

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Chamberlain at 7:30 P.M. on Tuesday, June 25, 2002, in the Council Chambers of Troy City Hall.

1. ROLL CALL

Present:

Chamberlain
Storrs
Starr
Waller
Vleck
Littman
Pennington

Absent

Wright
Kramer

Also Present:

Brent Savidant, Principal Planner
Lori Bluhm, City Attorney
Doug Smith, Director Real Estate and Development
Jordan Keoleian, Student Representative

Moved by Waller

Seconded by Pennington

RESOLVED, that Mr. Kramer and Mr. Wright be excused from attendance at this meeting.

Yeas

All Present (7)

Absent

Kramer
Wright

MOTION CARRIED

STUDY ITEMS

3. CURRENT DEVELOPMENT REPORT

Doug Smith stated that vacancy rates in Class A office space stands at 16 percent, whereas last year it was at 8.9 percent. Major buildings that are being renovated include 222 Big Beaver (former Volkswagon Building) and Bank One at

Crooks and I-75. He further stated that the market is soft. He talked with a number of building managers that are confident that by the end of the calendar year things should get considerably better.

He further stated that the Maple Road Cambridge Crossing is filling in most of the stores.

Mr. Chamberlain asked is there an assemblage of property going on north of Square Lake between Beach and Adams.

Mr. Smith stated that he was not aware of any and stated he will investigate the northwest quadrant of Troy.

Mr. Chamberlain asked if he would find out what's going on in Section 6.

Mr. Smith commented he would be happy to.

Mr. Smith continued with the DDA report and stated that on June 19 there was an all day session with leaders of the community regarding the conference center in Troy. There was a study session in the morning and a regular session in the afternoon. Number one was there was a motion that it was desirable to have a conference center. Number two was developing the economic model to determine if it can be built and would be economical and favorable to the City of Troy. If Council agrees with the economic model then the DDA will be releasing an RFP.

Mr. Chamberlain asked what is the timeline.

Mr. Smith stated the economic model would be ready for the July DDA meeting. Obviously, that model will be discussed. We should have some direction from Council by August.

Mr. Smith continued stating that Axtel, a spin off of Arvin Meritor, which has manufacturing facilities in Wisconsin and France, was provided a \$1.4 million incentive packet from the state contingent upon a local contribution. The recommended local match of \$50,000 of leasable improvements acceptable to Mega was approved by the DDA.

Mr. Smith continued stating the Budd Company is consolidating its headquarters and potentially could move its company's 240 employees. If they consolidate here, it would mean about 400 employees total. It is similar to the request that Axtel-Tech made, however, this does not include state incentives since no threat to move out of state is involved. The DDA, under their powers, can improve private buildings for private companies' benefit.

This issue of retaining companies involving office building may continue, so the DDA appointed a sub committee to review the issue. No action was taken on the Budd Company request.

4. BOARD OF ZONING APPEALS REPORT

Ms. Pennington stated there were 14 items on the agenda. One of the items on the agenda was regarding a variance requesting a second floor be attached to another on a non-conforming structure. One of the board members suggested we put in a stipulation or some type of restriction on the building permit and put time limits on it and the attorney said that was okay. A motion was made and it got turned down. Many people complained because the petitioner had a habit of never finishing a project.

Ms. Pennington continued stating that another item on the agenda was the construction of a non-conforming addition. The BZA decided against the variance last year and it was appealed. We went to Circuit Court and they sent it back to the BZA. The attorney had documentation that some of the information was not presented at last year's meeting to the BZA and that there were some discrepancies between the builder and the building department. Misunderstandings that occurred and people who objected to this being built did not show up. So after a review of all the information, the BZA granted the variance.

5. ORDINANCE REVISION DISCUSSION –ARTICLE XXXV PLANNED UNIT DEVELOPMENT

Mr. Chamberlain stated that this was good to go and ready for public hearing.

6. ORDINANCE REVISION DISCUSSION – WALLS - ARTICLE XXXIX ENVIRONMENTAL PROVISIONS

Mr. Chamberlain stated that we got into this because of what happened at Sandalwood next to Rexpointe. When I read the proposed change, I noticed it covers everything but the residential. Questions need to be answered before this item moves forward.

Mr. Savident stated it was the intent of the language to provide a separation between incompatible uses.

Mr. Chamberlain stated where the problem is showing up is that residential uses are not required to be screened from other residential uses. Also, walls can require tree removal. That's why Mr. Kramer had this action item, to address this.

We need to get this straightened out before we go any further with this. Check it out and it will be addressed at our next regular meeting.

Mr. Waller commented that it should say we would prefer pillar and panel-like versus walls. We should be more clear.

7. DRAFT DESIGN STANDARDS FOR DETENTION BASINS – STEVE VANDETTE, CITY ENGINEER

This item was removed from the agenda.

8. SITE PLAN REVIEW (SP-868) – Proposed Section 1 Golf Course, South side of South Blvd. and East of John R, Section 1 – C-F

Mr. Savidant summarized the Planning Department report.

Mr. Waller asked Mr. Savidant if he had a chance to visit the site.

Mr. Savidant replied he had visited the site earlier today.

Mr. Shripka, petitioner, stated that tonight's presentation will be presented by Doug Treadwell, and Carol Anderson from Parks and Recreation. There have been several concerns listed over the last several days, i.e., what's going on at the golf course regarding earth movement, dirt coming in, etc. We are hoping to bring in about 200,000 plus yards plus a clay cap. We are fulfilling the commitments for that site. In regards to earth movement, it is allowed as soon as the Site Plan is in process. There is temporary construction going on and this is not new. We have allowed this to happen as long as the plan is in process. If that doesn't answer your questions, I will be happy to answer any further questions you may have. In regards to hole locations of holes number 14 and number 16, we talked to the developer and we are in process of making changes to relocate those greens somewhat. Hole number 14 is going to be moved somewhat to the west, and number 16, which is on the southwest portion of the property is somewhat in line with the property on Shoreline. We have talked with the developer and number 16 will be moving further to the south. These have been the main concerns. Hole number 8 will probably be moved back. The plan is really a concept plan and we will continue to work on that. The final issue, we are in the process of, is erecting a temporary construction fence. These concerns, as noted, are being addressed as we will continue to have meetings with the homeowners and have discussions about what will be allowed.

Mr. Storrs asked if the construction fence is the black thing you put around a site.

Mr. Shripka stated it is a six (6) foot wire fence.

Mr. Vleck asked are you saying the City has pulled a permit to allow the existing build that is going on.

Mr. Shripka stated yes.

Carol Anderson, petitioner, stated that at the last study session of the Planning Commission which was approximately three (3) weeks ago, one of the things that came up was the Audubon certification. There is a state program, and in looking at some of the information on this program, you will see from this information that some of the principles regarding the Audubon certification and the state program are approximately the same. There are some differences. The major difference in the Michigan program is it is statewide, not nationwide. It is for Michigan properties only. It is a process program and is not a part of the planning of a golf course. It is more appropriate for ongoing operations and not in planning.

Mr. Waller stated that actually, I've been the one that's kind of the advocate of some type of a program and the one that initially came into my view is the Audubon program. I had the pleasure yesterday of walking around some of the holes at Dearborn, at TPC, which is, if anybody's got the opportunity to do that, you should do it. It's magnificent. One of the things that came from an hours' long conversation with the course superintendent was that they had a problem initially getting the conservative sanctuary designation because they were a private club and they figured out the way they should do that is partner with the Dearborn schools. So, when I told this gentleman that co-located to this was a substantial parcel owned by the school district, he thought this was just an absolutely phenomenal opportunity for the City and the school to partner on all kinds of things relating to education and ecology and habitat and, you know, he went on for ten (10) minutes. So, if that's in your mind, wonderful.

Ms. Anderson stated it is definitely in our mind.

Mr. Chamberlain asked if there were any other questions of Ms. Anderson, whoever's next.

Doug Treadwell from Troy Golf, 417 Eureka Road, Wyandotte, I was actually expecting to be in the other room, so I didn't bring enough maps for everyone, but last time we met, we talked about safety zones and what we've done is taken an aerial photograph and, I'll hand it to you in just a moment, that overlays the existing property. The photograph was taken in 2001, then the golf course site plan, parking lot, buildings, is overlaid on top of that. It's not exactly precise but is very accurate probably within a foot or so on the overlay. The safety zones, their primary concern was number 8, which is up at the road, that was really the main reason we put the overlay on. The safety zone does not infringe on the road. We are moving, there's a stake out there, actually, I think it's already been moved, moving the stake back even a little bit farther away from the road to increase that

and behind that green there will be a berm with some pine trees put on. There happens to be some pines that run along that hedge row that exists now next to the construction road that will be moved and placed behind the green for some additional protection to the road. Number 16, down in the southwest corner of the property, again, the safety zone does not go across the property border. However, the green will be moving again to the south to further increase the safety zone from the residents behind there. The one that did infringe a little bit is up here in the corner by the lake and that green will be moved actually to the north and a little bit to the west to take that safety zone out of, I should say, maintain it within the golf course property itself.

Mr. Chamberlain, stated before you go away with that, the tee boxes that you have on the west property line where you're moving the ball back north again, how do you propose that you keep the people to the west from having..... being, and I'm not a golfer, so I might use the wrong term, a slice or a hook into those properties.

Mr. Treadwell stated they would be a hook that would end up in those properties. What we have done is try to angle the hole away from the residents. That 's hole number 17. It's a fairly short par 4 and the left side of that green will be very unattractive to golfers through the mounding, contouring, and grassing with bunkers and so forth that we'll put in there which will tend to steer people away. In golf, 70% of people slice, which means they hit it to the right, if they're right-handed. Typically, the recommendation is when your designing a golf course is to put out of bounds on the left-hand side of the golf holes because there's simply less people that hit it in that direction when they do miss hit a ball.

Mr. Storrs stated that the safety zones that you define there, and I assume there's a safety zone that's designed from the tee also.

Mr. Treadwell stated yes, it's about a 15 degree angle off the tee.

Mr. Storrs asked who defines those.

Mr. Treadwell stated it's a, I don't think it's necessarily a body that says this is what you will do. It's kind of an industry standard. The engineers that helped us draw this up in the end, these are actually safety zones that were recommended by them, it's Hennessey Engineering out of Trenton, MI. There's also some various books that will tell you that this is typically the safety zone issued. The safety zones that are shown here, typically 92% of the golfers will tend to hit their shot within these areas. You can never count on a hundred percent guarantee of anything because, if any of you have ever played golf, seen somebody play golf, people can hit some pretty crazy shots. But also, within various architects and various design groups, those standards will change somewhat from designer to designer from architect to architect.

Mr. Storrs asked if they are written down anywhere where someone could look at them and make their own interpretation.

Mr. Treadwell stated that he could get a copy of book that has two different architect's view point on that. It's a golf design book and I can't remember the author, but I can make a copy of that and get it to you certainly.

Mr. Storrs stated yeah, I'd appreciate it if you would, you know, just send it to the Planning Department.

Mr. Treadwell replied sure can, absolutely.

Mr. Chamberlain stated that 92% of the people do it right but what are we talking about on an annual basis going through here: 40,000 people, a 100,000 people. What would be going through here.

Mr. Treadwell stated that 40,000 people is probably a good estimate.

Mr. Chamberlain stated if it's 40,000, that's eight (8) percent of 40,000, that's a lot of balls, looking at 16 for as an example, that those people, on an annual basis, would have to put up with, and, oh by the way, the annual basis in Michigan is the summer, so, say it's a half a year. I think that's kind of unfair.

Mr. Treadwell stated well, keep in mind that balls that are hit long, there's approximately 100 feet behind every green between the green and where the property line would be, which is roughly 30 yards. The typical golfer hits it between clubs approximately an 8 to 10 yard difference as you move up; so say if someone is a 150 yards away from the green, I personally would hit a 9 iron, I would have to hit a 6 iron to hit it over the fence, so you would almost have to do it on purpose. Will that happen, probably. Misses typically are left to right when they're long, they're long, but they're not 30 yards long. It's just when you hit a shot perfect, it goes where you want it, when you miss hit it, it doesn't go as far. So the shots that go long are very rare.

Mr. Chamberlain stated I guess that's where I have a problem on that 16 hole, you get some person frustrated, half drunk, and, I know we're not suppose to sell alcohol, but alcohol is used, especially the younger people, and they're going to use those windows as a target to take out their frustrations and that's wrong. I think, you know, even doglegging it like you said there, doesn't really take it out of the realm that they would line up and, that's too attractive of a target. Those houses are a lot higher. They're not at ground level with the golfer, they're up higher, and so they can see them. And that's where one of the problems I have.

Ms. Pennington stated on the number 16 hole we're talking about, is there going to be behind that, on the west side property line, some type of large evergreen buffer, or are you talking about a fence, or.....

Mr. Treadwell stated, to the extent that we can put evergreens behind there, we will also be doing that. We are currently checking with the DEQ. There is an issue with trees on landfills in terms of the root systems penetrating the cap, but we are currently having discussions with them to see what types of trees, if at all, we are able to place there.

Mr. Chamberlain stated, so you'd place, if you did put evergreens in there, they wouldn't be eight (8) foot evergreens, they'd be 30 foot evergreens when they were placed.

Mr. Treadwell stated no.

Mr. Chamberlain stated so, it would take X number of years before they'd grow up to be of value for a screen. Is that what you're really saying?

Mr. Treadwell stated yes, if you look at it from that perspective.

Mr. Littman asked about hole number 17, the tee boxes on that, to the west, is that the property line. The sloping of those two boxes go right up to the property line.

Mr. Treadwell stated yes.

Mr. Littman replied so there is no setback at all from the hill of that tee box to the property line.

Mr. Treadwell stated that the tee box there would probably be 50 to 60.....the edge of the tee box would be 50 to 60 feet off the property line.

Mr. Littman asked about this Michigan State University's Environmental Stewardship program, step one is that somebody has to go to a program.

Mr. Treadwell stated yes.

Mr. Littman asked are we at step two.

Ms. Anderson stated that we are currently a member of the organization in our current golf course, we have already had a site visit and we're in a three (3) year environmental impact. We would intend to do that same thing once the design is approved and the development begins.

Mr. Littman asked Ms. Anderson if she has been to this program.

Ms. Anderson stated she has not, however, the superintendent, has.

Mr. Littman asked who has.

Ms. Anderson replied the superintendent, Marv Ash.

Mr. Littman asked if he has been involved in the design planning of this process.

Ms. Anderson replied yes, that he's part of the project team.

Mr. Littman stated he, for one, doesn't like the location of the tee boxes for hole number 17. Those tee boxes, if someone is standing off to the side when someone is hitting, they are essentially standing in somebody's backyard and that is a terrible location for that. While the actual boundaries of the tee box may fit some 50 foot setback requirement, the fact still remains, as far as the usable area of that tee box, where people will be standing when someone else is hitting, it would be within that setback, but again, probably on somebody's property line.

