

CITY OF WARREN  
PLANNING COMMISSION  
PUBLIC HEARING

Regular Meeting held on October 21<sup>st</sup>, 2024, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, October 21<sup>st</sup>, 2024, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners Present:

Delwar Ansar  
Andrey Duzyj  
Michael Holowaty  
Sultana Chowdhury, Assistant Secretary  
Mahmuda Mouri, Secretary  
Warren Smith, Chair  
Melody Magee, Ex-Officio  
Henry Newnan, Ex-Officio

Also present:

Ron Wuerth – Planning Director  
Michelle Katopodes – Planner III  
David Crabtree – Assistant Planner  
Amanda Mika – Assistant Planner  
Melissa Maisano – Administrative Secretary  
Jennifer Pierce – Assistant City Attorney  
Enver Shaplo - Communications Department

1. CALL TO ORDER:  
Chair Smith - Calls the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

MOTION:

A motion was made by Commissioner Holowaty to excuse Vice Chair Boniecki and Commissioner Hoque, supported by Commissioner Duzyj. A voice vote was taken and the motion carried unanimously.

4. APPROVAL OF THE AGENDA:

MOTION:

A motion was made by Commissioner Duzyj to approve, supported by Assistant Secretary Chowdhury. A voice vote was taken and the motion carried unanimously.

5. APPROVAL OF MINUTES OCTOBER 7<sup>TH</sup>, 2024:

MOTION:

A motion was made by Commissioner Holowaty to approve, supported by Assistant Secretary Chowdhury. A voice vote was taken and the motion carried unanimously.

Chair Smith – I’d like to take a minute and recognize our two Ex-Officio’s, Councilwoman Magee and Councilman Newnan, good evening.

6. PUBLIC HEARING ITEMS:

Members of the audience who wish to address the Planning Commission this evening for a public hearing item may do so by first checking in with the court reporter at the right of the stage and will have three (3) minutes to speak.

A. SPECIAL LAND USE WITH SITE PLAN FOR USED CAR SALES AND PARKING LOT EXPANSION; located on the southwest corner of Groesbeck Highway and Nine Mile Road; 22755 Groesbeck Highway; Section 35; Joseph Tringale/JNT Investments (Marianna Fuga); PPSL240001. **Postponed from September 9, 2024. Petitioner requests that this item remain postponed to December 16, 2024.**

MOTION:

A motion was made by Commissioner Duzyj to postpone until December 16, 2024, supported by Assistant Secretary Chowdhury.

ROLL CALL:

The motion carried as follows:

- Commissioner Duzyj..... Yes
- Assistant Secretary Chowdhury..... Yes
- Commissioner Ansar..... Yes
- Commissioner Holowaty..... Yes
- Secretary Mouri..... Yes
- Chair Smith..... Yes

B. SITE PLAN FOR PERMANENT OUTDOOR RETAIL SALES OF FLOWERS, FIREWORKS, AND HOLIDAY ITEMS; located on the northwest corner of Thirteen Mile and Mound Roads; 5821-5823 Thirteen Mile Road; Section 5; Matt Shango/13 & Mound LLC (Michael Kanakry/Mike’s Fruit & Flowers); PSP240022.

PETITIONERS PORTION:

Ms. Caren Burdi – Good evening, Caren Burdi on behalf of Mike's Fruit and Flowers. Mr. Kanakry is here in the audience, if we need him we can call him up, he just had foot surgery a couple weeks ago. My address is 31851 Mound Road, Warren, Michigan 48093.

As stated, we are here tonight to seek approval of permanent outdoor retail sales. These are sales that I believe you are familiar with off of Thirteen Mile just west of Mound. Those sales have been going on for flowers, holiday items, and fireworks for a good 19 years maybe even a little more, but 19 is for sure, what I can remember. During that time period he has had no written violations at all, ever. Any time there's been any issue or anything brought up he's addressed it straight out with the city and has dealt with it.

I have to say that having those outdoor sales for flowers and holiday items has become, for a lot of people in Warren, a tradition. I know that I took my children there to buy pumpkins and I now take my granddaughter to buy pumpkins and flowers for the porch.

I also kind of want to point out I was up north up by Romeo at one of the apple orchards where they sell pumpkins, and I was quite surprised they were doing pumpkins by the weight. I was seeing people spending \$66.00 for pumpkins and \$52.00 for pumpkins, I ordered a 10 oz. apple cider slushy, and it was \$10.00.

I have to say that a lot of hardworking families in the City of Warren can't afford an outing like that with prices like that. It's nice that we have a place here in Warren where families can go and pick out a pumpkin in all different price ranges. He's got little gourds to bigger pumpkins, he's got beautiful flowers in the fall, and he's got vegetable plants for people to plant. I just want to say I think it's a good alternative that we have here in the city.

I have read the recommendations by the Planning Staff, we are in agreement with all the provisions of that and we ask that you look favorably upon this. I'm available for any questions that you may have.

Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**ENGINEERING:** Preliminary review of this site has yielded no comments from the Engineering Division.

**FIRE:** The Wren Fire Department approves this site plan. If you have any questions, please contact me at 586-756-2800 ext. 3300.

**COMCAST:** In response to your utility request for the above project, please refer to the attached map for the location of Comcast CATV/FIBER facilities. Aerial cables are highlighted in orange for fiber and yellow for coax cable. Underground is highlighted in blue for fiber and green for coax cable. If we can be of further assistance, please feel free to contact us by email at [ccutilityrequests@teamsigma.com](mailto:ccutilityrequests@teamsigma.com).

Mr. Ron Wuerth reads the recommendation of the Staff.

MOTION:

A motion was made by Commissioner Duzyj to approve, supported by Commissioner Holowaty.

COMMISSIONERS PORTION:

Commissioner Holowaty – When does this company plan on starting the construction of their new permanent building?

Ms. Caren Burdi – My understanding is he's looking into doing a new building and I think he's looking at 2 years I believe, he's not sure. He's been looking into that with the owner and been exploring that, but he's got some real health issues that are delaying a lot of things. He just recently had surgery, he's on the heart transplant list, he's got a lot of things going on.

Commissioner Holowaty – His health is important, he's got to take care of that first.

Commissioner Duzyj – A couple of questions, first of all, item D, it indicates the end date is December 2<sup>nd</sup>?

