

# Hills council denies developer

BY WILLIAM COUTANT  
STAFF WRITER

For all the preservation of natural beauty planned for a new development, it was size that counts — lot size that is.

The Farmington Hills City Council unanimously rejected a bid by Phoenix Land Development to build a subdivision of 42 houses near Inkster and Northwestern. The development, proposed for 32.67 acres, would be bordered by an office complex to the north, a new Providence Hospital facility and the Sara Fisher Home to the east.

But residents of the spacious Woodcreek subdivision to the west helped convince the city council to put the kibosh on the proposal.

"We're proposing a high-end, single family development with houses costing in the \$350,000 to \$400,000 price range," said Steven Schafer of Phoenix. "There are substantial stands of trees that should be reserved."

Schafer said his company has a track record of quality construction and sensitivity to neighbors. But some of those

potential neighbors weren't satisfied.

Hank Murawski, president of the Woodcreek Homeowners Association, said the proposed development would be out of character for the area.

"Every once in awhile, we see a proposal that we can agree with," said the 20-year Hills resident. "This is not one of them."

Murawski said the proposed development would be much more dense than the Woodcreek subdivision. Lots would be 18,565 square feet on average compared with 26,719 square feet in Woodcreek.

The Farmington Hills Planning Commission had turned down the project 7-1 in May, with Chairwoman Jeri VanHouten casting the lone vote for it.

The developer of the property owned by Providence Hospital chose to bring the proposal to the city council anyway. That surprised Councilman Terry Sever.

"I'm a little surprised that you have brought this before us," Sever said. "You should know that if Woodcreek isn't happy and we have a basis to say no,

we would say no.

"Looking at your rectangles and square spaces, they don't even compare with Woodcreek," Sever said. "This is not consistent with 10 acres (on the north of the property) of the consent judgment. If it doesn't work for us."

Attorney Adam Rothstein, representing Phoenix, said the proposal accomplished the objectives of the city's open space provisions, but the council would not budge.

City Attorney John Donohue said the council's decision would be final, leaving legal action or another proposal as the only alternatives for the developer.

Mayor Aldo Vagnozzi said the city had tried to fight any zoning that would cut into residential in the area, but was forced by the Oakland County Circuit Court into a consent judgment on part of the property (the northern 10 acres).

"They (court) held a shotgun to our head," he said. "But the consent order did say that the property had to be developed in a way consistent with Woodcreek."

# Appeal filed over judge's decision to drop charges against strikers

BY WILLIAM COUTANT  
STAFF WRITER

Oakland County prosecutors have filed a brief appealing a decision by 47th District Judge Fred Harris to dismiss a case against seven strikers.

The men were arrested on Aug. 3, 1995 on charges of conspiracy to cause malicious destruction of property over \$100, a five-year felony.

Police stopped a 1987 Dodge Aries that had driven past the Detroit Newspaper Agency's distribution center on Crestview Court in Farmington Hills. The car had been speeding.

During the arrest, officers discovered baseball bats and "star nubs" in the car. A CB radio was also being used to communicate with another car, a 1994 Chevy, and a black pickup.

The seven men were charged, but Judge Harris threw the case out on April 30 citing an improper arrest.

Prosecutor Tom Grden filed the brief Friday in Oakland Circuit Court.

"We think the judge erred in ruling that the stop and search were improper," Grden said.

Grden said the traffic stop, for driving 50 mph in a 45 mph zone, was legitimate and the search of the vehicle was reasonable under the law.

Officers are entitled to search a vehicle if they suspect weapons may be used against them, he said. And with a lot of strike activity in the area,

**"We think the judge (Fred Harris) erred in the ruling the stop and search were improper."**

**Tom Grden**  
—prosecutor

officers had reason to believe there would be weapons. In addition, two baseball bats were in plain sight when Officer Mike Farley made the traffic stop.

Six of the strikers charged were Michael E. Dicker, Michael R. Walkuski, William B. Houston, James D. Earley, Dean E. Herron and Michael J. Reilly, all of the pressmen's union.

Teamster Louis J. Pierfelice was also charged. He has since returned to work with the Detroit Newspapers.

Suec Ellwood, a spokesperson for the newspapers, said each striking employee who wants to return to work is reviewed on an individual basis.

"Every case is handled individually," she said.

Grden said the seven men will have 21 days to file an answer. A court date for the appeal will then be set, he said.

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**PATRICK L. JUDGE**  
Mr. Judge, 50, of Farmington died June 16.

Born in Grasse Pointe, Mr. Judge worked for Black and Decker tools. He was a Viet Nam Air Force veteran.

Survivors include his mother, Bernadette Judge; brothers, Gerald and Michael; sister, Marjorie Leonard.

Services were private. Arrangements were made by the

Thayer-Rock Funeral Home, Farmington.

**LOYD H. CUTSHALL**  
Mr. Cutshall, 74, of Farmington Hills died June 15.

Born in Detroit, Mr. Cutshall was a retired accountant for Ford Motor Company. He was a graduate of Wayne State University and Michigan State University.

Mr. Cutshall was a member of the Nomads Travel Club, former treasurer of the Livonia Symphony, member of MangAero Club and a local community volunteer.

Mr. Cutshall was a World War II Army veteran.

A memorial service will be held Friday, June 21 at the Thayer-Rock Funeral Home,

33603 Grand River, Farmington. Lezah Siegrist of First Church of Christ, Scientist will officiate.

Burial was in Acacia Park Cemetery, Birmingham.

Memorials may be made to First Church of Christ, Scientist, 33826 Grand River, Farmington 48335 or Botsford Continuing Health Center, 21450 Archwood Circle, Farmington, Hills 48336.

## Police and fire calls

The driver had a blood alcohol level of .13 percent.

Hills police arrested a Hills

man, 51, for driving a 1993 Mercury Villager on Middlebelt at Shiawassee at 12:15 a.m. June 16 while drunk. The van ran a red light. The driver had a blood alcohol level of .18 percent.

Hills police arrested a Livonia

man, 26, for driving a blue 1992 Dodge Caravan west on Eight Mile at Grand River at 3 a.m. June 16 while drunk. The car was weaving, the driver had a blood alcohol level of .17 percent.

In Farmington:

Farmington police arrested a Livonian man, 23, for drunken driving on Grand River and Lakeway at 3:29 a.m. June 14. The driver had a blood alcohol level of .14 percent at the scene. He was ticketed for refusing a breathalyzer at the station.

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**In Farmington Hills:**

A door lock was pried and the dash board cut causing \$800 in damage to a purple 1998 GMC Jimmy parked at the Gap on Orchard Lake June 17 and at \$800 AM/FM cassette stereo, \$200 cellular phone and \$150 radar detector were stolen.

**DOMESTIC VIOLENCE**

**In Farmington Hills:**

Hills police arrested a Hills man, 38, at 11:46 p.m. June 17 at a Section 11 residence for hitting his girlfriend and throwing her out of her house.

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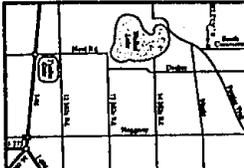
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