

# Opinion

21898 Farmington Road/Farmington, MI 48024

Bob Sklar editor/477-5450

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1/6E Thursday, May 24, 1990

## Vigilance

### It broke down on Drake Road

**W**E SPENT much of last week trying to pinpoint accountability and determine if any city procedures or ordinances were skirted in the massive tree removal at a Farmington Hills cluster home development.

By week's end, we still weren't clear what preceded the leveling of some trees at least 12 inches in diameter and other native vegetation to make way for an entrance and retention pond at Oxford Place, going in on Drake, south of I-696, in historic Sleepy Hollow.

The only certainty was the utter confusion among city officials. They couldn't seem to agree on the chronology or content of events that left a highly visible bare spot in front of the 40-acre site, which, ironically, borders a natural beauty road.

Amazingly, these are the very same folks who helped expand the natural beauty road ordinance, helped write the tree protection ordinance and helped plan the environmentally sensitive paving of the winding road. Smooth communication should be their hallmark.

A stand of at least 30 trees vanished at Oxford Place within one day — and within a week of Earth Day.

Other stands of trees deeper on the site, where homes will be built, are intact. Tree surveys and permits will be required for each of the cluster development's 73 homesites.

BOTH THE city council and the city administration knew angry Sleepy Hollow area residents would attend last week's council meeting to protest the tree uprooting.

We have no idea why they didn't invite staff members from the engineering and planning departments, not just the director of planning and community development, so public queries could be fully answered.

Amid the confusion about who was responsible for what, we've concluded:

- The developer, Selective Group of Farmington Hills, didn't have all required paperwork before unleashing the dozers.
- The tree removal conformed to the site plan approved by the planning commission and reviewed by the city council, but it stunned nearby residents.

• Semantics aside, there was a breakdown in communication between city administrators and city staff, their hard work to preserve the character of Drake Road notwithstanding.

"SOMETHING WENT wrong," said councilman Aldo Vagazzini in the understatement of the city council meeting May 14.

City administrators contacted the trees removed conformed to the approved site plan so, in turn,

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lack of a tree removal permit for the retention pond didn't matter.

But if that's true, why have a tree protection ordinance unless it's fairly and uniformly enforced? Does a site plan supercede it?

The tree protection ordinance clearly calls for a tree removal permit to remove or relocate most varieties of trees. The penalty, a misdemeanor, is a fine of up to \$500 per tree. Selective Group is no stranger to development. It's a seasoned, respected company that knows its way around city hall. It should've known what paperwork it needed and when it was needed.

Its city-imposed penalty for the paperwork foulup was a brief work stoppage — hardly more than a slap on the wrist.

THE NATURAL beauty road designation protects native vegetation in the right of way from unintentional or unnecessary damage resulting from maintenance or construction activities.

City staff should have notified the council of the consequences of deviating from that restriction in order to put the retention pond in the natural low spot, near the road edge.

The shucker on Drake underscores the need to notify nearby residents or subdivision associations when a site plan is up for review by the planning commission or the city council. Posting rezoning request signs isn't enough.

In this case, some trees at Oxford Place might've been saved, albeit at a higher cost to the developer. At least nearby residents would've had a chance to appeal to the city council before the trees were gone.

OXFORD PLACE may look gorgeous when done. Selective promises a lushly landscaped entrance and retention pond with some trees of the same diameter as those removed.

But let's be bluntly honest: The heart of the natural beauty road philosophy — native roadside vegetation — has been lost there. Vigilance, when needed most, broke down.

And city officials must shoulder the blame. It appears to us they didn't show enough sensitivity in applying the natural beauty road philosophy to the site plan for Oxford Place.

## Clarenceville

### Yes to Brandemihl and Empey

**C**LARENCEVILLE School District voters will cast ballots in the annual school election on Monday, June 11.

Voters will elect two members to the school board and decide the fate of a Headlee waiver ballot proposal, which we earlier endorsed.

To assist readers in voting, the Observer endorses candidates it believes to have the highest qualifications to serve our residents. The 1,800-student district includes southeast Farmington Hills.

