility at the west edge of the property
Action:	Approved with Conditions

The approved minutes of the Planning Commission (Exhibit 3) also state a motion was made by Commissioner Wilk that "the Planning Commission approve the Special Land Use to construct a new maintenance facility at the west edge of the property...."

There were no findings of fact made regarding any site plan submitted by Meadowbrook; in fact, there were no findings of fact made at all by the Planning Commission.

The determination that the Planning Commission approved the special land use request of Meadowbrook is erroneous, as no such motion was ever made by any Planning Commissioner at the September 28, 2021 meeting. Appellants accordingly requests that this Zoning Board of Appeals reverse the decision of approval of a special land use by the Planning Commission.

II. APPROVAL OF A SPECIAL LAND USE BY THE PLANNING COMMISSION WAS ARBITRARY AND CAPRICIOUS AND WAS BASED ON ERRONEOUS FINDINGS OF FACT, AS THE SPECIAL LAND USE REQUEST DID NOT COMPLY WITH THE TOWNSHIP'S ZONING ORDINANCE PROVISIONS

As Appellants advised the Planning Commission, they are the remaining residents on Wintergreen Circle. They have lived there for decades - the Posas are the newest residents, having moved in 21 years ago. Tanya Pado grew up in the house on Wintergreen Circle, and lives there now, raising her three small children. Ron and Linda Malec have resided in their home for over 43 years. This street has a total of four homes on it, one of which was purchased by the applicant in 2020. The square footage of the four houses on Wintergreen Circle ranges from 1,988 to 3,304 square feet.

Meadowbrook proposed a new maintenance building in the middle of this established residential neighborhood, intending to tear down the house it purchased and replace it with a more than 16,000 square foot industrial building, a concrete pad for significant number of parking spaces, wash bays for vehicles, fuel storage tanks and the other disruptive elements on the proposed site plan.

The Planning Commission purportedly approved this request for a special use at the September 28, 2021 meeting. But review of the documents submitted by Meadowbrook, the evidence submitted at the Planning Commission meeting and this Township's Zoning Ordinance demonstrate that the Planning Commission's decision was arbitrary and capricious and based on erroneous assumptions. The proposed Special Land Use is not consistent with the existing residential neighborhood, does not comply with the regulations for the R-1 district, does not comply with the requirements of the sections of the Township Zoning Ordinance, and does not meet the required standards for a grant of a Special Land Use under the Township Zoning Ordinance, as set forth in more detail below.

As the Charter Township of Northville Zoning Map shows, this area is - and has always been - zoned R-1. Section 170-6.1 of the Township Zoning Ordinance states:

The R-1, R-2, R-3 and R-4 districts are intended to provide for single family detached houses and other related facilities serving residents in the district. Each residential district has a minimum area, density and location requirements ***that promote development consistent with existing residential neighborhoods. ...***

Review of the proposed site plan for the Meadowbrook New Maintenance Building shows that it is not at all consistent with the existing residential neighborhood and appears instead to be suited only for an industrially zoned district.

Article 25, Use-Specific Standards, at Section 170-25.2, Uses, sets forth specific standards which identified uses must meet. Subsection S relates to "Golf courses and country clubs."

Article 44 of the Zoning Ordinance sets forth Definitions. Under Section 170-44.1, Terms Defined, "Golf Course" is defined as:

A public or private area consisting of fairways, greens and rough that may include a clubhouse and related accessory uses, provided that all structures and activities shall be an integral part of the golf course. Further, all clubhouses, restaurants, pro-shop facilities, etc., shall be secondary in nature to the golf course and may not be continued if the principal golf course activity shall cease or become the minor activity of the facility.

A. *Review Of Meadowbrook's Submittal Shows That It Does Not Comply With The Requirements Of The Zoning Ordinance For Accessory Buildings*

Review of the 252 pages of the Township Zoning Ordinance shows that at no place does it provide that a maintenance building can be constructed in an R-1 zoning district, as a permitted or special land use. The only conceivable way that Meadowbrook could submit a request for approval of a maintenance building would be as an accessory building, as defined in Section 170-44.1. It cannot be a principal building, because Section 170-3.1(C) provides that only one principal structure is permitted on the parcel (the Township Planner advised the Planning Commission at the June 29, 2021 meeting that Meadowbrook had been approved for a parcel combination, making the property formerly known as 20600 Wintergreen Circle, and recently acquired by Meadowbrook, now part of the one golf course parcel).

As an accessory building, Meadowbrook's maintenance building must comply with this Township's Zoning Ordinance, particularly Article 3. Review of the plans submitted by Meadowbrook shows conclusively that the proposed maintenance building does not comply with Article 3 of the Zoning Ordinance, as well as other sections of the Zoning Ordinance.

Section 170-3.1(F)(6) provides:

Within residential zoning districts, commercial vehicles, equipment, trailers or other similar items shall not be used to advertise or be parked or stored for commercial purposes.

The view of the parking lot on the Meadowbrook's plans show that commercial vehicles, equipment, trailers and other similar items used for Meadowbrook's golf course and country club, which is a commercial purpose, will be parked or stored on the parking lot.

Section 170-3.1(F)(8) provides:

Vehicles or objects such as, but not limited to, golf carts, riding lawn

mowers or extra vehicles may not be parked, stored or advertised for sale, lease or other similar situations. This standard shall not apply to passenger vehicles customarily parked in an improved driveway.

Yet Meadowbrook proposes doing that which Article 3 prohibits with its golf carts, riding lawn mowers or extra vehicles.

Section 170-3.1(G)(6)(b) provides:

Any person, firm, corporation or other legal entity operating a business or conducting an activity which uses, stores or generates hazardous substances shall complete and file a hazardous materials survey in conjunction with the following:

- [1] Upon submission of a site plan.
- [2] Upon any change of use or occupancy of a structure or premises.
- [3] Upon any change of the manner in which such substances are used, handled, or stored and/or in the event of a change in the type of substances to be used, handled or stored.

Meadowbrook failed to submit the required hazardous waste survey with its application.

Section 170-3.1(G)(7) provides:

Waste and rubbish dumping. No garbage, sewage, filth, rubbish, waste, trash, debris or any other offensive or obnoxious matter shall be kept in open containers, or piled, placed, stored or dumped on any land in the Township in such a manner as to constitute a nuisance or create a hazard to the health, safety, morals and general welfare of the residents in the Township.

As a review of Meadowbrook's non-country club building property shows, Meadowbrook is already violating this Section of the Zoning Ordinance on its property which should bar Meadowbrook from bringing any new application until it comes into compliance with the Zoning Ordinance. Appellants have attached as Exhibit 4 photographs taken on September 27, 2021 which show how Meadowbrook currently maintains its non-course or club house property. These photographs clearly depict waste and rubbish dumping, garbage, debris and other material not permitted under the Zoning Ordinance.

Importantly, Section 170.3.2(M) provides that the height of an accessory building - which the Meadowbrook New Maintenance Building is - cannot be more than 14 feet, yet the Meadowbrook New Maintenance Building is 20 feet in height, exceeding the limit on height by six (6) feet.

Article 3 does not permit wash bays or their canopies, which are shown on Meadowbrook's plan. As for vehicle washing, Article 170-25.2(PP)(1) provides that "all washing facilities shall be within an enclosed building." Meadowbrook's plan, however, shows that the washing facilities will be outside, not in an enclosed building.

Article 3 does not permit fuel tanks anywhere, yet Meadowbrook's plan has them as an element.

Article 3 states that accessory buildings must comply with Article 26, Off-Street Parking. Section 170-26.4, Off-street parking requirements by use, states that the number of off-street parking spaces shall be determined in accordance with the schedule set forth therein. For R-1 zoning districts, it is two (2) per building/dwelling unit. Meadowbrook's plan far exceeds this number.

B. *Review of Meadowbrook's Submittal Shows That It Does Not Comply With The Requirements Of Article 30, Special Land Uses*

Meadowbrook's submittal does not comply with the requirements of Article 30, Special Land Uses, of the Township Zoning Ordinance. Meadowbrook must satisfy each standard set forth in Section 170-30.4.

Looking at each of the standards in Section 170.30.4, it is clear that Meadowbrook has failed to satisfy these requirements:

A. *Compatibility with adjacent uses - "The special land use shall be designed and constructed in a manner that is harmonious with the character of the adjacent property and the surrounding area."*

Meadowbrook has not submitted anything to show that the New Maintenance Building will be designed and constructed in a manner that is harmonious with the character of the homes on Wintergreen Circle, which is the "adjacent property." Instead, Meadowbrook simply says that the design is harmonious with the Country Club buildings, which are substantially further away from the New Maintenance Building than are the other homes on that street. While the golf course, which is grass with holes in it, may have been part of the neighborhood for almost a century, a 16,100 square foot industrial Maintenance Building has not.