Mr. Treadwell replied that's right.

Mr. Littman stated these trees there, you put trees to start with, between them and that property line, and they're going to be in people's backyards actually.

Mr. Waller stated a couple things. He stated to Mr. Treadwell that he thinks number 16 should be shortened and before you shorten it, less opportunity for the ball to go over the back end, I went down there the other day and there's some tree in there, you know, they're probably junk trees in the sense of Poplar or Cottonwood, or whatever, but they're there. Now is that corner landfill.

Mr. Treadwell replied yes.

Mr. Waller stated okay, so the trees have happen, landfill has not.

Mr. Treadwell replied correct and actually that's one of the corners where we need some additional cap put on to the landfill and the DEQ's requirement at this point in time is that those trees, on the landfill, must be removed in order to put the cap on it.

Mr. Waller replied that makes sense. So you have to pull out the stumps and everything.

Mr. Treadwell stated, well, we, I believe there we can cut them off flush and cap on top of it because they determined it was similar to the construction debris that's underneath. They will either be pulled out or cut flush and then filled.

Mr. Waller asked regarding the placement of three small evergreen trees by each of the vents, a little further to the north, if that was his company's work or one of your contractor's work.

Mr. Treadwell stated yes, that's a temporary measure.

Mr. Waller stated that he thought the people that put them in were drunk, cause they're tipped, there's root balls showing. He hopes someone is watering them on occasion.

Mr. Treadwell stated we do, we're watering them three (3) times a week.

Mr. Waller stated because there's some turning brown already.

Mr. Treadwell stated right.

Mr. Waller stated so I think if that's a message to the neighbors, it's not a good one.

Mr. Treadwell replied thanks, I appreciate that.

Mr. Vleck stated, on the west of the property, over by hole number 16, how far do you suspect that the existing landfill goes in relation to the properties to the west over there.

Mr. Treadwell stated that my understanding is it goes basically to the property line. That there's a vent-like dike. You can actually see it when you go through there, there's a ditch and a dike. I'm not sure, my understanding is right to the property line.

Mr. Vleck commented so obviously all those trees on that property line, no matter what, would have to come out right up to the property line there.

Mr. Treadwell stated that at this point I would say yes. But again, we are having discussions with the DEQ regarding that issue. Because there's a vent-like dyke just inside the property line, there's a chance that some of those trees will not have to be removed because we may not have to put additional fill right adjacent to that property line. But that is in ongoing discussions right now.

Mr. Vleck stated I'm assuming; obviously, how much cap is going to have to go on that existing landfill then.

Mr. Treadwell stated approximately two (2) feet.

Mr. Vleck commented two (2) feet. Okay. Now obviously, that drainage ditch right there, all those homes on that west property were built with the assumption that the drainage ditch was going to be there, what type of consideration is being taken into account for that.

Mr. Shripka stated that workmen put in the drainage ditch that's there currently when the subdivision was being developed. It takes an overflow from the property to the north of the subdivision, it is not an actual drainage ditch. It was dug as part of a ditch that was suppose to continue through the school board property which the school board disallowed. So chances are that that ditch, what we looked at, it may start at the straight instead of going south, may come more to the southeast and cut across the fairway and down instead of going behind the green on number 16. That ditch can change. There is not a requirement for it to stay exactly as it is.

Mr. Vleck stated a couple other comments. Obviously, you stated that a couple of the holes that you are already working on, plans where you're changing the locations, and when will those plans be submitted, or completed.

Mr. Treadwell stated that typically, when we do a golf course, it is an evolution as we go through it and the resubmission is basically when you've finished. We are not talking about wholesale movement, it is more along the lines of moving a green 20 feet this way or a tee 15 feet that way. The hole itself doesn't functionally change. But one of the issues is as you're going through the process, you see something on the site that will just make a golf hole better, will make it easier to play or harder to play or better to play; whatever it is that we are trying to accomplish and you just make those changes on site.

Mr. Vleck stated, I think that one of my major concerns is, in that process, it seems, you know, with the plans that we have in front of us right now, you definitely have some very nice hole layouts, and it will be a very nice golf course, but it appears, especially on 14, 16, and even on 17, that absolutely no consideration was given to how it actually affects the neighboring properties and actually the current course layout that's in front of us seems to be dramatically different than the one that was originally submitted in the rezoning process. Do you know where along in the process that that changed.

Mr. Treadwell stated it was basically the same plan. I don't think there is any significant changes at all. I would like to address just something you said earlier. We did actually take into quite a bit of consideration in routing this golf course in terms of the neighbors and how the course related to them. One of the things that you find is when a golf course goes in next to a house, it increases it's property values 20 to 25 percent and those increases are the most dramatic for greens that are related next to the housing projects themselves. There are less balls hit off of greens directionally then there are into fairway landing areas; and again, we did try to locate the housing on the left side rather than the right side of the holes, again, because taking into consideration safety and balls going in. Are people going to get balls hit in their backyards. Probably.

Mr. Vleck stated I think one, you know, because this is a.....obviously, putting a golf course into an existing developed area, it is a little bit different when people

buy a home on an existing course and the homes are obviously developed with the concept of the course being around, I would like to see some additional consideration given to just the privacy factor, you know, of the surrounding residential homes because you know, I think some of these homes were built not necessarily knowing that, okay, we're going to have a green directly in our backyard.

Mr. Chamberlain stated, I want to go back to that drainage ditch. If I heard it right, you're going to lay in two (2) more feet of elevation back in there. Has anybody given any consideration of where that water will go, because I think when that happens and you get rid of the drainage ditch, you end up pouring all that water, to be using clay cap, into the neighbor's yards because I think now they will be the low spot. Is that true or not?

Mr. Shripka stated so you mean run it to the west to the neighbor's yard, no, absolutely not. We have also a commitment with the school board that because of the property they have and the environmental concerns of the property to the south, that we not substantially change the water that's flowing over to them. Not put more water on it but not necessarily put less water there either because of some of the plants that are growing. Is your concern that we will move or direct the water west to the property.

Mr. Chamberlain replied that's one concern, the other concern is because the slope of the neighboring property to the west, runs from west to east, where does their water go that runs off if you take the ditch away.

Mr. Shripka stated we didn't say we'd take it away, we redirect or we can pipe it.

Mr. Chamberlain stated I have a concern and I don't think we are going to solve that tonight. I got to see evidence and before this whole process is over, like I said tonight, when we bring it back to the Board, there will probably be...I have questions that I think need to be answered and we won't get answers tonight. We're going to have to set up a process on the answering of the questions to everybody's satisfaction, and that's one of them I think needs to be answered.

Mr. Shripka stated that as Mr. Treadwell indicated, the course will develop hole by hole. We have a general concept of what's going to happen. We'll see how much dirt we get in there, what we're going to do with contours and layout, and certainly, part of the process will do with not only the neighbors, is keep them updated, share with them what's going on, but changes to the plan we will continue to share with the Planning Commission as updates.

Mr. Chamberlain stated here's the problem. You say hole by hole, but as you finish everything up, say in the middle of the tall hill and everything moves to the outside where the residences are, whether they be to the southeast or the west, you get locked into the design because there's nothing left to change and that's

where one of my concerns and I think my fellow commissioners' concerns are, is that we're hearing all these words but I think we're going to get locked into a design that isn't going to be satisfactory to the neighbors when this golf course, the actual playing parts of it, is ended up being built and that's our concern here. You guys might be building the greatest golf course in the world as far as golfers are concerned, but it's going to be a dreaded thing, if you're a neighbor, that you wake up in the morning and got all these people hitting golf balls at you and that's where we're coming from on this thing I think, partially, and there's other issues to with water drainage, etc., etc.

Mr. Shripka stated, well, the engineering drawings, certainly as we go, the standards are there, developers required, and we have our own Engineering Department on site, drainage issues have to be addressed, as you know there's a standard. I don't think that we can tell you that the contour lines won't change as we move along. If we get a 100,000 more yards of dirt and an opportunity to get more dirt beyond that, some of that will change, to the better of the golf course. If we don't get anymore dirt, we'll certainly not have as much contour as we would like to have.

Mr. Littman asked are you saying that there never will be a final site plan until the course is actually built.

Mr. Shripka stated that what you have in front of you is a plan to work from. It's not going to change substantially, those are the hole layouts. As we said today, we're going to look at taking hole number 16, moving the green away from the residents, moving it to the south because of the issue of hitting into their backyards, or as the chairman said, looking at windows, if we move that to the south and take their focus off of that, that will help. Things like that are going to change. When we get out on the site and if the hole has a bunker out there and we don't necessarily like the way the bunker looks for whatever reason, we may redesign that bunker.

Mr. Littman asked so the concept of a final site plan approval really doesn't lend itself to golf courses.

Mr. Shripka stated, well it does, as far as the northwest portion of the golf course, which is the building and the parking lot and the accessory structures up there. How best can we provide a final site plan for the golf course, I think we are pretty close to that right now. We have some issues as Mr. Storrs indicated he wanted to see what the rationale was for safety zones, we'll provide that. That allows that green to move within that safety zone. Suggestion that some of the holes be shortened. That may be a possibility. Is it going to move to the other side of the course, probably not.

Mr. Littman stated, I'd sure hope you could find some way to move the tees from number 17 off of that property line to, but that's...

Mr. Shripka stated that will be something we will start looking at tomorrow.

Mr. Littman replied okay and stated but, we will never see a final site plan.

Mr. Shripka stated you will. Yes, you will see that. What we're asking for on the approval is about what you were given tonight. What you have looked at as far as the plan is there tonight. It's the general concept of the hole layout.

Mr. Chamberlain asked this plan or the aerial. We got a stack of paper here, we helped save Arizona, but then we got the aerial and the aerial doesn't quite match.

Mr. Shripka stated the aerial was just done with adjustments made on it. It shows how we might move the hole over and it addresses the issue of safety zones that was brought up. That's the plan and certainly what we'll do is get copies of that made and redistribute it to the Planning Commission.

Mr. Starr stated I'm still concerned, what are we being asked to approve, I'm a little confused. Even in looking at the preliminary environmental impact statement that was provided, they talk about 160± acres of property and the City says it's 202.6. I guess what makes us very uncomfortable is we're certainly not use to seeing plans change, in fact, we typically have in our motions that if a plan changes it's got to come back to us. So that's what's making us very uncomfortable here.

Mr. Shripka stated again, if we have a foot change in the contour, I don't know if that's a change you want to see. On this green here, the tee box, we're going to move and put 20 yards between tees instead of 35 to shorten the hole. I don't know if that's the kind of thing you want to see or as it relates to the actual hard part of the site; the parking lot doesn't change, the dumpster location, the building, the setbacks, those kind of issues, that part of what we're...

Mr. Chamberlain stated that I think to synopsize where Mr. Starr is trying to come from on this, is the center of the golf course and the tee placement and that, we really aren't interested in that; we'll let the golfers design that. But when it gets out on the perimeter, where there's non-golfers impacted because they happen to be residents who own that property, that's when our interest starts coming into play.

Mr. Shripka stated that interest is also with the City Management and we'll continue, as I said before, to meet with the residents.

Mr. Chamberlain stated but, here's the problem. We keep saying we're going to talk with them but are we going to satisfy them, that's the question. And, in my mind, yeah, there's probably some things we can't satisfy them on but there's a lot

that we can and part of that is we need to assure that they're not going to have to give up their backyards during the golf season because there's golf balls coming in all day.

Mr. Shripka stated that's correct.

Mr. Chamberlain continued stating and I will tell you right now, being a non golfer, I wouldn't want one golf ball in my yard, let alone eight (8) percent of whoever plays that course. That, I'm sorry, that's wrong; and there's a way to build screens and I'm not talking about nets that are a thousand feet high and a thousand feet long. I'm talking about tree lines or whatever.

Mr. Shripka stated that again we have to be careful because of not only the dike but also the landfill and what we can plant.

Mr. Chamberlain commented or you don't put the green there to start with.

Mr. Shripka replied right, that is the issue.

Mr. Chamberlain stated or the tee box.

Mr. Shripka stated right and that's what I'm indicating.

Mr. Chamberlain stated that's where were getting to.

Mr. Shripka stated we're trying to move that down and move it around. Get it out of the way. We are taking your comments as well as the residents and look at moving it out of the way.

Mr. Chamberlain stated I am not sure you're getting it far enough out of the way. That's where we're coming from. Just putting a little angle in there, and still keeping it down on that on that property line, in my mind, doesn't do it.

Mr. Shripka stated well, a little further back, suggestion was to make the hole a little shorter, move it back a little, give it a more severe dogleg; there's options we have there, certainly that's why were here, we want to hear what the concerns are and we can address them.

Mr. Littman stated that hole number 14 looks like the green is pretty close to the lot line there, that's the carry over the water.

Mr. Shripka stated again, moving that one to the west,

Mr. Littman commented take down the trees, it's all carry over the water then.

Mr. Shripka replied no.

Mr. Littman stated so in any case, this plan, as we see for the 14th hole, is going to change then, right.

Mr. Treadwell stated the tees won't change. We've got two (2) tees where it is a carry over the water, and two (2) tees where it is not; but the green will be slid up to the north, away from the property line.

Mr. Littman stated, so as far as the plan we're looking at, that's not final for number 14 either as far as that...

Mr. Treadwell stated the hole in general is just take the green and slide it down.

Mr. Vleck stated, I for one, as you pointed out, I don't really care about the contours, but as the chairman points out the impact on the neighbors is I think what we're all talking about.

Mr. Starr said let's talk about the stuff that you say isn't going to change up in the northwest, the parking lot and the proposed clubhouse. How much parking is going in there. I see, on the plans we received I see two (2) sets of numbers. One in the lighting plan. It's just one difference, but you see, that means were not stable yet, and that's what we thought we were. You started 218 on one, started 219 on another. That plan that I see on the wall looks like that's a little different parking plan as well. I'd like to get that at least stabilized if we can.

Jason Klingensmith, 3246 Lynnhurst, Oakland Township, stated, I represent the Garrison Company and TPA Design and that we're in charge of the items shown in the drawing there which is the clubhouse, the maintenance facility, the car barn, the associated parking lot and areas around that. I am not sure exactly why the discrepancy is there on the parking spots. I think it has a lot to do with, we were asked by the Planning Commission to make a few changes in our initial submittal from June 17th and we resubmitted them last Friday. I think we changed all the civil drawings, probably eliminated one spot when we redid the approach, but we did not change the electrical site lighting plan, so I apologize for that. However, the civil drawings with the most current date on it is the accurate and correct one.

Mr. Starr asked 219 spaces.

Mr. Klingensmith replied that's right.