We base this decision on regular coverage of school board meetings and the district at-large, on endorsement interviews with the candidates, and on our perceptions of the community's needs.

For the Clarenceville Board of Education, the Observer recommends incumbent Linda Brandemihl and challenger George Empey for the two available seats.

IN DOING so, we certainly are not making any negative statements about the abilities, candidacy or service of incumbent Daniel Morrison.

Morrison has served Clarenceville well during his years on the board and has earned the praise of fellow citizens.

Our reasons for not endorsing him are simply that Clarenceville is in transition and needs new blood, and because challenger Empey makes a convincing case for his viability as a candidate. Morrison considered not running again but changed his mind. We agree he is qualified and regret three seats aren't up for election.

Clarenceville is in its infancy as an out-of-formula district and is entering its second year under the leadership of a new superintendent.

Based on these two major changes, the Observer last year endorsed a challenger over an incumbent and makes the same decision this year.

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EMPEY IS a product of Clarenceville schools who has lived long enough here to be well-informed of the district's needs, strengths and shortcomings.

His vision of education to equip students for jobs in our new technology-driven marketplace is sound and demonstrates a grasp of the new world we face in the 1990s.

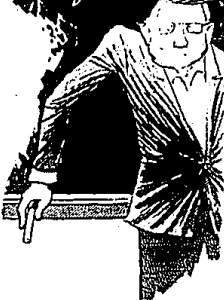
During her single term on the board, Brandemihl has demonstrated a concern for students and staff, is sensitive to the burden placed on taxpayers and recognizes the need for changes, such as elementary counselors and latch key-type programs. She has served in positions of leadership on the board and should be returned to the board.

THE OBSERVER urges a "yes" vote for incumbent Linda Brandemihl and challenger George Empey for the Clarenceville Board of Education.

School board members exercise control over money that represents the largest share, by far, of our property tax dollars. And the education our youth receive is one of the most important investments our community makes.

For these reasons, we urge all our readers to vote on Monday, June 11.

What does Memorial Day mean?



- Summer vacation's coming
- Judy 500
- Boat races coming soon
- Grand Prix's next
- .....



## It's too early to remove IRO moratorium in Hills

**SORRY, COUNCILMAN** Lichtman

Continuing the moratorium on IRO (industrial-research-office) rezoning requests is not, as you so graphically put it May 14, "crap."

Make no mistake: I appreciate your bluntness. It beats the political posturing that too often colors council debate.

But I can't buy your argument why the Farmington Hills City Council should lift the moratorium: the May 11 release of the ad hoc citizens committee on toxic and hazardous materials report.

No sooner did the council formally receive the 70-page report, the brainchild of former councilman Phil Arnold, than you urged lifting the moratorium so IRO rezoning bids could be decided on individual merit.

I agree that such requests should be decided on individual merit, just as rezoning bids are in other zoning districts.

But it's folly to conclude "the fair thing to do" is lift the moratorium now. Dilettante for your conclusion that "it's irresponsible for the city to continue having this issue hanging in limbo."

THE MORATORIUM was imposed last September so city leaders could gather facts about toxicity in all zoning districts, not just IRO zones.

True, the threat isn't unique to



**Bob Sklar**

IRO zones. It permeates the city — from solvents in residential garages to chemicals in industrial buildings.

But heck, at least give the city council more than three days to digest the very complicated, highly technical toxic and hazardous materials report, which takes several readings to fully grasp.

And for gosh sakes: Give residents fearful of IROs a chance to study up and provide constructive feedback. An information dialogue should be based on fact, not emotion.

The moratorium should stay if for no other reason than that the city is only midway through its in-depth IRO review.

The wise thing to do is let City Manager Bill Costick explore ways to tighten IRO controls before lifting the moratorium. It makes no sense to lift it while we're still groping for controls we all can live with.

IT'S NO secret that developer Mel Kafan is chomping at the bit over his pending request to rezone 14½ acres on the east side of Drake, north of Grand River, from office

service to IRO.