"The special land use shall not create a significant detrimental impact, as compared to the impacts of permitted uses."

It is clear from the proposed Site Plan that the New Maintenance Building will have a significant detrimental impact, as compared to the impact of the four houses on the street. While Meadowbrook contends that this building will not have an effect on housing values, its

"comparables" are one location - the City of Birmingham after the pandemic ban on showing houses ended. That community is unique, and the housing values are much higher per square foot than in Northville Township, because of historical reasons. Additionally, that maintenance building at the Birmingham Country Club is less than 75% the size of the one Meadowbrook is proposing.

B. *Compatibility with the master plan*

The Master Plan shows Wintergreen Circle as R-1 - single family residential, which is also the zoning for the area on which the golf course sits. Placing a more than 16,000 square foot industrial building in the middle of R-1 zoning is not compatible with the Master Plan.

C. *Traffic Impact - "The proposed special land use shall be located and designed in a manner that will minimize the impact on traffic, taking into consideration pedestrian access and safety, vehicle trip generation, types of traffic, access location and design, circulation and parking design, street capacity and traffic operations at nearby intersections and access points."*

Meadowbrook did not address this required standard, and the impact it will have on the properties on Wintergreen Circle, which will be substantial, as well as on Eight Mile Road at Wintergreen Circle, as trucks will now be routed this way unlike in the past.

D. *Impact on Public Services - "The proposed special land use shall be adequately served by essential public facilities and services such as streets, pedestrian or bicycle facilities, police and fire protection, drainage systems, refuse disposal, water and sewerage facilities and schools."*

Meadowbrook against does not address the required elements of this standard, and only confined its answer to the parking lot. As but one example of how the proposed site plan does not comply with the required standard - the proposed site plan does not properly set forth utility connections.

E. *Compliance with Zoning Ordinance Standards - "The proposed special land use shall be designed, constructed, operated and maintained to meet the intent of the zoning districts and the site shall be able to comply with all applicable ordinance requirements."*

As set forth above, the building does not comply with the setback and height requirements of Article 3, nor does it comply with Articles 6, 18 and 25 of the Township Zoning Ordinance, as discussed above. Meadowbrook has not even tried to explain how it meets the requirements of these articles of the Township Zoning Ordinance.

- F. ***Impact on the Environment*** - *"The proposed special land use shall not unreasonably impact the quality of the natural features and the environment in comparison to the impacts associated with typical permitted uses."*

Whether Meadowbrook proposes a berm or the planting of new vegetation (and they have proposed both), neither remediates the impact it will have on the natural features of the existing site. A current satellite view of the site (Exhibit 5) shows that the area on which the Meadowbrook New Maintenance Building will be constructed is comprised of dense vegetation, all of which will disappear.

- G. ***Specific Special Land Use Requirements*** - *"The proposed special land use shall comply with any specific requirements relating to a particular use."*

Meadowbrook did not provide any response to this required standard. It has never proffered a reason as to why it does not have to comply with accessory building provisions of the Zoning Ordinance, which mandate a height of no more than 14 feet.

Meadowbrook's submittal also does not comply with the required standards set forth in Section 170-30.4(H). That section provides:

The Planning Commission shall also consider the following factors when reviewing a special land use.

- 1) The nature and character of the activities, processes, materials, equipment or conditions of operation typically associated with the use.
- 2) Vehicular circulation and parking areas.
- 3) Outdoor activity, storage and work areas.
- 4) Hours of operation.
- 5) Production of traffic, noise, vibration, smoke, fumes, dust, glare and light.

As to (1), Meadowbrook's proposed activities at the New Maintenance Building are industrial in nature, as can be seen from the site plan itself. As to (2), Meadowbrook is still planning on having vehicular circulation and parking areas on the south side of the property, which abut the homes on Wintergreen Circle. As to (3), the site plan sets forth outdoor activity which the Zoning Ordinance requires to be indoors, such as wash bays.

As to (5), the hours of operation can be from 5:00 am until late at night, which are not compatible with the R-1 district. Finally, as to (5), the industrial operation proposed for the New Maintenance Building will produce traffic, noise, vibration from the machines, smoke, fumes, dust, glare and light where they did not exist before, all while being in an R-1 district.

The Planning Commission did not consider any of the factors of Article 30, nor did it set forth its findings of fact as to each and every required standard. The failure of the Planning Commission to assess Meadowbrook's request in light of each standard set forth in Section 170.30.4 demonstrates that its decision was based on erroneous findings of fact and was arbitrary and capricious.

Accordingly, as the decision of the Planning Commission was based on erroneous findings of fact and was made arbitrarily and capriciously, given that Meadowbrook's request does not comply with this Township's Zoning Ordinance requirements, Appellants respectfully request that this Zoning Board of Appeals reverse the decision of the Planning Commission as to the approval of a special land use for Meadowbrook Country Club.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Cindy Rhodes Victor', with a long horizontal line extending to the right.

Cindy Rhodes Victor (P33613)
Kus Ryan & Associates, PLLC
2851 High Meadow Circle, Suite 120
Auburn Hills, Michigan 48326
(248) 364-3090
cvictor@kusryan.com

EXHIBIT 1



AGENDA
Planning Commission
October 26, 2021 at 7:00 PM

Call to Order

Roll Call Mindy Herrmann, Eric Lark, Edward McCall, Jayne Watson, Matthew Wilk, Gary Yang, Tim Zawodny

Approval of Minutes Planning Commission – September 28, 2021
Planning Commission – October 5, 2021

Correspondence

Brief Public Comments

Old Business:

1. PSLU21-0002 Special Land Use (drive thru)
Owner: Ghassan Taha, TGH Holdings, LLC
Location: 40570 Five Mile Rd.
Action: Discussion with traffic engineer per motion from 10-5-2021

2. PSPA21-0001 Site Plan Amendment
Representative: Ken Bullis, Edward Rose Development Company, LLC
Owner: Village at Northville Lofts, LLC
Location: Beck Rd., north of 5 Mile Rd.
Request: Modify building elevations and landscape
Action: Approve, Approve with Conditions, Postpone, Deny

New Business:

3. PSPR21-0004 Site Plan Review
Representative: Deanne Ramos – University of Michigan Credit Union
Owner: David Johns - REIS-Northville, LLC
Location: Northville Park Place, Traditions Dr. (7 Mile and Haggerty Rds.)
Request: New Credit Union
Action: Approve, Approve with Conditions, Postpone, Deny

Other Business

Department Reports

Extended Public Comments

Adjournment

EXHIBIT 2



SYNOPSIS

Planning Commission
September 28, 2021

Call to Order: 7:04 PM

Roll Call Present: Mindy Herrmann, Edward McCall, Jayne Watson, Matthew Walk, Gary Yang, Tim Zawodny
Absent: Eric Lark

Approval of Minutes: Planning Commission – August 31, 2021
Action: Approved

Correspondence: Letters submitted for agenda item #2

Brief Public Comments: None

New Business:

1. PSKPA21-0001 Sketch Plan Review – Amendment – Hampton Inn
Representative: Mike Kassabri
Owner: Malik Abdulnoor
Location: 20600 Haggerty Rd.
Request: To renovate hotel exterior
Action: Approved with Conditions

Old Business:

2. PSLU21-0001 Special Land Use – Meadowbrook Country Club
Representative: Michael Rossen, General Manager
Owner: Meadowbrook Country Club
Location: 40941 Eight Mile Rd.
Request: To construct a new maintenance facility at the west edge of the property
Action: Approved with Conditions

Other Business: None

Department Reports:

Jennifer Frey, Township Planner

- Reminder of October 5 Planning Commission meeting
- Zoning Board of Appeals August meeting summary – item postponed to October meeting
- Willow Pines – close to starting construction
- Cantoro PUD Amendment – will be on the October Board of Trustees meeting
- The Village at Northville – 1st Watch moving forward in existing retail building

Bob Belair, Director of Public Services

- Beck Road resurfacing between 6 – 7 Mile Roads complete
- 6 Mile Road between Beck and Sheldon to be resurfaced in the next month
- Wayne County grading gravel roads and will be applying dust control
- Legacy Park – preparing demolition specs
- BRA approved sale of bonds (12 million) to fund building demolition
- Public safety headquarter assessment – anticipated to be complete by end of the year

Board of Trustees

- No report
- Thanked Tim for leadership at meeting tonight

Extended Public Comments

Adjournment

This notice is posted in compliance with PA267 of 1976 as amended (Open Meetings Act), MCLA 41.72a (2) (3) and the Americans with Disabilities Act. Individuals with disabilities requiring auxiliary aids or services should contact the Charter Township of Northville Planning Commission by writing or calling: Cindy Zeitz or Bob Belair, 44405 Six Mile Road, Northville, Michigan 48168 (248) 348-5800, ext. 10117 or E-mail address czeitze@twp.northville.mi.us.

