



## LODI TOWNSHIP BOARD OF TRUSTEES

### Special Meeting Minutes

Tuesday, March 18, 2026 at 6:30 pm

Lodi Township Hall  
3755 Pleasant Lake Road  
Ann Arbor, Michigan 48103

#### 1. Call to order - Pledge of Allegiance

The special meeting of March 18, 2026 opened with the Pledge of Allegiance at 6:30 pm.

Smith moved to have Foley moderate the meeting due to Godek's absence. Second by Rentschler. A voice vote was taken. Aye=all, Nay=none, absent=2. Motion carried, 5-0.

#### 2. Roll Call

Present: Blackburn, Foley, Marsh, Rentschler, Smith

Absent: Godek, Matelski

#### 3. Short Public Comment

Public comment began at 6:31 pm. Comments were received from 12 members of the public. Public comment ended at 6:50 pm.

#### 4. Revision / Approval of Agenda

Smith moved to approve the agenda as presented. Second by Rentschler. A voice vote was taken. Aye=all, Nay=none, absent=2. Motion carried, 5-0.

#### 5. New Business:

##### 1. Toll Brothers Development Agreement Resolution #2026-009

###### a. Master Deed

###### b. By-Laws

The Township Attorney Jesse O'Jack explained the multiple versions and late revisions to the Development Agreement, Master Deed and By-Laws. O'Jack also explained the detail that has gone into reviewing the documents by O'Jack, Township Engineer MC Mortiz, and Township Planner Hannah Firlit. O'Jack and Smith also pointed out that a draft Master Deed and By-Laws were provided to the Planning Commission and neither the Master Deed nor the By-Laws were part of the reasoning the Planning Commission gave for recommending denial of the Final Site Plan to the Township Board of Trustees. O'Jack also noted that the conditional approval of the Final Site Plan that the Board of Trustees passed included the applicant being required to obtain final approval of the final Master Deed and By-Laws by the Township as a condition of that approval **as part of the Resolution that approved the Development. The Planning Commission "gave up" the approval of the Master Deed and By-Laws when they passed the project on to the Board of Trustees. At this point, O'Jack stated that it is the Board of Trustee's decision to approve or ask for advice from anyone they want (including the Planning Commission). O'Jack also stated that the Board of**

Trustees has received the advice of “three of them” (attorney, planner and engineer) on the Development Agreement.

Blackburn moved to refer to the Planning Commission the Development Agreement, Master Deed, By-Laws, and all associated documents that were currently links on the website. Second by Marsh.

Discussion was held regarding the motion. O’Jack noted that the changes made the day of the meeting were a result of a conversation between O’Jack and Blackburn on O’Jack’s own time regarding phasing.

A roll call vote was taken. Rentschler=nay, Foley=nay, Smith=nay, Marsh=aye, Blackburn=aye, Godek=absent, Matelski=absent. Motion failed, 2-3.

Smith moved to approve Resolution #2026-009 which approves the Master Deed, By-Laws, and Development Agreement as revised and presented as of 4:47 pm on 3/18/2026. Second by Rentschler.

A discussion was held regarding the easement status between Toll Brothers and Susan Miller. Blackburn expressed the following concerns:

- Descriptions of an expired easement are in the presented documents
- The current draft Development Agreement was missing 1-7 exhibits until yesterday. The links are now available on the website, but two exhibits link to incorrect documents and the Board packet is missing another exhibit.
- The Master Deed is missing Exhibit B that it refers to.
- The documents and the Zoning Ordinance refer to Articles of Incorporation that are missing.
- Requirements stated in Zoning Ordinance 54.20 are missing or their location is unclear. Blackburn wants to know specifically what page each item required in the Zoning Ordinance are on.
- The Attorney Memo and the emails from O’Jack that were distributed to the Board of Trustees are missing.
- The final set of plans are missing.
- Additional handouts provided to the Board of Trustees during the Final Site Plan approval are missing.
- Plans reflecting the agreements made for conditional site plan approval, including the size of Unit 26 and providing two trees to each buyer to landscape the property, are missing.
- No phasing was approved, but is included in the Master Deed and By-Laws.
- According to Zoning Ordinance Section 44.06.B, the “execution and recording of the Development Agreement shall authorize issuance of a Zoning Compliance Permit” which Blackburn believes the Township is not ready to issue.
- A satisfactory way to access the central property is missing.
- The Conservation Easement assigns management to entities not equipped or inclined to actually oversee that the development is in compliance with conservation.
- Violations of the agreements from October were written into the Second Amended Consent Judgement which include the sizing of Unit 26 to avoid encroaching on wetland setbacks, the agreement that Toll Brothers will provide and plant two trees per

