

CITY OF WARREN  
PLANNING COMMISSION  
PUBLIC HEARING

Regular Meeting held on July 14, 2025, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, July 14, 2025, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioner's Present:

Delwar Ansar  
Andrey Duzyj  
Michael Holowaty  
Sultana Chowdhury, Assistant Secretary  
Mahmuda Mouri, Secretary  
Merle Boniecki, Vice Chair  
Warren Smith, Chair  
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  
Diane Morrison – Temporary Planning Aide  
Mary Michaels – Assistant City Attorney  
Christie Laabs – Communication 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 Duzyj to excuse Commissioner Hoque, supported by Commissioner Holowaty. A voice vote was taken and the motion carried unanimously.

4. APPROVAL OF THE AGENDA:

MOTION:

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

5. APPROVAL OF MINUTES – JUNE 16<sup>th</sup>, 2025:MOTION:

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

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 to the right of the stage and will have three (3) minutes to speak.

- A. SUBDIVISION LOT SPLIT REQUEST; located on the south side of Couwlier Avenue, approximately 1,402.97 feet east of Schoenherr Road; one (1) parcel (Lot 48) to be split into two (2) parcels; Section 36; 14036 Couwlier Avenue; Scott Skelton/Skelton Properties, LLC; PSLs250001. **Postponed from June 16, 2025.**

PETITIONERS PORTION:

Mr. Scott Skelton – This is an existing single-family dwelling on a double lot that I'm looking to split into two lots and build a new home on what will be a new vacant lot.

Secretary Mouri reads the following correspondence:

**TAXES:** Current.

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

**POLICE:** WPD does not foresee any issues with splitting the lot.

**COMCAST:** We have aerial facilities that are in the area, but we have no conflicts with the proposal.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

Mary Clark CER-6819  
July 14<sup>th</sup>, 2025

A motion was made by Commissioner Duzyj to approve, 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
Vice Chair Boniecki.....	Yes
Chair Smith.....	Yes

- B. SITE PLAN FOR OPEN STORAGE OF VEHICLES AND TRAILERS; located 1,020.31 feet east of Mound Road and 1,848.8 feet south of Ten Mile Road; 24230 Mound Road; Section 28; Richard Conflitti/Ace Real Estate (Michelle Pietrzyk/Ace Real Estate); PSP250010.

PETITIONERS PORTION:

Mr. Justin Osen – We’ve been an open storage lot for 20 to 25 years. Ellis Towing and Macomb Towing rents it, they put their overflow vehicles there and then they bring them to their locations to have the customers or insurance company pick them up.

Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**ENGINEERING:** Preliminary review of this site shows that there is no storm sewers in the immediate vicinity of this site. However, there is a 54” County storm sewer on Mound Road.

**POLICE:** WPD Does not foresee any issues with the site plan.

**AT&T:** AT&T does not object to this proposal.

**COMCAST:** We have aerial and underground facilities in the area, but no conflict with the proposal.

**DTE:** DTE Electric Company has received and reviewed the site plan for outdoor storage of vehicles and trailers. DTE Electric Company has no objection to the above request impacting 24230 Mound Road; Section 28; per the site plan provided. If you have any questions, please do not hesitate to contact me at 586-783-1978.

**MCPWO:** The Macomb County Public Works Office (MCPWO) has reviewed the site plan for the project referenced above and has determined that the site is located within the Bear Creek Intercounty Drain Drainage District. Any stormwater discharged to the Bear Creek Intercounty Drain will require a MCPWO stormwater review and approval. Should the City of Warren require a No-Objection letter from this office, please reach out to me at [wesley.jonik@macombgov.org](mailto:wesley.jonik@macombgov.org) or 586-469-5961.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Duzyj – Is this the storage spot that Service Towing was using?

Mr. Justin Osen – Macomb Towing, we never had Service Towing we had Macomb Towing and Ellis Towing back there.

Commissioner Duzyj – Thank you.

Chair Smith – You say you store cars back there as the overflow of what you're towing in?

Mr. Justin Osen – Correct.

Chair Smith – What kind of turnover do you have on the cars that are in there, as far as how long they are there?

Mr. Justin Osen – I don't know, we rent it out and that's what they use it for.

Chair Smith – Do you know how many cars are in there?

Mr. Justin Osen – Probably about 100.

Chair Smith – But you don't have any idea of how often they move them in and out of there?

Mr. Justin Osen – No, because they go to auction whenever they get the titles. I guess when they tow an abandoned car it takes a couple months to six months to get the abandoned title and then they are able to auction off the car. The are at the mercy of the Secretary of State.

Chair Smith – Thank you sir.

ROLL CALL:

The motion carried as follows:

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

- C. SITE PLAN FOR NEW GAS STATION WITH CONVENIENCE STORE; located on the northwest corner of Thirteen Mile and Hoover Roads; 31015 Hoover Road; Section 3; Alvin Pattah/13 Equities LLC (Faiz Simon/FF Warren LLC); PSP250028.

PETITIONERS PORTION:

Mr. Faiz Simon – I’m working on the Thirteen and Hoover existing gas station that we’d like to tear down and build a brand-new site from the ground up, similar to the one that we’ve done on Thirteen and Ryan. It would be similar to the one we built two and a half years ago on Thirteen and Ryan.

Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**ENGINEERING:** Preliminary review of this site indicates that Planning Commission approval should be contingent upon the petitioner’s compliance with the following conditions(s):

- Show all existing and proposed underground utilities on the site plan.
- Obtain required permit from Macomb County Public Works for any storm sewer work.
- Provide a detailed drainage plan showing grading, flow directions, and stormwater management.

- Submit a complete pavement plan with material specs, layout, and ADA compliance.

**FIRE:** In regard to the project PSP250028 for 31015 Hoover, the Fire Department doesn't see any issues that would hinder our operations.

**WATER:** We have a 12-inch water main in the berm on the west side of Hoover and also a sanitary main near the curb that may dead end in the northern approach of this property. The water service is off of the 13 Mile main that is on the south side of 13 Mile Road, and the stop box is located 6 feet east of the west building line somewhere inside of the sidewalk.

**AT&T:** AT&T does not object to the proposed new gas station and store.

**COMCAST:** Comcast has facilities that are in conflict with the request, 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).

**DTE:** DTE Electric Company has received and reviewed the site plan for the new gas station with convenience store. DTE Electric Company has no objection in relation to the work involved in the above request impacting 31015 Hoover Road, Warren, MI 48093; Section 3; per the site plan provided. If you have any questions, please do not hesitate to contact me at 586-783-1978.

**MCPWO:** The Macomb County Public Works Office (MCPWO) has reviewed the site plan for the project referenced above and have determined that the site is located within the Smith-Rivard Drain Drainage District and the Smith-Rivard Drain is located approximately 30 feet east of the eastern property line. Any stormwater discharged to the Smith-Rivard Drain will require a MCPWO stormwater review and approval. Any stormwater discharged to the 13 Mile Road or Hoover Road stormwater system is under the City of Warren's jurisdiction and would require their approval. Should the City of Warren require a no-objection letter from this office, please reach out to me at [wesley.jonik@macombgov.org](mailto:wesley.jonik@macombgov.org) or 586-469-5961.

Mary Clark CER-6819  
July 14<sup>th</sup>, 2025

Ms. Michelle Katopodes reads the recommendation of the Staff:  
6b – should read waive 6 parking spaces, however this number will change based on the gross square footage once the mezzanine is added.

PUBLIC HEARING:

Mr. John Liadis – Good evening, members of the Planning Commission, my name is John Liadis. I'm a member of the Thirteen Hoover Shops LLC, we are the parcel directly adjacent to this on the west side. I wanted to make a little statement concerning this project.

I am writing as a concerned stakeholder and member of the Thirteen Hoover Shops located in the adjacent property development just west of 31015 Thirteen Mile Road to formally object to the construction of a gas station and convenience store at this location.

My concerns are as follows:

- Traffic and Safety: The proposed development will significantly increase traffic congestion at an already busy intersection, posing risks to both drivers and pedestrians and potentially affecting access to our shopping center.
- Economic Impact: The addition of a gas station may negatively affect the commercial balance in the area. There's already a gas station there, I understand that, but this gas station, the way it's oriented is parallel to Hoover, which completely blocks our whole visibility going east to west, you can't see our shopping center until you get past it, that's a problem.

I had a couple of questions, maybe it's too premature but I don't know if this is going to be a 24-hour gas station, we don't know what the facilities are, so we don't know how disruptive that's going to be to the rest of our businesses in the center.

I respectfully request the Planning Commission to deny the site plan or require substantial revisions that address the concerns and consider the broader impact on the local business community. There is an option, the building could be parallel to Thirteen Mile instead of perpendicular. And be set back enough so it doesn't block the visibility of our shopping center next door. Thank you very much for your time.

Mary Clark CER-6819  
July 14<sup>th</sup>, 2025

Ms. Debra Cusmano – Good evening, my name is Debra Cusmano, I live at the Sutton Place Condos, which are located at the northwest corner of Thirteen Mile and Hoover, just on the other side of the current Marathon Gas Station that's there. I'm a Board Member and two other Board Members are with me. We've all lived there for several years; I've lived there for over 20 years. We are a quite community, a community that's well kept up, we have 40 condos there. The Marathon Gas Station that's currently located there is a good neighbor, they are not a 24-hour operation, they close at 10:00 pm at night and open at either 6:00 or 7:00 in the morning.