Ms. Caren Burdi – They meant to put 22<sup>nd</sup>, it's a typo, it should be December 22<sup>nd</sup>. The site will be cleaned up from top to bottom, he cleans it very well.

Commissioner Duzyj – I think he's been an asset to the city, I think I was on the Commission when we approved it in 93, back in the last millennium. Is there still a bond outstanding on this, because there's a bond for \$500.00 to be posted but there's been things going on there for a while and I imagine there's a bond on it. If anything, I'd like to add to the recommendation, especially on number 3, that if there is any outstanding bond. It should be closed out to go with the recommendations here, that would make sense. That's it, thank you.

Secretary Mouri – I was wondering what the hours would look like.

Ms. Caren Burdi – The longest that it would be is 9:00 am to 10:00 pm and that’s just sometimes at the height of the fireworks sales, sometimes it’s 9:00 am to 7:00 pm, it varies. I wanted to tell you the worst would be 9:00 am to 10:00 pm. The good news is there are no residents around there at all, the residents are quite far away. There are two subdivisions obviously to the west but they are a distance away.

Chair Smith – It’s been a pleasure having this gentleman on the corner I know a lot of people appreciate everything he does, and I think it’s going to make it beneficial for him to make it permanent instead of temporary seasonal, so he doesn’t have to keep going back to Zoning every year. I think the hours are reasonable, I think the times of the different events that he hosts are reasonable. I’m looking forward to continuing and benefiting the City of Warren.

ROLL CALL:

The motion carried as follows:

- Commissioner Duzyj..... Yes
- Commissioner Holowaty..... Yes
- Commissioner Ansar..... Yes
- Assistant Secretary Chowdhury..... Yes
- Secretary Mouri..... Yes
- Chair Smith..... Yes

- C. SITE PLAN FOR OPEN STORAGE OF VARIOUS MATERIALS, SHIPPING CONTAINERS, AND DUMPSTERS; located on the west side of Ryan Road, approximately 177 feet north of Kiefer Avenue; 25205-25411-25513 Ryan Road; Section 19; Joseph Perkins/The Paslin Company (Scott Brinkmann/Butzel Long); PSP240023.

PETITIONERS PORTION:

Mr. Scott Brinkmann – I’m here on behalf of the Paslin Corporation, 25205, 25411, and 25513 Ryan Road. What we are asking the Commission for today is approval for open storage permit. The Paslin Company is an industrial use site M2 zone. There are multiple buildings on these three different parcels and this site is utilized for a business that supports build outs for other manufacturing plants. As part of that process, the Paslin Company, they’ll have certain robotic parts and certain other pieces to these plants that they are building out they may temporarily store outside at various different portions of the property. We are here today to get approval from your Honorable Body to have open storage in two different areas of the site.

Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**FIRE:** The Warren Fire Department approved this site plan. If you have any questions, please contact me at 586-756-2800 ext. 3300.

**DTE:** DTE has no objection to this request impacting 25205-25411-25513 Ryan Road; Section 19; per the site plan provided as long as all easements and right of ways stay in place. If you have any questions, please do not hesitate to contact me at 586-783-1978.

**COMCAST:** In response to your utility request for the above project, please refer to the attached map for the location of Comcast CATV/FIBER facilities. Aerial cables are highlighted in orange for fiber and yellow for coax cable. Underground is highlighted in blue for fiber and green for coax cable. If we can be of further assistance, please feel free to contact us by email at [ccutilityrequests@teamsigma.com](mailto:ccutilityrequests@teamsigma.com).

Mr. Ron Wuerth reads the recommendation of the Staff.

Mr. Scott Brinkmann – Through the Chair, first we'd like to thank the Planning Department for the preliminary review and the work that the staff did in sitting down and going over this plan with us several times.

Second, I wanted to make note of some of the recommendations. So with respect to 1E, we actually have six successful parking spaces noted on the drawing. However, we understand that seven are required and I think based on the plans we plan on adding two additional parking spaces for a total of eight. So I wanted to mention that for 1E and Paslin agrees and will be in full compliance.

For 1F, there are 21 spaces that are shown on Area 2, you can see those parking spaces that are shown within Area 2 of the drawing. So those parking spaces that are noted are not within the 256 total parking spaces that are required. To avoid any confusion, we will remove those lines out of Area 2. I think the site requires 155 parking spaces, we have 256 parking spaces, and that 256 does not include the spaces that are shown in Area 2, so to avoid the confusion we will remove those spaces as shown.

For 1G, on the far right side of Area 1 there are two doorways that go into the building, and there is truck traffic that comes into the site and then circles back around and comes out during the one-way. So it was absolutely not our intent to have open storage in the area of that turnaround if we couldn't utilize that area for both the truck turnaround and for open storage.

If we have to pick one or the other we are completely fine with not using that area for open storage. So what we would do is the top line there of the building we would just draw that line out to the right and the open storage going downward take that area off the open storage. It's more important to have the truck traffic that comes in turn around, drop off what they are going to drop off at the garage doors, and then circle back around.

Therefore, the recommendation from Planning for 1G would no longer be required. We fully understand why that recommendation is being made, because if that area is specifically used for open storage only, then you wouldn't be able to drive around truck traffic, you would have to have a two-way there and the parking spaces would have to go straight in, instead of being angled. Like I said, it's more important for Paslin to utilize that area for the truck turnaround and therefore we would like to make a change provided that your Honorable Body approves to take that space out of area 1.

1H is regarding the greenbelts that are shown on the drawing, we currently don't have those greenbelts. Paslin has been operating at this site for 87 years. We are considering those greenbelts pre-existing non-conforming use. If we were going to incorporate that into a future project, we'd be happy to consider that but we just spent a significant cost repaving the area to the south with all new concrete and had we known it was the Planning Department's request to put in the greenbelt there we would have accommodated. Because we've already paved over that we'd have to tear up all that new concrete that we just put in over the last couple months. We feel like it's grandfathered in pre-existing non-conforming use not having the greenbelts there. If it was something that the Commission was going to consider we certainly would ask for a variance to that, due to the fact that it's overly burdensome on the Paslin Company. So on 1H we are asking for the removal of that.