Mr. Starr stated as far as we're talking about the electrical, the pattern for the lights looks like there's a light on the eastern most islands, and the western most islands, and the center islands, are not lit. How big are they. How tall are those lamps going to be. It looks like it's 25 feet.

Mr. Klingensmith said right, 25 foot.

Mr. Starr stated it looks like they point down.

Mr. Klingensmith said we are trying to get an equal distribution as we could for about one-half foot candle throughout the entire parking area, focusing on the entrance and the drive coming in, but really, fairly minimal parking lot light coverage.

Mr. Starr asked the boxes where the lights are, will they be able to eliminate the hot spot.

Mr. Klingensmith said yes, they also act as a shield to make sure there is no horizontal glare or reflection into the neighboring areas.

Mr. Starr stated that is the way you planned it then.

Mr. Waller stated that an earlier discussion, there was conversation about possibly figuring out a way to have the sports ball diamonds, have a path or a walk connecting to the clubhouse area. Personally, I don't think that's a good idea. They would have to cut across two (2) fairways and to me, the clubhouse should be a clubhouse for the course and if it's needed to create some refreshment stand or arena at the ball diamonds, that should be considered separately.

Mr. Chamberlain asked Mr. Waller if that was a statement.

Mr. Waller replied yes, that's a statement.

Mr. Littman made the statement that there is going to be a snack bar here, not a restaurant, no banquets. He asked if there is going to be liquor, beer, wine sold.

Mr. Shripka stated it will just be a snack bar, sandwiches, there may be a liquor license. Another reason why we are concerned about a path walking from the ball diamonds to this, if there is a liquor license there, we would not like to do that.

Mr. Littman stated this is certainly a thought or a plan in not selling, not just beer or wine, but liquor.

Mr. Shripka stated and that I don't know. We will probably have that go out somewhere, wherever the vendor is, I don't think we would recommend a full liquor license.

Mr. Littman replied okay.

Mr. Shripka stated we won't operate the kitchen ourselves.

Mr. Littman replied okay, thank you.

Mr. Chamberlain asked what about sidewalks on the south side of South Boulevard, across this whole frontage.

Mr. Shripka stated that we should have sidewalks.

Mr. Chamberlain asked if they would be 8 foot.

Mr. Shripka stated yes, 8 foot.

Mr. Chamberlain asked and it's part of this plan.

Mr. Shripka stated as well as the sidewalk that was talked about coming up from the clubhouse.

Mr. Chamberlain stated with frontage along South Boulevard. I understand. This plan is subject to change as it goes along as sidewalks seem to disappear in the City after we approve them.

Mr. Storrs commented on talking about the ball people being able to walk over to the clubhouse. The thought was would we have a gate or an opening, a pedestrian opening, in the northwest corner of the ball diamond area so that they don't have to walk out the parking lot and out the drive to get on the sidewalk to go over there. That's was the thing we were raising.

Ms. Anderson stated we have not changed that from three weeks ago. If that was something that we decided to do, we would do it as a part of a project and not part of the golf course project.

Mr. Storrs said yeah, it wouldn't be part of the golf course project.

Ms. Anderson stated that we have noted that interest.

Mr. Storrs replied okay, thank you.

Mr. Chamberlain made the statement that's what you call cross-access easement. Pedestrian cross-access easement was what we're talking about.

Mr. Vleck asked about the fence that's going to be going up on the outside property lines, what type of fence is going to be going up there. Once we get to the permanent fence, what type of fence are we looking at.

Mr. Shripka stated that they would probably go with a six (6) foot wire fence. Now there's.....for the majority of the perimeter, we did meet with one of the residents

last week, we talked about this fence, about the fence that's going on, adjacent to those residents on Shoreline, and there is some opposition to the six (6) foot high fence there, I will say there is substantial opposition. It was suggested that there may be some other form of fencing that becomes desirable, but along with that has to be the knowledge that a six (6) foot high fence there is being provided both for their protection, best we can, and to keep the golfer in the golf course. Open properties that are not delineated do have – that's open for a lot of problems. We have something we need to do in between there and, that's again, why we want to meet with the residents. I am not saying that that fence across their property is going to be a six (6) foot wire fence. I am not sure what it is going to be in that area yet. Hopefully, we will work something out.

Mr. Chamberlain stated that what he would like to see personally, if you need to do a barrier of some kind, because we have an interest in the natural side of this because down in that area is all the school property...is why have a fence at all. But the barrier would be wild roses, gooseberries, things like that, that would support wild life and at the same time get a natural barrier for a human to not want to even get involved with and that would take the place of a fence and I think would probably take care a lot of problems with the neighbors.

Mr. Shripka stated that he was not sure that isn't feasible. One of the primary things we have to find first is what we're allowed to plant so that it doesn't penetrate the cap. That is an issue across the whole landfill. That is why this is a link style course rather than a standard course. We are not planning the types of things that will do it. Now, your idea of wild rose bushes or thorn bushes, something that somebody doesn't want to walk through, I don't know that that wouldn't work. I would like to discuss that with the residents rather than just make that decision for them. But is that a possibility, I think it is.

Mr. Chamberlain stated that personally he would rather see that than a chain link fence sitting in his backyard.

Mr. Shripka stated, again, our intent is to do something for purposes of delineation at a minimum and for safety and protection at the maximum. But that's another idea we will discuss.

Mr. Chamberlain commented on like he said earlier, this also gets us partially where I think we need to go on the wild life side of this thing; the Audubon, best practices, etc.

Mr. Shripka stated that's the part of the things we do plan to have; plants, the butterfly gardens, the ponds that are going to attract different wild life and eventually the environment, the ecology will take over there and these, whatever would be more like natural plants to that area. Let's still have something you don't want to go through. It's another plan we can look at.

Mr. Storrs stated the pickle that we are in here, collectively I guess, is the Ordinance requires the Planning Commission review and it requires that Planning Commission certify to City Council all development features, etc., etc., you know, driveway, parking area, open spaces, are located in and treated so as to minimize the possibility of any adverse affects against adjacent property. How the dickens are we going to do that when all the stuff's evolving. That's my problem.

Mr. Shripka stated we have the same issue at Sylvan Glen, in that not all the balls stay within the fence area.

Mr. Storrs stated yeah, and you can't beat perfection, but I'd like to see something that gives me confidence on the green on number 16 and the tee on number 17 and then there's number 18, gets kind of close to somebody else's property there at the corner and I don't have a concept in my mind in of how wide, you know, the lines are down the center of the fairway I suspect, how far on either side is the fairway and then where's the rough start and what's a good rule of thumb for how much rough you need to, you know, for the hooks and for the slices, that's what I'm looking for out of...

Mr. Shripka asked you mean on number 18.

Mr. Storrs stated my problems are the green at number 16, the tees on number 17, and the shot line coming into number 18 and whoever, you know, that corner, somebody else's property is there. I'd like to see some kind of treatment.

Mr. Shripka stated he talked to Mr. Mead today, I don't know if he's in the audience. Not the Mr. Mead that lives there, but the person who handles it and Carol is calling him tomorrow. I talked to him and asked him if we could meet to discuss screenings, plantings, the wall, and those things that affect his property. So she will be calling him tomorrow.

Mr. Storrs stated you could do a pretty good job if you put the right plantings right around that corner, couldn't you. You could probably solve a lot of concerns down there on number 16 to, although...never mind.

Mr. Shripka stated that on number 18, I know we got the issue, we have a wall that goes up along the parking on the north side. We're talking about how we're going to finish the entire west and that north property line.

Mr. Storrs stated really, that's the pickle I'm in here. Certify something that's changing all the time. I don't know how to do that. Okay, thank you.

Mr. Chamberlain commented I've got a shot here. This is an 18 hole golf course, right.

Mr. Shripka replied 18 hole course with a practice facility and clubhouse, yes.

Mr. Chamberlain said we will just talk about 18 hole golf course with a club facility. What would be the minimum acreage required to do that.

Mr. Shripka stated that actually we are probably there.

Mr. Chamberlain stated that is not the question I asked.

Mr. Shripka stated I'm saying that we're there. We tried to get additional acreage, as you know. Ideally on a golf course, you would have more acres per hole than we have there. One of the issues we have is in fact the practice facility because we had to do a business case on this course that shows that the development and the operation of the golf course, would be handled with green's fees and not with tax payer dollars. We can open this golf course, according to our model, and rounds will be about \$45.00; which is very reasonable and playable considering the courses in the area. That's only part time. The money we get off the practice facility is going to be substantial. The practice facility can be used, not only early on in the spring but late in the fall after people are not playing golf. We're preparing those tees with underground utilities right now so that they can be heated in the future if in fact we have a good facility and it is used, we'll open it longer.

Mr. Littman stated that there are 50 foot setback requirements on these and asked Ms. Bluhm what we are measuring to be 50 feet. For example, looking at the tees for number 17, if the western edge of the top of the champion tee is 50 feet but the contour of that tee goes down the property line, what is the 50 feet that we are measuring. What is it that has to be 50 feet from the property line.

Ms. Bluhm stated it should be the development, I mean, whatever there is that's there, any development that we have, should meet that 50 foot setback.

Mr. Littman stated so then your opinion is that, again looking at number 17, the part where that contour meets the ground should be 50 feet away from the property line. Is that what you're saying?

Ms. Bluhm replied that certainly would be preferable

Mr. Littman stated that might be preferable, but is that the requirement?

Ms. Bluhm stated she did not have the site plan in front of her, like, that would be my interpretation, yes.

Mr. Littman stated so your interpretation, based on the site plan I'm looking at, as I understand your interpretation, this does not fit the requirements if the contour of this tee box goes right up to the property line. If that is what is happening, you would say that would not fit the requirements.

Mr. Chamberlain asked Mr. Littman if he had anything else.

Mr. Littman replied no, I think, that pretty well says a lot.

Mr. Chamberlain asked if there was anybody else?

Mr. Vleck, commented, that was actually going to be my next comment or suggestion, taking that, you know, we got, we could solve a lot by stating what, you know, in an actual measurement, what the setbacks will be and I think if we could set that number, I'd feel a lot more comfortable in putting something forward. You know, with some sort of setback requirement.

Mr. Chamberlain commented, if you don't mind, I'd like to close the discussion up here for now, doesn't mean we won't discuss it later. Mr. Shripka would you take your seat, and I want to go into the public hearing part of this drill.

Public hearing opened.

Good evening, I'm John Sharp, I'm a resident of Troy at 3362 Muerknoll, and stated that he is appearing tonight as the Attorney for the Troy Lakes Estates Subdivision. I believe that I should point out that I have just been retained, Sunday as a matter of fact, on this matter, but in my discussions with the City Attorney and seeing some of these items, I'm impressed that the Planning Commission has picked up on most of the concerns that the residents have. The primary concerns are the fence, we've heard tonight from City Management, that they've used the term "temporary construction fence" but it appears to the residents that the temporary construction fence of a six (6) foot cyclone wire fence is what's going to be the permanent fence, and they're very concerned particularly along Troy Lakes Estates along Shoreline. This is a subdivision, a first-class subdivision, has no fences, and that's what the residents expected when they moved in there is a fenceless area. So, and then, they originally met with, then City Manager, Mr. Bacon, he talked about a fenceless golf course, so, that was what they were led to believe and we believe that a fence is inconsistent with the neighborhood, it's inconsistent with a first-class golf course and Mr. Chamberlain's comments about plantings or something of that nature, I believe, would be more in line with what the residents are looking for. I also would point out that the existing line of trees and the existing ditch provide a natural barrier, and I don't understand, I know there may be some requirements that I'm not aware of with the DNR or whatever governing board about this landfill, but it seems to me foolish to take out existing natural barriers, such as the ditch and the line of trees that are standing there and put in a six (6) foot cyclone fence on the property line. That doesn't seem to make a lot of sense and that's from the residents' point of view. Now, the other thing that they are very concerned about are the hole locations on number 16 and number 17. Not only the green on number 16, but the tee box on number 17 and, while it's true that the majority of

golfers are right-handed, and the majority of golfers that have a problem hitting it straight, like me, slice. However, there are a number of golfers, believe it or not, who are left-handed, when they slice, they go the other way, and, I won't mention that smile from you Larry, but you mentioned already you're left-handed, but the other thing is there are a few golfers who have problems with hooks to and the original design, as Mr. Vleck pointed out, the original design on number 17 was a dogleg to the right and the fairway kind of tended away from the property line, now they have got the fairway right along the property line and that, we believe, is a problem and I think that it's a problem to having this site plan approved in the condition it's at right now. I also would point out, as far as the tee boxes are concerned, we're not only concerned about the use of the backyards because of stray golf balls, it's not just golf balls, it's also voices that carry over those property lines, particularly from tee boxes and I would point out that the "F" word is not unknown on golf courses, especially on tees when tee shots go in the wrong direction from what the golfer intended. I don't want people not to be able to use their backyard because they're hearing swearing all summer long from six in the morning till nine at night, or whatever, and that's a problem. I think those tee boxes belong farther away than a minimum fifty (50) feet, as far as they can get from, and also, the line of trees would help with noise reduction as well. I believe that it's very important that material changes in the plan, material is in the eye of the beholder, but material changes in the plan should have to come back, but, I mean minor changes like, you know, an elevation of a foot, and a bunker, or something like that, obviously, that has to be left to some discretion, but material changes have to come back to this body and I think it's also important for this group to maintain contact with the residents. It's been somewhat difficult, frustrating to make contact and at least I get that from the residents who have talked to me about this situation. I believe that there is some artificial rush to get this thing done at this point. I don't know where that came from, I don't know why it's been delayed so far, apparently, there are some contractual obligations that are causing an artificial rush. The rush to build the fence, the rush to submit a site plan to this body that's really not complete. Obviously, most of the comments from the Commission tonight have noted that this really isn't ready to be presented. I don't know why that is, you might want to find out, but I think that shows the importance of deliberation and making sure that this site plan, before it's approved, is complete and is not going to be subject to any material change. That's all I have, there will be two other people who are homeowners in the subdivision who plan to speak, Tim Storch and Connie Panzica. If there's any questions from the members of the Commission, I'd be glad to comment.

Mr. Chamberlain asked the Commission members if there were any questions, seeing none, stated to Mr. Sharp, have a seat, we might have you back.

