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From: R Bissell [<mailto:bissellw@umich.edu>]

Sent: Monday, October 20, 2014 9:49 PM

To: Planning

Subject: Can Toll Brothers be trusted?

Dear Members of the Planning Commission:

Please find attached a copy of the remarks that I would like to deliver at tomorrow evening's public hearing.

I submit them in gratitude for all the time, energy, and thought that the Planning Commission has already dedicated to the Toll Bros. proposals and in the knowledge that it will give a fair hearing to any and all concerns expressed by Ann Arbor residents -- including those of us residing in Northbury Condominiums, which will be greatly impacted by the projects.

With sincere thanks for your attention,

Cordially,

Ward Bissell
Professor Emeritus, University of Michigan

CAN TOLL BROTHERS BE TRUSTED?

My name is Ward Bissell, a resident of Ann Arbor for a grand total of 52 years, currently specifically of Northbury Condominiums, although speaking tonight -- briefly! -- as an individual rather than as a designated representative of Northbury's Neighborhood Association. I am aware of and grateful for the vast expenditures of time and thought that the Commission has dedicated to the plans submitted by Toll Bros. for developments at Nixon Farm North and South and to drafting numerous and precise stipulations that Toll Bros. will be required to accept. Much has been said and will be said regarding such issues as traffic, wetlands and drainage and sewage, set-back and density, landscaping -- and the list goes on. My remarks tonight will outline my personal conviction that Toll Bros., in order to pad the bottom line, will agree to all the requirements imposed by the City and then methodically get around as many of them as possible.

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

\$1.4 million: Monies awarded by a Virginia 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 un-liveable

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, that together tell a true horror story of 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 ask, realizing that I cannot prove the accuracy of every claim: What are the chances, given this extensive and well-documented history, that Toll Brothers will sign off on City requirements and then find ways to skirt them? And that City building

inspectors will be sufficient in number and have the time closely to monitor the situation and, I fear, identify scores of violations?

Surely the Planning Commission and the City Council must be aware of this distressing information. Has it been presented to the public? Or will it be? How do you think citizens of Ann Arbor would respond? I am eager -- and anxious -- to hear YOUR responses?