1. CALL TO ORDER
2. INVOCATION AND PLEDGE
3. PUBLIC HEARING - Bunny Run Lake Water Quality Control SAD #2
4. PRESENTATION - Citizen of the Month
5. APPROVAL OF BILLS
6. PUBLIC COMMENT (3 minutes or less) *Board does not respond during public comment
7. APPROVAL OF AGENDA
8. CONSENT AGENDA
   A. Minutes - Public Hearing - Truth in Budgeting, May 17, 2021
   B. Minutes - Regular Meeting, May 17, 2021
   C. Minutes - Special Meeting, May 25, 2021
   D. Request Sign Fee Waiver - Young Life 5k
   E. Credit Card Policy Update
   F. Resolution - Interfund Transfer
   G. Resolution - Forgiveness of Interfund Transfer Loan
   H. Resolution - Dissolution of Fire Fund
   I. Resolution - Deficit Elimination
   J. Resolution - Fire Department MEMAC
   K. Hire Accounting Controller - Clerk
   L. Cable Commission Reappointment
   M. PPAC Member Changes
   N. Request for Fireworks Display
9. PENDING
   A. Bunny Run Lake Water Quality Control SAD #2 - Action After Hearing
   B. Master Plan Update Discussion
   C. API Safety Path in Lieu of Installation - PC-2021-40
   D. Second Reading - PC-2018-49 Hills of Woodbridge Final PUD Rezone/Map Amendment, Agreement, and Condo Documents
   E. Second Reading - PC-2021-39 Lake Orion Community Schools Rezone Request
   F. First Reading - Moratorium on Ordinance 99
   G. Schedule Joint Meeting
10. REPORTS
    A. Police/Fire Reports
    B. April 2021 Building Department Update
    C. SEMCOG One Water
11. PUBLIC COMMENT
12. BOARD MEMBER COMMENT
13. CLOSED EXECUTIVE SESSION - Discuss Attorney Opinions
14. ADJOURNMENT

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact Penny S. Shults, Clerk, at (248) 391-0304, ext. 4001, at least seventy-two hours in advance of the meeting to request accommodations.
Public Hearing Item Summary

To:    Board of Trustees
From:  Chris Barnett, Supervisor
Meeting Date: June 7, 2021
Memo Date:  May 24, 2021
Subject: Bunny Run Lake Water Quality Control SAD #2
         Public Hearing on Cost Estimate

A public hearing is scheduled for Monday, June 7, 2021 at 7:00 p.m. to receive public comment on the cost estimate for the Bunny Run Lake Water Quality Control SAD #2.

A copy of the cost estimate is attached.

The projected yearly assessments are as follows:

<table>
<thead>
<tr>
<th>Lake Frontage</th>
<th>Year 1 of 5 2022</th>
<th>Year 2 of 5 2023</th>
<th>Year 3 of 5 2024</th>
<th>Year 4 of 5 2025</th>
<th>Year 5 of 5 2026</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 50.00 feet</td>
<td>146.89</td>
<td>138.65</td>
<td>140.94</td>
<td>142.47</td>
<td>144.77</td>
</tr>
<tr>
<td>50.01 to 100.00 feet</td>
<td>195.85</td>
<td>184.86</td>
<td>187.92</td>
<td>189.96</td>
<td>193.02</td>
</tr>
<tr>
<td>100.01+ feet</td>
<td>244.81</td>
<td>231.08</td>
<td>234.90</td>
<td>237.45</td>
<td>241.28</td>
</tr>
</tbody>
</table>

attachment
Work Plan
To help improve the quality of Bunny Run Lake by the eradication of weeds by chemical application.

Cost Estimate (Application by Aqua Weed – details attached)

<table>
<thead>
<tr>
<th>Year</th>
<th>Work Fees</th>
<th>Add’l Insured Fee</th>
<th>DEQ Fees</th>
<th>Set-Up Fees</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>8,500.00</td>
<td>50.00</td>
<td>408.00</td>
<td>638.56</td>
<td>9,596.56</td>
</tr>
<tr>
<td>2023</td>
<td>8,600.00</td>
<td>50.00</td>
<td>408.00</td>
<td>zero</td>
<td>9,058.00</td>
</tr>
<tr>
<td>2024</td>
<td>8,750.00</td>
<td>50.00</td>
<td>408.00</td>
<td>zero</td>
<td>9,308.00</td>
</tr>
<tr>
<td>2025</td>
<td>8,850.00</td>
<td>50.00</td>
<td>408.00</td>
<td>zero</td>
<td>9,458.00</td>
</tr>
<tr>
<td>2026</td>
<td>9,000.00</td>
<td>50.00</td>
<td>408.00</td>
<td>zero</td>
<td>9,458.00</td>
</tr>
</tbody>
</table>