Good evening, Tim Storch, 6454 Shoreline, stated, that at this time I'd like the residents of our subdivision please stand up so you can see them and be recognized. Thank you. I want to say off the bat, that we have supported the golf course from day one. Probably, before many of you knew about it, we were

passing around petitions, getting petitions signed, we believed the golf course would be a positive for the City of Troy, for our neighborhood and for the residents and non-residents who would like to use it and utilize it. So, this issue is not about us not supporting a golf course. This issue is about some deceit, some misdirection, and a lack of communication, and a breakdown in trust. Much of our concern has been, I think, visibly seen tonight, and you, ladies and gentlemen of the Commission, have duly noted that, but in holes number 16 and number 17, we have great concern, and I don't know what kind of golfer Mr. Treadwell is, but on Sunday, I shot 83 at Greystone. Now that may not be great, but I bet it would beat most players in here. When I shot an 83 on Sunday, I skulled a nine iron over a green and I hooked one out of bounds. Had I been playing this course, I would've broken two (2) windows. That's shooting an 83. Most golfers will not shoot that well. Mr. Shripka mentions altering a drainage ditch. My question that I would ask, if I were in your seats is how can he alter a drainage ditch through a landfill that cannot be dug. They're talking about adding more dirt on the landfill, how's he going to do that? Clearly, that water is going to have to go somewhere. We believe that water is going to find its lowest point, which is our finished basements in homes that are \$500,000 and above. We want this course done. We've wanted it done from the beginning. You're going to hear from Connie in a moment and I will just say some more too, but in the beginning, we were led to believe and sold a bill of goods, as was our school district was sold a bill of goods, on to how this was going to be done, we don't believe that's any longer the case. We think this can be done correctly so it's a win-win situation for the residents as well as the City of Troy. Unfortunately, as I said, trust, communication, cooperation has broken down and I'd like Connie now to address some issues.

Connie Panzica, I live at 6562 Shoreline Drive, I'm the third house in from Alfred Street, stated that the last time we met with the City on this was last August and at that time, things seemed to be going on relatively cooperatively and we were communicating at that time and Carol had called a meeting and Mr. Treadwell was present. We reiterated at that time, very plainly, and en masse, our objection to a fence in our backyards, in particular, a chain link fence, because it's not aesthetically pleasing. They had a three dimensional model of the course that was presented to us and it seemed to demonstrate a little more concern for where the balls were going to go relative to the homes on the west side of the course, those being our homes. Here's a copy of what we have received. I have highlighted holes number 16 and number 17.

Mr. Chamberlain asked if we could keep these.

Ms. Panzica replied yes sir.

Mr. Chamberlain stated we will make them part of the record. Part of the permanent record of this meeting.

Ms. Panzica commented okay, great. You can see that number 17 doglegs away from the properties in that layout. At the meeting last year, several alternatives were discussed when we stated, you know, when we spoke about our objection to the fence. We talked about possibly natural tree lines, berms, there is a berm down at my end of Shoreline Drive that's currently there that does provide quite a barrier, but we basically felt like more natural means, and we discussed a more natural means of preventing, not only errant golf balls, but also from keeping people from wanting to cross into our properties, like use of a deeper ditch or ravine, the split rail fence was brought up as well. But since then, the design of the course has changed, and we were talking this evening about how it's evolving. We feel that these changes though are somewhat dramatic and we haven't been pleased with them. We haven't had a chance to discuss them with the designers at all. It seems like it affects us adversely as we've been talking about this evening, the hooks on number 17, the shot down number 16, so I won't go back into that again. Part of our problem is that we haven't been allowed any input to date for at least a year into this project and that's a big concern of ours. Okay, we did receive a letter from the City of Troy and this was where we were first, you know, given an opportunity to see what the newer course layout was, and I brought a copy of that letter. We received this on June 21, 2002, it was hand delivered, notifying us of the fence construction going in on June 24, 2002. Since then, Mr. Shripka mentioned that there had been a meeting with one of the residents in our neighborhood and from there, we gathered some other verbal feedback pertaining to drainage and also we felt possibly unnecessary removal of natural existing barriers like the trees and the berm. We've already had some good discussion about that this evening, but the natural tree line is really something we valued and other natural barriers that currently exist. In short, based on what we know, or what we knew before this evening, certainly, and I'm not sure I've gotten a lot of comfort this evening either, the perimeter landscaping of the course layout will put us in an unsafe environment as you've been pointing out Mr. Chamberlain, and I appreciate your support in that area, from all the board. We feel it will make it unsafe for us and less aesthetically pleasing, I mean, even though they've mentioned that being on a golf course improves the value of your home, I cannot imagine a six (6) foot chain link fence that close to my house being an advantage; but I just can't see it. So now I'm going to turn it back to Tim for a moment.

Mr. Storch, stated that we believe, as I stated earlier in my introduction, that poor communication has led to a lot of distrust and we're led to wonder whether this misinformation that we've received has been intentional or unintentional, and this goes back from last August until this night, tonight, and even preceding that. Former Manager, Bacon, City Manager Bacon, sold us, as residents, on the Audubon design. He told us it would be nature friendly to the animals and to the environment. That was a concern we had and it was also a concern the school district had when they sold part of the parcel to the City for this development. That design, that Audubon design, was supported by community studies and even by the Planning Commission, and if, I'm correct, you had one of your own

student advisors, I believe his name's Jordan Keoleian, that did a study that supported that. Thank you very much. We want to know what happened to that, because until tonight, we thought that was a dead issue. Thankfully, we're glad to hear that there is still talk about things like that. But that's part of our problem, we haven't had any communication and the communication they've given us has mislead us and again, we wonder, whether that's intentional or unintentional. There's also this lack of a site plan. I don't think any of us would try to finish a basement, build a deck, do anything without blueprints. These people are operating without a site plan, they're operating as they go, they're designing on the fly. This course layout has changed many times. Sometimes without your knowledge, without our knowledge. We're now aware of three (3) designs. You have the design that we were sold on last August. There's a design that they presented to us about a week or two ago, and we've heard in the last two (2) days, and again tonight, that there's now a third design that we don't see. That's unacceptable to us. We also believe, as our attorney may have mentioned, that this is in violation of Chapter 39 of the City Ordinance to be operating and building without a site plan that's been approved by your body or the City Council. And make no mistake, construction is taking place. Many of you council members, commissioners, were out there and you saw that. There is heavy machinery, I think we counted eleven (11), twelve (12) heavy machines, trees have been removed to create this structure that they are going to call their clubhouse, dirt has been shaped into tee boxes and green areas. If an outside firm were to conduct this in this way in this City, they would face multi-thousand-dollar fines for these violations of the City Ordinances. We want to know how the City can get away with that. As we said, we believe that they're developing and designing as they go, how many layouts are there out there. As we said, we know of at least three (3). This Planning Commission would never approve such haphazard measures from an outside developer, nor should they now. We also believe the City officials have been less than cooperative. Carol Anderson, although I've known her for a long time, and respect her, we felt originally she was very cooperative and tried to help us, but lately we believe that she's been deceptive, non-committal in her dealings with us, and evasive. When homeowners have called her to ask her questions, she usually responds, "that hasn't been decided yet". "That hasn't been decided yet". Well guess what, we got a notice that the fence was going up, so apparently, that was decided. But she never let us know until it came in the form of a memo. Assistant City Manager Shripka was unwilling to discuss issues with one of our association board members last week. That individual, who is sitting here tonight, literally had to get out and walk out of the office because it was such an uncooperative environment. He went down to try and set up a meeting with Mr. Szerlag, but found that Mr. Szerlag was out of town. Thus, we've come to this point and that's why we're here with our concerns to you. So what would we would like to see as homeowners:

1. We think we should seriously revisit the Audubon design. That's something that many of you have expressed an interest in. It's something that we would like to see done.

2. We want the homeowners included in any plans regarding a temporary and permanent fence. We also want to be included in any discussion of what type of fence this would be, if it indeed is needed, and it's placement.
3. We want every effort made to save the tree line and berm behind our homes. That will be far better than any fence in stopping balls and stopping golfers. A six (6) foot fence will not stop many golf balls. Any of you that have played golf...that's not going to be the answer. The trees and the berm will do a far better job than any six (6) foot chain link fence.
4. We do not want the drainage ditch disturbed. We believe this will cause undue harm and flooding to our property. Many of us have walk out basements that we have spent thousands and thousands of dollars finishing off. We do not want our flood plain altered.
5. As homeowners, we want to be included in the course layout (I'm sorry). We'd like to include homeowners in the course layout to promote the safest development, especially in the areas of hole proximity of homes. Number 16 and number 8, I think you've mentioned, and the direction of tee shots in relation to homes, which is hole number 17. In order to achieve these results, Connie will summarize the actions we've taken and the resolution we hope to find in this manner.

Connie Panzica stated the resolution that we seek is for all construction to cease and desist until a site plan is approved by the City Planning Commission and approval is granted by the City Council. We have engaged the services of Mr. Sharp, you heard him speak earlier, to aid in this matter should an injunction be necessary. Furthermore, we wish to be formally notified of all meetings regarding the construction of the course so that we're clearly part of the process. Then again, our biggest concern is the landscaping along the perimeter of the property that is adjacent to our homes. We would expect that Ordinances that apply to private businesses would equally apply to the City itself. So that's basically where we stand.

Mr. Chamberlain asked if there was anyone else out there.

Mr. Chamberlain stated what the residents just handed him was a formal letter to the City of Troy requesting that they be formally informed of all meetings on the Section 1 Golf Course in the City of Troy. I'm going to pass this down to Lori (City Attorney), I guess, which would be the proper one on that.

I'm Carol Kasprzak, 765 Lovell, Troy, stated she was here on behalf of Donna Foland of the Oakland Land Conservancy. Ms. Foland had four (4) points she wanted to address with the Commission this evening.

1. Because the golf course, the proposed course, is in the Clinton River Watershed, that they coordinate with the Clinton River Watershed Council. They are a great resource, they have a wonderful database of information on drainage and stormwater runoff.
2. This was brought up by Carol Anderson earlier, that this was to become involved with the Michigan State University's Environmental Stewardship program.
3. The third and fourth points are related to the Lake Plain Prairie, and the environmental assessment done in 1998, there were two areas of concern. One was the mature woodland, and there is a map attached to the letter and it outlines that area. It scored extremely high on the floristic quality index at 40.93 and that is significant statewide and we would like the City to be aware of that and keep that in mind.
4. Area B, and that is the berm area, that acts as a buffer to the Lake Plain Prairie. They would like to see that enhanced if possible, to keep any pesticide use out of the Lake Plain Prairie and, in addition, keep seeds from non-native invasive plants out, and that is it for the Land Conservancy.

As a resident, I would like to address the issue of defensive gardening, which many police agencies and insurance companies have information on and involves planting plants with thorns around the foundations of your homes and that would be something that could be utilized at the fence. Several trees that come to mind that are native to Michigan are Hawthorns and Wild Plums. They're beautiful trees. I don't know if they would get the height of those you are looking for. I am not aware of their root depth either in relation to the landfill cap, and that is it.

Barb Brown, 6562 Shoreline Drive, stated that she's noticed that the lot lines that they've indicated for the fencing, if it's going to be on the fence line, soon to be slightly different than what the builder had originally done, so some of the sprinkler lines might be in affect, so I don't know if they would just dig up the sprinkler lines if they happen to be an inch or two into what is now being shown as City property, so I didn't know if that can be addressed at all.

Mr. Chamberlain asked if Mr. Shripka would like to try and answer that question.

Mr. Shripka thanked the Chairman, and commented on what we have is...did you get one of the letters. We did send a letter to the residents talking about relocation of sprinkler heads, invisible fences, play structures, all that. Your question was, are we going to do some of that.

Ms. Brown replied no. When Tadian built the homes, their lot lines seems to be different than your lot lines, and now our sprinkler heads, or at least I think some of them are now outside of what you call the lot lines.

Mr. Shripka continued, and asked Mr. Chamberlain if he had that aerial photo. If you'll look at the corner where we're talking, the Shoreline Drive, you'll see some numbers down there. The current residents, their lawn, their landscaping, encroaches onto the City property, anywhere from zero (0) feet to thirty (30) feet. I think there's about three (3) houses that are thirty (30) feet on the landfill site. We would like, where we're looking at putting the temporary construction fence, how about one (1) foot inside of our property line. They have instructions not to do anything up there with the temporary fence until the residents have had a chance to relocate their sprinkler heads or whatever else it is. But some of those, we have done this...

Ms. Brown asked are you going to be that hard or fast about having to be two (2) inches within your property.

Mr. Shripka asked if this was her house.

Ms. Brown replied yes, it is.

Mr. Shripka stated what we'll do tomorrow, if you will get with Carol, and we'll have the superintendent and a representative from the City come out and take a look at the line and where your heads are. Again, the intent of the temporary fence was to be one (1) foot inside the City property. So you would have you property plus one (1) foot for the temporary fence. When we get to discussion on what's going to happen after that, I'm thinking if we're talking a couple inches, ideally, everything would be out of there. But, we'll come by and take a look at it tomorrow. Those that are ten (10) or twelve (12) feet over, certainly those...We'll try and have the Engineering Department run a line from stake to stake to see where you are so that we can document it.

Ms. Donbrowski, 2637 Robart, stated I did remove all my irrigation today and all the shrubbery they told me to and now I'm concerned all the deer in my backyard, they don't know where to go. They're going to put this fence up, and I don't know what's going to happen to all the nature back there. Everybody's upset. I am on the 14th hole. I do welcome the golf course. I do not care about the value of my home, there's memories. I have five (5) fifty (50) foot pine trees that go up on the berm, that's the way it was grated when my house was built. I asked that they leave a couple of those, please leave a couple in the memory of my husband. Well, we'll see. There's no reason to mow all those down. No reason whatsoever. And also, there's a bunch of trees on the island and he said they're coming down, they're all Cottonwood. They're not cottonwood. I've lived there twenty-five (25) years and my kids planted those. They're Ash and Maple. There might be two (2) Cottonwood. He said they're going to blow on the golf course. They would never blow that way. They blow on my property. So they belong on the lot next door, which is mine. So I moved everything like they told me. They gave me one (1) day. I go to work at night, I came home Friday morning, open

my front door and there's a letter sticking in there, and I'm going "Oh my God, I can't remove this stuff in one (1) day". I called my irrigation company and they said they could get out there Tuesday. I said fine, hurry up. My kids removed all the shrubbery. This is where I stand right now. I would like somebody from the Planning Commission to please come out. There's fences all around, they keep going this way, that way. On the map that I have it shows it goes this way, now they're going this way, all the way across my lot back up here and back over there. That's not the way it shows on the map. I have the original map. As far as that golf course, I knew that was going on twenty (20) years ago. So, my husband worked for the City and I knew that golf course was going in. But I do welcome it. I do. I just don't want that six (6) foot fence there either. I'm going to have a sunroom put on and we're sitting there and I'm going to stare at a six (6) foot fence. If they want to berm it, fine, it's already a little bermed there anyways and we have all those logs keeping all the people from driving through there. The City put those in a long time ago. Fifteen (15) years ago, and I guess they're going to leave that, so nobody, you know, can drive into the property. But as far as people going in there, we have a neighborhood watch and we have been very good with keeping people out of there. If you go out and talk to the kids, you talk to people going in there, they're very nice. They're not disrespectful and their kids are pretty good. You go out and just tell them, let's not throw things on the property, let's not destroy anything in the woods. You want to walk through it, go ahead. I tell them at night, I go out. There were many nights I was afraid to go out, but I thought, you know, I just want the kids to know they're welcome over here by my property, but don't destroy anything, and the kids are usually pretty good kids. We've had nobody mean or nasty or swearing or cussing, you know. And as far as the golf course, there are rules of etiquette you can exercise on the golf course. I golf. I golf every week. I golfed at Hampton, there are trees all around and there are houses, no fence, and I never hit a ball near the window. I do hook them now and then, and I slice them, but I've never gone that far to a window. But there are trees lining the whole block, if anybody knows of Hampton. So, but I would like somebody from the Planning Commission to please come out. Please help me before this fence goes up. I'm worried about those deer. They're going to be all...I get five or six of them in my yard every morning and they don't know what to do. They're so confused. They'll stand there and look and then they'll run and I know they're going to go on M-59 and then get hit on Dequindre. I mean they're so beautiful, you know; I don't want them to die. If we only had a way to force them into the wetlands. I'd appreciate if you'd send somebody out from the City so I can show you this fence that they're doing. It's really confusing to me. Okay. I'd appreciate it. Thank You.