Moving on, for number 3, to combine the three tax parcels. The tax parcel lines are all clear, the buildings do not cross the tax parcel lines. Most importantly, for this particular petition, the areas that we are looking for open storage in those legal descriptions also do not cross any of the tax parcel lines. Due to the fact that we have multiple buildings out on the site, we have multiple utility bills that come in and keep these multiple addresses, it would be a nightmare for us to combine this particular site. Plus, just for purposes of open storage use, we don't think that it should be required, so we'd ask that item 3 with respect to combining the tax parcel be removed.

Last but not least, on item 4, the cost of the improvements and the bond. When we first sat down with the Planning Department, the first thing they said is hey there's a sign out there that shouldn't be out there and there are a couple of crab trees we'd love to see if you'd plant. Before we even submitted our open storage permit, we went out there and had the sign pulled and we went in there and had the new trees planted. I would ask that the bond requirement be removed because the work is actually already done. If item 1G, with respect to the greenbelts, is removed then all the trees that the Planning Department has asked for have been planted and the sign that they asked us to remove that was done months ago. We appreciate the consideration tonight; we are here to answer any questions.

Commissioner Duzyj – In the view of transparency, I want to just state for the record that I did work with Paslin Corporation about 40 years, this was two owners, ago. I don't think I have a conflict of interest or anything else, but I wanted to put that on the record that the situation exists. If the rest of the Board feels that I should not vote on it then so be it. I have no problems with that.

Chair Smith – Before we take this to a public hearing Mr. Wuerth, would you like to comment on a couple of the things that you mentioned in the recommendations?

Mr. Ron Wuerth – Yes, actually. I'll go right to G, I still don't understand why there can't be two-way coming in, and a 21 foot driveway is rather unusual, usually they are 26 feet in width as a requirement of the Engineering Division. I don't know when the concrete went in, you needed a permit to put in new concrete and they should have gotten that. I don't know why they didn't understand that, it's just common knowledge when doing any kind of work in places like that. So, I'd still like to see that front setback but that's the Planning Director's point of view.

Condition number 3, they don't want to combine but it's going to create another requirement. They are going to have to provide us with ingress and egress documents between each property on their own property, that's what will have to happen. I don't know that it would be a nightmare to combine those, you'd have common bills and everything else that's typical of what people do. If it's that kind of a problem, then we will write in here that you need those ingress and egress documents between each of the properties.

As far as the other comments, I'm happy to have more accessible parking. Also, I'm going to go back to G, that site plan I couldn't understand that's one of the reasons G ended up being written that way. I didn't know that trucks were going to go in toward the building there's no arrows, please put arrows on that plan that show that. If they are two-way or one-way you can't see it and can't understand it. Those are my comments.

PUBLIC HEARING:

Mr. Greg Ferguson – I'm representing my mother at 25512 Wexford, which is directly in area 1. My main question is the height of the storage. Currently there is a brick wall, I think it's a 10-foot wall that runs it, is your storage plan higher than that wall?

Mr. Scott Brinkmann – No.

Mr. Greg Ferguson – Okay, so everything you would do would be below. From her house, you look out and you don't want to see a bunch of storage sitting out there. Thank you.

MOTION:

A motion was made by Commissioner Holowaty to approve, supported by Assistant Secretary Chowdhury.

COMMISSIONERS PORTION:

Commissioner Ansar – You mentioned a few of the recommendations you are not agreeing to, number 3 you requested to remove and also 1H you wanted to remove from the recommendation. So you don't basically agree with the recommendation you want to remove a few of the recommendations, right?

Mr. Scott Brinkmann – Yes sir, 1G we would like to modify that by making area 1 smaller, therefore we can have the truck turnaround. Deleting 1H, except for the crab trees that we've already installed and the sign that we've already moved. Item number 3, not being required to combine the tax parcels and, to the Planning Departments request, we absolutely understand his request and we would be prepared to record easements that would show ingress egress between the three properties in case one of the properties and the ingress and egress was still there. And 4, remove the bond request because we've already planted the tree and removed the sign?

Commissioner Ansar – Thank you.

Commissioner Duzyj – The idea of G, so you would cut it off at the north side of the northeast tool and die building, just go all the way east and leave the rest. The way I was looking at is you have no way of loading or unloading or anything else on the outside and I'd prefer to have the loading and unloading on that side because it's not facing any neighbors. I'd prefer you put the truck inside or something don't leave it out there all the time. That makes sense on G, because you didn't have enough turnaround without going inside.

The last thing is, you have the northeast tool and die building that was the original, then the cast concrete one that was next to it, and then the Hovis screw lock building next to that and all three of those have become Paslin. I don't see where there's a problem on combining the three of them since you've been operating as a combination for a while. The only reason I'd say you can leave it split, if you want to split off probably the Hovis building on the south end of it, the other two are on the verge of being joined at the hip. I'd like you to go over that with our Planning Department on the reasons why you really have a problem with combining all three parcels. I agree with 1G on going straight out with that. You have storage and you have a way of turning trucks around otherwise, you're stuck you can't take anything out of there safely.

Mr. Ron Wuerth – I see another concern because you don't want to combine them, you've got the two bigger buildings, the northern ones, connected. So, you now have setbacks, 20 foot setbacks on each side of the buildings, and then the line goes through the connection. You'll have to get a variance for that. Unless you had a variance in the past, we are going to look into that, but we think you'll need a variance to have that. Graphically it looks like you have 20 foot setbacks but it's the connection that's the concern here.

Chair Smith – Good evening again, I was at the site today and I looked around and I looked at the two areas where you want to have outside storage, then I looked at the whole area and you've got outside storage all the way around the building along concrete wall. On the outside you've got steel stored over there, you have two roll off dumpsters in the back, you have pallets next to one building, you have containers storing the gas tanks for the hi-lows, and around on the other side you've got pallets. You've got storage outside all the way around that building, and my concern is, with everything that I saw around there, are you going to be able to put all that storage in those two little areas? There's quite a bit stored all the way around, if you're requesting this much for open storage, you're not going to be able to have all the other stuff around in that area.

Mr. Leon Kresek – It shouldn't be an issue.

Chair Smith – So everything that I saw that was all around the perimeter along the outside wall, that will be in those areas?

Mr. Leon Kresek – What you seen today was all project stuff and that stuff moves on a weekly basis. We just had a big project that was canceled by Ford's so we are kind of in a holding pattern for the next month or so, but it will go away.