There are gas stations on three of the four corners there at Thirteen Mile and Hoover. There's also a 7-Eleven right there, so there's already a gas station and a convenience store. I'm concerned about increased traffic, and I didn't hear anything about the hours of operation. We would totally be opposed to a business that's going to be a 24-hour operation and the bright lights on our condo. I think there's going to be more traffic, more noise, I'm concerned because Cousino High School is right there, I think it's a safety concern with the high school right there as well. We already have littering with the high school kids that stop at 7-Eleven and throw their cups on the lawn and that type of thing and I think that would even increase. I'm forever picking up cups and potato chip bags that people leave. I'm very concerned about safety, the noise, the light, and the pollution. Thank you.

Mr. Steven Band – Good evening everyone, I'm Steven Band, I'm one of the partners of the shopping center where 7-Eleven is, and by the way that 7-Eleven is actually the first 7-Eleven in Michigan. It has been on many commercials from corporate and they are proud to be in Warren.

First of all, I went into the office where we got a notice and I wanted to see the prints and I wanted to see drawings, I saw the prints for a matter of two minutes, and I was told if I wanted anything more, I had to go through freedom of information act. I said who was it mailed to; I could not get any information other than what we saw. There's no other City that has ever done that to me. What I saw of this development, it's built sideways blocking the visibility of our property. It could be turned around. We've owned that property for over 40 years, so if you took a line from where I'm going to say

Leason's, the shopping center next door, and ours everything had to be done behind that line. What they are doing is building and blocking our shopping center, it's not going to face Thirteen Mile it's going to face Hoover. It's going to affect 8 businesses. Visibility is a key factor for tenants; we are in a tough market with economics going on and they are hurting all the existing businesses with this. Now somebody can build something but turn it around so it's not blocking our visibility, and we are not looking at a back wall.

I hope that this Board will reject what it is, have them turn it around. I tried calling the head of the department, I tried calling legal, I got no answer. I tried calling Faiz's Architect he referred me to Faiz with no return phone calls. I don't know what's going on. I've never had that with any other City. I've been in this business for 45 years so I'm not sure what's going on, but hopefully you'll reject it as it sits. He wants to build a store where there's a lot of questions, competition, there's plenty there's gas stations on all the corners. This Board has to make a decision not for the benefit of Warren but for the benefit for everyone. All the businesses pay taxes and personal property taxes. Any questions for me?

Chair Smith – No, not right now.

Mr. MJ Fakh – I represent one of the small businesses in the plaza that will be impacted by this proposed facility. I honestly feel like if this building goes up it will block all visibility from the main road. That may not sound major, but for us, it's everything. Our foot traffic relies heavily on being seen. Without visibility many of us will experience a drop in sales and income. For small businesses, many family-owned businesses, that could mean shutting our doors for good.

Being in this plaza I felt like this plaza isn't just a business center, it's a part of the community. People gather here for services connection for culture and blocking us off will disrupt all of that and the economy crippled could create vacancies in job losses and a decline in areas. We support growth but not at the cost of what's already thriving. I respectfully ask that you reconsider the location or design of this facility so that we can preserve the businesses that have already built something meaningful here. Thank you, very much.

Ms. Cyndi Easterling – Thank you for allowing me to speak. I live in the condo complex that butts up behind this gas station currently. When the Planning was reading something about a five-foot wall replacing a six-foot wall that divides our two complexes. I would hope that six-foot would stay just because of the visual for people that have backyards and front yards that butt up against that.

I would be worried about the traffic as some people have said. It's a busy corner, there's accidents, they've changed the stop lights because of people turning left incorrectly. I don't see on the plan where it's 3 entrances or if that's being added. I just see a lot of construction happening and the way it's set up doesn't seem right. I would also be very worried about the time, if it's a 24-hour station, that really causes a problem for the residents that live behind it. Thank you.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Duzyj – You heard some of the questions about this, if I'm not mistaken, I think it's C-1 zoning so that does not allow you 24/7 operation, does it?

Mr. Faiz Simon – I think it is currently right now. The site used to be 24-hours. The reason the guy has been closing at 10:00 is slow business. The stations across the street are 24-hours, we are planning to be open 24-hours too. We will have security cameras, if we stay open it's more secured than closing the station.

Commissioner Duzyj – How many pumps, you show 4 on the drawing.

Mr. Faiz Simon – Correct, there are going to be 4.

Commissioner Duzyj – That's it, with an overhang over it.

Mr. Faiz Simon – There's a canopy above the overhead as well.

Commissioner Duzyj – Thank you, Mr. Chairman.

Commissioner Ansar – Is it owned by you or is it a franchise?

Mr. Faiz Simon – It's our current running operation; our family has been in the business since 1973.

Commissioner Ansar – How many gas stations do you have in the City of Warren?

Mr. Faiz Simon – This is our second location in the City of Warren, we have another one on Thirteen and Van Dyke. We are looking at doing the same thing there, upgrading that site as well. It's an old station my dad has had since 1977, and we are looking to upgrade that one to. At the end of the day it's an existing station, it's not like we are going out and getting vacant land and putting a new gas station. This is an existing, old, tired site. We are going to have a patio outside that will allow people to have coffee, great food and serve the customers. It's a tired location and the community of Warren will be very impressed with our operation and our station.

Commissioner Ansar – I think I went to one of your gas stations and it looks very nice; the new one is going to look like this?

Mr. Faiz Simon – Nicer.

Commissioner Ansar – Thank you for taking the initiative for the redevelopment. I think a few of the gas station owners should take the same initiative as you and make it nicer, thank you for that.

Mr. Faiz Simon – All I can say is visit our site on Thirteen and Ryan and you'll see what we built up there. It's very impressive, everyone that comes there says wow we can't believe that you built such a nice-looking store and we did. We will do another one like that and the community will be very happy. The food is clean, fresh, we bring in some great food on-site.

Commissioner Ansar – Have you had a chance to review all the recommendations provided by the Planning Department?

Mr. Faiz Simon – Yes, we have, and we will fulfill the entire request.

Commissioner Ansar – Thank you.

Chair Smith – Good evening, sir, you've heard a lot of the concerns from the residents about turning it that way and blocking their strip mall, did you turn it that way because the way the lot is shaped and you couldn't go the other way?

Mr. Faiz Simon – The reason we are doing it is easy access in, so customers can drive in, get their fuel, park in front of the building, and get their product and get out. It's safer this way. If we turn it the

other way, with the maneuver, the changes with the traffic, it will not work. This is the right way to do it for the future and long term, this is the way to do it. I'm 64, I've been in the business, my dad started in 1973, so this is all I've done. I've done many stations, this is not my first site to build, I've built over 34 sites. The customers will be happy, they drive in, get gas, they can park in front of the building, walk in, get their product, and get out, much better this way. Our competitors are afraid for their business, everyone needs to update their business to get the consumer the right service, and that's what we are doing.

Chair Smith – You're going to demolish the whole gas station and start over? I thought I read something in our findings that you're not going to change the tanks in the ground.

Mr. Faiz Simon – No, the tanks will last another 30 years with no problem.

Chair Smith – How long have the tanks been in the ground?

Mr. Faiz Simon – Since 1984, they are double wall fiberglass, you don't need to do anything to those tanks. We are going to replace all the lines. We are replacing all the islands, all the pumps, all the underground lines and pipes, we are replacing all that. Everything is going to be brand new on the ground other than the tanks.

Chair Smith – One thing I noticed and also the Planning Director noticed is the curb on the side between the retail center and the back of your building, people are cutting out of that other driveway and coming across the sidewalk and then coming into the gas station that way. One suggestion that he made possibly is put a curb cut across there so they can drive straight through to the retail center from your gas station without coming onto the sidewalk and going back in on the sidewalk. What is your idea as far as that goes?

Mr. Faiz Simon – I don't have any problem doing that, if the City thinks that's the way to do it and I talk to my engineers, I have no problem doing that.

Chair Smith – You know if you do that you have to get an ingress egress agreement between the property owners to the west, right?

Mr. Faiz Simon – That's fine.

Chair Smith – I had a question about it, personally after thinking about it, people get impatient when they drive sometimes and I know we eliminated the one driveway on Thirteen Mile closer to the intersection to have only the one driveway on Thirteen Mile Road, but you have two driveways on the Hoover side. My concern was, they come in the driveway closer to the intersection and if you put a curb cut in there to where they can get into the retail center you might have some people that get impatient and don't want to wait for the light to turn red so they cut through the gas station. Is there any way you can prevent that from happening?

Mr. Faiz Simon – Are you saying that we should have an access between the shopping center and the gas station?

Chair Smith – Right.

Mr. Faiz Simon – I'm fine with it, that's better for me, but I don't know if the next-door neighbor would like to do that.

Chair Smith – I've noticed your other establishment on Thirteen and Ryan, it looks like a very nice establishment it's clean and looks nice.

Mr. Faiz Simon – I have clean restrooms; they are spotless all the time.

Chair Smith – I noticed the one on Thirteen and Ryan has the outdoor patio on the side, but this one doesn't show that, so you're not going to have an outdoor patio on this one?