EXHIBIT 3

**CHARTER TOWNSHIP OF NORTHVILLE
PLANNING COMMISSION
September 28, 2021**

DATE: September 28, 2021
TIME: 7:00 PM
PLACE: Township Hall

APPROVED: October 26, 2021

CALL TO ORDER: The meeting was called to order by Chair Zawodny at 7:04pm.

ROLL CALL:

Present: Mindy Herrmann
Edward McCall
Jane Watson
Matthew Wilk
Gary Yang
Tim Zawodny

Excused: Eric Lark

Staff: Jennifer Frey, Township Planner
Robert Belair, Director of Public Services
Ernest J. Essad, Jr., Township Attorney

APPROVAL OF MINUTES: Planning Commission – August 31, 2021

MOTION by Wilk, support by Herrmann, to approve the August 31, 2021 Planning Commission meeting minutes as presented.

Motion approved unanimously.

CORRESPONDENCE:

New Business Item 1:

- Photographs of Hampton Inn distributed via email by Township Planner Frey

Old Business Item 1:

- 9/28/2021 Cindy Rhodes Victor, Kus & Ryan Associates, attorney for Wintergreen homeowners, in opposition
- Letter received 9/27/2021, Linda M. and Ronald C. Malec, 20557 Wintergreen Circle, in opposition
- 9/28/2021 letter from Tanya Pado (Beresford), 20631 Wintergreen Circle, in opposition
- 9/22/21 letter from Jen Carpen, Director of Vocational Services, Living Learning Enrichment Center, in support of Meadowbrook Country Club in general
- 9/24/2021 Rachelle Vartanian, CEO, Living Learning Enrichment Center, in support of Meadowbrook Country Club in general

- 9/15/2021 email from Nick Schultz to Robert Gundi, indicating Meadowbrook Country Club's support of Living Learning Enrichment Center
- 9/13/2021 letter from Richard and Jana Feters, 41517 Woodridge Ct., Meadowbrook Country Club member, in support
- 9/21/2021 letter from Douglas Arenberg M.D. and Karen L. Chapel, M.D., 18040 Cascade Dr., Meadowbrook Country Club member, in support
- 9/28/2021 email from Sean M. Smith, 46374 Pinehurst Drive, Meadowbrook County Club member, in support

BRIEF PUBLIC COMMENTS:

None.

NEW BUSINESS:

- | | |
|------------------------|--|
| 1. PSKPA21-0001 | Sketch Plan Review – Amendment – Hampton Inn |
| Representative: | Mike Kassabri |
| Owner: | Malik Abdulnoor |
| Location: | 20600 Haggerty Rd. |
| Request: | To renovate hotel exterior |
| Action: | Approve, Approve with Conditions, Postpone, Deny |

Referencing her September 20, 2021 written comments, Township Planner Frey gave the background and review for this request for Sketch Plan Approval to amend the site plan for the Hampton Inn, located at 20600 Haggerty Road (southeast corner of 8 Mile and Haggerty), in order to renovate the hotel exterior.

The building exterior is currently an off white EIFS with a brown mansard metal roof. The proposed modifications include:

1. Redesign the entrance canopy to have a flat roof.
2. Add a brick veneer along the base of the building.
3. Replace the off white EIFS with five colors of EIFS.
4. Add “wood look” panel accent at the front entry way for each elevation.

The items identified in the planning review letter are summarized below:

In general:

- All conditions must be completed prior to the Township accepting building plan submittal.
- Signage shall be removed from the elevations, as they are a separate application to the Building Department.
- Four wall signs are shown on the elevations; one wall sign is permitted. The Planning Commission may approve a 2nd sign if the building is visible from I-275 or the building is oriented such that more than one side of the building is visible from the road and provided the sign area for each sign complies with the sign ordinance. A separate application to the Planning Commission is required for a 2nd sign request.

Building elevations:

- If an existing building does not comply with current building material standards, any alteration shall be brought into greater compliance with current requirements, as determined by the Planning Commission.
- The applicant has indicated the type of construction limits the ability to add more brick or masonry.
- Full dimensional brick is required, brick veneer is proposed.
- EIFS is not permitted for new construction. This existing building is entirely single-color EIFS. Different earth toned EIFS is proposed to help provide variety and break up the look of each elevation.
- The ordinance requires building entrances be emphasized and enhanced. Some, but not all, of the secondary entrances are surrounded by the wood look panel material.
- The applicant shall verify that all rooftop equipment will be screened by a parapet. The color and materials of the parapet shall be identified and complement the proposed color scheme.
- A note shall be added to the plan indicating rooftop equipment will not be visible.

Landscape. The landscape on the site contains a lot of dead and damaged plant material, is tired looking, and is not well maintained. The follow items shall be addressed:

1. Remove weeds at entrance sign on north side of driveway and replace with shrubs or ornamental grasses.
2. Incorporate plant material that has seasonal color/interest.
3. Remove all dead and damaged plant material and replace.
4. Replace shrubs that have been removed but not replaced (along building foundation, within planting beds at front and back building entrances).
5. Prune shrubs overhanging sidewalk connection from hotel to commercial area to the south.
6. Replenish mulch within planting beds.
7. Remove guy wire from trees that appear to have been added some time ago.
8. Provide an updated landscape plan that meets the minimum ordinance requirements.

Township Planner Frey completed her review, and Chair Zawodny invited the applicant to make his presentation.

Keith Phillips, The Think Shop Architects, 1420 Washington Blvd., Suite 430, Detroit, was present on behalf of this application. Mr. Phillips made the following points:

- Malik Abdulnoor purchased the building in February 2020, and is currently renovating the building to bring it up to Hampton Inn Standards; this is required by Hampton Inn every 30 years.
- The brick at the base of the building will add human scale to the project, as well as adding the masonry product and a synthetic wood type of material to the entries.
- They were also proposing to add accent lighting and improve the landscape; a landscape plan will be provided.
- The building does not have a foundation that supports a full brick unit. They would prefer to use the brick veneer material but will do what they can to apply full brick if required.

- Rooftop units will be screened with a material that is consistent with the rest of the building.
- The building already has an entirely EIFS exterior. The new design will include a 12% increase in masonry surface.

In response to questions from the Commission, Mr. Phillips gave the following information:

- The building will remain a Hilton/Hampton franchise, and the color scheme will conform to franchise standards.
- The wood-look exterior product is a high quality cementitious product.
- Scope of the property improvement plan (PIP) involves finishes, fixtures, etc. He was uncertain as to the PIP's dollar amount. An average PIP amount for this type of work is \$4M - \$5M.
- The old neon signs would be replaced. A photometric plan will be provided to show brightness of new signs as well as lights on site. The new signage will be backlit per current Hampton standards, and size and lighting will be reviewed during the sign permit and review process.
- The EIFS siding will be new.
- The building profile will be updated generally with a cleaner, more modern look.
- The top cornice band will create a type of parapet, 18" in some areas, and 24" in others.
- Work will begin as soon as approvals are granted, and the work is anticipated to be completed in 4-5 months.
- The current Mansard roof is just a parapet wall. The roof was already flat behind this decorative Mansard roof element.
- A material sample board with materials and colors was provided to the Commission.

It came out in conversation that the blue EIFS on the sample board appeared as a deep gray on the renderings. In the past, the Board had discouraged blue as a major exterior color in the Township, although it could be used as an accent color. In this instance, a large portion of the north elevation used the blue EIFS.

Mr. Phillips explained that the blue color was a corporate Hampton color and needed to be used. However, Hampton did not require a certain percentage of the building to be blue, and its use could be reduced.

The Commission discussed the color in terms of this Hampton Inn location at the northwest corner of the Township, at the corner of 8 Mile and Haggerty Roads, along I-275. The area was heavily vegetated, and the building was set back from both road frontages. Given the commercial nature of the area, and the other geographical conditions of the location, the splash of blue color would not be out of character, and the consensus of the Commission was to allow it as shown.

Township Planner Frey said that she believed this project would represent a significant improvement to the building. Regarding the EIFS, the applicant was using different colors and shades to accentuate different parts of the building, making the best use of EIFS as possible.

Township Planner Frey noted that the items called out in the September 9, 2021 review letter from Stantec regarding lighting compliance will need to be resolved and resubmitted for administrative review.

Mr. Phillips explained that the purpose of the uplighting shown on the plan is to light the underside of the canopy, and would not top-light the building itself.

MOTION by Wilk, support by McCall, in the matter of PSKPA21-0001, Hampton Inn, 20600 Haggerty Road, submitted by Malik Abdulnoor, owner, the Planning Commission approve the Sketch Plan - Amendment to the building exterior, as presented, with the following conditions:

- All items called out in the September 20, 2021 Township Planner's memorandum be resolved and approved administratively.
- All items called out in the September 9, 2021 Stantec lighting analysis be resolved and approved administratively.

Motion carried unanimously by voice vote.

