

Present: Chairperson Jensen; Vice-Chairperson Landsman; Members: Freedman, Liberty, Ostrowski, Tillman, Walter and Wayne

Absent: Borowski

Also Present: Planning Consultant, Wenzara  
Assistant to the Manager, Pasioka  
Council members – Pfeifer, Koss, McCleary and Taylor

Chairperson Jensen called the meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

### **APPROVE AGENDA**

Motion by Ostrowski, second by Walter, to approve the agenda as published.

Motion passed (9 – 0).

### **APPROVE MINUTES OF A JOINT COUNCIL/PLANNING BOARD MEETING HELD ON WEDNESDAY, JUNE 22, 2005 AND A REGULAR PLANNING BOARD MEETING HELD ON WEDNESDAY, JUNE 22, 2005**

Motion by Landsman, second by Wayne, that a joint Council/Planning Board meeting held on Wednesday, June 22, 2005 and the regular Planning Board meeting of June 22, 2005 be approved as submitted.

Motion passed unanimously.

### **REVIEW REQUEST FROM CINGULAR WIRELESS FOR SPECIAL APPROVAL AND SITE PLAN APPROVAL TO COLLOCATE ANTENNAS ON THE LEGS OF THE SOCWA WATER TOWER AND INSTALL A 12' X 20' CONTROL BUILDING AT 16114 W. 14 MILE ROAD**

Jensen reviewed that the Planning Board held a public hearing on April 27, 2005 on a request from Cingular Wireless for Special Approval and Site Plan Approval to collocate antennas on the SOCWA (Southeastern Oakland County Water Authority) water tower located on 14 Mile Road east of Pierce. The proposal includes constructing a control facility on the site.

There were a number of comments and questions from residents and Board members at the public hearing. The petitioner agreed to table action on the Cingular application and return at the next Planning Board meeting with information requested on several items including the question of need as well as an inquiry as to whether Cingular could share facilities with the other wireless providers on the site. There were safety concerns and a question on whether more wireless providers would be coming onto this site.

The Cingular representative returned at the May 25 Planning Board meeting and addressed issues of need and safety. A representative from SOCWA indicated that the physical possibility was not there for additional antennas to be installed on the water tower. The Planning Board was satisfied with the answers received and recommended that Council approve the special use and site plan request from Cingular.

Council held a public hearing on the Cingular submission on June 21, 2005. After deliberation on the proposal and comments from the public, Council approved the special use request from Cingular Wireless but referred the site plan back to the Planning Board for consideration of whether there could be sharing of control building facilities on this site. The capacity for future operators on the site was also a question for the Planning Board.

The Planning Board is in receipt of a letter from the Director of Site Development for Nextel Communications in which Nextel declined a written request from Norm Burns from Velocitel to share a shelter with Cingular Wireless on the water tower site on the basis that it was not an arrangement that is consistent with Nextel's policy.

Jensen understands that Verizon is another wireless provider collocated on the water tower. Norm Burns informed the Board that he contacted Verizon, but their representative would not comment nor respond in writing to his request to share a shelter with Cingular.

Jensen remarked that an effort has been made by Cingular to request sharing of facilities on this property. Burns added that each wireless carrier has its own lease agreement that defines the property, and they do not want to change that agreement to cover a dual purpose shelter. In response to an inquiry, Burns explained that the size of the building is related to the equipment that is stored in it. A shelter provides a safe and secure environment for the support equipment.

Walter observed that the site plan now shows the Cingular support building as being under the legs of the water tower. Burns stated that area residents asked that the facility be installed under the tower in order to be less visible. Cingular has agreed to attempt to build the structure under the legs if possible. It could not be entirely ascertained by SOCWA officials whether there was anything underneath the water tank that would prevent the company from building there. It is the intent of Cingular to position the building under the tower. Burns does not anticipate a problem, but the company would like approval to build the structure outside of that area if it cannot be positioned under the tower legs. Cingular will provide written verification of why it cannot be done if that is the case.

Motion by Landsman, second by Tillman, to recommend approval of the request from Cingular Wireless for site plan approval to collocate antennas on the existing Southeastern Oakland County Water Authority water tower at 16114 W. 14 Mile Road with the stipulation that Cingular provide verification to the Village Building Official if it is not able to locate the support structure under the legs of the water tower as proposed. The Building Official is authorized to use his discretion to approve the location of the structure if it cannot physically be built under the water tower.

Liberty expressed concern about the Village's control over future building on the SOCWA site. Jensen indicated that the Village does have authority over building on that property. He noted that a SOCWA representative has indicated to the Planning Board that it is not physically possible for another carrier to locate an antenna on the water tower.

