

From: R Bissell [<mailto:bissellw@umich.edu>]
Sent: Wednesday, October 22, 2014 11:28 AM
To: Planning
Subject: Can Toll Brothers be trusted?

Dear Commissioners:

On Monday evening I e-mailed a written copy of the remarks that I proposed to deliver at Tuesday's public hearing. Between then and the meeting itself I made some revisions. Therefore, I would ask that you substitute the revised version, here attached, for the original one.

Let me say in addition that I was taken aback by the Chair's attempt to cut me off before I had finished my brief, one-page presentation. Surely several among the other speakers -- and there were many -- failed to observe the three-minute time limit, but they were allowed to proceed. I can only conclude from the fact that I was thus singled out that the Chair was disturbed by my criticism of Toll Bros., which criticism conflicted with the tone of deference to Toll Bros. that characterized much of the Commission's approach. As another example of this undue deference I note that after Commissioner Briere had presented totally valid reasons in support of her motion that voting on annexation be postponed, the representatives of Toll Bros. were asked what impact postponement would have on their plans. Commissioner Briere's remarks should have been sufficient; there was no need to seek Toll Bros.' approval.

Finally, I urge the Commission to take very seriously the endless number of reports concerning the developer's violations of building codes and fair practice. Certainly I am not yet prepared to let that issue drop, and hope to bring it up at future City meetings.

I appreciate the vast amount of work you have done, and thank you for considering my comments.

Cordially,

Ward Bissell

CAN TOLL BROTHERS BE TRUSTED?

My name is Ward Bissell, a resident of Ann Arbor for a grand total of 52 years, currently specifically at 5 Northwick Ct. of Northbury Condominiums, although speaking tonight – - briefly! -- as an individual rather than as a designated representative of Northbury's Neighborhood Association. I am grateful for the vast expenditures of time and thought that the Commission has dedicated to the plans submitted by Toll Bros. and to drafting numerous and precise stipulations that Toll Bros. will be required to accept. Much has been said and will be said regarding traffic, wetlands and drainage and sewage, set-back and density, landscaping, and the like. I am sorry to have to say so, but it is my suspicion that Toll Bros. will agree to all the requirements imposed by the City and then attempt to get around as many of them as possible, or at least fail to observe them.

In support of these fears let me begin by citing a few dollar figures:

\$1.4 million: Monies awarded by a jury to owners whose home had become literally waterlogged because Toll Bros. had used banned construction materials

\$25,000: The assessed salvage value of a \$600,000 Toll Bros. home that had become completely unlivable.

And most relevant to tonight's discussion \$740,000, the amount that Toll Bros. was fined by the federal government for hundreds of violations of the Clean-Water Act

This is the kind of distressing information that has been reported and that is readily available simply by inputting "Toll Brothers building code violations" into Google or Yahoo. Or just input "Top 35 Complaints and Reviews about Toll Bros."

What one finds are site upon site, page upon page, narrating a true horror story claiming endless violations of building codes: Shoddy construction; mechanical and electrical defects; leaking roofs; crumbling sidewalks; melted siding (believe it or not!); poor insulation and firewall protection; faulty sewage; cracked foundations; poorly designed ductwork. And so it goes, including one owner's remark that Toll Bros. succeeded in "raping the land," and as well breach of contract, counter-suing homeowners when they complained, lax supervision, use of non-union labor and violation of wage and hour contracts.

And so I have some questions, realizing that I cannot prove the accuracy of every report. What are the chances that Toll Brothers will sign off on City requirements and then find ways to ignore them? Will City building inspectors be sufficient in number and have the time closely to monitor the projects over 6-7 years? Has the Planning Commission and/or City Council conducted investigations into the extensive, well-documented, and troubling reported history of Toll Bros., and communicated the findings to the public? If not, I would argue that it would be premature to approve even the petition for annexation, let alone anything else.