Chair Smith – Alright, thank you sir. You wanted some dumpsters for metal and trash, and you wanted some other kind of containers for some other materials you're going to have there also. So we need to know what areas these particular containers are going to be in also.

Mr. Leon Kresek – They will be in the open storage area.

Chair Smith – And you'll let us know what's going in which storage area?

Mr. Leon Kresek – Yes, we have trash dumpsters and we have dedicated steel dumpsters also.

Chair Smith – The other issue I have is Ryan Road has been torn up a while, and they finally came down the side where you're at, it got paved really nice and they put the new driveways in. I went out and measured the driveways. The one that you say is 21 feet between the two bollards is only 18 or 19 feet, and the one that's supposedly 26 feet is only 24 feet. I measured it out on the other side of the sidewalk, and it was still 19 feet on the outside and Ron wanted that as a two-way, which would make it 26 feet, so you would have to open that up all the way to the street to make that wider. That looked like it might have been an issue for me because they just put that new concrete down there.

Mr. Leon Kresek – The construction company actually just poured those new, brand-new, aprons out front.

Chair Smith – I saw that, and now we are talking about maybe changing it, that was one of the concerns I had when I went out and looked at it today. The cabinets that have the tanks for the hi-lows need to be noted where they are at because that's flammable gas, therefore it needs to be in an area where it allows for flammable gas storage.

Mr. Leon Kresek – Correct, yes.

Chair Smith – Other than that, that was really the only question I had. Like I said, by cutting off that one area and just extending it out, I don't know how much you're going to get in that little space.

Mr. Leon Kresek – Our biggest concern is obviously that is our main shipping and receiving doors where we are giving back the piece for outdoor storage and it is essential to our business that we have truck traffic going in and out of there with proper turnarounds.

Chair Smith – Okay, there were pallets all over in different areas and it seems like there should be an area where you store all your pallets so they are not all over the area.

Mr. Leon Kresek – There is storage for pallets on the south side parcel we actually have a bullpen built and if there was stuff that was being stored on the north side, we will get it moved over to the proper location.

Chair Smith – Alright sir, I guess that's all the questions I had for you. Mr. Wuerth can you come up for a minute please? So being they are going to delete that one part of the storage in front of the doors there, are you still not going to require the 26 wide where the 21 wide is at for two-way traffic, or is that going to be deleted? Right now it's just one-way traffic coming out, so what they had planned on doing is, they are going to change the parking as far as perpendicular or striped like they had it on an angle if they eliminate that section. The driveway at the gate there is only like 19 feet and on the other one it's only like 24 feet. They just put all that new concrete in so I don't know how that's going to affect what's going on with what you were concerned about as far as the traffic there.

Mr. Ron Wuerth – They can gain more parking if they went perpendicular as opposed to angle, but that seems to be the system that they are working with. They are going to fix it by doing what they said they were going to do. I'm still a believer in the width of the driveway being 26 not 21 and you went out and measured 24.

Chair Smith – It might have been 26 at the street because it widens quite a bit out at the street.

Mr. Ron Wuerth – We measure right at the property line.

Chair Smith – I'm just trying to figure out what they are going to have to do for the requirements you're asking for, being all that new concrete has been done. Are they going to have to rip it up, are they going to have to redo it, I'm just trying to figure out what has to be done so they'll know what has to be done.

Mr. Ron Wuerth – They want H deleted, they said they put in new concrete, it's too bad that happened. It would have been better had we known through a permit when they made that replacement, but they didn't get one, so we didn't get a notice when we did our research. We might have said something about it at the time a permit came in, but that didn't happen. So I guess we'll wait, unless the petitioner gets generous sometime in the future and puts in the rest of the 20 foot wide front setback.

Chair Smith – I did see the two new trees that they planted. Other than that, I guess that's all the questions I have, anyone else have any questions?

Commissioner Duzyj – Are we eliminating G, or H, or 3?

Secretary Mouri – The bond, also, of \$1,000.

Chair Smith – We didn't adjust the bond. Being all the improvements they have, I would suggest just keeping the bond where it's at, it's not a big bond. As far as G, where they are eliminating the one piece, the strips and the driveways, I think that's something they'll have to work out with Mr. Wuerth to get a better picture of what they will have to do.

Commissioner Duzyj – Are we combining them or leaving all three separate, I want to make sure we've got this nailed down.

Chair Smith – Being it's on one property usually we combine it as one, but they were saying because of tax purposes they need to keep them separate. Mr. Wuerth said they'd have to get ingress egress letters between the properties. Whether it's worth it to do that or not, that's a different story.

Commissioner Duzyj – Are we going to add that to the motion, that's all I want to know?

Chair Smith – We can add that to the motion, yes.

Commissioner Duzyj – I'd appreciate it.

Commissioner Ansar – I think we should postpone this to let the petitioner and the Planning Department work together and come to the next meeting, that's what I'm proposing.

Secretary Mouri – I also agree, I know there was a motion was made by Commissioner Holowaty and Assistant Secretary Chowdhury, but I feel that might be a better option.

Commissioner Holowaty – I rescind my initial motion and, if it’s agreeable to the Commission and to the petitioner, to postpone it to the next meeting November 18<sup>th</sup>, 2024.

Chair Smith – That gives you a chance to get with Mr. Wuerth and see what you can work out on the driveways. As far as the egress and ingress and as far as combining the properties you’ll get a better idea of what’s the best way to go with that. So that was a motion by Commissioner Holowaty to postponed and supported by Assistant Secretary Chowdhury.

**MOTION:**

A motion was made by Commissioner Holowaty to postpone until November 18<sup>th</sup>, 2024, supported by Assistant Secretary Chowdhury.

**ROLL CALL:**

The motion carried as follows:

- Commissioner Holowaty..... Yes
- Assistant Secretary Chowdhury..... Yes
- Commissioner Ansar..... Yes
- Commissioner Duzyj..... Yes
- Secretary Mouri..... Yes
- Chair Smith..... Yes

- D. **SITE PLAN FOR NEW PARKING LOT AND OPEN STORAGE FOR REPAIR VEHICLES;** located on the south side of Nine Mile Road, approximately 435 feet west of Hoover Road; 11510 & 11514 Nine Mile Road; Section 34; David Dawod/Coyote Auto Repair and Collision; PSP240021.