In response to an inquiry, Wayne was informed that construction of the support structure will be under the jurisdiction of the Village Building Department.

Roll Call Vote:

Motion passed unanimously (8 – 0).

**REVIEW REQUEST FROM MISCH INTERNATIONAL IMPLANT INSTITUTE TO EXPAND ITS OFFICE BUILDING AT 16231 W. 14 MILE ROAD**

Jensen explained that the request from Misch Implant Institute to expand its office building is before the Planning Board for review due to the size of the expansion compared to the size of the current building.

Board members are in receipt of a review letter dated July 15, 2005 from planning consultant Caryn Wenzara regarding this application. LSL Planning reviewed the original submission and worked out a majority of the outstanding items with the applicant since that time. The only issue to be addressed at the discretion of the Planning Board and Council is the landscaping on the site. Wenzara suggested that only a minimal amount of landscaping upgrades should be considered based on the size of the expansion.

Wenzara presented several landscaping recommendations in her review letter. It will be up to the Planning Board to give the applicant direction. Wenzara outlined her landscaping suggestions including parking lot screening, street trees, parking lot landscaping, and screening from residential. She proposed one or two street trees to supplement what exists. Currently, there is no landscaping in the parking lot in terms of parking lot islands. Including a landscaped island at the end of the parking row near the front entrance to the building could be considered if losing one or two parking spaces does not create a problem. This is a discretionary item that can be discussed with the applicant.

Jill Bertelson, building manager, and the architect were present representing owners Drs. Carl and Francine Misch, who were out of town. The representatives indicated that the owners would be amenable to meeting with the planning consultant or Village administration to work through the landscaping concerns. Wenzara remarked that there is flexibility in terms of the size of the island median. In response to an inquiry, Bertelson did not think it would be a problem to plant additional trees along 14 Mile Road.

Motion by Tillman, second by Wayne, to recommend approval of the site plan for office building expansion from Misch International Implant Institute at 16261 W. Fourteen Mile Road with an amendment to the site plan to include additional trees along Fourteen Mile Road and landscape islands in the parking lot at the discretion of and agreement between the petitioner and the planning consultant.

Roll Call Vote:

Motion passed (8 – 0).

**MASTER PLAN WORKSHOP**

Jensen related that the planning consultant will begin with a presentation on the Master Plan Update process using a power point presentation.

Caryn Wenzara thanked audience members for coming tonight to provide input on the Master Plan Update process. The Planning Board is at the beginning stages of the program, which involves data collection and updating information that has changed in the community in the last five to ten years. The purpose of this meeting is to hear comments from the public on their ideas for the future – what people want to remain or change. It is an opportunity for the Planning Board to take notes and hear what the citizens have to say.

Wenzara touched on the following topics in her presentation - what is a Master Plan and what are the resources the Board employs as part of this update process. The public discussion will be broken down into four main topics: land use, transportation, community facilities and services, and natural features. These are generally the main components of the Village Master Plan. Wenzara will review the project schedule following public comments. She emphasized that the public is welcome to attend any Planning Board meeting and participate in the Master Plan Update discussion.

The Master Plan document provides a guide to the community that helps with decision making and establishes the basis for policies, regulations, zoning ordinance requirements, codes, and future investments. It is an important document in terms of setting the framework for the future of the community. When Village representatives are working with outside groups, it allows them to see the vision of the community in writing. Future and current property owners have an understanding and level of comfort with the plan for the Village. Wenzara emphasized that the Master Plan is a community driven document, which is why the public involvement component is an important aspect of the process.

The authority for a Master Plan is granted through the Municipal Planning Act. The document will be discussed at the Planning Board and Council level and adopted by both bodies. The Village Council, boards and committees will use the Master Plan in their decision making.

Wenzara highlighted some of the resources used by the Planning Board in the update process. The current Master Plan is the basis for the update. There is not a lot in terms of structure, format and content that will change. It will be a matter of updated information and changes in recommendations. The Strategic Plan will be a resource by which to understand the priorities of the community. Current policies and ordinances are other resources that will be reviewed as well as state laws and the experiences of other communities. Public input will be important. Comments made tonight will be incorporated into the next step of the process. Wenzara noted that another public forum will be held when the draft document is completed and the public will then have something to respond to.

#### Land Use

Wenzara related that land use refers to single family residential neighborhoods, multiple family, commercial businesses, professional offices, public, and institutional uses (school or church). The Master Plan sets a plan for the various land uses in the Village – what will change and what will stay the same into the future. The public will be asked to comment on whether there should be changes to the land use pattern in the Village.