plot instead of just offering, running with the land was not agreed upon by the Board of Trustees, and conditions being approved by the Board of Trustees were written in as being able to be administratively approved.

- The requirements for gates contained in Zoning Ordinance Section 53.04.E needs to be named in the documents.
- The developer stated in an earlier draft that they could break ground to start construction before all permits are in place despite it being very clear that they must have all permits before they break ground.
- Developers are a land owner like any other land owner and should not be having a preferential voice.

O'Jack then responded to **some of** Blackburn's concerns:

- O'Jack stated that nothing the developer has done is dishonest; asking the Township for something is in no fashion dishonest, but part of negotiation.
- O'Jack stated that the location and sizing of Unit 26 is included in the list of conditions referred to in 1.3D of the Development Agreement.
- O'Jack explained that running with the land is part of the PUD that was approved and O'Jack sees no reason to remove the language because, in his opinion, that it is what it is.
- O'Jack feels it is not necessary to list every section of the Zoning Ordinance where it applies in the documents.
- Toll Brothers representative Jason Iacoangeli stated that the wording of the agreement to provide two trees per lot is the exact wording approved by the Township in the minutes.
- O'Jack stated that he does not believe approving the Development Agreement would issue a Zoning Compliance Permit because the execution of a document would not overrule the contents of the document and the courts would hold Toll Brothers to the agreements they made. Firlit noted that Zoning Ordinance Section 44.06.B also states that "no site work or construction shall begin prior to the issuance of the Zoning Compliance Permit and any required building permit" so even if approving the Development Agreement issued a Zoning Compliance Permit, the developers would not be able to begin construction until the building permits have been secured. O'Jack stated that he believes that asking for a Development Agreement actually delayed the development.

Smith asked O'Jack if he is satisfied with what Toll Brothers has presented in order to protect the Township's best interest. O'Jack replied "yes."

Blackburn asked about the phasing still referenced in the By-Laws. O'Jack stated that he thought the Development Agreement covers it.

A roll call vote was taken. Smith=aye, Rentschler=aye, Marsh=nay, Blackburn=nay, Foley=aye, Godek=absent, Matelski=absent. Motion carried, 3-2.

## **2. Approval of Attorney O'Jack to rewrite parts of the Fire Department Articles of Incorporation instead of attending the Steering Committee Meeting**

O'Jack explained the history and need for this approval as well as his issues with the current Fire Department Articles of Incorporation.

Smith moved to approve Attorney O'Jack to draft language that O'Jack believes is necessary for the Fire Department Articles of Incorporation instead of attending the Steering Committee meeting. Second by Marsh. A roll call vote was taken. Blackburn=aye, Marsh=aye, Smith=aye, Foley=aye, Rentschler=aye, Godek=absent, Matelski=absent. Motion carried, 5-0.

**6. Public Comment**

Public comment began at 7:43 pm. Public comment was received from 8 people. Public comment ended at 7:54 pm.

**7. Closed Session:** None

**8. Next Meeting will be on April 7, 2026 at 6:00 pm**

**9. Adjournment**

Smith moved to adjourn at 7:54 pm. Second by Rentschler. A voice vote was taken. Aye=all, Nay=none, absent=2. Motion carried, 5-0.

Respectfully Submitted,



Christina Smith,  
Lodi Township Clerk



Michelle Joppeck,  
Recording Secretary