**PETITIONERS PORTION:**

Ms. Klodiya Tawfik – Good evening, Klodiya Tawfik on behalf of Coyote Auto Repair and Collision. Essentially this is a request to convert a grassy land area into a concrete cement parking lot. It is already contained within the property and they’re simply asking to develop the land into a more appropriate sort of for parking and storage. At any given time, there’s usually about six vehicles, between four storage vehicles and two customer vehicles, that come in and park and then leave by the end of the day. They are not asking to expand they are merely looking to develop the land.

Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**FIRE:** The Warren Fire Department approves this site plan. If you have any questions, please contact me at 586-756-2800, ext. 3300.

**COMCAST:** In response to your utility request for the above project, please refer to the attached map for the location of Comcast CATV/FIBER facilities. Aerial cables are highlighted in orange for fiber and yellow for coax cable. Underground is highlighted in blue for fiber and green for coax cable. If we can be of further assistance, please feel free to contact us by email at [cccutilityrequests@teamsigma.com](mailto:cccutilityrequests@teamsigma.com).

Mr. Ron Wuerth reads the recommendation of the Staff:

Chair Smith – The recommendation from the Planning Department is to postpone it so that the owner would have a chance to meet with the Planning Department and go over some of the recommendations.

Ms. Klodiya Tawfik – I would just respectfully ask as far as recommendation number 1, what is the amount allowed for vehicles that are stored and parked on this site. Because, as indicated, it's six vehicles at any given time and it seems to be a bit vague as far what the recommendation would be. It simply indicates that it's too small to allow for the amount of vehicles, but it doesn't state any specific number.

As far as number 3, the Planning Staff recommends the property owner meet with the adjacent property owner, I would just note for the record that he did and at this time it's not feasible. The adjacent property owner is asking for an amount that is deemed to be inappropriate by my client, by the applicant, and not affordable at this time.

As far as number 4, when the Planning Staff conducted a field check there were more vehicles parked on the site than being requested. It doesn't indicate how many vehicles were present on this site, again it's reassured to the City and to the Council that it's six vehicles at any given time between four vehicles that are stored and two vehicles that are in and out of the property by the end of the day.

As far as number 5, the vehicle that was parked in the driveway approach, I did speak to the applicant, and he indicated this was the employee's vehicle. It was subsequently removed, it's not like it's stored there or regularly stored there, it was just that moment that happened to be. And as I understand it there were construction vehicles that were present on the property possibly at the time of the inspection or when the Planning Staff did go out to the property, so they are not regularly positioned there, it was just temporary.

Additionally, I would state that if the Planning Commission did decide to approve the conditions that are requested by the Planning Staff, number i, where it states the property has very limited space, but the Planning Staff is recommending the planting of two trees. It's not exactly clear why these would need to be planted given the limited space and where they would be planted. It's unclear where they would be planted is actually property that's owned by the applicant or something that's owed by the city.

As far as what is being recommended or requested regarding the site plans there are no issues to modify them as needed to reflect what is requested by the City. I would just ask that the City work with the applicant as best as the applicant is working with the City to get this completed. Thank you.

Chair Smith – I was by there today and I parked in the driveway, and I walked down the side of the building where the cars are parked to the alley in the back and I could barely squeeze between the two at the back fence just to even walk to the back fence. There's a lot of issues as far as the parking of the vehicles there, there were four cars there and three were on the one side so even if you had to get them out it would be hard to do. When I was talking to the Planning Director today he mentioned you might want to go to the ZBA first and see what ZBA says as far as what they might require for you to be able to do, what you want to do. Therefore, postponing it to the next meeting would give you time to get with ZBA. You said the owner to the east of you is not interested in selling you the property because it's an astronomical cost, then see what they would say that you could possibly to do remedy the situation.

MOTION:

A motion was made by Commissioner Duzyj to postpone to November 18<sup>th</sup>, supported by Commissioner Ansar.

COMMISSIONERS PORTION:

Commissioner Duzyj – A couple of things, first of all, I can appreciate your position especially with the landowner east of you thinking that he's got some kind of gold mine there. Welcome to the new millennium, I guess. The problem that I see, and I understand the cars next to the building won't be there going forward, although they are shown in the pictures here. Even with the cars on the side next to the fence you couldn't get a fire truck in there if your life depended on it with all those cars on the side. It looks like a dangerous situation from Nine Mile Road, that's one.

Two, has anybody looked at vacating the alley, that might be something that would help the situation. I don't know if the alley is in use there or what, but if you vacated the alley that might give them a little more room on the backside of it. So that's something I think you can talk to the Planning Director about to see if we can possibly do something else there and get you a little more room because you're pouring a whole bunch of stuff into a very small can. Thank you.

ROLL CALL:

The motion carried as follows:

- Commissioner Duzyj..... Yes
- Commissioner Ansar..... Yes
- Commissioner Holowaty..... Yes
- Assistant Secretary Chowdhury..... Yes
- Secretary Mouri..... Yes
- Chair Smith..... Yes

Chair Smith – See what you can work out with them, I know you're in a tight spot but where there's a will there's a way.

- E. SITE PLAN FOR NEW CELLULAR ANTENNA TOWER FACILITY; located on the west side of Hoover Road approximately 561 feet south of Eleven Mile Road; Section 22; 26651 Hoover Road; Howard Arnberg/Hoover Eleven Holdings, LLC (Bryan Monaghan/AT&T Mobility); PSP240024.

PETITIONERS PORTION:

Mr. Bryan Monaghan – First my name is Brian Monaghan, I represent AT&T Mobility. I'd like to thank Mr. Wuerth and his staff in the Planning Department they were very helpful and responsive in moving this proposal forward.

The second thing I'd like to point out, I had these blow-ups made, so I feel compelled to use them, they are identical of Exhibit One of our support letter that we provided. What this shows is the existing coverage in basically of center of Warren a little bit to the right of Center Line. These are existing AT&T cell sites in green, everything on here that is green, and blue is good coverage. Coverage for cell phones, coverage for data streaming, which is exponentially the bigger part of what wireless technology is all about, people streaming movies, data, all kinds of things.