Wenzara displayed example questions under each category of the Master Plan topics intended to help formulate thoughts. Other topics related to land use are welcome.

Ann Swartwout of 18122 Buckingham asked if there is much vacant property available in the Village. Jensen responded that changes occur, and we are trying to anticipate our future.

Pamela Rijnovean of 32420 Evergreen questioned an item from a list of draft goals prepared by the planning consultant as part of her review of the Strategic Plan issues.

Jensen informed the public that the Planning Board has not yet reviewed the Strategic Plan in terms of what information may be applicable to the Master Plan. The planner has done a preliminary analysis on this topic, which was submitted to the Board for consideration.

Rijnovean expressed a concern with preventing “big foot” housing in Beverly Hills. She noted that there is little undeveloped land in the Village, and the Village does not own any of the land on Southfield Road. She questioned how the Village would be able to control the types of businesses on Southfield Road.

Jensen made reference to Birmingham’s 2016 Plan, whereby the city conducted a study and published a Master Plan for the future of its downtown district. If Beverly Hills wants its Southfield Road business district to change, it has to create a plan. The Planning Board has been requesting funds to study the Southfield Road corridor and determine the possibilities for future development.

In response to an inquiry from Rijnovean, Jensen stated that the Village has not conducted a previous study of the Southfield Road business district. The Village spent \$2,000 to engage a Uof M professor to do a goal planning exercise.

Kathleen Berwick of 31381 Kennoway Court commented that she lives in a large-lot section of the Village. She does not want to see lot splits, high density building, or multiple family residential structures in Beverly Hills. She would like the Village to be kept residential. Berwick does not want more parks in the Village. Beverly Park is used, but Douglas-Evans and Hidden Rivers nature preserves are not used by the public. Berwick expressed the view that park land at Hidden Rivers has been taken off the tax rolls when it should have been developed. Berwick does not see how the businesses on Southfield Road can be changed.

Joseph Wilberding of 20023 W. Fourteen Mile Road concurred with the comments made by Ms. Berwick. He does not think that there is a need for restructuring of businesses along Southfield Road or assisting with redevelopment. Wilberding suggested that the Village infrastructure should be taken care of as a first priority if there are available funds. He would like to see the 14 Mile Road/Evergreen intersection improved to include curbing.

Bunker Kelly of 21526 Corsaut made general comments regarding the planning consultant’s presentation. He referred to items listed under “Potential recommendations that support Goal #1” in a report from Wenzara summarizing her analysis of the Village Strategic Plan.

Kelly disputed the statement made by the Chair that there has never been a study done of the Southfield Road corridor. He maintains that the Village has spent in excess of \$50,000 looking at studies for Southfield Road. Jensen asked Kelly to restrict his comments to future land use in the Village.

Kelly commented on the current financial position of the Village and did not think that business owners on Southfield Road should be offered financial incentives. Kelly was opposed to exploring land acquisition opportunities for Village parks.

Frank Worrell of 32123 Bellvine Trail referred to a document dated 7/20/05 prepared by the consultant and asked for an explanation of a number of items listed under the category of Land Use Goals.

Jensen observed that a number of residents present have a copy of Draft Plan Goals dated 7/20/05 prepared by the planning consultant. He emphasized that this document drafted by Wenzara is a result of her review of the Strategic Plan in terms of items that may apply to the Master Plan. It has not yet been studied or discussed by Board members. The items in that document are not being suggested or proposed by the Planning Board. Members have received this discussion item via email and have not examined it as a group.

Wenzara added that the intent of this evening's discussion is not to respond to her report dated 7/20/05 analyzing the goals included in the Village Strategic Plan. The intent is to hear general ideas about the topics.

Worrell expressed the view that the Planning Board does not have to rewrite the Village Master Plan. State law requires only that a master plan be reviewed every five years. He is opposed to rewriting the Land Use Plan for Beverly Hills for the purpose of allowing development of multiple housing and lot splits.

#### Transportation

Kathleen Berwick of 31381 Kennoway commented that there are no sidewalks or bike paths in her section of the Village. She believes in having bike paths or sidewalks on main roads for safety reasons and would like Beverly Hills to become a walkable community. Berwick mentioned that she would like to have her street paved.