Mr. Chamberlain replied Thank You.

Good evening, my name is Tom Capaldi, I live at 2679 Robart, and I just have a question about the layout for number 14 right now. The way that it is currently established, are they going to be hitting, and I know it's going to be changed, across the lake to the green. I guess what really bothers me is that they

acknowledge the fact that there could be three or four thousand balls in our back yards, particularly with the existing plans, the way it stands right now, and they're talking about, perhaps, moving it twenty (20) feet. I don't think twenty (20) feet is sufficient. We still may have instead of three or four thousand, maybe two or three thousand balls in our backyard, and that's something that's still very difficult to live with. I think it has to be revised so they're not hitting across the lake. Move it further west and further north, but substantially so to alleviate that problem.

Mr. Treadwell stated the tee shot goes across the lake not the fairway shot to the green and I think that may address your concern because the tee shots come across the lake into this area and then the fairway shot goes up the fairway to the green. There's no way to hit across the lake to the green itself, as a clarification.

Mr. Chamberlain asked if it was just too far.

Mr. Treadwell replied yes.

Mr. Chamberlain asked approximately how long is that across there.

Mr. Treadwell replied his recollection is that particular hole is approximately 400 yards.

Vivian Siismets, I live at 2650 Robart, and I basically just have a question, as I'm sitting here, and I've had this question all along and I want to know the answer to it. Stemming to the fact that there's going to be a driving range to generate revenue, has anyone ever proposed the fact that maybe the baseball fields may go away to give you more room for these holes that we're talking about that we don't have room on the outside, has that ever been questioned. Sure it generates some revenue, but from my experience, personally, I played softball and now, that I've reached an age that I don't play anymore, it's the general, across the board, nobody is playing as much, and even with the little kids. They're either on golf leagues during the day during the summer, they don't play baseball, or they play soccer or hockey. So where is that research. Where is that going. So that's just my question, has that ever been brought up at any of these meetings or any of the planning stages at all.

Mr. Chamberlain commented that you need to sit down and we'll ask that question.

Mr. Chamberlain asked Mr. Shripka if he would like to try or do you want someone else to try or just want to take that question under advisement and come back with an answer later.

Mr. Shripka replied no, we'll answer all we can tonight. Yes, that was taken into consideration a couple times, and even some of the developers when we were

looking at...when we went out for RFP's. Knowing where they could develop was by using that property and so that answers that first question. Carol's going to talk about what kind of use the ball field gets and why we don't want to get rid of it. Thank you.

Ms. Anderson stated that like Mr. Shripka said, there was discussion about the relocation of those ball diamonds in order to use that property.

Mr. Chamberlain asked could you timeline this, when did this kind of discussion start.

Ms. Anderson replied prior to the proposal.

Mr. Chamberlain asked you're talking about two years ago or better.

Ms. Anderson replied yes. At that time, it was determined to relocate those would be somewhere...would cost something like \$2,000,000 including the acquisition of the land and so on. So we thought it was not fiscally responsible or a good idea to do that if we could accommodate an 18 hole course on this site without relocating the ball fields.

Mr. Storrs asked what if the ball diamonds just went away. You know, that was her question. Maybe we don't need them. Maybe the golf course is more important and with fewer people playing softball, you know, maybe we can get by with what we got or put one or two somewhere else.

Ms. Anderson stated that there is actually quite a demand still in the City for ball diamonds in terms of T-Ball, youth baseball, youth softball and adult softball. We are actually determining the need for developing additional diamonds on the acquired land, the recently acquired land. While there are somewhat less adults playing softball than maybe ten (10) years ago in the City, the overall demand has not changed significantly.

Mr. Chamberlain stated while driving over here tonight I drove by Athens High School and all those diamonds were in use. Is that part of the Troy Recreation League that uses those diamonds, both softball and baseball.

Ms. Anderson replied we do use the school sites. Whether those were taking place tonight at Athens or not, I don't know for sure, but we do use both City and school sites during the spring and summer. Particularly once school is out.

Mr. Chamberlain replied, thank you.

Dawn Martin, 6621 Ravenna, and I just wanted to get clarification on the berm. They said the trees are temporary and so I'd just like to get a clarification of when

those are going to be taken down and when they're going to do some landscaping on there and also,...

Mr. Chamberlain asked you're talking about the trees on the vents.

Ms. Martin replied yes, and also, with the watering, I think Doug had mentioned they were watered three (3) times a week. I work, so I don't see what happens with them, but I think just from what I've talked with neighbors, we've seen the watering trucks out there three (3) times and the trees have been out there at least four (4) weeks. Thank you.

Mr. Chamberlain commented I don't know how you reply to that one. I guess the question is, if these are temporary trees, what is the final solution.

Mr. Treadwell stated they are temporary trees. They were just basically put in the ground so they would be easy to move. The reason for that is as number 18 is shaped in, we will be incorporating the berm, if you will, that's along those vent pipes into the contours of the golf course, so that soil around there will be moved as the trees will be picked up, taken away, the grating will be done, the trees will be put back in place in a more permanent nature, they won't be at 45 degree angles, and the trees that die will be replaced. As far as I know, and I'm going to check tomorrow morning, they are being watered three (3) times a week.

Mr. Storrs asked is there any long range plans for the vents other than the way they are. Are they going to be reconfigured or maybe shortened and a more decorative top put on, or anything like that.

Mr. Treadwell asked, regarding the first question, are they going to be reconfigured, in all likelihood, yes. To what extent, I can't answer that. NTH Environmental Services is producing a methane collection system plan for us for the entire landfill. They will either incorporate those vents into the existing plan, or it'll be changed or augmented, and some of those may or may not come out and, again, they haven't presented the final plan to us so I can't answer that specifically. They have informed us, however, that the vents need to be a minimum of, I believe it was six (6) feet off of the ground, in fact in might be eight (8) feet, I'm sorry, because they want to prevent anyone from dropping something down them.

Mr. Storrs asked, then I'm guessing you wouldn't even have them, would you?

Mr. Treadwell stated no, that's actually...I'm sorry, I've misspoke, it's not a methane collection system, it's a methane vent system, in order to remove the methane from within the landfill.

Mr. Storrs commented, oh, okay.

Ms. Siismet, who spoke earlier, stated, I think because of the boundaries of where this golf course is going -- and it's obvious that there's a big chunk of land there that could be used for this golf course and help everybody who lives around the perimeter of this; we should really look at facts and figures and numbers of how profitable those fields are and how much they really are going to get used because, with the T-ball my son plays T-ball, if they condensed the field because there wasn't enough demand this year, is that going to be the trend, where they keep condensing down further and further and further. I don't know. I think some serious consideration should be used to use the land that's there. Use it. I mean, farms are taken away to build golf courses because they can't make money anymore. Times evolve and things change and I think you should look at what we have and try to make the best of it. And if they have to go away, they should go away and use it as a golf course if more people are going to use it. And the parking lot and that whole situation could all be done, but, if it stems back to the fact, here I'm rambling, that if somebody is being put under pressure to get this thing done in a timetable that these people were given, if that's the case, and if this could have been a solution and ten (10) years from now they decide to get rid of those fields when it could have been done now, who's going to be there to answer that, that's what I'd like to know.

Mr. Chamberlain commented I don't think there's an answer to that.

Mr. Storrs stated, as she points out, Troy's demographics are changing. Ten (10) years out there won't be nearly as many kids and the older folks like us probably aren't playing softball.

Mr. Chamberlain commented that's something we're not going to solve tonight or next week. So it's a moot point as far as I'm concerned.

Mary Bogush, 5916 Patterson, stated I'll try to be brief because I think these people for their church development are probably really tired of listening to this. One of the stipulations with the sale of the school land to the City was the Audubon course, and I'm glad the neighbors on the other side brought that up so I don't have to really expound on that. The other one was the fluctuating hydrology that the system that is there now, it's a natural recharge and discharge of the ground water with the seasons that change, that that would be left intact, and that's...the native prairie is dependent on that and the wetlands that fluctuate and all the amphibians and reptiles that use those, they have a pattern of migration where they hibernate in the water and where they go out in the smaller ponds in the summer, so it's important to keep that pre-development water depths in the wetlands, and the natural duration of frequency of the flooding, that it's maintained and I wonder if they're going to stabilize the hydrology, because I've seen a lot of these manholes, and things like that. Are they going to try to stabilize it in some way that's going to change that fluctuation, because all the plant life that relies on that's going to change if that happens. So, that's a question I have and I have another question.

Mr. Chamberlain commented to Ms. Bogush to state all her questions because a lot of these questions are not going to be able to be answered tonight and they will have to be answered later.

Ms. Bogush continued, so the hydrology is a concern and also the removal of those very large canopy trees, that the neighbors over on Rainieri, Robart, and Ronald look at, they've been there since 1900s, that particular forest of very high tulip trees, beach trees, it's a climax forest, and what's going to happen if those trees are removed, and the root systems aren't taking up the water there anymore. The trees around the shoreline of the lake also, are very scenic for the people that live there and look out as well as the people who walk through that woods. Are they going to replant vegetation to hold in all that soil in the process of when they remove the trees. In the meantime, before the grass grows, what's going to hold in that soil from silting into the water, into the lake; so that's question two. And then, just a comment, is that I have a concern with the flood plain that goes between those large trees. There is a flood plain that goes northwest to southeast and ends along Evanswood Road and I read something, and I had heard two different things, one that it wasn't regulated, and one that it is and that there wasn't going to be a permit and then there is going to be a permit. I think that needs to be looked at because the property line goes through it. And whatever happens on the north side of that wetlands is going to affect the wetlands that's on the school district's property, and property owners around there wouldn't want that all choked up with algae. If nutrients are added it depends on how they put in their herbicides and fertilizers because if you add all these nutrients, it's going to change the aquatic plants, it's going to change the way the non-desirable plants thrive in that higher nutrient value. So, it's some concerns and I don't know if you remember all the questions.

Mr. Chamberlain stated that we are being recorded, so the questions are all going to be remembered.

Ms. Bogush continued stating that the amphibians that live there, the reptiles, I do the state frog and toad survey, it's my third year and that's one of my ten (10) sites and I can tell you the highest intensity of numbers of wood frogs, chorus frogs, and American toads are there. And I know, it's a different perspective, most people don't care about that, but the days of kids catching frogs, there's no more places to catch frogs and I had that chance when I was a kid and I think, when I see all those kids on their bikes going down there, they look at them, they tell me about them, they put them back. They need a variety of habitats when they come out of the wetlands from breeding and singing, they have to go to the uplands to eat insects and they hibernate in the leaf litter, wood frogs and toads do. The huge research number of five hundred (500) feet wide buffer between the wetland, in this case, wouldn't be realistic but I'm asking if it's possible to plant a buffer, if it's feasible, in order to allow those creatures somewhere to go when they come out of the breeding ponds. And that, if it's an environmentally friendly

golf course, like an Audubon course, when they use pesticides, can they avoid broadcast spraying in favor of methods like banding or spot treatments, and when they use chemicals, can they make sure to avoid the wet areas and use them sparingly on the outside buffers. And I think with good cooperation among these landowners and managers and homeowners and biologists and the Planning Commission and the golf course architects, it could be a very nice result even if it takes more time. Thank you.

Mr. Chamberlain stated she had a lot of questions and I presume we don't have the answers for a lot of them, it gets into, I think, that we've got so many questions here tonight, I'm not closing the hearing yet, that what we're going to have to do, because of being able to record this, that yea verily, the City is going to have to come up with written questions, as a result of the recording, and a written response to that and then publicize to all that have signed in here and to us and to the City Council and, of course, the various staff members within the City Staff. I think that's the kind of solution we're going to have to head for. Because we could be here all night in trying to answer the questions as we get into this drill, and I want the questions not to be answered verbally, I need and want an answer written so that there's a record at this point of where we are and where we're going and that the citizens have a written response. If you could, quickly just synopsise some of the things you might know tonight to answer questions, Mr. Shripka. Please be aware that each of these questions are going to be individually answered in writing.

Mr. Shripka stated, first of all, to answer Ms. Bogush' questions, hydrology on this site, we had Dr. Carl Freeman, who was a member of the School Board that was helping the schools on the sale of the property when we spent approximately \$40,000 testing for hydrology and he was satisfied not only with the results, but with what would be going on there. That has been discussed and that was one of the conditions for the School Board to sign off on, that's been addressed. We talked about protecting the Lake Plain Prairie, and other environmental issues. One of the things we found is that the Lake Plain Prairie grass was doing well because there was leeching of a lot of chromium from the landfill site, not necessarily the hydrology because those plants can go for a year or so. As a matter of fact, the wells tested were dry. So, there's studies on that already. We can start from the top. We talked about what may go on with the fence and we'll continue to have meetings with the residents. We've talked about number 16 and number 17, and there was an issue of "why rush". We're not rushing.

Mr. Chamberlain commented we're not done with the people yet out there, there might be some others, I just wanted answers to her questions.

Mr. Shripka replied okay. And the other issues about the environment, we are in fact doing that, the plan will be that we'll create a friendly environment out there. The animals will come and stay.

Mr. Chamberlain asked if there was any one else out there who wants to talk to us. We lost half our audience it looks like. I think it's a little late. Maybe you do have a shot if you want to go on, now try it, but again, keep in mind, that we're going to be looking for a formal written response on every question that was asked tonight from the public.

Mr. Shripka asked if there was anything specific you would like to ask on those questions.

Mr. Chamberlain commented not me personally. Is there anyone on the Board.

Mr. Keoleian asked, on the initial plan you had number 17 bootlegged, why was it changed.

Mr. Shripka stated I'm not sure what you're talking about, on the initial plan.