Mr. Faiz Simon – We do, we'd like to have a patio outside.

Chair Smith – It's not showing on the drawing, so I wasn't sure if you were having an outside patio.

Mr. Faiz Simon – We'd like to come back and get the approval from the City.

Chair Smith – So you are planning to put outside patio.

Mr. Faiz Simon – Yes, like we have at Thirteen and Ryan.

Chair Smith – Mr. Wuerth, could you come up, I'd like to ask you a question. If they put the outside patio on that Thirteen Mile side and we provide the ingress egress is that going to affect traffic coming past the people sitting at the patio?

Mr. Ron Wuerth – Well you're not going to be able to put one there, if you use that drawing right there. The modification that I worked on, there won't be one on that side, it could be at a different location, in front of the building, maybe at the northeast area, maybe a couple of parking spaces, maybe they can get a variance to have that. Our ordinance does not permit anyone to use the parking spaces at the pumps they count as parking. I think our new ordinance is going to do that, that would be a better place.

I will say, this the connection between the retail center and this facility here, if you've got the driveway set the way it's been designed, and there could be more discussion about that, for the retail people, anyone who is going to the gas station will enter that driveway and look at the retail shops and may decide there's something there they'd like to have and then they can skip over to the gas station and vice versa. So, there could be an advantage to the retail strip if it works out something like that.

Chair Smith – Thank you, Mr. Wuerth.

Chair Smith – I don't want to be redundant on my questioning but I'm having a hard time hearing because it doesn't seem like you're close enough to the mic. Are the hours going to be 24-hours?

Mr. Faiz Smith – Yes, 24-hours.

Chair Smith – And you agree with all the recommendations?

Mr. Faiz Smith – Yes.

Chair Smith – And you know that if we do the curb cut to go between your place and the retail place you've got to get an ingress/egress?

Mr. Faiz Simon – I do.

Commissioner Holowaty – As far as the lighting, how are you planning on doing it so it doesn't disturb the residents behind in the condominiums?

Mr. Faiz Simon – The lights won't shine to the condominiums the lights shine down.

Commissioner Holowaty – You're 24-hours that's what I'm concerned about.

Mr. Faiz Simon – It won't shine behind us; it shines down on the canopy.

Mr. Ron Wuerth – If I may comment, Mr. Chair, on the lighting. He gave us a lighting plan, and on any of those lighting plans there's supposed to be, along the property lines, it's called zero point zero, that's where the cone of lights that are up on poles and underneath canopies, won't go beyond the property lines. So, lighting gets changed, altered and fixated on the site itself. So even along the property lines where there's the sidewalks, that lighting isn't supposed to be as bright along the sidelines as it will be on the site, there's going to be some lighting. That type of light is going to be fixated on the site itself, it shouldn't get onto abutting properties. That's what their lighting plan indicated, and we are satisfied.

The only other thing I'm going to ask is that you can either postpone this and I can talk to the engineer or the professional who did this plan, and we can meet and talk about the driveway assuming that's what we are going to do, and I'd like to do that. Or you can approve it and then we'll work on it later, but the approval has to specifically say one driveway is going to serve both of those uses. They might even want to work in their outdoor patio like they have over on Thirteen and Ryan somewhere on the plan and see what can be done there. Get it all done this time and not have to come back for an amendment to the plan, so that's my suggestion.

Chair Smith – So you're saying to possibly postpone it so you can go over the driveway cut and the dining outside?

Mr. Ron Wuerth – That's if the petitioner has time to wait another couple weeks, and in those two weeks we would talk to them and discuss this.

Mr. Faiz Simon – Mr. Chair, to postpone it's going to hurt the timing of the winter, I would like to get the approval, I'll absolutely work with the Director on the driveway, no issues with that, I'm open minded, we will do it and the patio as well. Next month we will go to the ZBA for setbacks, so I'd like to get this approved to move forward, we want to move fast because of winter.

Chair Smith – Then I'm going to need a motion on the changes with the driveway and the changes with the seating outside. Commissioner Ansar is the maker of the motion; will you add those changes to the approval?

Commissioner Ansar – Yes, the driveway and the seating outside.

Chair Smith – Commissioner Duzyj?

Commissioner Duzyj – Yes, I agree with that, the only question that I have that was brought up was the 24-hour operation, is 24-hours allowed on C-2?

Mr. Ron Wuerth – Yes.

Commissioner Duzyj – That was my only question.

Chair Smith – That was a motion by Commissioner Ansar to accept the additional changes, supported by Commissioner Duzyj, roll call.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR COMMUNITY CENTER (A MULTI-USE FACILITY TO INCLUDE COMMUNITY, SOCIAL, AND RELIGIOUS ACTIVITIES); located on the south side of Fourteen Mile Road, 128 feet west of Dowland Street; 2870 Fourteen Mile Road; Section 6; Mohammad Fokhrul Islam/Darul Huda Inc.; PSP250025.

PETITIONERS PORTION:

Mr. Cecil St. Pierre – Good evening, members of the Commission, Madame City Attorney, Ms. Michaels. I’m here today on behalf of this proposed community center. It’s important to note, when you read the agenda and the way it’s been couched, it says the facility to include community, social, and it says religious activities.

First of all, and I guess this comes in part of my other argument as well because this was initially zoned office, so initially we were thinking more in the way of an office rezoning. So, when it got to the Planning Staff, based on what was presented, they couched it as a community center but more as a religious as opposed to social and informative for the community not so much in regard to religious. And I’ll tell you how religion came in. This particular community center is not going to have any religious activity. As you know this is for the Bengali’s, the Bengali community is trying to put together a

community center in which they can all partake and enrich their community.

Under the scenario, is that there's going to be no objection to prayer, they find prayer very important, five times a day. Now in an airport or hospital they may have a prayer room, but it's going to be the policy of this community center to not interrupt anybody who wants to pray anywhere they want in the building, based on their customs and religion. So, I just wanted to tell you that's it, as far as religious activity, that's going to be it.

As far as what's going to be going on there, when we did the initial application it was couched into regards to having stuff like senior help. They were also going to help with immigration; I'll go through the list here.

- Non-English speakers with essential forms translations and paperwork, I mean that's something that helps the community.
- A peaceful place for elderly people in the community to meet reduce isolation and respectfully interact.
- Informal mentoring for youth focused on values such as honesty, respect, and responsibility.
- Small non-scheduled community discussions and one-on-one family counseling sessions focused on cultural or personal matters. There are always problems and sometimes the Bengali people basically say we don't know where to go. And part of the community center is to point these people in the right direction and even provide the services.
- Provide brochures and printed materials on family support, community awareness, and ethical living.
- Limited informal assistance such as food or small financial help that may be offered to individuals in urgent need regardless of religion or background.
- A small reading area with books and educational materials available to visitors during opening hours.

When we say hours, the initial thought is from 8:00 am until 8:00 pm, that may be lessened from 8:00 pm to 6:00 pm depending on how many people may appear. I also want to note that the purpose of this community center is also to provide someone that may be in insurance, I need help with insurance, when it becomes an issue, but the Bengali want to be able to provide insurance, legal help, accounting for taxes and things of that nature.

Chair Smith – Mr. St. Pierre, can we get to correspondence and then we will get back with you on that.

Mr. Cecil St. Pierre – Sure.

Chair Smith – We just wanted a little bit of what you wanted to put there so we can get an idea. We will go to correspondence and get the Planning Director's recommendation and then you can go into your comments and stuff like that.

Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**FIRE:** In regard to the traffic letter and plans for the project PSP250025, what assurances will be in place to ensure the capacity is no more than 80 persons? Other than that, the Fire Department doesn't see any other issues that may impede our operations.

**WATER:** There are no issues with the water department regarding this project.

**AT&T:** AT&T does not object. We have facilities in the vicinity, but they should not be affected.

**COMCAST:** Comcast has aerial facilities in the area, but we have no conflicts with the proposal. If we can be of further assistance, please feel free to contact us by email at [cccutilityrequests@teamsigma.com](mailto:cccutilityrequests@teamsigma.com).

**MCPWO:** The Macomb County Public Works Office (MCPWO) has reviewed the site plan for the project referenced above and has determined the proposed site disturbance is less than one-acre and will not require a stormwater review from this office. If required, please reach out to me at [wesley.jonik@macombgov.org](mailto:wesley.jonik@macombgov.org) or 586-469-5961 for a No-Objection letter from this office.

Mr. Ron Wuerth reads the recommendations of the Staff:

Chair Smith – This is a public hearing, Mr. St. Pierre did you want to come up and say a couple more things before I turn it over to the public hearing?

Mr. Cecil St. Pierre – Yes, thank you, Mr. Chairman. I'm going to try to take issue with a few of these issues that we have before us.

First of all, let's look at what they are requesting regarding variances.

Remember this used to be an animal hospital, that animal hospital has been there for almost over a decade. I've been on the City Council for 24, part of the City Attorney's Office for 1 year, and never heard a single complaint in regard to the four-foot wall. An animal hospital is not an office use; they were granted a use variance.

I'd like to find out what use variances were allowed in order for them to operate and why would it be any different, we have lesser use. This is like single-family use, like with churches, and this is how we are going to be guided, but this should be thought about as office as well, so I take issue with all these variances.