This yellow and red that you see in the middle is the gap in our coverage. It's about a mile by a mile, it's pretty big. That's what this tower is proposed to remedy. This is the exact same map once the tower is turned on. The information as to what the coverage would be was fed into the program and it shows that this would be almost a complete cover of this gap area. That's why we are even bothering with this tower.

As you know, the tower is a permitted use under the new amended Wireless Zoning Ordinance in Warren. I have reviewed the recommendations from the Planning Department, and AT&T Mobility has absolutely no problems with anything that has been recommended by the Planning Department and we would urge the Planning Commission to adopt the recommendation in total.

I would like to point out very quickly, however, based on a couple of, what I consider, the more serious recommendations. The setback to the R-1-C District that is immediately to the west of the parcel, that this tower will be constructed on, is actually 236 feet. They were concerned that they needed a 200-foot setback to residential under the amended Ordinance, we actually have 236 feet.

The proposal that is on the current site plan is for 150 foot tower with a 5 foot lightning rod, that would obviously make it higher than 150 so we've agreed to reduce the tower to 148 feet with just a 2 foot lightning rod so that we would be right at the 150, which is permitted.

It's a pretty important project we've been working on and looking for a site in the area for some time to remedy that gap. We'd ask that the Planning Commission approve it as recommended by the Planning Department. If there's any questions, I'd be happy to address those.

Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**FIRE:** The Warren Fire Department approves this site plan. If you have any questions, please contact me at 586-756-2800, ext. 3300.

**COMCAST:** In response to your utility request for the above project, please refer to the attached map for the location of Comcast CATV/FIBER facilities. Aerial cables are highlighted in orange for fiber and yellow for coax cable. Underground is highlighted in blue for fiber and green for coax cable. If we can be of further assistance, please feel free to contact us by email at [ccutilityrequests@teamsigma.com](mailto:ccutilityrequests@teamsigma.com).

Secretary Mouri – I also have two letters that were sent to us from the public, so I'll also read these into correspondence. The first letter is from Julie Benefield.

Hello,

I live in the neighborhood behind the shipping center at 11 Mile and Hoover. I was sent a letter to attend a public hearing regarding a cell phone tower at 26651 Hoover Road. I am unable to attend the meeting in person, so please accept this email as my response.

I oppose to this plan. There are already huge eye sores all along the freeway like towers and billboards, we don't need another ugly structure reaching to the sky. Not to mention there are numerous possible health risks from cell phone towers, from headaches and sleep issues to cancer and neurological issues. No thank you.

Julie Benefield

Secretary Mouri – I also have another one this was sent from Shannon McLeod, 26438 Falmouth Drive.

To Whom It May Concern:

I don't know that I can attend the meeting on Monday, the 21<sup>st</sup>, so I want to go on record now that I am vehemently opposed to and very upset about the prospect of the placement of a cell tower at the location specified in your letter. What a detriment it would pose to the houses right by it and what a negative it would be for our future home sales. This is a terrible idea for our neighborhood!

Who wants to look at that from their backyard! We even have a row of trees planted to block the backside of the shopping center from the view.

Also, I am not convinced that they pose no health concerns to those nearby.

Thank you.

Mr. Ron Wuerth reads the recommendation of the Staff:

\*\*Because the petitioner has indicated how he's going to modify the tower we do not need condition number 3, which had to do with the variance.

MOTION:

A motion was made by Commissioner Ansar to approve, supported by Commissioner Duzyj.

COMMISSIONERS PORTION:

Chair Smith – Good evening, sir, I had a couple of issues. We got a letter from AT&T Mobility to the Planning Commission on requirements of what you are requiring, and one of the things I noticed it said is on page 2, it says the proposed site which will consist of 150 foot monopole antenna tower accompanying equipment shelter within a 46 x 60 foot leased area. On the drawing it shows 40 x 60 leased area.

Mr. Bryan Monaghan – I understand there's a discrepancy, all I can tell you is they are typically 40 x 60, I think a new vendor was involved in helping with the site plan, as you know they are pretty detailed. Long story short, I'm almost positive it's 40 x 60, if it's anything else we will make sure that the site plan is very specific about that.

Chair Smith – Okay, and the second question is, it said the site was surrounded by a 40 x 60-foot fence?

Mr. Bryan Monaghan – It's a 6 foot high chain link fence, that's correct.

Chair Smith – On my detailed drawing it shows 40 x 59 feet.

Mr. Bryan Monaghan – Once again, heads will roll is all I can tell you, we will take care of this problem.

Chair Smith – I know it's a minor issue but I'm looking at the site plan and one's saying one thing and one's saying another, so I just wanted to make sure that whatever it's supposed to be gets straightened out.

Mr. Bryan Monaghan – Absolutely, we will take care of that with Mr. Wuerth and his staff.

Commissioner Duzyj – Who is going to measure this when it's done?

Mr. Bryan Monaghan – Measure the height?

Commissioner Duzyj – Yes.

Mr. Bryan Monaghan – We do.

Commissioner Duzyj – I'd love to see Ron crawl up there. Thank you.

ROLL CALL:

The motion carried as follows:

Commissioner Ansar.....	Yes
Commissioner Duzyj.....	Yes
Commissioner Holowaty.....	Yes
Assistant Secretary Chowdhury.....	Yes
Secretary Mouri.....	Yes
Chair Smith.....	Yes

7. CORRESPONDENCE:

None at this time.

8. OLD BUSINESS:

MINOR AMENDMENT TO SITE PLAN FOR CHANGES TO SOUTH BUILDING AND SPLIT INTO TWO BUILDINGS; located on the northeast corner of Mound Road and Nine Mile Road; 23250 Mound Road (23500 Mound); Section 28; NP Mound Road Industrial LLC (Mark Koenigsknecht). Minor Amendment is for changes to building height, quantity of truck docks, and fencing for Building 3 only. PMA240007.

PETITIONERS PORTION:

Mr. Mark Koenigsknecht – Thank you Commission for having me back here with you today, again, seeking a minor amendment to a previous approval. I was here extending that site plan approval maybe a month ago, if you recall, so I'll briefly touch on the project for those that aren't aware of it and then get into a little more detail, I'll try and keep it brief on the minor amendment itself.

Behind me I have the customer's sale team who is the prospective tenant that wants to move into this building that we are discussing today, so if you have any questions for them they are happy to answer them as well.