He seems truly sincere in not wanting toxic chemicals or waste on his property any more than the neighbors do. I'd be the last person to try to deprive a reputable developer like Mel Kafan legitimate use of his land.

But the truth is, no matter how meticulously he screens tenants, the city, ultimately, is liable for potential toxic problems.

I suggest a forum be set as soon as possible to ponder the guts of the citizens report. Richard Lipka, who chaired the citizens panel, should be called upon to explain the document in easy-to-understand terms.

The forum also would be the right time to consider tighter IRO controls on permitted uses and enforcement procedures.

THE CITIZENS report stated: "The IRO ordinance is not potentially more harmful to nearby residents than the light industrial ordinance."

But it adds that continued use of both ordinances, while acceptable, is predicated on the need for permit procedures and an expanded inspection program by the fire department.

So in the interest of the city's health, safety and welfare, it's premature to lift the IRO moratorium.

Bob Sklar is editor of the Farmington Observer.

## Farmington readers' forum

Letters must be signed, original copies and include the address and telephone number of the writer. Names will be withheld from publication only for sufficient reason. We reserve the right to edit them. Send letters to Readers' Forum, Farmington Observer, 21898 Farmington Road, Farmington 48024.

### Alarm policy a bad move

To the editor:

I am rather surprised that no one has questioned the new alarm policy, especially in light of the rationale quoted by or attributed to Farmington Hills Police Chief William Dwyer, City Manager Bill Costick, the city attorney and the city's risk manager and insurance company, all of whom supposedly supported the new policy.

If so, why does Dwyer believe the citizens have a superior alternative to any panic alarm by dialing 911? In this connection, how is the city defining a panic alarm that they are so plucked by? If no one is at home when the alarm goes off due to a break-in or fire, who is going to telephone the police? The burglar?

As a matter of curiosity, I'd like to find out how many of these city officials (police chief, city manager, risk manager, city attorney, etc.) have (alarm) security systems in their homes. The least that we should expect is for these people to publicly go on record and advise the citizens so that we can gauge whether they actually do consider the 911 system to be superior and, therefore, logically the only alternative.

If cost is the major problem (and I suspect that is the main reason for the policy change) with the panic alarms, then the cost can be managed and mitigated.

First, I vaguely remember that the city already charges something for false alarm responses. Thus, there is a mechanism for recovering the cost.

Second, with respect to the officer safety concern, I would suggest that a local phone call (which the alarm company supplies) be made to the alarm location in question to alert the residents or criminals that the police will shortly be responding to the alarm to lessen the risk of having to break a door down or being mistakenly shot.

Accordingly, I look forward to updates about the alarm policy in light of the fact that Ordinance No. C-39-88, amending Section 60-870 of Chapter 80 of Part VIII of the Code of the City of Farmington Hills, Section 1 (2) prohibits "all automatic dialing devices" (including any telephone) that is programmed to automatically dial 911 by the mere push of a button. Thus, not only is Michigan Bell in violation of the city ordinance because it is the seller of such devices, but potentially every telephone user in the city as well.

Lastly, the April 10 Farmington Hills Department of Police letter to alarm users, which I received on May 5, is a rather poor example of explaining the reasons for the new

policy, to say nothing about the backdating. It is the type of explanatory letter attorneys like myself utilize when there is a need to be non-specific and thereby not be pinned to anything of consequence.

S.A. Kovach,  
Farmington Hills

### Shades of '1984' seen

To the editor:

I was sickened by a photograph accompanying an article in your paper which portrayed the image of a candidate for U.S. Senate embracing a convicted felon. Clark Durant and Ollie North framed by our flag. It would have been better to burn it.

When Ollie and Clark said the pledge of allegiance, it is amazing that they did not choke. They pledged to the United States whose property North destroyed.

The symbol of our patriotism hung in the shadow of a man who stole from it and continues to take pay off fees for sharing a podium orating about "traditional family values."

The "double speak" that North expounded and Durant adopted truly make them respectively the pig and the candidate found in "1984."

Paul A. Rosen,  
Farmington Hills

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