Let's look at the variances, the first one is under 2A, 1 foot 10 inches, is 98.2 and that's to allow the use on property less than 100 feet, and it's 98.2. Second, in regard to variance it does not increase the height of the existing wall. I'll have to talk to the Planning Department because that existing wall has been there for over 20 years. I don't see the problem with it, if parking is an issue, then I can provide the trees. The greenbelt would be alright, we don't have any objection to that. To allow the use to be located 24 feet from the front property line when 30 feet, that's only 5 feet 4 inches, we are not talking about large types of variances at all. To allow a parking space 20 feet in length, that's only 2 feet, I mean everyone can park in a spot. So, these are not overwhelming variances to make for a denial. This is the point I'm trying to make.

I also want to indicate that this is zoned office, this particular site plan, the building is the same. The building is not changing, we are not enlarging it we are making it the same, the parking lot the same, nothing is going to change except on the inside. The Fire Marshall said it has a total occupancy of 139 occupants. I talked to the architect, and he indicated that they opened the building up, they took down walls and it could fit up to the 139, it's never going to come close. As far as how many people in the community and if they are going to visit they said 80 at the very most. The Fire Marshall said what are you going to do to stop it so there's not more, they can put up a sign just like every business does in regard to allowing how many people.

Chair Smith – Mr. St. Pierre, can you close on your comments so we can allow other people to speak.

Mr. Cecil St. Pierre – Okay, I just wanted to get into the recommendations that came about to show a denial and I'm hoping

that you will consider this. Will I get another chance to speak or is this it?

Chair Smith – You had your three minutes.

Mr. Cecil St. Pierre – Okay I have one thing; this is my prayer for relief. My prayer for relief is to authorize the site plan and that we have to get the variances within 12 to 24 months but have a building permit issued. Thank you.

PUBLIC HEARING:

Mr. Mark Music – Good evening, my name is Mark Music, I live at 32942 Dowland Drive, about 120 feet from this building. This has been presented as a community center, low use, however, this is actually a Mosque in disguise. On the Facebook page for the group that's putting this site together, they announced back in November when they bought this site that we finally have this site for our Mosque. I have no objection to Churches and Mosques being wherever they need to be; however, this is way too close. Are they planning on putting a loudspeaker on top of the Mosque for the call to prayer five times a day, I don't know, that hasn't been discussed. If they have to put a greenbelt in, they are going to lose all the parking on the east side because it goes right up to the wall.

So, they are only going to have about 20 parking spots left, 25 maybe. That's completely insufficient so that means they're either going to use the parking spots from the other business or they are going to park on our street. The increased traffic, the increased noise, it is not a quiet use of the facility. The animal hospital had five people an hour in and out, but this is an active use of the building and it's not a good placement for this building. It's too small, the ingress/egress is going to be a real problem when they have their Friday night services. I just see nothing but one problem after another with this site being so small and so close to the houses. So, I totally object to the use of this facility. Thank you.

Mr. Jahidul Islam – Good evening, Honorable Chair, Planning Commissioners, and City Officials, my name is Jahidul Islam, a resident of Warren and a member of the Bangladesh and Muslim Community. Today I stand before you with the deepest respect and simple request for the approval for a new community center for a multi-use facility. This community service is a symbol of peace, a safe space for our youth, a support center for families and a place where (inaudible) charity and respect (inaudible).

We are not asking to build this just for ourselves, we are building it for the future of Warren. Encourage, belonging, understanding, and service to everyone no matter their faith. We are fully commitment to all City rules and regulations and being the kind of neighbor who adds value to this community. Peaceful, clean, cooperative, and respectful. Please consider approving this community center, it stands for freedom, unity, and fairness (inaudible) the best of America. Thank you for your time, and may God Bless you all.

Mr. Dana Valitutti – I live at 32945 Dowland. This makes me very upset, when the gentleman was talking, he said this is not a religious building and right here on this paper it says religious activities. I hear they do the call of prayer five times a day, I don't want to hear any of that music, I don't want to hear any of that stuff. The wall he was talking about is a big issue with us. The wall backs right up to my house, it's 4 feet tall. I see everything that goes on in that parking lot, I do not like it at all. The wall needs to be 8 feet or higher if this goes in. I don't like the religion, I don't agree with anything, this is a bad idea.

Also, he said that there was room for 80 people, if you look here there's about 35 to 40 people, I counted. Now when their wives, their families, and kids come in, there will be way over 80 people and that would be a fire hazard. I think this is a bad idea. Fourteen Mile is already a busy road, it's hard to get in and out of my street with all that traffic and now we are adding this much more traffic, this is not going to work out good. I do not like this at all, thank you.

Mr. Mohammed Joman – Good evening. I'm a proud resident of Warren. I live close to the proposed building. Thank you, Mr. Chairman and members of the Commission, for giving me an opportunity to speak. I'm here today to voice my strong support for the proposed community center. This space will be a vital resource for our neighbors providing a clean, safe and welcoming environment for kids, families, and residents of all ages. I know it's a community center, just for the record I want to say that none of the Mosques that are in Warren actually have loud speakers outside. I think the only place that has loudspeakers is Hamtramck, and they won a federal lawsuit. I kindly ask this committee to approve this project, give us an opportunity to strengthen our community, bring people together, and make Warren even a better place to live. Thank you.

Ms. Linda Fourton – I live at 32452 Oakview Drive. I basically only have some questions pertaining to this. They were talking about the retaining wall, which is currently 4 feet, which I can see everything from the backyard currently. The noise level, with the wall not being up there. Our traffic is horrible on Fourteen Mile as it is getting in and out of our intersection, I can't imagine more traffic. Depending on what is going to be happening at this facility they are going to be using the side streets for parking, which eliminates our parking that's congested as it is. I'm basically wanting to know what's going to be done about that to prevent issues like that.

Ms. Patti Leja – I live at 32936 Oakview, my property is right behind the proposed location. Like the other gentlemen and my friend had said, everything that goes on in that parking lot we see. There's a lot of traffic already, there's a lot of late-night traffic that's mostly what I'm concerned about. I know they said the operating hours are between 8:00 am and 6:30 or 8:00 pm, my fear is that they are going to go longer, and what is going to be put in place to prevent something like that from happening. I too am concerned about the traffic. Sometimes I sit right there at Fourteen Mile and Oakview for five minutes trying to make a left-hand turn onto Fourteen Mile. I'm also concerned about people parking on our street if there's not enough parking in the parking lot, it's going to roll over onto our streets that are already congested. Thank you.

Mr. Refath Ahmed – A business owner, 2763 E. Fourteen Mile. I just wanted to bring some concerns about the citizens that come to my store, they are happy to hear they are having a community center that's built for them. To help them and guide them. Some of these people do not drive, they walk to my store and ask me and personally ask people in my store where they can get some help from, we guide them to other community centers. So, if something like this happens really close to their house I think it will be beneficial for these people. Every day I get people coming in asking when is this happening when is the community center coming up.

So, I would request all of you to think about these citizens and the elderly people that walk. I know everybody has concerns about driving, concerns about parking, and issues with the four-foot wall. It's been there so it shouldn't be a problem right now. These citizens nobody helps them; they walk around like blindfolded asking for help and I don't see anybody helping them. So, if you have concerns about these kinds of things, I think you should have concerns about the citizens too, you should think about them. Thank you.

Mr. Safwan Mahmud – Good evening, I live in Warren. This building is very close to my house, within 200 feet. I am here in strong support for a new community center. I'm requesting that you think about (inaudible). Thank you so much.

Mr. Saifur Rahman – I live next to the building, the community center. We need a community center in Warren, we don't have anything in Warren, a lot of people go to Hamtramck, and somebody has to drive them. I've taken so many people to Hamtramck, to the community center. We need the community center in Warren. I don't see any traffic. Thank you.

Mr. Tufa Zzul – Good evening, I live in Warren 31127 Lund Avenue. I'm here today to kindly ask for your support for this project. The center will be a positive and safe place for our youth, a support for families and a welcoming space for everyone in the neighborhood, no matter who they are. They can offer good programs and bring people together to help create a stronger more connected community. We will make sure it is clean, peaceful, and follows all the City's rules. The center is not just for us it's for the future of Warren and I truly believe it will make a big difference in many lives. Thank you for your time and for considering this request.

Mr. Jobarul Islam – Hi everyone, thank you for being here today. I live like three or four minutes from this building and I'm here to support the community center that's being built. It will be a good opportunity for our youth to learn and for the seniors to do their activities. I request everybody to join us and let's make the community whole; it will be great for us. Thank you.

Mr. Moneer Alahwal – I am the Engineer who developed these drawings for the existing building and existing site plan. I spoke with the community and I believe these variances should be easy to grant. It is an existing building and existing site plan, maybe with some improvements like if they want to raise the existing fence or the screen wall. The engineer recommended a greenbelt with evergreens and trees, and I think this will improve the site and reduce the noise regarding the traffic or the noise coming from the parking lot. If you have any questions regarding the drawings I'm here to answer them.

Mr. Ahmedul Islam – I live at 2746 Pall Drive, about 3 or 4 minutes away from the building. I use Fourteen Mile Road a lot, there's

usually no problem with traffic. I also used to live in Hamtramck area, a lot people started out there and now starting to move north, so there's a big community here. I think the community center will be good for the people moving north around this area. Thank you.