The details of this site, if you recall, this is a total of four building park, we have two existing completed and leased buildings. Building 1 on the north side, building 2 is the Home Depot site and then the project we are talking about here, as you can see on the screen, is building 3 at the corner of Nine Mile and Mound Road. It's a build-to-suit industrial opportunity for Custom Cells, I'll invite the Custom Cells team up right now, there's just a couple of brief slides to explain what Custom Cells does just so you're aware and then I'll close it out with the minor amendments that we are discussing today.

Ms. Maura Bush – Good evening, my name is Maura Bush, and I'm here along with my colleagues from the project team and wanted to tell you a little bit about the operations of Custom Cells.

In order to support the IRA and growing demand in clean energy technology we are looking to expand into North America. A little bit about our operations in itself here in Warren, at 23250 Mound. We are looking to install a big lot line scaling from one gigawatt into three. The inside facility is raw material storage, battery cell manufacturing, some testing as well as some warehouse. Similar to property number 1 on the same North Point Development site. Our staffing plan will be 194 full time employees and as we scale our operations, we will get above the 350 mark, so 366 at full scale.

As far as daily life at Custom Cells, we do hire full-time employment, offering comprehensive benefits, looking at a three-shift operation, and we've been working very close with the community both on labor sides supporting our work force as well as looking at unions potentially for our operations. Thank you for the chance to talk about our operations.

Mr. Mark Koenigsknecht – Thanks Maura, we can jump to the next slide. So briefly, the minor amendment that we've had here, we've had a height which we took to ZBA a couple of weeks ago for approval. The manufacturing process for Custom Cells is battery manufacturing for electric vehicles. The gray area here is actually a heightened manufacturing process to allow for their equipment, around 283,000 square manufacturing space.

Here are some elevations and sections of the project, again this is part of what we pitched over to the ZBA Board a few weeks back. One of the amendments that we are going for is actually modifying the dock doors. Our original site plan approval had a different layout of dock equipment doors, this one is changing to suit their manufacturing needs. So, relatively minor. The layout of the building and the footprint of the building will all remain the same from our previous approval. Generally, the overall footprint of the plan does remain the same from our previous approval. We had a few modifications, like I mentioned, on the exterior of the building with roll up door location, with parking layout, we are still working with DTE on a substation which is one of the things that Ron is going to touch on with his recommendations. We are hopeful that we don't need an industrial substation on site, but we have one shown diagrammatically here in case that does come to fruition.

I'll let Ron touch on his recommendations and then I'll be happy to answer any questions that you may have. Thank you.

Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**FIRE:** The Warren Fire Department approves this site plan. If you have any questions, please contact me at 586-756-2800, ext. 3300.

**COMCAST:** In response to your utility request for the above project, please refer to the attached map for the location of Comcast CATV/FIBER facilities. Aerial cables are highlighted in orange for fiber and yellow for coax cable. Underground is highlighted in blue for fiber and green for coax cable. If we can be of further assistance, please feel free to contact us by email at [cccutilityrequests@teamsigma.com](mailto:cccutilityrequests@teamsigma.com).

Ms. Michelle Katopodes reads the recommendation of the Staff:

MOTION:

A motion was made by Commissioner Holowaty to recognize it as a minor amendment, supported by Commissioner Duzyj.

ROLL CALL:

The motion carried as follows:

Commissioner Holowaty.....	Yes
Commissioner Duzyj.....	Yes
Commissioner Ansar.....	Yes
Assistant Secretary Chowdhury.....	Yes
Secretary Mouri.....	Yes
Chair Smith.....	Yes

MOTION:

A motion was made by Commissioner Holowaty to approve, supported by Commissioner Duzyj.

COMMISSIONERS PORTION:

Commissioner Holowaty – I have driven by there and this looks like a very good use of what used to be the old Hydromantic Plant for GM. It’s been vacant for years, you had the Home Depot that went there a few years ago, and I do recall that you were going to further develop more of the property. I think this is good use of the land and the petitioner said they are going to try and hire Warren residents, so if you can keep that in mind, there’s a lot of good hardworking people in Warren.

Mr. Mark Koenigsknecht – Understood, as Maura mentioned, lots of really good paying jobs, so we are excited to bring that to the community.

Commissioner Duzyj – Are you going to have any lithium on this property, that you know of?

Mr. Mark Koenigsknecht – Yes, we are working with Harrington Group, they are a national consultant that we use for fire protection services, so yes, we do, and we are working through them actively. We will engage with the fire department to make sure we are designing any storage within or outside of the facility appropriately, for not only lithium, but any sort of material that is above and beyond a typical fire sprinkler system.

Commissioner Duzyj – I'm just concerned about compounds like lithium that as soon as water touches it there are flammable consequences. Are you addressing that and any other ecological problems that come up during the course of manufacture?

Mr. Mark Koenigsknecht – So we are absolutely. Again, we are working with the experts, not only on the Custom Cell side, who have been doing this in Europe for quite some time, but also local experts that understand jurisdictions within the United States and Michigan. We are through schematic design and working toward final design for a permit plan. So, I wouldn't say we have everything finalized as of yet, but we've made a lot of really good progress through that design. And we will engage the fire department, and we are bringing them in early and often, so they understand the fire protection measures and storage measures that are required for the type of materials that we are using.

Commissioner Duzyj – Very good, I appreciate it. Thank you, Mr. Chairman.

Secretary Mouri – I know you mentioned it's going to be a three-shift schedule once this is up and running, so it's going to be a 24-hour facility?

Mr. Martin Talke – My name is Martin Talke, I work with Custom Cells, yes, you're correct, it's a three-shift facility, 8 hour shifts, so 24 hours.

Secretary Mouri – Thank you.

Chair Smith – You reduced the number of truck ramps, what was the purpose of that?

Mr. Mark Koenigsknecht – So within the facility itself there's a lot of manufacturing processes that butt up to the perimeter of the building, so not having dock doors right up against where that manufacturing equipment would be allows us to kind of reallocate the dock doors to where inbound and outbound trucking is actually needed. We are building a build-to-suit for a specific tenant, and not a speculative build for a future tenant, so we are modifying those dock doors accordingly to meet their manufacturing needs within the building.

Chair Smith – Is there a testing area in this building for the stuff that you're building?

Mr. Mark Koenigsknecht – We do have a testing area, yes.