Norman Rubin of 31020 Rivers Edge Court commented on the traffic on 13 Mile Road. He has observed that the duration of peak traffic loads on 13 Mile Road continues to increase. He commented on methods used by the City of Birmingham to reduce lanes and limit traffic on both 13 Mile Road and on Lincoln. He suggested that Beverly Hills discourage 13 Mile Road and 14 Mile Road from becoming a pass through when motorists can use 12 Mile or 15 Mile, both five lane roads and good alternative routes.

Rubin commented that a solution would be to restrict traffic by lowering the speed limit and enforcing the laws. The Village should make 13 Mile Road difficult to use as a pass through.

Bunker Kelly questioned whether it would be the responsibility of the Village or Oakland County to evaluate traffic volumes and accident data to identify potential areas of concern in the community. He asked if this information would be easily available. Based on input from the Village-wide survey distributed by the Strategic Planning Committee, traffic and circulation is one of the lowest priorities of residents. Kelly reminded the Planning Board that sidewalks were not a priority of residents who responded to the survey. In addition, the electorate voted down a sidewalk initiative.

Pamela Rijnovean asked if there will be solutions suggested to problems that exist in the Village. Wenzara stated that solutions will be an important part of the plan once the issues are identified.

Jensen reiterated that a document that has been circulated entitled Draft Plan Goals dated 7/20/05 has not been discussed by the Planning Board. The Planning Board intends to review this material provided by Wenzara and comment on it at a later time.

Gladys Walsh of 20655 Smallwood Court expressed the view that tonight's workshop is an exercise in futility if a document has already been prepared that summarizes what was expected to be the outcome of the public meeting. Walsh commented that sidewalks have been a divisive issue in the Village; residents voted down implementation of a sidewalk plan. Walsh does not view sidewalks on major roads as being a safety factor. There are sections of the ordinance that allow the Council to install sidewalks if it is determined that there is a safety issue.

#### Community Facilities and Services

Wenzara stated that this topic covers public safety, public services, parks and recreation, and any other services offered by the Village. Residents may want to suggest ways that services can be improved to advance the quality of life in the community.

Pamela Rijnovean stated that there are two large nature preserves in the Village, Beverly Park and Riverside Park. There is no money available for acquisition of land for parks.

Norman Rubin suggested that it does not seem appropriate that the parks in the Village other than Beverly Park receive no attention and no funding.

Bunker Kelly commented that sharing of services and partnerships with other communities is something that should be considered by the Village. He made the point that the Village's usage of certain infrastructure and facilities is less than it was 25 years ago. He questioned whether the Planning Board should be spending any time or resources on the topic of community facilities and services provided by the Village to residents.

#### Natural Features

Wenzara related that natural features in the Village refer to trees and open water as well as the watershed, drainage, and pollution.

Norman Rubin was asked by the Chair if he had an opinion on what should be done with respect to the open spaces in the Village that are not used as parks. Rubin responded that a portion of the funds allocated to Beverly Park could be used to give these parks some attention. Rubin pointed

out the parks and nature preserves on the aerial map of the Village. He identified Beverly Park, Riverside Park, and the Douglas-Evans and Hidden Rivers nature preserves.

Rubin stated that he has observed a large number of dead trees in the Village due to the emerald ash borer disease. They detract from the appearance of the whole area. Because the Village does not have the money, it should look for sources of funding for tree replacement. People should be made aware of how pervasive this problem is in the community.

Bunker Kelly expressed the view that parks and facilities in the community other than Beverly Park should receive more attention, and the Village should do a better job of making its other parks accessible. The Village is not using its natural assets to their full extent. He suggested that the Parks and Recreation Board should take some initiative with respect to tree replacement in the Village.

Kathleen Berwick questioned the use of the Douglas-Evans nature preserve and the deed restrictions limiting that use. That property was donated to the Village for use as a nature preserve with deed restrictions and was taken off the tax rolls.

Bob Walsh of 20655 Smallwood Court provided background on the Hidden Rivers nature preserve. About 25 years ago, an individual bought the 14-acre parcel and went to a bank in Ypsilanti with a proposal to borrow money to develop the land. What transpired was that it was found that most of the property was in the flood plain with little land useable for development. The owner defaulted on the bank loan. Property owners surrounding the land bought the acreage from the bank and donated it to the Village with certain deed restrictions.

The Douglas Evans property was donated with restrictions to the Village by the family who owned it. Dorothy Pfeifer of 160 Charrington recalled that the Douglas Evans site was donated as open space prairie land and was to be kept in its natural state. It is also the site of the Village's Combined Sewer Overflow facility. The Village obtained approval from the family for a revision in the deed restrictions to use that property as a CSO site. The family insisted that there be no development on the site, no roads or sidewalks. The property is being maintained as a natural preserve. Pfeifer noted that a road was installed to provide access for Oakland County vehicles to maintain and service the CSO facility. Additional security measures were established to protect the facility after 9-1-1.