Mr. Matabur Rahman – Good evening all, I live in Sterling Heights across the street from Warren. Every single day at 5:00 in the morning I go to work. I don't see any traffic, sometimes I come from work at 10:00 and I don't see any traffic. We need this community in Warren; I live two minutes away from this building. When I go outside, I see a lot of Bangladeshi people in the community walking. They ask me we need a community center here because we need help and we go to Hamtramck. Thank you so much.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Mouri – When I was looking at some of the other paperwork where it says Darul Huda Community Center and then in parentheses we want to use the word religious activities and kind of bring out the question of daily 5-time prayers, we want to bring out the question of singing, the call to prayer is known as singing. Especially using the word religious activities in a community center that is being built for the whole community. I know the Bangladesh community is proposing this; however, it's being open for the whole community and we want to use religious activities as a word. I don't want to use the word scare away people, people are like oh they are going to be calling out prayers. You live in the City of Warren you know for a fact the prayer does not get called out loudly in any of the Mosques. We have a lot of Mosques in the City, I forget the count, it's almost a dozen now, none of the prayer calls get called out loud. So that means you're probably aware of the fact that the City does not allow the prayer to be called out loud. That's one of my points.

Second thing, if you look at some of the underlined bullet points it talks about how it's going to support the youth, how it's going to support the community with the translation paperwork, insurance, all these other activities that are taking place in a community center but

I think the only thing that I keep on hearing over and over is the prayers is going to get called. Yes, we go to other facilities where prayers are being held and the Muslim community wants to pray five times a day, we are not going to come and target them and say oh you're using this as a prayer facility. I felt like that was not fair.

I definitely support the idea of a community center. In the City of Warren, where it's so diverse, we need to support all the people who are living here. As a good citizen of the City of Warren it should definitely be targeting all the youths. People are so addicted to their devices right now, the fact of promoting a community center which will bring everyone together is something that should excite every single one of us.

We are seeing the next generation, they don't even know how to communicate properly, they don't even know how to talk. You see all these people with ADHD and all these other problems because of staying home. They aren't going outside; you don't see kids playing outside anymore. These type of community centers for the community is the next step that every single community needs to take to bring the community together. They definitely have my support for this. That's all I wanted to say, thank you.

Assistant Secretary Chowdhury – I totally agree with Secretary Mouri, people use the word religious center, there's so many activities you can do at a religious center. It's the community that's trying to gather all these younger generations to come in. I myself work in Hamtramck and the prayer to call is out there in that area, but, like she said, there's dozens of religious centers here, but the prayer is not out loud, just like the church bells that we hear. We have no problems with the church bells ringing our community. Muslims do not come out there against the church bells that are ringing, we respect that and I hope you will respect the Muslim culture religion as well.

Commissioner Ansar – I agree with my fellow commissioners, I don't want to repeat it again. Also, at the same time I see a few of the neighbors came here and I also agree with them too. If I was that neighbor, I would be worried about the 4-foot wall too. So, my question to the petitioner, one of the neighbors mentioned an 8-foot

wall are we going to agree with that so the neighbors can feel more comfortable and all those people won't bother them with the noise.

Mr. Cecil St. Pierre – When you go to any community center people just park and go inside, number one. In regard to the six-foot wall, that's required, I think, because the animal hospital got away with a 4-foot wall. We would be glad to do a greenbelt to add part of the wall in order to provide the screening. We would like to do it in such a way to not lose parking either. I've talked to the architect about that and we believe that we can do it and come up with a solution so that the people do not have to see any cars. Which they've been seeing for the last 20 years, but we will do what we can for screening.

Commissioner Ansar – I completely understand where we are coming from, at the same time, as a neighbor, he's living next to the animal building and as a commissioner we have to see everyone's concerns. We have to see, as a neighbor, his concerns too.

Mr. Cecil St. Pierre – That's true and that would just be on the east side anyways. There are four residential lots there that we would make sure that get screened, I want that put on the record.

Commissioner Ansar – I see on the recommendation you mention a variance should be 20 feet instead of 8 feet and get the variance from the ZBA, so my question is, is it an existing building, is there anyway we can do something?

Mr. Ron Wuerth – When people think that they can use an existing site as it is, but once are taught about the zoning ordinance and Section 5.11 which not only talks about religious facilities but community centers, the argument isn't necessarily the religious part of it, it's the community center and everything and all those uses that were mentioned here; we're here because of Section 5.11, and 5.11 overrules all the other zones and their setbacks.

So, when they talk about a variance for that 8-foot side yard, it's true it's supposed to be 20 feet. If it's not 20 feet then you have to get a variance, an approval, to make it less or rather keep it less. Same with that front setback along Fourteen Mile Road that's less than 30 feet, so you got to get a variance for that.

On the west side, where the driveway is, the property line runs down through the driveway, it's 14 feet, it's supposed to be 20. These are rules and if you were to build a new site you'd have a better

opportunity to comply. There's no way you're going to comply here unless you take down the building and rebuild the building at the proper setbacks, that's how you're going to remedy the problem with the setbacks.

You've seen these community centers come in, time and time again, and they all need variances because they are staying with the original building. Unfortunately, people don't know this, I wish they would check with the City before they'd even ponder purchasing a site. Don't purchase the site, have a purchase agreement so that then you can check with the City and find out what you're up against and what you're not up against. So that's what the issue is with the setbacks. Again, I repeat 5.11 and the setbacks overrule all the other zones in this City. They can go anywhere, that's the good thing about it, but they just have to go anywhere under those regulations.

Commissioner Ansar – Thank you Ron. You had a chance to review all the recommendations, and I think you had issues with a few of them like the variance, do you agree with them?

Mr. Cecil St. Pierre – If there's going to have to be variances, by all means, we can get the variances.

Commissioner Ansar – Are you okay with the recommendations they provided?

Mr. Cecil St. Pierre – At this time, yes, we will get the variances. My request for relief, maybe the City Attorney may have to address this, but our hope is that we can have the building get the building permits and obtain the variances in the meantime. I guess if we don't get them, we wasted a lot of money. I went through the variances, and we are not talking about a lot but anything can happen.

Commissioner Ansar – Also you heard the neighbors had complaints about the wall.

Mr. Cecil St. Pierre – We are going to take care of that wall. I talked to the architect, he even thinks we can get it to 8 feet, even though it only requires 6 feet.

Commissioner Ansar – Okay, thank you.

Commissioner Duzyj – A couple of things, I think this is a good idea for what it is and what it's for, but where I'm having a real problem with this is this has to go in front of Zoning Board of Appeals. And

ZBA has to approve all this stuff and if they don't then everybody is in trouble. I don't think anybody is going to tear half the building down in order to move it for setbacks but personally I'd like to see it go to Zoning Board of Appeals and get their take on it, and get their approvals on the whole thing, before I'm comfortable with saying we are okay with this.

I don't know about this 8-foot wall, I was under the impression that 6-foot was the max. If we are going to go to an 8-foot wall, then that's got to be in front of Zoning Board of Appeals also. There's just a whole bunch of things that have to go to ZBA and I'm not comfortable saying yes. This is a good idea and it's a nice plan but it needs a lot of help and the place to go for help on this is the Zoning Board of Appeals. We can approve it all we want but if they knock some of this down then we are right back to the beginning, that what are we going to do next. Is there a reason why this didn't go to Zoning Board of Appeals originally, does anybody have that answer?

Mr. Ron Wuerth – Yes, it's not common anymore to go to Zoning Board of Appeals before you come to the Planning Commission. The Planning Commission takes a look at the parts and pieces that are moving on the site, and we want to be able to have a comment on that before it goes to the Zoning Board of Appeals. Sometimes, or many times, if it goes to the Zoning Board of Appeals, they'll waive items that the Planning Commission may not necessarily want waived. Let's just put it this way, if you postpone this and have the petitioner go to the Zoning Board of Appeals, that's fine, postpone it and see what happens. The Planning Staff has an opinion that the Zoning Board of Appeals asks us for and that's what we will provide.

Commissioner Duzyj – And they'll also have a transcript of this meeting.

Mr. Ron Wuerth – We give them the information, right now we have plenty of information plus the transcript, as you say, that they can review and help them make decisions regarding this. You've got dimensional variances that probably aren't much, it's the other items that may turn out to be more. They are going to look at the size of this site, where it's at, and the safety issues that we always look for.

Commissioner Duzyj – After everything is said and done, I actually agree with putting a door on the north side someplace, so people don't have to walk down the driveway and possibly get hit or whatever else. I think that is a very good idea. Like I said, I'd like to see Zoning Board of Appeals give their blessing to a lot of this and to

tie it all down before we approve it and say yes go ahead. I think it's a great idea, but it needs a little more work.

Ms. Mary Michaels – What has to be considered is that a variance runs with the land. So, if the site plan isn't approved there would be variances that would attach to any of the development that maybe wouldn't be so desired to a different development, but there would be the variance, and the new developer would meet the zoning ordinance with the variances. A site plan approval would be subject to the variances. In other words, there wouldn't be approval if the variances were not obtained.