Mr. Chamberlain stated let me do something here that I need to do here. I need to close the public hearing part of this and bring it back to the Board and we're going to get in the process of letting City Staff, as the petitioner, respond to the questions verbally tonight as best they can answer them here tonight and then we'll bring it totally back to the Board and have our own discussion.

Public hearing closed.

Mr. Shripka stated this is the plan that was brought to you for rezoning request and you'll notice it hasn't changed from that plan very much. This plan was the original that was submitted with the proposals from when we did the RFPs and when we came to you for the rezoning, that was the plan that was used.

Mr. Keoleian asked was it changed because there wasn't enough room, so we just had to make it straight, is that why it was changed from that.

Mr. Shripka asked from this original proposal.

Mr. Treadwell stated this was a schematic plan that was just basically the entire golf course was changed to try and take advantage of the hill. The first thing everyone seems to want to do is drive up on top of the hill and look so we ended up putting the first and tenth holes there to accommodate that, and it really gives you a spectacular view of the golf course and then we kind of built the golf course around that. With where the golf course evolves, number 17 became straight and I would like to point out, that while this plan, this schematic concept was presented, I think in April of 2000, that plan is the one that was presented to the residents in our meeting last August. So in terms of what the residents saw in August and versus what you're looking at today, there's virtually no change whatsoever.

Comment coming out of the audience – that's not true, that is not true.

Mr. Chamberlain stated that the public comment section is over. It's between us and the petitioner at this point.

Mr. Shripka stated, in moving down to the representative from the Oakland Land Conservancy, we are in fact members of the Clinton River Watershed. Tracy Slintak is involved with that quite heavily as well as the Rouge and so, we are working with that, it will be a big part.

Mr. Shripka continued with the sprinkler head location and stated we're going to go out there tomorrow to look at that. We'll look at the pine tree that Ms. Donbrowski talked about, fence location, again the fence is an issue all around. The question on number 14 was answered, it doesn't go across the water. The question on removing the ball fields was talked about.

Mr. Chamberlain made a statement to the audience that the public session was closed, please remain silent.

Mr. Shripka continued, stating again, a number of questions that were somewhat related to the same issues; tees, greens, locations, ditching, fences. Again, we've addressed that. The six (6) foot high temporary construction fence is what that is, that's going there now. But we'll come up with a decision on a permanent fence and/or alternatives in certain areas.

Mr. Littman stated he does not know if it is particularly necessary, but I think you need to work with the City Attorney's office about setback requirements as I understood her answer earlier. I think she has additional thoughts now.

Ms. Bluhm replied yes. Mr. Chair, if I may, just, you kind of caught me off guard when you asked me this. There is some ambiguity on this because I don't know if a tee box is unobstructed, and, of course, in looking at all of the definitions in Chapter 39, it doesn't clarify that. So, I would like to work with Mr. Shripka, I may alternately decide that tee boxes would not be an obstruction, and therefore, the setback would not require...it's absolutely, no parking is permitted, no buildings are permitted within that fifty (50) feet, but I would like to do some further research.

Mr. Littman stated that's why I suggest work with the City Attorney's office on further definitions of the setbacks.

Ms. Pennington commented on a couple of questions that were asked from the audience. For one, the tree barrier being taken down on the west side, is that true, are you going to take it down.

Mr. Shripka stated once again, as Mr. Treadwell talked about on the west side, that issue is up to the DEQ at this point.

Ms. Pennington continued asking about the drainage not being altered, just one comment was can actual drainage go through the landfill.

Mr. Shripka asked you mean holding up the dirt there, can we change drainage? Yes, we can do that. Does that drain need to be change? I want to clarify that, that at this point we're not saying it does. Can it, will it? Right now it isn't decided, and it doesn't have to, there's nothing that says it necessarily has to move.

Ms. Pennington continued on a comment on this letter that was handed to us in about the fence. This letter, if I look at this letter, it states you guys are putting up a fence. It doesn't say construction fence, so I would be very confused with this letter. It states you are putting a fence up as of June 24th, and if I was the homeowner, I'd be really upset. It should've been stated just a construction fence. Yeah, just a little note there.

Mr. Shripka commented, yes, again, this was mentioned a couple times. We mentioned the original letter went out on May 1, 2002. This was about the fence going up and things that needed to be done, so there was an additional letter sent in June.

Mr. Storrs stated that while Mr. Shripka's there, the lady talked about one of the stipulations of the sale of the school land to the City, that there be an Audubon course.

Mr. Shripka answered I was involved in that quite a bit and we talked about Audubon type or Audubon related issues. I won't say she's wrong, I don't have it with me, but I don't recall that we guaranteed an Audubon course.

Mr. Storrs asked if that was written down some where, is it?

Mr. Shripka stated somewhere in the lease or the sale, in the agreement, yes. We have a contract.

Mr. Vleck stated that just one of the concerns, you know, we got a pot luck of ball diamonds here and I know that standards as far as what golfers shoot and the safety zones. Obviously, we're taking into consideration what we got, holes number 7 and number 2 there, that the tee boxes are obviously, you know, starting not at the top, but near the top of the hill or halfway down and I'm curious that how that affects the safety zones and how are we potentially putting the ball diamond or the players on the ball diamonds at risk.

Mr. Chamberlain commented that we've got the green plan. I think this is what you need. So we're all talking about the same thing.

Mr. Chamberlain asked Mr. Vleck if he wanted to restate his question.

Mr. Vleck replied yes, the question is these holes, the tee boxes, for number 7 and number 2 are elevated tees. Standards were obviously used for the safety zone, but are those standards affected by the fact that these are elevated tee boxes because the elevation, obviously, it's a considerable elevation and I don't think that's, you know, you don't find a tremendous amount in your typical course, the type of elevations that we're looking at, and I'm just curious to, is that going to affect the outfielders in the ball diamonds potentially. You know, how many balls are going to potentially land in the outfield of the ball diamonds I guess is the ultimate question.

Mr. Littman commented I think you mean number 7 and number 12.

Mr. Chamberlain commented to Mr. Littman to let them answer the question.

Mr. Treadwell stated I believe what you're referring to is number 7 and number 12. The safety zones do not fall within the ball diamonds themselves, so we don't believe that there is an impact in terms of the baseball players from the diamonds.

Mr. Vleck stated the one question is, does the safety zones take into consideration that this is an elevated tee, does that affect it at all?

Mr. Treadwell stated yes.

Mr. Chamberlain asked Mr. Vleck if that was his question in total.

Mr. Vleck replied yes.

Mr. Chamberlain stated it is now totally back to the Board. Comments, where are we going to go?

Mr. Waller stated, I for one think, that we should table this for a few weeks to allow some of the written documentation to get done, to allow the neighbors, especially along the western edge and also on the southeast corner, to be recipients of the meetings with City Staff, and resolution on the necessity if a man-made six (6) foot fence versus a more natural plant type fence, I think there's significant questions about the safety of number 16 and number 17 that a little more time to make sure that those things are properly addressed would be appropriate.

Mr. Chamberlain stated it's been moved by Mr. Waller to table this, you didn't pick a date.

Mr. Waller commented I wasn't sure I made a motion either. So I will make a motion to table.

Mr. Chamberlain stated you didn't make a motion but it got a second.

Mr. Waller asked if someone could help him with our next meeting dates, please.

Ms. Valko, Planning Department Secretary, commented that July 9th was the next regular meeting.

Mr. Chamberlain stated we don't want to do that. We'd want it in a study session wouldn't we?

Ms. Valko commented the 21st.

Mr. Waller asked July 22nd.

Mr. Chamberlain stated there is no first week meeting in July.

Ms. Valko commented July 23rd.

RESOLUTION

Moved by Waller

Seconded by Littman

It is hereby resolved that this item be tabled until the Special Study meeting scheduled for Tuesday, July 23, 2002.

Mr. Chamberlain stated the reason for that tabling whereas, you stated in your previous speech.

Mr. Waller replied yes.

Mr. Chamberlain stated to give the City time to resolve all the questions that were generated tonight and get on the record with written response to that.

Mr. Waller stated and also to take a look at number 16 and number 17.

Mr. Chamberlain stated come up with a final layout on those holes, correct.

Mr. Waller replied yes.

Mr. Chamberlain stated it's been seconded by Mr. Littman. Discussion on the motion.

Mr. Vleck asked if we could get number 14 added in there also.

Mr. Waller replied confirmed.

Mr. Chamberlain asked Mr. Littman if he to, confirmed.

Mr. Littman replied yes.

Mr. Littman stated (holding a drawing up) that he's had the advantage of Dave Waller's work here and it would be very useful if all of us were able to look at this so you can actually see where all the holes were.

Mr. Waller stated, just for the record, the pinks are holes number 1-9 and the blues are holes number 10-18. I got tired of looking at black lines.

Mr. Littman stated to Mr. Waller, that I think the next time you do this, everybody ought to have this.

Mr. Waller replied okay.

Mr. Starr asked what does our tabling motion mean to the ongoing development? Dirt's being moved, steps happening out there. If we table this, what....

Mr. Chamberlain stated we haven't tabled this at all, this is the first time we've had it.

Mr. Starr stated I asked if we table it, what does that mean? Are things going to continue to progress or – I'd just like to understand what...what would our approval have done, where's there...

Mr. Chamberlain stated the timeline would be, if we did that, and didn't pass it on to City Council until some later date, it would then be an August meeting for City Council. Now this body, in my mind, owes City Council a clean piece of paper to make a decision on. Not a piece of paper that says hopefully, somebody will do this, this, and this, but, oh by the way, we got it out of our bailiwick . I want to be able to take it out of our bailiwick, with us having no caveats on it, and I think that's what we're here for, for City Council, so they don't have to do all that research, that's our job. If anybody else has a different thought process on that, please speak up.

Mr. Waller agreed with Mr. Chamberlain and stated he would like to amend his motion to say that no construction fence will be built along the west property line until it comes back to us.

A comment was made no fence of any type.

A comment was made on final site plan approval.

A comment was made, no, we don't do final.

Mr. Waller stated no construction fence at all will be built on the west property line until we issue preliminary site plan approval.

Mr. Chamberlain asked if that was agreed on by the seconder on this.

Mr. Littman commented as long as he means, I'm not exactly sure what a construction fence is, I would second it if...

Someone commented a six (6) foot chain link fence.

Mr. Littman stated if that's what he means, that's fine, yes I do.

Mr. Chamberlain asked you mean a six (6) foot chain link fence.

Mr. Littman replied right.

Mr. Waller stated as this letter was edited by Mr. Shripka to say construction fence.

Mr. Chamberlain asked if there was any more discussion on the motion.

Ms. Bluhm to the Chair stated I just want to make sure, I know that they haven't had an opportunity, I know that we do have a contract, we do have some timelines, we do have some bond constraints. I guess I would like to find out from the developer what effect that's going to have on those timelines.

Mr. Chamberlain stated, to be honest with you, where we're sitting, and you did not have the opportunity to sit in this meeting three weeks ago, in my mind, and I'll be very blunt about it, the City blew off the Planning Commission on this very issue and took us as a thing they had to come in front of, and oh, by the way, we're just going to keep on working, and they will sign off on whatever we give them, regardless, and we're going to do what we're going to do. So, timeline on the City, even if we recommended something to City Council, they ain't looking at anything on City Council for final approval until the middle of July anyway. Cause they don't have a meeting before then. So, I'm sorry, but, somewhere down the line, the City of Troy has to learn that there's a process that they force everyone else to go through, and the private developer, that they have to go through to, and that's where I'm coming from and we want to get this process right and if this is the project that we need to do it on, so be it, because we are talking about other things in this City on major developments called the civic site plan of conference centers and everything else, and some day those are all going to come to fruition

sooner than later, we hope, and, we as a Commission in my mind, have to draw the line somewhere, and say, "Hey folks, sorry about your timelines, you should have figured that out". A good project manager would have figured that out two (2) years ago when they started in 2000 on this thing and I don't understand why this wasn't in front of us last winter, instead of in the middle of the summer. We didn't pick the time that this thing came to us, the City picked the time. They ought to realize on major projects, that we typically, if it's a developer, we don't do it the first time. We table it. And I'm sorry, now...

Ms. Bluhm stated she has two points to bring up. First of all, I only ask this question because I think it's very important that the Planning Commission be aware of any effect that a delay is going to have on this project. Secondly, I would just indicate that I have been very involved in the execution of this contract. This contract, we were not confident that this project was going to proceed until approximately a month or two months ago, and I think that they have exact dates, but there were some contingencies that were not...that we were dealing with. So it was not a sure thing that this was going to proceed until approximately two months ago. Again, I just think it's very important that this Planning Commission be aware of what the potential ramifications are if there is a delay to this amount, and I don't know...I think that the questions could be answered and brought to you before your July meeting. I don't know that that's true, but I do believe that.

Mr. Waller stated I made no part of this motion to stop any of the activity except building a fence, and so I guess I'm fully aware that the earth contracts are happening and the tee shaping is happening and all that and I'm comfortable with that, I think that the golf course people know what they're doing.

Mr. Vleck stated, I think if we could somehow state it that, you know, any of the work around the tees that are in question and the property lines that are in question, if no construction and, you know, or no earth moving be done in those areas, I think that would solve some of the problems that we're talking about.

Mr. Chamberlain asked Mr. Waller if he wanted to withdraw his motion and start over. This things getting too convoluted. Yes or No, then I got to ask Mr. Littman.

Mr. Waller replied yes.

Mr. Littman stated I withdraw my second.

Mr. Chamberlain asked would you like to try again Mr. Waller?

Mr. Waller stated he would like to make a motion that we table this until the July 23rd study session with the following conditions:

1. That no construction or fence of any type be built along the west property line.

2. That the holes in question, which would be the green of number 16, the tees of number 17, and the green of number 14, that activity be held off as long as possible to make sure that the people affected, the residents affected, are in full understanding and hopefully, compliance with the way it's done.
3. That the other shaping of holes and tees and construction fence would proceed as it is currently being done.

Mr. Vleck stated he would just like to add as far as the fence goes, include the south property as it relates to the residents there on the south property,

Mr. Waller asked on the southeast corner.

Mr. Vleck replied yes.

Mr. Waller added then hold off on the construction fence around the green of number 14 along, right of the street, whatever that street name is.

Mr. Chamberlain asked Mr. Littman if you're still the second on that.

Mr. Littman replied yes, but I am a little uncomfortable with the terms "as long as possible".

Mr. Chamberlain stated I would say not do it until we get back together, you know, that's an out. That's like not doing anything.

Mr. Littman stated if the motion contains the term "as long as possible", I don't want to second it.

Mr. Waller stated okay, then I'll withdraw the "as long as possible" part of it.

Mr. Littman stated then I'll second it.

Mr. Chamberlain asked if there was any discussion on the motion.