Roll call vote: Ayes: Herrmann, McCall, Watson, Wilk, Yang, Zawodny

Nays: None

Motion approved 6-0.

Chair Zawodny called a brief break at 7:37pm, and recalled the meeting at 7:47pm.

Old Business:

2. PSLU-21-0001

Representative:

Owner:

Location:

Request:

Action:

Special Land Use – Meadowbrook Country Club

Michael Rossen, General Manager

Meadowbrook Country Club

40941 Eight Mile Rd.

To construct a new maintenance facility at the west edge of the property

Approve, Approve with Conditions, Postpone, Deny

Referencing her September 10, 2021 written comments, Township Planner Frey gave the background and review for this request for Special Land Use to construct a new maintenance facility at the west edge of the property at Meadowbrook Country Club, 40941 Eight Mile Road.

This request had been heard at the June 29, 2021 Planning Commission meeting, when the Commission postponed action in order to give the applicants time to review commentary from the public and the Commission regarding the request, and in order for the Commission and applicant to receive and review records from the previous request for a new maintenance facility.

Since the June 29 meeting, primary modifications from the previous submittal included:

1. The building has been shifted 19' to the east.
2. The parking spaces have been relocated from the west side of site to the north side, along 8 Mile Road.
3. On the west side of the site, the pavement setback from the Wintergreen Circle road easement has increased from 30' to 75.6', and the building setback has increased from 100' to 119'.
4. On the south side of the site, the pavement setback has increased from 50'–65' to 71.5'–97' and the building setback has increased from approximately 100'–132' to 108'–132'.
5. A 7'-9' tall berm has been added on the west side of the site (Wintergreen Circle).
6. A 5'-6' tall berm is provided on the south side of the site.
7. The height of the building has been decreased from 36' to 20'.
8. The outdoor pole mounted lights are limited to the site entrance at 8 Mile and near the parking on the north side of the site.
9. The cart wash bays and fuel facility have been moved to the east side of the site.

Township Planner Frey noted that the review letter included the criteria for special land use applications had been discussed at the June meeting.

With a special land use, the Planning Commission has the ability to add conditions that the Commission might feel necessary to satisfy any of the special land use criteria.

The September 21 memorandum from the Fire Department stated that the special land use was approved in concept, although there were a number of items that would need to be resolved and included during site plan review, including hazardous materials storage and placarding per NFPA standards, Fire Department Connection location shown on the plans and approved, full sprinklering of the building, identification of the Riser Room, hydrant added to the north side, fire lane signage added, and location of the fire alarm panel should coincide with the location of the riser and the direct exterior access.

Also, the Fire Department felt that they did not need full circulation around the building, eliminating the need for a driveway on the west side of the building, as long as there were T-turnaround on the east side of the site.

The September 9, 2021 letter from the lighting consultant, Stantec, called out some items that needed to be resolved to bring lighting into conformance with standards.

The September 20, 2021 letter from Traffic Engineer LaMourie, Progressive ae, stated that he did not see anything from a traffic/access/circulation standpoint that would preclude the project from continuing with the approval process.

Township Planner Frey concluded her review.

Chair Zawodny acknowledged a letter received today regarding process from Cindy Rhodes Victor, Kus & Ryan Associates, the attorney for the Wintergreen residents. Chair Zawodny asked Township Attorney Essad to comment.

Township Attorney Essad made the following points:

- The ordinance definition of golf course includes: *A public or private area consisting of fairways, greens and rough that may include a clubhouse and related accessory uses . . . (170-44.1)*
- The requested building met the definition of a permitted related accessory use to the golf course.
- Almost all country clubs are in residential areas, and country clubs have separate maintenance facilities.
- The Commission needs to review the request for special land use against the criteria for a special land use listed in the ordinance (170-30.4). Anything else cited in the opposition's letter appeared to be inapplicable.

Chair Zawodny invited the applicants to make their presentation.

Members of the development team present this evening included:

- Bryan Amann, PLLC, 1777 Stonebridge Way Court, Canton MI 48188
- Andy Wozniak, Engineer, Zeimet Wozniak & Associates, New Hudson, MI
- Todd Callaway, Meadowbrook Country Club Board Member, 45426 Calloway Court, Northville
- Mike Rossen, Meadowbrook General Manager
- Jared Milner, Meadowbrook Greens Superintendent

Utilizing the overhead screen, Mr. Amann showed the overall concept/master plan for this area of the golf course, including the proposed location of a new driving range, proposed parking and site access, and spoke to future renovations to the clubhouse itself.

Mr. Amann made the following points:

- The main issue seemed to be the compatibility of the building in relationship with its proposed location.
- The building will not increase maintenance operations, but will simply continue existing maintenance operations in a way that will mitigate impact.
- Currently, there was equipment stored, started, and operated outside. The new facility will keep the equipment inside until it leaves via the east/southeast side of the building, and travel away from the residential neighborhood.
- Previously the neighbors' concerns focused on the location and mass of the building, the location of employee parking, the location of fueling and other operations such as the cart wash, and the pathway used by the equipment.
- Those concerns were expressed in terms of what the neighbors could hear, see, or even possibly smell, as a result of the new facility. To address those concerns in good faith, significant changes were made to the plans, as follows:
 1. Paving on the west side of the proposed building has been shifted 43' to the east because most of the parking has moved to the north. The 75' between

Wintergreen Circle's east edge and any pavement for the facility allowed for significantly more setback and buffering, in terms of height and number of plantings, well in excess of the applicable requirements. Meadowbrook would also make every attempt to preserve existing monument trees on site.

2. The building has been shifted 8' and lowered in height by nearly half from 36' to 20'. The type of construction has changed to a much lower roof line. The new facility will have a lower high-point than the home that exists there now, and will start 60' east of the front of the residence currently on the property. The new building will look nothing like an industrial or commercial building in terms of mass or appearance.
 3. Instead of having light poles around the project, the only light pole will be at the 8 Mile Road entrance and adjacent parking lot, with any other lighting being attached to the building itself with a downward casting fixture that meets photometric requirements.
 4. The wash bays and fuel facility have been moved east of the current path used for equipment so they are internal to the property and farther away from any adjacent residential property. The fueling operation will be upgraded.
 5. Reconfiguring and shrinking the paving south of the facility, along with relocating the wash bays and fueling operation, allows for greater setback and buffering, in terms of height and number of plantings, well in excess of the applicable requirements.
- Operationally, early morning equipment will leave the east side of the building and utilize a dedicated pathway to depart east/southeast.
 - Compiled information regarding the Birmingham Country Club's new maintenance facility showed that homes in the neighborhood have increased in value more than those in the same neighborhood but further from the golf course and its facility.
 - Meadowbrook is already doing maintenance and has for years at the exact same level it will be for years to come, without any intention or need to intensify or increase the activity. There will be no new activity or intensity, only a new maintenance facility that will reduce any potential impact of those activities.
 - It is Meadowbrook's strong desire to have open and honest communication with its neighbors and the community, and will make every attempt to openly communicate with its neighbors.
 - Renderings of various sight lines show what the neighbors will see when the project is complete. Plantings are maximized on the west and south.
 - Meadowbrook felt this proposed revised plan met the criteria for a special land use as requested.

In response to questions from the Commission, the applicants gave the following additional information:

- The building will be served by a sanitary sewer. The note on the plans regarding a potential septic field is in error and will be removed.
- Stormwater detention is provided on site.
- Diesel tractor/trailers will arrive no earlier than 7 am and no later than 10pm. Deliveries will enter and exit off 8 Mile Road, and will be made on the east portion of the site. No deliveries will be made on the west or south side of the building.
- The circulation around the building met emergency vehicle circulation requirements.

- Meadowbrook's intention was to save as many trees as possible; this will be shown at site plan review.
- There was 28' of the building on the prior residential property.
- The geotextile fence shown on sheet CE-6 did not go across the pavement.
- Currently the proposed facility was designed to have a bay door on the west and to the southwest corner to serve the equipment tech area, with operable lifts to raise and lower equipment. The equipment tech can access every piece of equipment indoors. The equipment will be indoors, doors down, until operating hours. The bay door on the west could potentially be open while staff was working on a particular piece of equipment.
- Typical tee times start at 7:30am. Maintenance vehicles headed out to the course between 5:30am – 6:00am.

In response to a suggestion from Commissioner Yang, and after consultation with the development team, Mr. Amann said that a revised plan will be submitted showing the early morning maintenance crew being directed northeast, exiting onto 8 Mile Road and re-entering the grounds at some point to the east.