Chair Smith – I'm not familiar with the Bengali religion, their practices, and things like that, but one note I do have, in my findings, on my sheet here says, a notice provided on the floorplan that the community center is only opened to men and that no women will attend events. I'm just reading what's on my paperwork, I don't know if it's true.

My second comment is, I know it was an animal hospital, and I know that they had some traffic but you're not going to have the kind of traffic that you're going to have with the community center. There are a lot of variances here that need to be looked at. Like the attorney said, once a variance is approved for this, then if this doesn't go through and another place wants to come in that spot, then they have to abide by the same variances, which is not fair to other places that have to work with the variances that the City offers.

There's a lot of things that need to be done; it may be too small for the application that you want. I know the importance of a community center and I appreciate that and I appreciate the help that they give. As far as the parking goes, I've seen other ones that we have approved where it was a shared driveway and they blocked off part of the driveway for their people to come in, but it caused issues with the neighbor. You have two businesses sharing one driveway, and if their parking lot gets full, then they are going to start parking on the other people's parking lot, which is not good to do either.

Then the 80 people capacity that they say, how are they going to make sure there's only 80 people. I know you can count 80 people but who's going to sit there and count the number of people who come into the community center. So, there's a lot of factors that they have to take into consideration here, that's the reason why I'm not really in agreement with it, that's my personal opinion, I'll leave it up to the commission.

Secretary Mouri – Mr. Chair, if I may ask a question to the petitioner, the question from the Chair regarding, and I found it in here too, the floor plan of the community center is only open to men, can you please speak about that.

Mr. Cecil St. Pierre – It's a misprint.

Secretary Mouri – So it is open to the whole community?

Mr. Cecil St. Pierre – Yes, absolutely. Secondly, I agree with Ms. Michaels, as a general rule we go sit down with the Planning Commission. I was just retained, maybe 14 days ago, and we just finally got together with the architect, but usually we sit down and go over these things. This came as a little surprise to me when it said that it's under religious and they put it under church. There's also something in the office which talks about things like offices to educate and things of that nature to where it could possibly qualify under office. So, it came as a little shock when I received it Friday, but I agree with Ms. Michaels.

I will go along with Mr. Duzyj in regard to what he's indicating with the fact you approve the site plan and it's conditional upon us getting the variances, just as Ms. Michaels said, that's how we've always done it. So, if you approve the site plan, we get the variances then you can go forward, just as Mr. Wuerth has indicated, so that would be the way to do it.

My client asked me, can you get the variances later on, but I agree with Mr. Duzyj, if you don't get them and you put all this money into it and this effort. We will go along with that, because then you're going to have to go in front of the ZBA to get the variances, then your site plan and make sure it's okay with the Planner because that's part of their recommendations. So we will accept that approve the site plan subject to the variances granted as required by the Planning Commission. Thank you.

Ms. Michelle Katopodes – Just a clarification, we spoke with the petitioner at the counter and asked a question about that and they verified that the note on the floorplan was accurate. He said it was a misprint, but we did ask the petitioner when they submitted it.

Commissioner Duzyj – If the maker of the motion would amend their motion to say we approve this subject to the approval from the Zoning Board of Appeals would that work?

Secretary Mouri – That is something that the petitioner also mentioned.

Mr. Ron Wuerth – That's what the recommendation says anyway, we don't have to explain it. I'd prefer to see it postponed for a time so you can go to the ZBA and see if you can get these variances and then come back and vote the way you want to vote. It's already said you have to get the variances, we all know that, I don't think we have to verbalize it.

Commissioner Ansar – I agree with that, it's already in the recommendation I don't think we need to amend this again.

Secretary Mouri – The recommendation mentions that, if it's approved, you would have to get the variance, so the motion I think suffices that whole conversation.

Commissioner Duzyj – As long as we are covered because I don't want this coming back--

Secretary Mouri – It's stated in the recommendations already.

Chair Smith – That was a motion by Secretary Mouri supported by Assistant Secretary Chowdhury. Do you want to state the nature of the motion, as far what you're adding or suggesting, or do you want to postpone it until they go to Zoning Board?

Secretary Mouri – I think with what Ms. Michaels mentioned, once we approve it, they will be able to go to the Zoning Board of Appeals and get their variances, so that's the process, if I'm not mistaken.

Ms. Mary Michaels – Yes.

Secretary Mouri – That is the directive, so, yes, I would like to stay with the motion of approval for this so they can move forward to the next step.

Chair Smith – Do you agree with that Secretary Chowdhury?

Secretary Chowdhury – Yes.

ROLL CALL:

The motion carried as follows:

Secretary Mouri..... Yes  
 Assistant Secretary Chowdhury..... Yes  
 Commissioner Ansar..... Yes  
 Commissioner Duzyj..... No  
 Getting the approvals from the Zoning Board of Appeals

Secretary Mouri – But it comes with it.

Commissioner Duzyj – I understand, but I’m nervous about them knocking something down or finding something different that we haven’t addressed yet, I’d like to see it go to ZBA.

Commissioner Holowaty..... No  
 I feel it could be a determinant to the area and increase traffic

Vice Chair Boniecki.....  
 I’d like to not deny or approve I’d like to make a motion to postpone it.

Ms. Mary Michaels – A motion to postpone takes precedence.

Chair Smith – But she doesn’t have a second to postpone.

Ms. Mary Michaels – That is correct, there would have to be a 2<sup>nd</sup>.

Commissioner Holowaty – Then I’ll second that motion to postpone.

MOTION:

A motion was made by Vice Chair Boniecki to postpone, supported by Commissioner Holowaty.

Secretary Mouri – So do we go with that motion?

Ms. Mary Michaels – Correct, yes.

Chair Smith – You would have to change the motion.

Secretary Mouri – That’s going to be the 2<sup>nd</sup> motion that would vote 1<sup>st</sup>.

Ms. Mary Michaels – Correct, you don’t change the original motion.

Secretary Mouri – So I’ll go ahead with the second motion to postpone.

Ms. Michele Katopodes – Chair we suggest you make it indefinitely, we typically like doing a date certain but in this case because we don't know when they can get on the ZBA, and then we will re-notice when it comes back to Planning Commission.

Chair Smith – Thanks. So, the motion will be to postpone indefinitely.

ROLL CALL:

The motion carried as follows:

Vice Chair Boniecki.....	Yes
Commissioner Holowaty.....	Yes

Commissioner Anar – I have a question to the attorney, if we approve it, we eventually have to go to the ZBA for all those variances, right? The reason is, as Commissioner Duzyj mentioned, they have to go through the ZBA first then after they get those variances then come back to Planning Commission then get the approval, am I right?

Ms. Mary Michaels – That is correct, the ZBA approvals could be requested, preferably after site plan approval, or if it's postponed and the petitioner wants to move forward to put the applications to the ZBA first before coming back here, that's permissible too. There's nothing in the ordinance stating an order, there's just been a practice which has been Planning Commission first, then ZBA, but there's no requirement either way. So, the petitioner could go now or go later.

Commissioner Ansar – The same thing, we can approve it now and then they can go to the ZBA and get all those variances eventually, right? With due respect to my colleagues, Commissioners, it's the same thing if we approve it right now, they still have to go through ZBA and get the variances.

Commissioner Duzyj – They have to, but you're assuming that the ZBA goes along with everything that's proposed.

Commissioner Ansar – If they don't, then the petitioner has to go through all the things.

Commissioner Duzyj – That's the problem.

Commissioner Ansar – I know, but if we approve it, it's the same thing, if we postponed it, it's the same thing so I'm requesting (inaudible).

Secretary Mouri – We still have the first motion in place, but because we have the postponed motion, we have to go through that first.

Commissioner Ansar – If we agree to postpone, if you change your motion.

Secretary Mouri – No, I didn't make the motion, Vice Chair Boniecki made the motion and Commissioner Holowaty seconded it, so that means we have to vote on that first. What will be your vote.

Commissioner Ansar – On which one?

Secretary Mouri – On the postponement.

Commissioner Ansar.....	No
Commissioner Duzyj.....	Yes
Assistant Secretary Chowdhury.....	No

Secretary Mouri – I want to clear up one thing, the procedure has been get the approval and get the variances, so I want to clear one thing with the attorney. So if they don't end up getting the variance through the ZBA does that mean the motion and the site plan fails and they can't proceed with it?

Ms. Mary Michaels – Yes, that means the site plan does fail.

Secretary Mouri – I want to clarify that because, if they don't get the motion, they are not moving to the step of kind of building the community service. Until the ZBA gives their blessing, they won't be able to move with the building permits and all that stuff, so I feel like we are kind of going in a circle right now. It is with the condition of getting the ZBA approval, if it doesn't go through, the site plan fails anyway. I definitely respect everyone's opinion, but I feel like we're going to be coming back and going through all of this again. We are approving the same thing, I think. We are approving it, even with the postponement, they are going to go to the ZBA and ask for their approval, and even if we approve this, they are going to ask for their approval. Either way, if it fails, at that point, this doesn't move forward. I don't want this to fail because we are not moving toward the postponement and I definitely understand everyone's opinion, I think we are talking the same thing, that's all I'm trying to say.

Secretary Mouri..... No

Chair Smith..... Yes

Because there's too many unanswered questions, there's too many discrepancies in the distances. I understand it's a community center and I understand how community centers work, but I just don't think it's sized properly for what they want to do there. So, we didn't get the majority vote so it gets automatically postponed anyway, correct.