Ms. Bluhm commented, just a clarification, is there a time then, just hold off until...?

Mr. Chamberlain stated until our next meeting which is the 23rd of July, that was what was stated.

Mr. Vleck stated, yeah, we could include, you know, for that west property line that none of the trees or that the drainage be changed over there until...

Mr. Chamberlain stated I think that's covered by the no construction activity, wouldn't that cover that?

Mr. Waller stated, well, I don't disagree with this specific statement, so we'll add that there be no alteration of the existing drainage or the existing tree line along the west property.

RESOLUTION

Moved by Waller

Seconded by Littman

It is hereby resolved that that the Planning Commission shall table a decision on the golf course until the July 23, 2002, Study Session, with the following conditions:

1. No construction fence or fence of any type shall be built along the west property line or in the southeast corner of the property near the 14th green.
2. Construction activity near the 14th and 16th greens and the 17th tee shall be halted until a decision is made at the July 23 Study Session, to make sure that the people affected are in full understanding and full compliance with the way the work is to be done.
3. Other shaping of holes and tees and the erection of other construction fencing may proceed as currently being done.
4. There shall be no alteration of the existing drain or tree line along the west property line.

Yeas
All Present (7)

Nays

Absent

MOTION CARRIED

Mr. Chamberlain stated, we have tabled this for one month and they're going to come back to us. In the meantime, I expect City Staff to review the tape, go over every question, put in writing that question, and give a written response to that question, and I would hope that it would be done sooner than the 23rd of next month, and I'd like that timeline to be within a week. And then, the people that have signed in and were speakers here, besides us, they also be given a written copy, mailed a written copy of every question and written response from the City, and that will also be the basis of what we talk about in our next meeting. I would hope to see a plan that takes care of some of those things. You hear what we said about the holes on the west side, on the southeast side, and come the 23rd, hopefully, everything will be the way we would like to see it. And we're ready to go and there's no discussion of "maybe we're going to change this", or "we're going

to change that", it is going to be the final placement, especially of those holes on the perimeter. The petitioner would like to make one more statement, I will allow him that.

Mr. Shripka stated, thank you Mr. Chairman and stated that the week to respond is going to be difficult with next week being the 4th of July. A significant number of people off and the City offices are closed. Short week for one. Second concern I have is actually on construction and I need verification. Does your motion indicate that we should no longer be taking free dirt?

Mr. Chamberlain stated no. What we've said is that construction along the west fence line. What you're doing up on the hill and in the center of that course, I think the consensus was we really don't care, we'll let the golf people worry about that. It's the construction on the boundaries that we're trying to get a handle on where the health, safety, and welfare of the people on the boundaries is impacted.

Mr. Shripka stated my concern is we would have to put out notices not to deliver any more dirt there. Cause what we are getting is free, it's a hit and miss. When it's available, they bring it. If it's not, then we don't.

Mr. Chamberlain asked isn't there somewhere you can store it on site.

Mr. Shripka stated no. No, there's no sense in storing it because you have to pay to move it.

Mr. Chamberlain commented it's cheaper to move it than it is to buy it and move it.

Mr. Shripka replied no.

Mr. Chamberlain stated sorry, that's what the motion was.

Mr. Shripka asked, we can still bring in dirt when it's available?

Mr. Chamberlain stated no, I didn't say that. Make that part of the record. You heard the motion, it's on the tape, study it, the legal people can give you interpretation on that. My interpretation is you don't touch anything along the boundaries. You don't do any work until we get this whole thing sorted out.

Mr. Shripka commented, okay, thanks!

9. PROPOSED PLANNED UNIT DEVELOPMENT (PUD-1) – Proposed Woodside Bible Church/Robertson Brothers P.U.D., East side of Rochester and South of South Blvd., Section 2 – R-1D

Mr. Savidant summarized the Planning Department report.

Mr. Chamberlain stated he would like to go back in this document starting with his assessments and I have some questions starting with page three. We'll begin with the change on the minutes which we did earlier tonight. Whereas it states in the paragraph before the final paragraph that the 28-foot wide private road will serve the residential neighborhood. That units are typically set back at least 30" from the edge of the private drive and in no instance are setbacks less than 21 foot from the edge of the private drive. In my mind, we're putting in sidewalks, correct, in front of these sidewalks next to the drive.

Mr. Savidant asked in front of most of the units.

Mr. Chamberlain replied yes. So therefore, if it's from the edge of the private drive to the building unit, it's only 21 feet, you could not park a car in there without blocking the sidewalk. Or am I reading this wrong. You say that in no instance are setbacks less than 21 feet.

Mr. Savidant replied I believe the portion of the development that your referring to, there's an island in the middle towards the back of the property toward the east and that portion where it's 21 feet, there's not enough sidewalk. It's on the outside of that loop.

Mr. Chamberlain asked, so he would be parking on a sidewalk.

Mr. Savidant replied no. There's no sidewalk to park on there.

Mr. Chamberlain stated the next one I have is the Carlisle' statement and it's all the items that need to be addressed. Well, in your statement up front, you say we're good to go on this thing, but, Carlisle had things that need to be addressed. So what is it? Are we good to go or do we need to make changes that the Carlisle group says we need changes on?

Mr. Savidant stated that what this was trying to say is that Mr. Carlisle presented an analysis we agreed with and that he had some issues with the development as presented. Before this development would be approved, ultimately by City Council, these items will be addressed or at least clarified.

Mr. Chamberlain stated it's just like the previous one. I think our charter is to give City Council a document...a clean piece of paper to make a decision on. If we have all these problems that are in here that Mr. Carlisle lists, we need to get them addressed and solved before we move it out of this body.

Mr. Savidant replied sure. He also stated that the way that this was written was intended not to repeat word for word what Mr. Carlisle said, so that's why his review was referenced and the public hearing scheduled for July 9th, so that there

will be time between now and July 9th for the applicant to address these issues and these concerns. A lot of them are, for the most part, relatively minor in terms of being able to change them quickly. I agree with you, these items will need to be addressed before a recommendation is provided by the Planning Commission.

Mr. Chamberlain stated that will happen in the public hearing, and that was the purpose of tonight' meeting. Tonight's meeting was to have in front of us a document that we're comfortable with to go into a public hearing, that the public hearing would be a formal public hearing, that we would say okay, does anyone have anything to say out there because we're happy with everything. But it turns out, we're not happy with everything and the only comments we, or things that we would have and do and make work with at the public hearing would be coming from the public, not from ourselves. And we have missed that, folks, with this document by our staff saying here's all of these comments that still need to be worked on. Now I'm going to drop out of this discussion and ask the rest of this panel up here if they have the same heartburn I have with this or do they have any other comments.

Mr. Littman stated, I think in the category of other comments, in the February 4th letter from J&L Consulting Services to Ms. Tracy Slintak, on the last page, Dr. Jaworski's recommendations, even the concerns outlined above with regard to the wetland mapping, the proposed wetland loss, and the wetland impacts, and the stormwater plan including probable adverse wetland affects of the adjacent Rochester Road property, J&L Consulting does not recommend preliminary site plan approval at this time. Now that's dated some months back, I have not seen anything that changes that. Is there something or is that still Dr. Jaworski's opinion. Has anything changed since this letter of February 4th?

Mr. Savident stated I am unable to answer that right now. Perhaps Mr. Carlisle can answer that question.

Mr. Carlisle stated that the letter you are referring to was a review of the plan as it was previously submitted, of which, as you know, we were also highly critical. I do not believe, and I'm not aware of whether Dr. Jaworski has been asked to write a real review of the plan as it has currently been proposed. However, that letter was in reference to the previously submitted plan.

Mr. Littman stated I for one would like to know what Dr. Jaworski's current opinion is.

Mr. Chamberlain stated that we need to get another piece of paper in the file on where the wetlands' people stand.

Mr. Storrs stated that this package ought to reflect the latest thing we've got in front of us and we've got these homeowner's letters, of course I don't really know what we would do about that. Two of them are complaining about the office

building, which isn't there anymore. I guess it makes sense to keep them in there.

Mr. Chamberlain stated we'll we have a public hearing so they can respond again.

Mr. Storrs said okay, then for right now we ought to go ahead and take them out.

Mr. Chamberlain said right, because they are no longer part of this process.

Mr. Storrs stated unless there's something in one of them that they're citing that we haven't addressed, then we ought to have that highlighted.

Mr. Storrs continued stating that there is something that we ought to talk about here, I think. The subject is, "what the heck are we actually going to approve". I mean, what goes in the file. We've got a whole bazillion pile of information which, you know, we've kind of been chatting like okay, we're going to get this all in and that's our recommendation. That goes to City Council and they would approve that and that would be the binding agreement. Is that really the way we're going to do it Lori (City Attorney) or have you had the chance to talk to Sue that much about it.

Ms. Bluhm stated that it is her understanding that the resolution of recommendation is going to include all of the elements that the Board will want in there and it will also reference all of the plans that have been submitted and that's perfectly acceptable. I would just advise that you keep it as detailed as possible and reference, specifically as possible, the documents that you kept.

Mr. Storrs stated I would assume Sue would be involved in crafting a proposed resolution that we would address.

Ms. Bluhm stated that she believes that a proposed resolution has already been started. We will certainly review.

Mr. Chamberlain commented that I think what you're really saying is that the resolution would say Document A, Document B, Document C, D, E, F, G, etc.

Mr. Storrs stated, right, with dates, so we all know what we did.

Jim Clarke with Robertson Brothers, stated that they have not had the benefit of seeing the package of information which you're telling us...I don't know whether the submission is or is not complete. It was our understanding in coming in this evening that we would get you a complete submission, with all documentation required for PUD approval, then we would have the benefit of the time period between now and the public hearing to clean up any details which were noted by your professionals, which would be the intent of what we would, I guess, propose

to do. The issue of the Gene Jaworski letter is an issue that came up two (2) years ago in a conversation with Larry Keisling, where Larry had suggested, and we had agreed, because he had done the initial wetlands mapping for the church as a paid consultant, that we felt it was a conflict of interest so we have actually had DEQ representatives out on site to verify and substantiate the wetland lines which was the methodology we were directed to use by Larry two (2) years ago. So I am unaware of his involvement or whether he doesn't have a conflict of interest, which we originally felt we were operating on that basis. He was a paid consultant for the church to define the wetlands and we noted, as we felt it was a conflict, and it was an agreement with the City. Having had the governing agency out there, I guess, I'm not sure why we're re looking at the lines, but if that's the City's position, I guess...

Mr. Chamberlain stated, what we're saying is that we've got a document in here that says that it's not in accordance with, and we're saying "Hey, folks", we've got to get the document in here or everything's going to...we're not trying to fight you on this, we're just saying we've got to fix the documentation in here. That's what we're trying to do.

Mr. Clarke stated, I guess tonight, in what I've seen and what I've heard of the comments, we're prepared to respond to any and all of them. I don't believe there are any issues that are not resolvable before the public hearing and I would like Kevan to speak to anything he knows of and once again, we have got an incomplete...we've not seen anything from your Traffic Engineer, from your Fire Department; we've had some comments from your Planning Department, but have not had a comprehensive package of what your looking for us to change, so it's hard for me to do a presentation on documents I don't have.

Mr. Chamberlain stated I guess when I look at Mark's and Brent's package to us with Dick's comments in the back, the one that grabbed me more than anything was the quantity of parking for the church. They are way over and above the requirements; and the only thing I would ask is that we look at the requirements of parking throughout Troy and part of what we would like to see, I think is, if you could cut some of that back and landbank it as opposed to just putting all that pavement in and maybe never using it, but okay, here's an area that we'll landbank for the future if we need it. That's the big one for me on this whole thing as far as Dick's comments.

Mr. Littman stated that one of his frustrations is it looks a little bit like the golf course, it never stands still. Every time we get information from you, it's got new stuff and, at some point, hopefully, we can get to the point and say this is what we want to build. Is this it now, can we go with this, or is something else going to change. Like I said, it's beginning to sound a little bit like the golf course.

Ms. Pennington asked what was the reasoning regarding the cross-access between the church and the condominiums, why isn't there vehicular access.

Mr. Carlisle stated I would like to preface this first of all with a couple of comments. I do believe that this is it, but remember, that your process is a preliminary and final site plan and so there will be details refined, I believe, by your own process, but I know the Commissioners have some thoughts about that particular issue. As far as the comments in our report, many of these were issues of clarification or detail that need to be addressed by the applicant and or discussed by the Commission because you may have different opinions about some of these issues and we've pointed these out for your discussion and your consideration. In reviewing this project, at one time, we had a substantially different concept with this overall site with a central entry way that was to be a major entry way and at that point in time we had the office building and a different style of residential, but if you remember, the residential didn't start until further back from where the office was to be located. So, consequently, some degree of cross access at that time made some sense because we were primarily dealing with a mix of office traffic and church traffic. When the Commission, our office and staff clearly directed the applicant that they would not approve an office building on the frontage there, I think that was a clear consensus, the office building changed, was gone, and then we had a completely residential concept starting from Rochester Road all the way back. At that point in time, it made less sense to have an intermixing of the traffic of the church and the residential portion there and that's why that was eliminated. Now there is a higher degree of pedestrian access, which is another objective that I think the Commission was trying to achieve. But the idea of having actual intermixing of the traffic just didn't seem to serve any useful function any more particularly because of the change of concept.

Ms. Pennington stated that with what she is looking at that she thinks we're getting pretty close to being able to button something up here.

Mr. Storrs stated he would like to see something on the appropriate drawing that says there is pedestrian access allowed from the Emerald Lakes Subdivision into the east side of the wooded area. I know the petitioner said they didn't want to have a defined pathway at that point with a sign. I want to make sure there's something or a note on there that says that you can't put a fence across this thing.

Mr. Chamberlain asked how close, and I'll go around the table, do you think they are in satisfying all your interests?

Mr. Vleck stated I think that one of the things that, with this particular packet that we got, is we've got to develop some sort of system for determining what the changes are without going through this entire packet, which would prove to be a daunting task. I think what we need has got to be more of a report format with a table of contents and more of a legal document that states out everything like A, B, C, D, etc., Exhibit A, B, C, D, etc., and have everything duly noted. If anything does come back for any reason then we could have a summary sheet that we

could note that there was change on Exhibit A so it would make it a lot easier to figure out exactly what the changes are and what the differences are and what the packet includes that's going to Council.

Mr. Chamberlain agreed and asked if it would be appropriate, as far as documentation, that would be final in that there would be some way to track, such as an executive summary that covers everything, say four (4) or five (5) pages long, and as part of that executive summary it always talks about the changes through the process. This way you've got this one little piece of paper instead of this stack of paper that you have to struggle through to find what you're looking for. Is that what you're trying to get to, Mr. Vleck. I know it may be too late for this one but we need to get a process started here because we're going to see some more of these things.