In response to further questions from the Commission, Township Planner Frey gave the following information:

- If the subject property had not been sold to Meadowbrook, but instead remained residential, a homeowner could remove trees on the lot as a matter of right with no requirement to replace them.
- Permitted uses and special land uses in a single family zoning district included home occupations, home child care, state licensed residential facilities, neighborhood pools, bed and breakfasts, commercial stables, day care center, private kennels, farm stands, veterinary hospitals, schools, cemeteries and religious institutions.
- Based on dimensional standards in the ordinance, potentially a 14,000 square foot single family home could be constructed on this property; a 2-story home could double that.
- In Northville Township, country clubs are only permitted in R1 to R4 zoning districts.
- If tonight's approval was for an open area without a building or a driveway, the treatment of the area can come during site plan review.

Commissioner comments:

Commissioner Herrmann said she had visited Wintergreen Circle, and emphasized the importance of respecting people's homes. She suggested the possibility of approving the special land use, along with a basic footprint for the facility, without approving the landscape plan or the location or style of the building itself. It was important to get the residents' input regarding what they would like to see – would they like to see a berm with plantings, or would they rather have a "long view" through the property? If the latter, what changes would need to be made to the building and the property to beautify the site without a berm? Could the facility be designed to be an amenity, such as the Sierra, Nevada maintenance facility?

Commissioner Herrmann strongly supported eliminating the pavement and bay doors on the west side of the facility, with approval from the Fire Department. Among other things, this change would provide a greater chance of saving the walnut tree to the west.

Commissioner Herrmann emphasized the importance of only approving the footprint, but nothing else, until the residents were able to sit down with Country Club representatives and work out what they would prefer as a buffer.

Mr. Amann said they would be happy to work with the neighbors in terms of what they would like to see – a green wall in the form of berm with landscaping, or a flatter appearance looking into the site.

Commissioner Wilk pointed out that at the June meeting, the Commission had asked Country Club representatives to sit down with the impacted neighbors to see if a consensual resolution could be achieved. However, it appeared that meeting had not happened, which was disappointing. A consensual resolution was always preferred.

Mr. Amann said that they had originally reached out to the neighbors, and had met with two of them. Most recently they had reached out to the residents' attorney to set up a meeting.

There appeared to be consensus on the Commission to support a meeting between the parties, in order to give the impacted neighbors the opportunity to give input as to what type of landscaping they would prefer.

Chair Zawodny said that he had spent time on Wintergreen doing sound readings, including between 5:30am–6:30am., thinking about the character and quality of life on that street. At that time in the morning, the street was peaceful, quiet, and secluded. The Planning Commission's charge for evaluating a special land use was to act on behalf of the community as a whole, the homeowners and the Club.

While Chair Zawodny appreciated the modifications made to the proposed facility since the June meeting, he pointed out that he was on the Commission the first time Meadowbrook brought in an application to construct a maintenance facility. At that time, the facility was 128' further to the east, in order to be 100 feet from the property line of the property that had since been purchased. Why couldn't the facility be constructed at the previously approved location?

Meadowbrook Country Club was an asset to the community, and Chair Zawodny supported the Club and its members. However, the club's growth and activities should not be achieved at the detriment of the residents on Wintergreen.

Chair Zawodny suggested that photos of what exists today should be shown side by side with any renderings provided by the applicant. It was important to come up with a consensual approach and decision, as had already been mentioned, and significant issues should be addressed now, not later. Significant issues included:

- Preserve the established trees, even if that means modifying the building design and/or location
- The character of the street should be maintained.
- The Township Planner's report mentioned potentially shifting the building to the east. This is an opportunity that could be considered, and would be a compromise between where the building was proposed a number of years ago, and where it was proposed in June. Moving the building to the east would allow for a more pastoral landscape design. Was there a way to shift all of the improvements to the east, further from the residential neighbors?

Commissioner Wilk also referenced the Township Planner's letter, Page 2, sub. 3, 2nd paragraph:

If the amount of new parking near the driving range is reduced, it could allow the maintenance facility to shift further to the east. Shifting the proposed maintenance facility 80' east would align the edge of the pavement with the rear property line of the neighbor to the south, allow the driveway to 8 Mile to remain in the same location and provide additional setback from the Wintergreen neighborhood.

After further discussion, Mr. Amann said that the development team agreed to:

- Eliminate all the pavement on the west side, pending Fire Marshall approval.
- Shift the building approximately 28' to the east, so that no part of the building itself would be on the residential lot.

The Commission noted that this plan would give the flexibility for the "long view" through the property or the "short" view to a large green wall including a berm, depending on what the neighbors wanted. This alternative would also give the applicants the ability to save the tree line and potentially many of the old growth trees, depending on what was worked out with the residents.

Chair Zawodny called a short break at 9:37pm, and reconvened the meeting at 9:42pm.

Chair Zawodny opened the meeting for public comment.

Several members of Meadowbrook Country Club spoke in support of this special land use request, and in support of the Club generally. They gave their histories with the Club and spoke of appreciation for its community involvement and support for charitable groups. Several also spoke of their desire to work things out with their neighbors, while providing a badly needed new maintenance facility for the Club.

All speakers are listed below; only unique comments are included:

- Elaine Bannon, 18322 Shelley Pond Drive
- Joe Vig, 39771 Golf View Drive, had brought the 2014 maintenance facility project to the Planning Commission on behalf of Meadowbrook. He noted that the Club was working to beautify their 3,000 foot frontage on 8 Mile.
- Leonard Damico, 47016 Merion Circle
- Charlie Hurches, 41509 Woodridge Ct., noted that he also lived close to the location of the proposed facility and supported its construction there.

- Jeff Zanetti, 40301 Fairway III Rd.
- Dave Spindler, 15699 Crystal Downs E.
- Jim Dales, 19848 Pierson Drive
- Sandy Stojkovski, 15959 Augusta Court, Meadowbrook Board Member, asked that the Commission support the Club's master plan for future development.
- Sue Woodsum, 19880 Pierson Drive, said that while she sometimes saw the maintenance equipment early in the morning from her home on the golf course, she did not hear it.
- Dave Woodsum, 19880 Pierson Drive, spoke regarding the great relationship people who lived on the golf course had with club staff.
- Mickey Tschirhart, 109 Hampton Court, City of Northville, Meadowbrook Board Member, said that Meadowbrook was a good neighbor who looked out for everyone.
- Raffi Kuredjian, 422 Dubuar, City of Northville, said that many Northville Township residents and their families used Meadowbrook Country Club, and the Club was a great neighbor who would do the right thing.
- Marcus Shipley, 46895 Pickford Street.

Residents on Wintergreen Circle made the following comments:

- Tanya Pado, 20631 Wintergreen Circle, opposed this special land use request. She lived directly to the west of the proposed maintenance facility. While she appreciated everyone who spoke in support of Meadowbrook and this project, she felt they were looking past how this project impacted the homes on Wintergreen. Northville's Master Plan shows this neighborhood as four residential parcels. This project will put a dangerous industrial building in their neighborhood, close to their homes.

Ms. Pado was concerned with the safety of her children, and with the loss of a neighborhood where everyone knew each other. Now her neighbor will be an industrial facility. Regarding property values, she wondered if the example given regarding the increase in home values was due to the maintenance building, or just the economic times. Regarding communication, Meadowbrook's realtor did approach her in 2020, in the middle of a pandemic when she was being told to stay home, and asked her to sell her home. Where would she go in that very tough real estate market? She was not interested in selling her home and did not want to move.

- Peter Robert Pado, partial owner of 20631 Wintergreen Circle, opposed this request. He thanked the Commissioners who came out to Wintergreen Circle to observe the neighborhood at multiple times during the day. Over the last 25 years Meadowbrook has been slowly acquiring property west of their original property, and destroying neighborhoods in the process. The property being proposed for the maintenance facility was not part of the original country club. Meadowbrook Country Club did not contact them regarding trying to come up with a compromise for building or landscaping design. Mr. Pado was not opposed to the Country Club improving their maintenance building, but there was plenty of property east of where they were proposing to build. Mr. Pado requested that the Commission deny any approval, and also requested that Meadowbrook Country Club sit down with the impacted neighbors and see if there can't be a compromise that is good for the neighbors on

Wintergreen. He liked Commissioner Herrmann's suggestion of the long view, with an attractive building, similar to other buildings on the Meadowbrook site.