Secretary Mouri – Since it's automatic does that mean it gets postponed to the next meeting?

Ms. Mary Michaels – Indefinitely.

Chair Smith – Which works out because it gives them time to go to ZBA and go from there, it will be one less step they have to do.

Commissioner Duzyj – If they get it in front of the ZBA in the next two weeks, it could be two to four weeks, we'll have it right back and vote on it, but then it's clean. That's what I'm really worried about, and I understand your point and I agree with it, but in my experience, you don't know what's going to come down the pike, and Zoning Board of Appeals can come up with something that we haven't talked about or even thought about, and that's what worries me. I have a lot of respect for the people on ZBA, and how they do it, and what they do, it's a tough job. They've got insight of things that sometimes we think about, sometimes we don't, and having another set of eyes take a look at it is a good idea. Even like the 6-foot or 8-foot wall; does it need a wall, yeah, is a 4-foot wall doing it, no, but can we go much higher than a 6-foot. If ZBA says it's an 8-foot wall, then it's an 8-foot wall because ZBA can do that, we can't. I think we are all in support of the community center, it's the details, and that's what I'm concerned about. Thank you.

Chair Smith – And if the variances don't get approved for this application, then they move out and another place wants to go in there, they will be able to use the same variances for theirs and it may not be what we wanted it to be also because the variance runs with the land. So, if it gets approved, it's going to run with that land as long as the variance is there. That's the reason I wanted to postpone it to see what Zoning is going to say.

Secretary Mouri – Do we still go with the first motion that was in place.

Chair Smith – No, we have to have 5 and we don't have 5 so it's got to be postponed automatically.

Mr. Cecil St. Pierre – I want to help you out; you don't have five votes either way, and we don't even have nine people up here, so I'll make it easy for you, we want it tabled because you don't have a full Board, then we can go to ZBA ahead of time.

Chair Smith – It's got to be automatically postponed because we don't have five votes either way.

Mr. Cecil St. Pierre – But you're going to have to go to the original motion now according to Roberts Rules of Order.

Chair Smith – Even on the original motion we didn't have five votes, therefore, if you don't have five votes either way it's automatically postponed.

Mr. Cecil St. Pierre – In the meantime, we can go to the ZBA?

Chair Smith – Yes.

Mr. Cecil St. Pierre – Okay, thank you, we are all set.

At 9:15 p.m., proceeding in recess.

At 9:22 p.m., proceedings continued.

Chair Smith – Just to recap on the last motion, we made a motion to postpone indefinitely, which will allow the petitioner to go to ZBA for the variances first.

- E. SITE PLAN FOR ADDITION OF TRUCK WELL AND PARKING LOT; located on the south side of Fourteen Mile Road, approximately 1,008.77 feet east of Ryan Road; 4400 Fourteen Mile Road; Section 5; Rabah Kirma/Rabah Management LLC (John Gumma/Gumma Group); PSP250024.

PETITIONERS PORTION:

Mr. John Gumma – Good evening, my name is John Gumma. This was the former Gardner White building who has been vacant since Gardner White went out of business, I believe it's been 4 or 5 years of vacancy now. We submitted our plans to Building and have a permit. We submitted the plans to MDOT and to the County and

they are all waiting on the result of this to release the permits and plans so we can proceed with this.

Right now, they have a current existing business in Madison Heights. It is three buildings, and they are looking to sell that and consolidate everything into one building here in the City of Warren.

They've been in Madison Heights for 29 years, they are not just sales of market, they sell a little bit of everything, all types of ethnic foods. The hours are Monday through Saturday 9:00 am to 8:00 pm, and Sunday less hours. Deliveries begin at 9:00 am, nothing sooner, and nothing past 3:00 pm for deliveries.

We are going to do an exterior façade renovation, and the interior is going to get outfitted for several different ethnic foods of your typical produce, prepared hot foods. We submitted plans to the Health Department as well. We have a new grease trap coming in. They have a huge area for gifts and religious things.

The rear of the building is heavily landscaped, as it was prior to that. We are only adding a couple rows in the rear for employee parking, and then the rest is going to be on the east side and the north side, the existing parking as it remains now. We are going to resurface that existing parking lot because it's been sitting dormant for so many years and needs some help. I'm here to answer any questions you may have.

Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**ENGINEERING:** Preliminary review of this site indicates no difficulty in development. However, any improvements in the 14 Mile Road right of way are subject to the approval of the Michigan Department of Transportation (or) Macomb County Department of Roads.

**FIRE:** Pertaining to the traffic letter and site plan submissions for 4400 14 Mile (PSP250024), the Fire Department doesn't see any issues with this project. We look forward to seeing fire alarm submissions further in the project.

**AT&T:** AT&T does not object to this project. We do have facilities on the property, but they are not expected to be affected. If any conflicts occur, please advise the petitioner to contact Engineer Darnell Jordan, [dj3504@att.com](mailto:dj3504@att.com), 586-215-2849, to discuss options.

**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:

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Duzyj – Are you going to be parking trucks in the parking lot?

Mr. John Gumma – No, and the delivery trucks are not semi-trucks they are just cube trucks.

Commissioner Duzyj – So you're not going to have trucks with freezers on there?

Mr. John Gumma – Absolutely not.

Commissioner Duzyj – Thank you, that was my only question.

Chair Smith – One question that I had I noticed on the drawing, all the parking spaces in the back of the building, I didn't see an access door back there to where people that park back can get into the building. Even the ones on the side do they have to go all the way to the front to come in?

Mr. John Gumma – No, we do have a door in the rear, next to the truck well, we have another one on the east side as well, because there's an existing one there now on the east side next to the DTE transformer and that's going to remain.

Chair Smith – The other question I had, when you look at the truck and trailer from the back area, you see the one semi is coming around, it's coming close to the corner of the building, and then it goes down to the first lane, and then the other one comes out and comes back around the second set of parking spaces and goes around to the truck dock. The one that's in the first lane seems like

it's kind of close to that corner of the building, is that going to be a truck route or is that just showing a possible truck route?

Mr. John Gumma – That’s just a possible truck route, but like I said all the deliveries are cube trucks, there are no semi-truck deliveries.

Chair Smith – So most of the parking in the back is for employees?

Mr. John Gumma – Correct.

Chair Smith – I noticed in the back also there’s a lot of water standing, so you’ll have to check with drainage in that area, you may have to do something pertaining to the drainage.

Mr. John Gumma – Currently it's just gravel, there’s no pitch to anything, so it ponds, we are addressing that with the County.

Chair Smith – Are there sewers that you can tie catch basins into?

Mr. John Gumma – Yes, sir.

Chair Smith – When do you figure this will open up and what will the hours be?

Mr. John Gumma – The hours are from 9:00 am to 8:00 pm, Monday through Saturday, and Sunday 9:00 am to 5:00 or 6:00 pm, it’s less hours. We have permits to begin construction inside we are just waiting for this approval so we can get County permits done so we can start immediately.

Chair Smith – I was by there the other day, I saw where they opened up that corner where the entrance is going to be.

ROLL CALL:

The motion carried as follows:

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

It will be nice to have a market there where we can get different kinds of international foods, especially because our area is so diverse you can carry a little something for everybody.

7. CORRESPONDENCE:

- A. Notification of Adoption of the Master Plan from the City of Sterling Heights. The Sterling Heights City Council adopted the Master Plan on May 20, 2025. A copy of the adopted Master Plan is available on the City's webpage: <https://sterlingheights.gov/2257/City-Plans>

MOTION:

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

- B. Notice of Intent to Conduct Master Plan Update from the City of Madison Heights. The City of Madison Heights is initiating the process to update their current Master Plan, adopted in 2021. When the draft Master Plan update is approved for release, a copy of the draft will be made available electronically for review and comment in advance of the City's public hearing(s).

MOTION:

A motion was made by Commissioner Duzyj to receive and file, supported by Secretary Mouri. A voice vote was taken and the motion carried unanimously.

Chair Smith – I'd like to recognize our Ex-Officio Councilman Newnan; glad you made it sir.

8. OLD BUSINESS:

SITE PLAN FOR NEW PARKING LOT; located on the southwest corner of Van Dyke Avenue and Toepfer Road; 21647 Van Dyke Avenue; Section 33; Charles DeWinter (Valentino Holata); PSP230018. **Approved on July 10, 2023. Petitioner is requesting a one-year extension to July 10, 2026.**

PETITIONERS PORTION:

Mr. Valentino Holata – I'm just asking for a 1-year extension to get the easement vacated. I've hired an attorney to help me vacate that easement. I just have to find out who owns the easement, that was my problem at the time, so she's going to help me do that, once that gets approved, she can find out who owns it, and if it's somebody that's still around that owns it, I can send them a letter and maybe get it vacated that way. If not, I have to make a complaint to the Circuit Court so they can get that approved and done. When that's set and done I can start on the site plan.

Chair Smith – It seems like you have a lot to do, will you be able to do that in one year?

Mr. Valentino Holata – I’m going to try my hardest.

MOTION:

A motion was made by Commissioner Duzyj to approve the extension for 1-year to July 10, 2026, supported by Commissioner Holowaty.