Chair Smith – Dealing with lithium, is it a safe and secure area so there's no accidents?

Mr. Mark Koenigsknecht – Yes, we are designing clean and dry rooms that are fire rated, more specifically, it's used for the manufacturing process where that material is open and being used. It's in a stable state and I'm happy to let these guys touch on it a little more. It's in a stable state once it's completed the manufacturing process for testing, Maura do you have anything to add to that?

Ms. Maura Bush – Yes, it's a ISO6 classification, each of the rooms, if you go back into presentation, inside the facility, they are all within contained clean rooms in itself. So as soon as you get into the building and then beyond the security point within each facility, they are all controlled HVAC systems. Just to further add, the company has had 13 years of experience, we are bringing the technology over and ensuring that they regulate to the local (inaudible) and authority holding jurisdiction.

Commissioner Holowaty – When do you plan on starting construction of this new building?

Mr. Mark Koenigsknecht – We are currently working through some terms, their actual leadership team is in from Germany today, they are behind me now, so we've been meeting with them and having some really good conversations. We are still hopeful we can break ground on this early next year, it depends on funding goes and a lot of other complications, but we are still optimistic to break ground early next year.

Commissioner Ansar – Is there a number you can give us on how many employees you will hire for this building?

Mr. Mark Koenigs knecht – I think Maura said upwards of 300 once we are full scale?

Ms. Maura Bush – Correct, 366 at full scale.

Commissioner Ansar – Thank you.

Chair Smith – That was a motion by Commissioner Holowaty to approve, supported by Commissioner Duzyj, roll call.

ROLL CALL:

The motion carried as follows:

Commissioner Holowaty.....	Yes
Commissioner Duzyj.....	Yes
Commissioner Ansar.....	Yes
Assistant Secretary Chowdhury.....	Yes
Secretary Mouri.....	Yes
Chair Smith.....	Yes

9. BOND RELEASE:

SITE PLAN FOR SECOND DRIVE THRU LANE WITH LANDSCAPE ISLAND; located on the northeast corner of Van Dyke Avenue and Nine Mile Road; 23000 Van Dyke Avenue; Section 27; McDonalds USA, LLC (Joe Minorik); PSP220017. **Approved on July 11, 2022. Surety bond posted in the amount of \$3,000. Project complete. Release the bond.**

MOTION:

A motion was made by Assistant Secretary Chowdhury to release the bond, supported by Commissioner Holowaty.

ROLL CALL:

The motion carried as follows:

Assistant Secretary Chowdhury.....	Yes
Commissioner Holowaty.....	Yes
Commissioner Ansar.....	Yes
Commissioner Duzyj.....	Yes
Secretary Mouri.....	Yes
Chair Smith.....	Yes

10. NEW BUSINESS:

None at this time.

11. CITIZEN PARTICIPATION:

None at this time.

12. PLANNING COMMISSION BUSINESS:

**A) Planning Director's Report:**

Mr. Ron Wuerth – Just a few things, I've been on vacation kind of for about the last two weeks, so I just have about four days here of work since I got back. I met with the Warren Active Mobility Plan Consultants, we do that every two weeks, and we are getting closer and closer to things, they are a good group to work with.

On the 16<sup>th</sup>, I attended a meeting where Tom Bommarito presented a facility called MI Health, and this is a facility being proposed on Van Dyke Avenue, it's a City project. The uses will be an Urgent Care and medical use and residential dwellings, otherwise known as a mix uses. So it's got to go through Planning Commission. They managed to secure some financial help, so the project looks like it's going to go forward. It looks really good, you'll be impressed with it once it gets to the Planning Commission.

I also attended a meeting that was brought to the City by FEMA, the National Flood Insurance Program. Some representative came from Lansing to us to talk about all issues with flooding and what to do with it, the wetlands, the streams that we have, and changes to the flood plains that are along the Red Run Drain, issues like that. So we had quite a discussion and with that information the City Administration will use that, the Mayor attended this one.

I guess lastly, today I attended a Mayor's Staff Meeting, so that's about it. If you have any questions.

**B) Planning Commission Discussion and Concerns:**

Chair Smith – I have one question to ask our City Attorney Jennifer, I noticed at the cell phone tower notes the amendment for the cell phone tower was being revised and Mary Michaels was supposed to have it to present at the meeting tonight, did she give that to you?

Ms. Jennifer Pierce – Are you talking about the ordinance being published?

Chair Smith – Yes, she was supposed to have the final copy of it.

Ms. Jennifer Pierce – It still hasn't been published, but it will be published soon. It has been approved by Council.

Chair Smith – Okay I was just checking to see where we are at on that, because I noticed the note in there that said she was going to have it by this meeting.

Ms. Jennifer Pierce – I did read that she indicated that it was going to be published before this meeting, but regardless of whether it's been published, it's still in effect since it's been approved by Council.

Chair Smith – Thank you and thank you for joining us this evening.

Commissioner Duzyj – On the northeast side of Eleven and Mound at Federal Facility they're parking trailers, mobile homes and everything else along Mound Road, is there anything we can do about it or is it federal land and we can't touch it?

Mr. Ron Wuerth – Are these construction trailers?

Commissioner Duzyj – No these are mobile homes, and fifth wheels. If you go east on Eleven Mile Road and make a left going north on the other side of Eleven Mile Road, if you look to the right, it's outrageous, there's got to be 100 trailers, or mobile homes, I'm just questioning whether or not they are allowed to be there first of all. And second of all, if anybody has noticed?

Mr. Ron Wuerth – I admit not noticing but I haven't been down that way because that route was closed off when they were building Mound Road.

Commissioner Duzyj – It's open, take a ride down there, they are storing them like they store them at Selfridge, I don't know if there's anything we can do.

Mr. Ron Wuerth – We will look into it tomorrow.

Commissioner Duzyj – I appreciate it, thank you Mr. Chair, and thank you Ron.

13. CALENDAR OF PENDING MATTERS:  
None at this time.

14. ADJOURNMENT:MOTION:

A motion was made by Commissioner Duzyj to adjourn, supported by Commissioner Holowaty. A voice vote was taken and the motion carried unanimously.

The meeting was adjourned at 9:00 p.m.

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Warren Smith, Chair

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Mahmuda Mouri, Secretary

Meeting recorded and transcribed by  
Mary Clark - CER-6819

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