Ms. Bluhm stated that she thinks it's appropriate to have each document labeled as A, B, C, D, etc., you know, and that certainly could be incorporated into your resolution and that can be a PUD plan. That certainly would be appropriate. I'm not sure you need us to draft an executive summary that will go along with that.

Mr. Chamberlain stated I'm not asking you to draft it, I'm asking them. If they want it done, they've got to lead us down the path. Mr. Vleck's problem is how do I know from when I started this process a year in a half ago (March 2001) to date (June 2002). What all has changed in here and how do I track those changes without having to look at every drawing in this package, and without having to do that, is there some kind of document we could always ask for that they just keep track of and it becomes part of the A, B, C, thing.

Ms. Bluhm asked you're not speaking about the final approval but you're speaking of the work in process, i.e., red line version of each of the drawings. Certainly that can be asked for in your procedure. I would advise that you not incorporate all of the other drawings into your final. Your final approval should only be the last.

Mr. Clarke stated he would be happy to do it if they could start today. What we've given you and you've had for the last month is completely different than everything we've given you before because we were asked to do a completely different plan.

Mr. Chamberlain stated I think it's too late at this point as we are too far into the process, but we do need to do it in the future. We would just like to know how you got to this document if you were starting over.

Mr. Vleck stated, I think at a minimal, we do need some sort of table of contents or executive summary and have everything labeled. I don't think that would be too difficult at this time.

Mr. Chamberlain agreed and stated we do need that; to include whatever is in this box.

Mr. Waller stated actually I think what's in the bound issue is exactly what's under the metal clip.

Mr. Clarke stated that this is a complete representation of all the drawings you have, which was put in a book format to make it easier.

Mr. Storrs asked how are we going to handle this business when they got the development phased? They've got the hidden lines on the drawing there that says Phase II. Also, it seems that it would be appropriate to landbank some of that parking. Maybe there won't be a Phase II or maybe if there is a Phase II, people should come back for PUD1.A or something. We need to figure that one out. Like right now it's just a hidden line on a drawing.

Ms. Bluhm stated I've not had a chance to talk with Sue on this one, but, just off the cuff, the expansion would not be covered here and it would not be approved by the approval of this PUD. It would have to be an amendment to the PUD that would have to come back to you at the time of the proposed expansion.

Ms. Pennington stated as Mr. Carlisle referenced, I do think the project qualifies as a PUD and I think we can work through these last few bits of items. I think we can get this moving. Yes, there are a few items we need to look over, i.e., the landbanking of the parking. Maybe we could itemize them on a list right now and then, at the next meeting, discuss them or have answers to them. I think this is looking real well.

Mr. Keoleian asked if we change some of the parking spaces to landbank, will that help satisfy the MDEQ to get them to move along?

Mr. Johnston stated, in answering Mr. Littman's question, the only reason we made changes was based upon requests made by yourself and the Commission and Mr. Carlisle; otherwise I had this thing done in September and we were ready to break ground. The only reason it has continued to change is because it's stuff that this Commission has requested. With regards to the parking and moving of the building, I stated last meeting that we would be moving it eighty (80) to a hundred (100) feet to the west and approximately eighty (80) feet to the south. With regards to not wanting to tear into that forest and looking at the elevations with regard to coming out of the back of the church, we would have to step up approximately twenty (20) feet. With regards to that, and I talked to Mr. Carlisle with regards to the parking, by doing that it eliminates that section that he recommends we eliminate in the parking. One of the questions was regarding the amount of parking spaces that we have. Right now in our current setup, we have 926 I believe. Our current facility on a Sunday, we have 2,600 to 2,800 people there at any given time. What Mr. Carlisle didn't understand is we run two

services, which include Sunday School for both adults and children at the same time as the other services are going on, so we will not have 1,500 people at one time, we will have 2,600. If you believe the national averages when it comes to a new church going up, you can expect a ten (10) to twenty (20) percent growth in the first three (3) months of the facility opening up. So, when you take that in as a factor, we will be in the 3,000 to 3,100 people at the facility at any given time. So, using the basis of one parking spot for every three (3) people, we need 1,100 parking spots. We exceed what the City requirement is for the minimal amount of parking, and in fact, that was brought up at the last meeting, we do exceed it, and that's great. So that's the reason why we have the 1,100, and we had a meeting on this today with regards to that, and I believe he'll concur with that.

Mr. Clark stated we have a letter from the DEQ saying that the new mapping identified here, contained in the state regulated wetlands, non-regulated wetlands or upland areas, the assessment areas, a new delineation is not necessary. It does not mean we have a permit, but they concur with the mapping we have done on site. They have physically been on site, walked it and brought into the five (5) locations that are depicted on all our plans. I don't know what Mr. Jaworski has done.

Mr. Chamberlain stated that's the thing about it being in our file, not Jaworski's letter.

Mr. Clarke stated that's in your book.

Mr. Littman stated he would like to see a response from City Administration stating we don't need a response from Jaworski anymore. It's City Administration that told us Jaworski is our environmental consultant. So, if we don't need a letter from him countering this letter, I'd like to hear that said. My only other comment is, assuming I'm reading this right, it looks like there is a potential for a connection from the church parking lot into the residential. Assuming that is correct...

Mr. Johnston replied there is no intent to have a vehicular connection there.

Mr. Littman stated he would still like to hold out for some way to get from the Church parking lot to the residential area. That is something else I'm still looking for.

Mr. Waller stated that he thinks what has developed is marvelous. I think the sidewalk thing is a great addition and the boardwalk out across the wetlands, the responsiveness to the changes, the meetings that have gone on between Mr. Carlisle, Kevan, the applicant, Robertson Brothers. I think it's time for us to get the final document, executive summary, and pass it on.

Mr. Starr commented on the phasing and if the City determines that there should be a phase down, then I guess our drawing should have that indicated just so that

we're, you know, it's all in sync. If our ordinance allows us to do the phasing on there, then that's all the better I think. Another thing is, way back when, didn't we ask for a 3-D representation. Did we ever receive one.

Mr. Johnston replied you did request one and then at the end of the meeting you said it would not be required.

Mr. Carlisle stated there were several issues...Mr. Chairman you're correct in the fact in this being the first PUD, there are a lot of procedural things, I'm sure that the City needs to work through. The first one is always the most difficult. This is one of the reasons why we were hired to help because we've had a lot of experience with these matters. In the ordinance there is a necessity for the detailing of what the conditions of approval are, and that's done with a written document. In my experience, that has been typically prepared by the City Attorney, and those will detail such things as phasing, as you know, part of our recommendations is conservation easements on the wetlands area, the preservation of the area in the rear there, the issue of the pathway connection to Emerald Lakes or the issue of essentially, making that accessible to others, whether it's formalized or not. So all of those kind of specific conditions will be, can be, and should be documented in a document of conditions of approval. That can't be done until it winds its way through the Planning Commission because those are going to be your recommendations. What will ultimately be in that document will come as a result of your deliberations and your recommendation to City Council. And that can be part of your motion, in terms of the items. You don't have to get it down to legal wording but at least make clear in your condition of approval, if that's what you intend on doing, but your condition of approval, that these are the specific recommendations that you make to City Council in those regards.

Mr. Chamberlain stated that that brings me to a timeline question and to the lawyer. Ms. Bluhm, if the City, in putting together a lot of this documentation, do we have to have that documentation in front of us at the public hearing or is that prepared after the public hearing. It's a procedure question and I don't really expect an answer but I hope in the next day or so because we're running out of time.

Ms. Bluhm stated it is preferable that we know what we're incorporating. It's preferable that we know what the final documents are going to be before we draft that. And certainly, we could have that done before it's submitted to City Council after taking your recommendations and incorporate that before it gets to City Council.

Mr. Chamberlain stated I guess where I have a problem though is when I sign off on documentation I always like to know what I'm sending as opposed to saying here it is verbally and trust somebody else to take the verbal and make it into essentially a contract, because that's what we're really talking about, not really

seeing what was stated because then it becomes “shame on us” because we’re the body that’s sending it forward. At least a draft would be acceptable in order to understand because it is a new process; the first time that we do this. I guess I would like to see a draft of what would be going forward, because if you got a draft, with computers the way they are today, you just have to change or delete. That should work. I really would like to see that before we get to the public hearing so we know what is that part of the process, because we will walk out of that public hearing...let’s say we recommend to City Council this, this, and this and we ain’t got squat in front of us...and then we’ll never see it again and City Council comes back and says, yea verily, you guys sure sent a bunch of crap.

Ms. Bluhm stated as far as the timing on this particular one, I know the public hearing is set for July 9th, I don’t know if we will have it drafted before then.

Mr. Chamberlain stated we’re going to do the public hearing, that’s a given. I guess in this case, as an option, right after that public hearing, I’m not going anywhere this summer, I would like to be a party to whatever comes out of that draft starting with the draft we start from now, and getting as far as we can by the public hearing and after the public hearing and see and initial off, actually sign that thing out of here as a chairman, and anybody else that wants to sign it with me to make sure that we really do agree with it.

Mr. Vleck asked if we could possibly kind of do it like we do our minutes, you know, where we go through it, approve it and vote on it.

Mr. Storrs stated he’s not clear what we’re talking about. I thought we were going to have a motion that said...and then if we had a few nuances that people didn’t agree with we wanted, then that would be part of the motion.

Mr. Chamberlain stated that we are, in essence, sending forward a contract for final approval for City Council to sign. And in that contract, we’re going to be looking at height, width, weight, and brick colors, and anything we want to talk about. And that’s why I want this body...I don’t want this body to say okay in general here’s what it is, go do good, and we never see it again and then when it hits City Council, they’d say why would you approve such a thing, and we didn’t really approve that. It came out of City Staff and it’s all their words not our words. I want to say in this process until it gets to the last document, whatever that is, we have a process somewhere in this chain we do a public hearing, but meanwhile we look at the draft after that and say yea, we approve that draft to final. Look at that and put our names on it, and say this is what we agreed.

Mr. Storrs asked but isn’t that what we do with a motion that says we approve and that we got this drawing, that drawing, that drawing, this book, whatever’s in...

Mr. Chamberlain stated that Ms. Bluhm stated that she was going to have to put together a document.

Mr. Storrs said yes, but I didn't understand that.

Mr. Carlisle said he made the statement...my point was that ultimately there is a set of conditions of approval, and again, it's in your ordinance, but that is impossible for the City Attorney to draft that until it's gone through this process because you can't draft something that you don't know what the conditions are. The Commission's resolution can be as detailed as you wish it to be and, in essence, have the conditions of your approval of recommendation to pass on to City Council. But one would think also, that once City Council has their hand at this, that there's going to be some additional recommendations that come out of them that have to go into this final development agreement, so to speak.

Mr. Chamberlain stated I want the best that we can pull together. We're going to have all these drawings, like Mark said earlier, A, B, C, D, etc., whatever, with a cover on it. That's part of the process, right.

Mr. Carlisle replied that's correct.

Mr. Chamberlain stated that's why I want this body, not just to say here's the resolution for tonight and we're all done and we never see it again, I want this body to check off what actually hits the Council table.

Mr. Carlisle replied, as it should. What you approve...what you recommend for approval as part of this package that may be condensed by the applicant down to this book, be exactly what goes to Council.

Mr. Chamberlain replied that's right, but I want to make sure that's exactly what is.

Mr. Clarke stated the only other possible suggestion with the final development agreement, I don't know what your procedure is on this, but we could come back part of final approval, back through Planning with the final development agreement for your review, so we'd get preliminary...

Mr. Chamberlain commented that's not what this does.

Mr. Clarke commented between here and Council.

Mr. Chamberlain agreed, between here and Council, and I'll be right up front, I don't trust City Staff.

Mr. Waller stated that the gentleman made a courteous offer that when the Council and legal department get through with their iteration that he'll share it back with us. I think that we should graciously accept that offer.

Mr. Chamberlain stated he agrees, and if for no other reason, that it's part of our learning process for the next PUD. We've got to follow this whole process in order to learn it. We're learning.

Mr. Waller stated the only other thing he would like to suggest, there's a two (2) page document here called the PUD justification and I think it was written at some point in the past and somebody needs to bring it up to date, change the name of the church, get the reference to the office out of it. If this is going to be part of what goes forward, it ought to be real accurate.

Mr. Keoleian stated that since this is a PUD, there should have been vehicular access to the church.

Ms. Pennington stated she agreed with Mr. Keoleian about vehicular access.

Mr. Storrs stated that one of the things in the motion that's listed there needs to be the Planning Department analysis.

Mr. Vleck stated that he thinks ultimately what our motion will look like when we send this up is it's going to be the actual move to approve it and as part of that motion, you know, per...that we're going to move that packet up there to, that's going to be part of the motion. A couple other concerns I still have is the swirl drain and I still have a problem with the 35-foot setback toward the units 5-8 and 15-23. I understand it is because of the wetlands back there, but it's a major concern that we're going to be putting up this wall of buildings, you know, for the residents that are existing there and we only have that 35-foot setback.

Mr. Chamberlain asked if there was any kind of consensus on parking, on cross-access parking?

Mr. Littman stated that what he's looking for is the ability for emergency vehicles to get from the church parking lot to the residential area. I am not looking for a regular traffic flow pattern through there.

Mr. Vleck stated that it is his understanding that they have consulted with the Fire Department and Traffic Engineering and that they didn't feel it was necessary. So I would have to think...I guess I don't care either way.

Mr. Storrs stated whatever the petitioner thinks is best in that regard.

Mr. Vleck stated his first concern is the drainage. There is a drain that is on the Natural Features Map for the City of Troy, I believe it is the Renshaw Drain that runs back there and there is a significant amount of water that it holds for the properties to the north, and I'm just noting that as a concern. I'm not convinced yet because we don't have elevations yet as to whether that's going to affect those properties. Assuming that's going to be taken care of, the other thing would

be the 35-foot setback for the units 5-8 and 15-23 and what the impact may be on those units.

Mr. Littman stated that in a development of this type the trade-off for that is the wetlands. I'm okay with it.

Mr. Waller stated he's okay with it, and would hope that the applicant understand the possibility of providing adequate landscaping across the property would be reasonable.

Mr. Starr stated the houses that are there, they have a fairly decent backyard already, so like Larry said, they do get a trade-off with the wetlands.

Mr. Chamberlain stated he thinks 35-foot would be good if we could get some plantings in there.

Mr. Vleck asked the chairman if we could get some additional information and find out what landscaping that could be done in there.

Mr. Clark stated that the property owners are satisfied with the 35-foot setbacks.

10. UNIFIED SITE DEVELOPMENT OVERLAY DISTRICT

Not discussed.

11. PUBLIC COMMENT

No public comments.

ADJOURN

Meeting was adjourned at 11:55 p.m.

Respectfully submitted,

Mark F. Miller AICP/PCP
Planning Director

mfm