- Linda Malec, 20557 Wintergreen Circle, opposed this request. She was here with her husband, son and neighbors on Wintergreen, as well as a neighbor across the street in Novi who will also be impacted by this proposal. Today's resubmission did not materially alter the basic issue, which is the location of the proposed maintenance facility. Most uses/special uses listed earlier applied to people who were living in their homes, not to a commercial, industrial business, such as Meadowbrook. She agreed with the testimonials given this evening about the good Meadowbrook has done in the community, but those comments missed the central issue of the location of the proposed facility. A big truck dropping its gates to unload is an industrial noise. She appreciated the Commissioners who had come to the Wintergreen neighborhood and experienced its serenity. A 16,000 square foot building with the length of half a football field did not belong in a residential neighborhood. She requested that the Commission deny any proposal that positioned any maintenance facility operations near any residential property lines. Last, she had only one contact from Meadowbrook, a week before the June 29 Planning Commission meeting.
- Mary Lou Posa, 20560 Wintergreen Circle, had been attending Planning Commission meetings since the June 29 meeting, asking the Commission to very seriously consider all the comments in opposition to this proposal that the residents had provided, as well as take the opportunity to go out to the area and understand the character of Wintergreen Circle. She thanked each Commission member who did come out to this location and who could better understand what the residents who were in opposition to this particular facility were facing. The noise ordinance limits certain noise to the hours between 7am – 7pm, but this facility starts operation at 5:30am and sometimes went beyond 7pm. Her home was on the southwest corner of the proposed facility – 5:30 in the morning was very early. She asked that the Commission postpone action on this matter, because what was presented this evening was different than what was on the Township website, and the neighbors needed an opportunity to study the changes in order to take a position.
- Cindy Victor, Kus Ryan & Associates PLLC, attorney for the residents, agreed that this was an accessory building. She distributed copies of relevant Township ordinances that she believed supported her position, and made the following points:
 - If the Township was willing to bend the rules because they liked Meadowbrook, the rules would have to be bent in other circumstances also, or face possible litigation from other applicants.
 - Meadowbrook has been a great place without this building, which is not vital to its continued existence.
 - Meadowbrook has been working on these plans for 3 months, and only after the meeting was posted on the website and the plans were finalized was she contacted by Mr. Amann, giving the residents no chance to be part of the overall planning process.

- She asked the Commission to postpone action, because Article 30.2 stated that the Commission was not approving just a footprint, but also the submission of a preliminary site plan.
- Additionally, per 170-3.2.M, accessory buildings may not exceed 14 feet in height; this building is 20 feet high.
- Chair Zawodny had asked at the June meeting for the applicants to justify placing the maintenance facility at this location, and not the location approved in 2014, significantly to the east.
- Golf clubs mentioned by the applicant had smaller buildings. Clubs that had PGA tournaments had maintenance facilities of approximately 6000 square feet.
- The homes sold near the maintenance facility at the Birmingham Club are valued 19% less than homes that are more than 1000 feet away from the facility. She had called real estate agents that served the areas of the other clubs listed by the applicants, and was told property values for properties close to a maintenance facility did go down.
- She asked that the Commission postpone action until these issues can be resolved and the proposal can meet ordinance standards.

In response to a question from the audience, Township Planner Frey said that if the proposal was approved with conditions, the applicant would submit for administrative review to verify that those conditions are met. If the conditions do not require changes to the existing plan, then the applicant would prepare their site plan documents and that would come back to the Planning Commission pursuant to the site plan requirements, which are different than what is presented under a special land use application.

In response to a further question from the audience, Township Attorney Essad said that if there was an ordinance violation, and this was brought to the Township's attention, the Township could enforce at any time. If there was a violation of conditions of approval, and this was brought to the Township's attention, the Township can either administratively or otherwise prosecute the violation to force compliance.

Seeing that no other public indicated they wished to speak, Chair Zawodny thanked everyone for their comments, closed the public comment portion of the meeting, and brought the matter back to the Commission.

Commissioner Wilk said that his experience on the Northville School Board had taught him when there was a conflict between parties, a consensual resolution should be sought. However, there appeared to be roadblocks making consensual resolution difficult, and instead of having people sit down and talk about potential solutions, a decision must be made as to which potential interest has a primacy in this instance.

Commissioner Wilk had been involved with commercial real estate issues since the 1990's, and he looked at this issue from the perspective of reasonable expectations of the parties involved. He had the opportunity to talk to a resident and see the property that is there now. As Township Planner Frey indicated earlier, there is no reasonable expectation that this property will always have a home with a family living there. The house can be

demolished and the area clear cut and grass laid, as had happened frequently in the housing meltdown of 2008-2009.

One question was: what would be something that would be better than what could have been the reasonable expectation of a resident to have a home on the property? The first iteration for this project involved 3,220 square feet of building on the property line that was previously a residential home, and that encroached 28' into the property.

It appeared that the Country Club was willing to move the building an additional 28' off that property, so that the only encroachment on the residential property that was recently purchased will be the pavement necessary to satisfy the fire code. To him the comparison that should be made involves an analysis of what is there today vs. what is proposed for the property. If, as indicated, the building is moved off the property completely, and the building is behind a berm and trees, Commissioner Wilk thought the reasonable expectations of the parties have been met.

Commissioner Herrmann said that while she didn't disagree with Commissioner Wilk's comments, she was very sensitive to the neighbors' considerations. She trusted the Township attorney and Planner to stop the Commission if this is not a decision that can be made. They had not done that, and it appeared that it was the Commission's responsibility to make the decision. She would like to reiterate that if a basic footprint was approved, the two parties could sit down together so that buffer treatment can be developed that meets the needs of everyone. Meadowbrook will be able to have a world-class golf course, while being sensitive to the needs of their neighbors for a beautiful environment surrounding their homes.

Commissioner Zawodny said he appreciated the comments from Meadowbrook Country Club members, as well as from the residents on Wintergreen Circle. The Country Club is a strong asset within the community. However, during public comment one of the Club members had commented regarding being Christian and patriotic; it was important to remember that those considerations applied equally to one individual as well as to a larger group. He believed that a compromise resolution could be found, and he would also be greatly encouraged if both groups could come together in conversation. The Commission was not an arbiter between parties. His experience with arbitration or mediation was that everyone walked away angry, and that is not the resolution he sought. He supported the Country Club's continued growth, and he supported the residents on Wintergreen, who must not feel they were forgotten parties. Any roadblock to the parties sitting down with each other should be removed.

In response to continued discussion, Township Planner Frey explained that any work of the Commission needed to be done in public forum, and having a subcommittee meet with the parties on behalf of the full board was not an option.

Township Attorney Essad further cautioned the Commission against attempting to broker some sort of peace accord. His recommendation was to encourage both parties to get together after this meeting. However, what was before the Commission this evening was an application for a special land use, which could be approved, approved with

conditions, or denied. It appeared that there was enough consensus to approve a footprint, with conditions as had been discussed, including commitments made by the applicant this evening, and also a condition that the developer meet with opposition parties and report back to the Commission prior to site plan submission.

Commissioner Yang said he had also visited Wintergreen a few times. In June the Commission expressed concerns regarding this proposal, and over the last few months, significant effort had been made by Meadowbrook Country Club to address those concerns by doing such things as lowering the height of the building, mitigating early morning noise by the maintenance vehicles exiting to the east (instead of southeast) and using 8 Mile Road to travel east, removing the pavement to the west of the building, and as offered tonight, to move the building itself 28' to the east, so that the building would be moved off of the residential property and potentially save some of the tree lines and shift the building away from the view of the Wintergreen residents. He felt that this was a resolution that might work.

Commissioner Watson agreed, and felt that by moving the building 28' to the east, so that it did not cross the former property line of the residential property, a compromise had been offered. Additionally, meeting with the Wintergreen residents and collaborating with them on potential designs for landscape, including preserving older trees on the property and the character of the neighborhood, if that was the neighbors' preference, would move this project forward. She expected that the applicant will present different options to the Commission based on the discussions just referenced.

Mr. Amann confirmed that they could eliminate the pavement on the west if the Fire Marshal approved, and shift the building 28' to the east. They would be happy to have representatives of the club and the landscape architect meet with the neighbors, if the lawyers could be kept out of the discussion. When they brought a landscape plan to the Commission, it would hopefully be the result of such a meeting. They were prepared to schedule a meeting quickly, within the next 10 days or so.

Commissioner Herrmann said the structure was very commercial in appearance. Would the applicants be amenable to upgrading the structure's appearance if the residents' preference was to see the structure and not a berm, so that the structure could be an amenity to the neighborhood? In other words, the residents might want the structure completely hidden by berms, or they might prefer the long view, with no berms, in which case the structure would need to be redesigned.

Commissioner Watson said that at site plan approval, the Commission will want to look at the view from 8 Mile Road as well; this had not been discussed this evening.

Mr. Amann reiterated that they were willing for the residents to work with the applicant's landscape architect in terms of what they would most prefer for their street and neighborhood. He also reiterated that Meadowbrook was willing to ensure that their early morning maintenance vehicles exit to the east along 8 Mile Road.

In response to a question from Chair Zawodny, Township Attorney Essad said the Commission always had the option to postpone action on an item, as well as to approve, approve with conditions, or deny.

Commissioner Wilk indicated he was ready to offer a motion.