Kay Michael of 15767 Kirkshire informed the Board that there is a growing storm water drainage problem on Kirkshire and Birwood between Madison and Greenfield. There is a potential health hazard risk and property damage issues. This problem should be addressed.

Wenzara remarked that this concludes the Master Plan topic areas. She thanked residents for coming out and providing their input. The next step of the process will involve the Planning Board discussion of the information and recommendations received this evening along with other research for inclusion in a draft Master Plan document.

A recess was called at 8:53 p.m. The meeting reconvened at 9:07 p.m.

### **PLANNING BOARD COMMENTS**

Ostrowski commented that he would have liked to hear more positive direction from the public tonight in terms of their vision for the future. At the same time, there were positive comments that were helpful.

Tillman stated that she has been a resident of the Village for about 13 years and finds this a wonderful place in which to live. This will be her second Master Plan review as a member of the Village Planning Board. What she has heard this evening is similar to what transpired during the previous Master Plan update process. It is important to have public input, and she appreciates the time residents have taken to share their views.

Tillman commented that she views her role as a Planning Board member to be a visionary and to work to enhance the quality of life in the Village. It is important that the Village has services, businesses, and land use that satisfies the need of the community. Tillman thinks that an important issue facing the Planning Board is the Southfield Road corridor and how the businesses can add to the value, livability, desirability and quality of the Village. Tillman also thinks it is important to consider and maintain the natural features of Beverly Hills. As this group goes forward in the Master Plan update process, she suggests that Board members and residents think about what is good about the Village and what can be done so that it continues to be a great place in which to live.

Landsman remarked that she continues the learning process as a Planning Board member and is interested in helping create a vision for the future so that Beverly Hills can grow.

Liberty stated that he would like to understand what the residents really want and need. Liberty distributed a document with comments attached from a resident to Board members for discussion at an upcoming meeting.

Freedman thinks that negative comments from residents were born out of frustration of going through a previous planning process and a strategic planning process without seeing concrete results. She would have liked to hear input from more residents.

Freedman would like the meeting minutes to have more substance. She congratulated the Planning Board members for their work on codification of the site development handbook, the outcome of which has already produced positive results.

Wayne expressed his views on the need to study the Southfield Road corridor and its importance to the progress and appeal of the Village.

Jensen related statistics that demonstrate a shift in the number of households with families, which impacts the future and a community's revenue stream. He emphasized the importance of the Master Plan to a community, noting that it is not easy to discuss what the future should look like. Jensen relayed his enthusiasm about the Master Plan process and his hope that residents will stay involved and look for ways to help the Planning Board to understand what they want the future to look like. He thanked the public for coming tonight and appreciated their comments.

**PLANNING CONSULTANT’S COMMENTS**

Wenzara remarked that it is unfortunate that there were negative comments made tonight, but it also provided important insight to ideas that have been discussed. She hopes that the group continues to move forward. She is encouraged by the members’ positive visionary perspective in their role as Planning Board members.

**PUBLIC COMMENTS**

Bob Walsh of 20655 Smallwood Court commented that tonight’s meeting was well publicized yet there was a small turnout of residents. He thought that this demonstrates that people enjoy where they live and do not want to see major changes. The Village has been 99% developed for a long time. The community has a fairly strong zoning ordinance that protects property values. He does not see the need to rewrite the Master Plan every few years.

Kay Michael of 15767 Kirkshire expressed disappointment and voiced an objection to the Planning Board making a decision on the Cingular Wireless proposal without providing an opportunity for the public to comment on the request. She realized that there were two prior hearings on this subject. However, Michael stated that she had new facts and information that she felt was vital to the Board making a fully informed decision on an issue that is critical to residents’ property values. She would have had appreciated the opportunity to comment tonight.

Bunker Kelly thinks that the fact that there was not an opportunity for public comment before a vote was taken on the Cingular matter may need to be referred to the Village Attorney.

Kelly commented that he was troubled by a remark made by a few Board members that they consider themselves visionaries for the Village. Kelly thinks that the role of all boards is to carry out the needs and concerns of the Village residents.

Motion by Tillman, second by Ostrowski, to adjourn the meeting at 9:34 p.m.

Motion passed.

**David Jensen, Chair**  
**Planning Board**

**Ellen E. Marshall**  
**Village Clerk**

**Susan Bernard**  
**Recording Secretary**