ROLL CALL:

The motion carried as follows:

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

9. BOND RELEASE:

SITE PLAN FOR NEW BUILDING; located on the north side of Ten Mile Road; approximately 537 feet west of Schoenherr Road; 13343 Ten Mile Road; Section 23; Kardo Plaza LLC/Kardo Rasha (Steven Kolber/Kolbrook Design); PSP190020. **Approved on June 17, 2019. Surety bond posted in the amount of \$36,000. Project complete. Release the bond.**

MOTION:

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

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 – There isn't much to the Planning Director's report because I had a couple of weeks off. The only item that really stands out is back on June 17<sup>th</sup>. I attended a Zoom Meeting with an EV group who wanted to construct a canopy, and EV Stations at Meijer's behind the Meijer's Gas Station; but it's not Meijer's, it's this EV group that was proposing it and it's also General Motors who's giving it a big push also. We are still working on that and it should come for site plan approval. Michelle, did they finally provide the last piece of information? Okay, it's been like pulling teeth to get things correct so that we can bring it to the meeting.

With that said, we received a call from Ex-Officio Newnan and Ms. LaFata. This all has to do with the Community Center that was approved on the 28<sup>th</sup> of April, this site is located on Thirteen Mile Road across from what used to be called the Bavarian Retail Strip. It's a community center and it's going to be a religious center. Anyway, we went through site plan approval with them, the Planning Commission approved them, and there was discussion on this site plan here about the forest that's on their property and they needed to have greenbelts or walls. In this particular plan, they've got a big parking lot that they are going to put in so they're going to need a greenbelt or a wall where the parking lot goes. Where the woods sit, we said keep the woods and build what's called a modified greenbelt in the back using that wooded area.

They got approval, that's what you expected, that's what we all expected to happen only it hasn't happened that way. They do not have an approved site plan yet, they didn't go and have their architect finish it, yet they did significant work out there. The work that they've done was reported to me by Ms. LaFata and Ex-Officio Newnan and they were concerned about the wooded area and what was going on. This was last Friday, and the way I heard it, people were somewhat in a panic about how much was being cut down of the wooded area. So, just before I took lunch, I took a run out there to take a look; I pulled up into the driveway and, like I tell people, I'm a tree guy, and what I saw was a horrible mess of downed trees. They cut all the trees down.

We went out there because of all the complaints. If you would I'd like you to allow Ms. LaFata to speak on this because she lives right behind it, she's the one that reported it, along with others that reported it, and it's possible that these people actually cut some trees on some of the abutting properties because they didn't know where the property lines were, they just made some assumptions. So that's our problem and she'd like to speak on this to let you know how she feels just as a citizen, if you don't mind. Ex-Officio Newnan has some pictures and has some things he'd like to say as well.

Chair Smith – We need a motion to suspend the rules to allow Ms. LaFata to speak.

Mr. Ron Wuerth – Then we'll move forward because I have some ideas about what we have to do to notify these petitioners that you're not supposed to do that.

MOTION:

A motion was made by Commissioner Duzyj to suspend the rules and allow Ms. LaFata and Ex-Officio Newnan to speak, supported by Commissioner Holowaty. A voice vote was taken and the motion carried unanimously.

Ms. Roseann LaFata – Hi my name is Roseann, and I'm on the Board for the condominiums that are on the south side of that development. It was my understanding that they were going to take out six trees, they took out all the woods, everything, displaced all the animals. They went beyond the property; they cleared them all out. It's my understanding it was for 40 parking spots.

The reason I didn't come to the first meeting is because I thought it was just for the little house, I didn't realize it was a whole acre behind that they were going to totally clear out. There were deer in there when they were taking down the trees and they just kept removing the trees. They went beyond the property line. When I went out there today there was a couple other red ties in different spots, so I don't know if somebody else went out there. They went totally beyond the property line and totally cleared it all out.

Chair Smith – I went by there today myself and I looked at it and I was shocked. The purpose of the greenbelt with the woods was to shield you from what was going on there. It was a nice greenbelt it had a lot of nice trees you couldn't even see your places over there and now it's all wide open.

Ms. Roseann LaFata – It's very sad, they are totally gone.

Chair Smith – And these weren't small trees, these were adult trees.

Ms. Roseann LaFata – These were huge trees, like woods, and they just totally destroyed them all.

Chair Smith – Councilman Newnan would you like to comment on this?

Councilman Henry Newnan – Yes, when Roseann contacted me she said that they were busting down the trees. She wanted them to at least preserve trees along the tree line and we started thinking well what they could do to make this better. If they are going to put up a wall maybe they could put up trees along there. What was your suggestion?

Ms. Rosann LaFata – My understanding was that they were going to put adult trees back in there like a greenbelt. When I look out I see nothing, I see the hall across the street and the light is so bright, that's what I see instead of all those beautiful trees. I would like them to put more trees in there to at least replace some of them.

Councilman Henry Newnan – I think at this point we should turn it back over to Mr. Wuerth, he's got some good ideas.

Commissioner Holowaty – Where exactly is this?

Chair Smith – It's on Chicago Road, right behind the Lowe's across the street from the Larsa Banquet Hall.

Mr. Ron Wuerth – You heard from the citizen and the Councilman, he's trying to help here. Now it comes down to what do we do, they have not yet given us a complete site plan, I'm not sure why they should have, they do have two years. They never should have cut these trees, if they wanted to cut all the trees then talk to us and they didn't. The Planning Commission gave them approval, thought it was going to work out just fine, and of course here's the result. They should have asked us and they didn't.

In some way I think they have to be called back here so that we can make sure of what kind of greenbelt can be put up there. It's ridiculous that they cut down half of the greenbelt to begin with, no thought process, I don't know who was telling these people what to do, but I'd like to talk to them in my office.

Frankly, they should double up on their greenbelts that they cut down, and I think they're going to have to build walls along the parking lot. They cut them all down, so I wonder if they were going to expand their parking lot from what they were approved on. They could have, but they didn't seem to need that much at this time.

I'm not going to get into what they were thinking, it's not worth the discussion, but what is worth the discussion is talking to them by the Administration. They Mayor is on this, Public Service, we need to get Planning, Building, Zoning, and the Attorney's Office involved on how we can go after these people. I stopped in and talked to Chuck from Engineering, and he initially said they did not have to do as much as they would normally do with the land disturbance because they were disturbing about ½ of it. In this case I told him what happened and said go ahead and take a look at it, and he said I don't have to, if you told me what it was, then that's what it is. Now they are going to have to do more regarding land disturbance with the County, they had no idea what they were getting into, but they could have talked to us.

I guess I want permission to move forward with this, to contact our different departments and divisions, have a round table discussion, especially through Zoning, and go after them. They are not in compliance with their site plan right now, that's the other issue. So, we've got two things not in compliance, the land disturbance, and I think there are other things once we put our heads together, we need bring them into City Hall to discuss what they can do to rectify this problem. They should be embarrassed. Anyway, that's what I'd like to do, get permission from the Planning Commission to put together a letter to the Administration and to them regarding what has happened.

MOTION:

A motion was made by Commissioner Holowaty to allow Mr. Wuerth to move forward, supported by Assistant Secretary Chowdhury. A voice vote was taken and the motion carried unanimously.

Chair Smith – Mr. Wuerth, being they didn't follow the site plan does that make the site plan null and void?

Mr. Ron Wuerth – No, it's not null and void, but it's a matter of they have to amend it after we have the discussions with the City departments and divisions on how we want them to amend it. I've got a pretty good idea of what they need to do.

Commissioner Duzyj – Mr. Wuerth, have they posted a bond on this?

Mr. Ron Wuerth – No, they've not done anything as yet.

Commissioner Duzyj – I think a really good bond number would be pretty good.

Mr. Ron Wuerth – It's possible, I'll make a note of that idea. If anyone else has any ideas, you can contact me at the Planning Department.

Ms. Roseann LaFata – When I watched the meeting from April it said they wanted to put the grass out there so people could go pray out in the nature, so I thought why did you take down all these trees. They even went past their property taking out trees, when I asked the gentleman that was working out there, he goes, he said no we didn't. They looked around and I think they were like oh my gosh we did do something here, and they were thinking how do we fix this.

Chair Smith – I think we are going to work out something to fix it, we appreciate everything you've told us.

Ms. Michelle Katopodes – I have a quick note about the upcoming Michigan Planning Conference. The Officer's have a sheet up there that have information about the upcoming Michigan Planning Conference that is going to be in Kalamazoo October 22<sup>nd</sup> to the 24<sup>th</sup>, 2025. There are different rates, so this year they have three different time frames of rates, so what we are asking is to think about it sooner than later if you're interested so that everyone that's interested submits the form before the early bird time is over. The regular registration rate begins on September 12<sup>th</sup>, so prior to that let us know who is going to attend and submit the travel authorization form so it's done earlier. It's so early that the agenda is not even up but I just wanted to let you know so you know earlier. If you have any questions let me know.

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

None at this time.

13. CALENDAR OF PENDING MATTERS:

None at this time.

14. ADJOURNMENT:

MOTION:

Mary Clark CER-6819  
July 14<sup>th</sup>, 2025

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 10:02 p.m.

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Warren Smith, Chair

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Mahmuda Mouri, Secretary

Meeting recorded and transcribed by  
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