MOTION by Wilk, support by Yang, in the matter of PSLU21-0001, Meadowbrook Country Club, 40941 Eight Mile Road, the Planning Commission approve the Special Land Use to construct a new maintenance facility at the west edge of the property, with the following conditions:

1. Move the maintenance facility to the east, off the original residential parcel and onto the adjacent Meadowbrook parcel.
2. Future site plan and landscape approval by the Commission, with the intention of maximizing the tree line and native trees on the property.
3. Rearrange the exit path for utility vehicles leaving the building to the northeast corner, along 8 Mile Road.
4. Remove the pavement from the west side of the building, subject to Fire Marshal approval.
5. Meeting between homeowners and applicants take place, with both parties reporting back to the Commission via the Planning Department, before site plan submission.

Discussion:

Commissioner Herrmann emphasized that changes to the architectural design of the building should be considered.

Mr. Amann said that it was on the record that the residents would be able to sit down with the landscape architect in order to visualize different options for the property. They would try to set up the meeting as soon as possible.

Ms. Victor said she had never advised her clients not to meet with Meadowbrook, and she would also do what she could to facilitate such a meeting.

Roll call vote: Ayes: Herrmann, McCall, Watson, Wilk, Yang, Zawodny

Nays: None

Motion approved 6-0.

OTHER BUSINESS: None.

DEPARTMENT REPORTS:

Jennifer Frey, Township Planner

- Reminder of next Tuesday's meeting, Oct. 5

- Reported on September ZBA meeting, which had a single item for a use variance. This was postponed upon request of applicant to the October meeting, in the hopes of having all Board members present.
- Willow Pines project is close to starting construction
- Cantoro PUD Amendment will be on the October Board of Trustees meeting
- The Village at Northville – First Watch is moving forward in existing retail building

Robert Belair, Director of Public Services

- Beck Road resurfacing between 6 – 7 Mile Roads complete
- 6 Mile Road between Beck and Sheldon to be resurfaced in the next month
- Wayne County grading gravel roads and will be applying dust control
- Legacy Park – preparing demolition specs
- Brownfield Redevelopment Authority approved sale of bonds (\$12 million) to fund building demolition
- Public safety headquarters assessment – anticipated to be complete by end of the year

Mindy Herrmann, Board of Trustees

- No report
- Thanked Chair Zawodny for leadership at tonight's meeting

EXTENDED PUBLIC COMMENTS:

None

ADJOURNMENT:

Motion by Wilk, support by Hermann, to adjourn the meeting at 11:22pm.

Motion approved unanimously

EXHIBIT 4



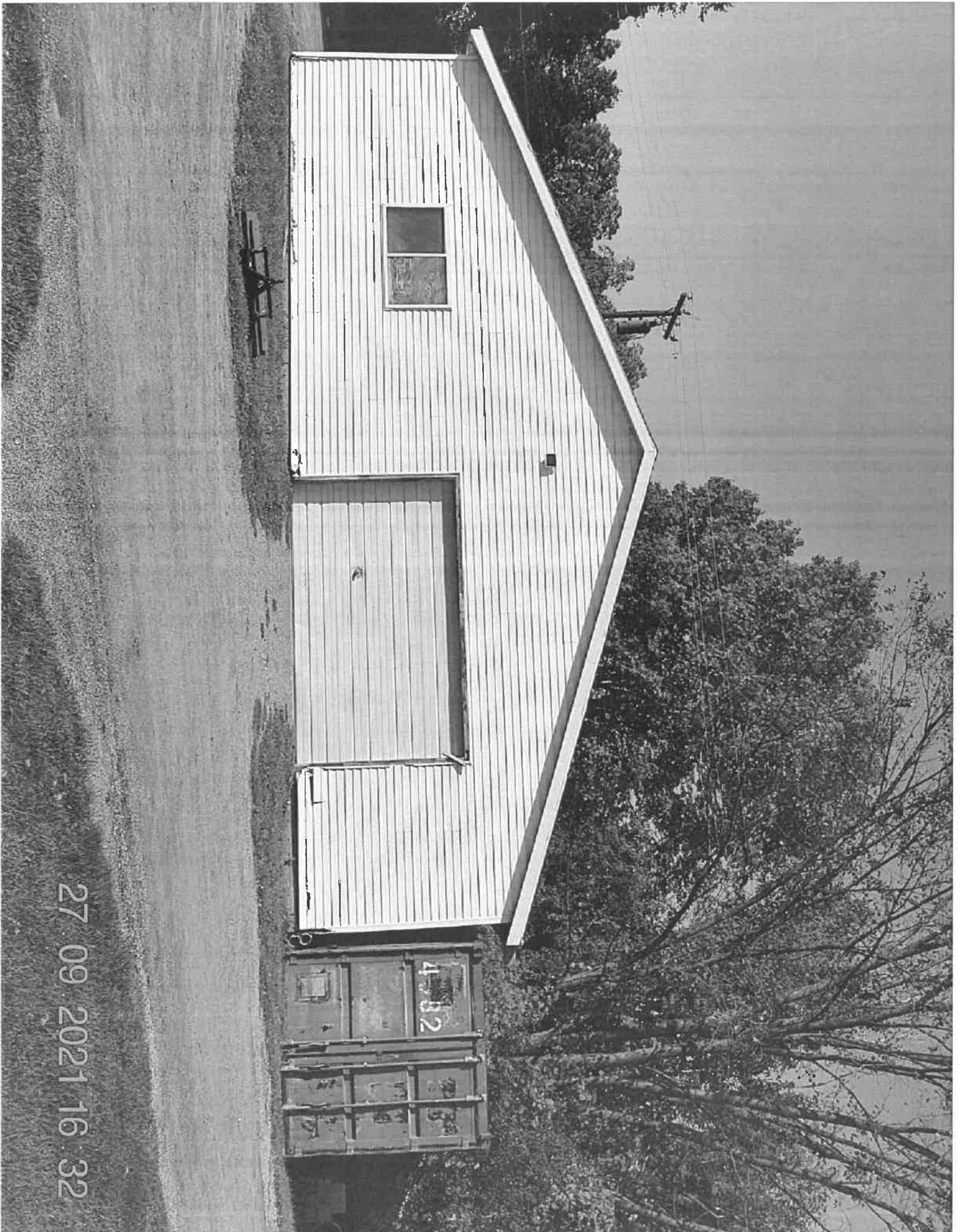
27.09.2021 16:30



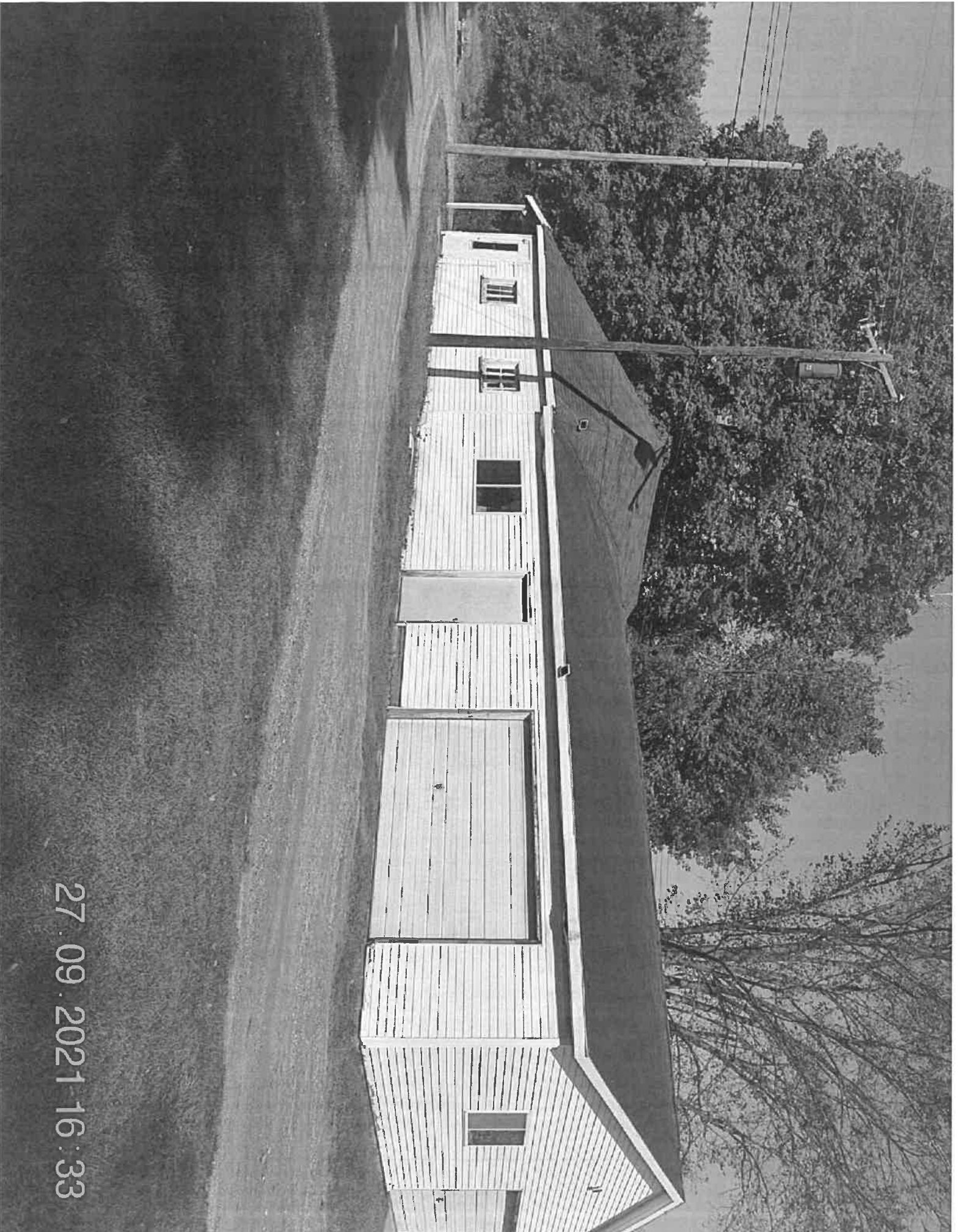
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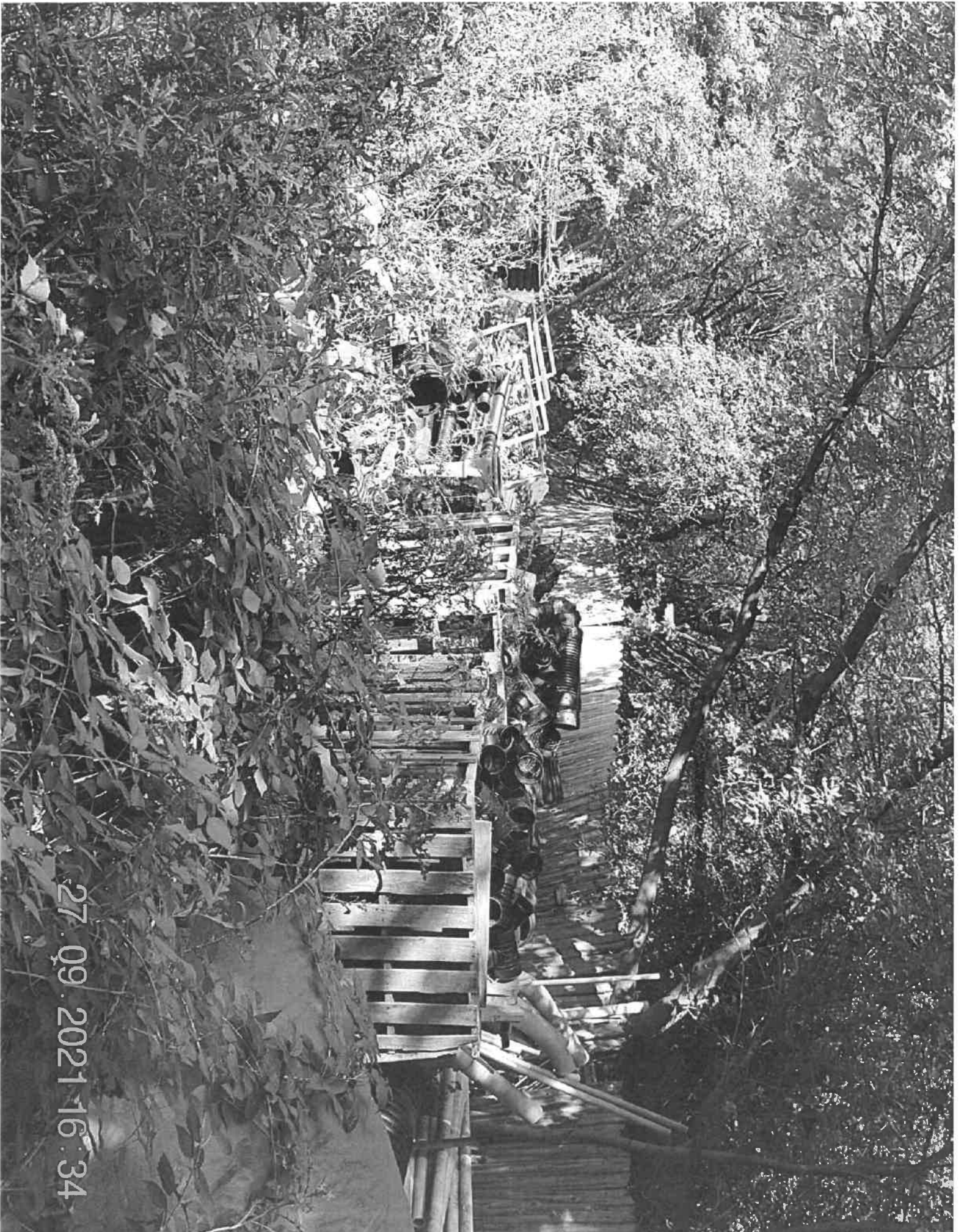
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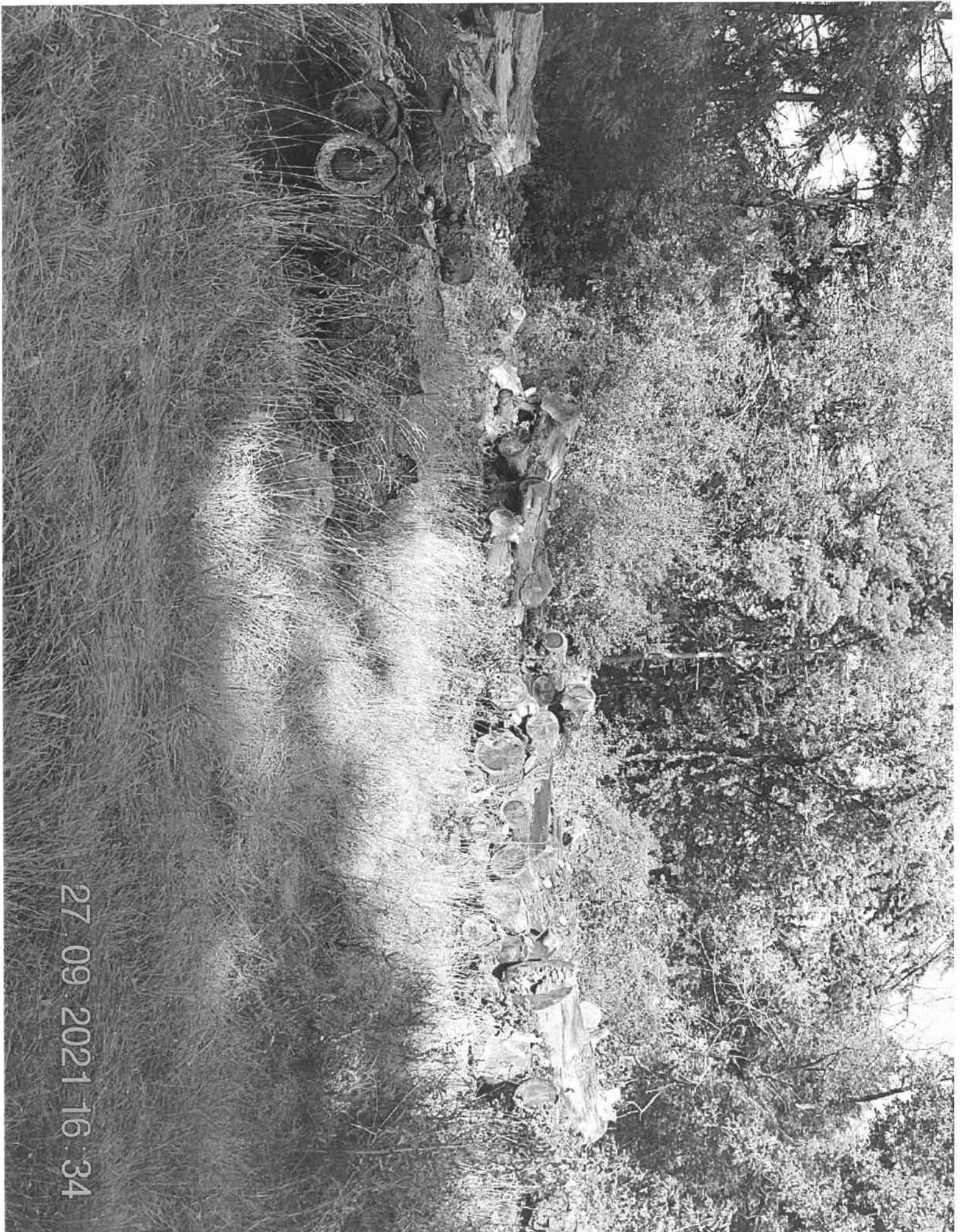
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27 09 2021 16:33



27.09.2021 16:34



27 09 2021 16:34

EXHIBIT 5

Google Maps



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Google Maps



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