First year of assessment: $ 9,596.56

Set-Up Fees Detail

<table>
<thead>
<tr>
<th>Public Hearing on Cost Estimate</th>
<th>271.28</th>
</tr>
</thead>
<tbody>
<tr>
<td>48 plain envelopes @ 4¢ each</td>
<td>1.92</td>
</tr>
<tr>
<td>48 notices (3 pages) @ 27¢ each</td>
<td>12.96</td>
</tr>
<tr>
<td>48 stamps @ 55¢ each</td>
<td>26.40</td>
</tr>
<tr>
<td>2 weeks advertising fees</td>
<td>230.00</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Public Hearing on Proposed Roll</th>
<th>262.64</th>
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</thead>
<tbody>
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</tr>
<tr>
<td>48 notices (1 page) @ 9¢ each</td>
<td>4.32</td>
</tr>
<tr>
<td>48 stamps @ 55¢ each</td>
<td>26.40</td>
</tr>
<tr>
<td>2 weeks advertising fees</td>
<td>230.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Notice of Assessment &amp; Right to Appeal</th>
<th>32.64</th>
</tr>
</thead>
<tbody>
<tr>
<td>48 plain envelopes @ 4¢ each</td>
<td>1.92</td>
</tr>
<tr>
<td>48 notices (1 page) @ 9¢ each</td>
<td>4.32</td>
</tr>
<tr>
<td>48 stamps @ 55¢ each</td>
<td>26.40</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Treasurer’s Office – Time to Enter on Tax Roll ($1.50 x 48)</th>
<th>72.00</th>
</tr>
</thead>
</table>

TOTAL SET-UP FEES 638.56

It is proposed that a special assessment district be created for a period of five (5) years, or until a petition to discontinue the special assessment district is received with signatures that represent a majority of the properties in the district, to pay for the improvement. An annual redetermination of costs is contemplated without a change in the special assessment district boundaries. The projected incremental increases are ten (10%) percent per year for the term of the improvement without additional public hearings.
April 15, 2021

Bunny Run Lake SAD
C/o Mr. Joseph Dailey
1389 Paul Blvd.
Lake Orion, MI 48362

For: Bunny Run Lake

Dear: Mr. Dailey,

Thank you for your business this past summer. I hope you and your neighbors are happy with our work. If you are ever unsatisfied with our service, please call and we will take care of the problem promptly.

Aqua-Weed Control Inc. is one of the largest companies in Michigan specializing in aquatic weed and algae control in lakes and ponds. Aqua-Weed Control also offers water quality testing and “do it yourself” weed and algae control products including “Muck-Destroyer”, our own private labeled easy to apply muck reduction product. Please see the enclosed brochure for additional information about the products and services we offer or visit www.aquaweed.com.

Please find enclosed the contract, the permit authorization form, and an invoice for the permit fee.

The purpose of the permit authorization form is to document your statement to the Environment, Great Lakes & Energy (EGLE) that you have the authority to authorize Aqua-Weed Control to file for your aquatic nuisance permit.

We will apply for your permit with EGLE as soon as the above listed items are returned to us. It’s ideal to apply for permits as early as possible so that your initial treatment is not delayed waiting for permit processing. EGLE may take up to 6 weeks to process your permit application so timely filing is important.

Posting of Treatment Areas:
To better inform the lake residents, we will pre-post at least 24 hours before each application requiring a water use restriction. Postings of shoreline treatment areas will be conducted according to EGLE regulations. Signs will be posted by lawn stakes or attached to thick barked trees, posts or other suitable fixtures already on site. The removal of posting signs after the restrictions have expired is the responsibility of the homeowner.

Please find enclosed a copy of the “Lake Treatment Notice”. This notice lists the products that we use and the water use restrictions associated with these products. Please copy and distribute this notice to each water body resident one time each spring as legally required, that is, at least 7 days before our first treatment yet not more than 45 days. This can be done via newsletter or e-mail. Please let us know if you require help with this distribution.

Also enclosed is a copy of the Risk Benefit Statement for your information and file and other information about Aqua-Weed Control Inc.

The herbicides and algacides that we use are registered for use in Michigan waters by the EPA, Michigan Department of Agriculture, and then permitted by the Environment, Great Lakes & Energy.

Upon your request, we will have our insurance agent send you a “Certificate of Insurance” for both our general liability and workers compensation insurance.

Please call if you have any questions.

Sincerely,

Blake Cuthbert
Lake Manager
This contract is entered into between Aqua-Weed Control, Inc. (“Aqua-Weed Control”) at the address above and The Bunny Run SAD, also known herein as “WBPOG”. The Bunny Run Lake SAD defined as the water body property owners group (WBPOG) and as represented by the underpinned agrees to the following season treatment program and/or contract. The WBPOG is free to alter or change the treatment plan and/or contract because of the uncertainties of weather and weed growth. These changes will be discussed by the WBPOG and Aqua Weed Control and can result in a new agreement both in scope of service and cost. At any time the WBPOG may cancel this agreement by paying for all services provided to that date and informing Aqua-Weed Control of the cancellation.

The WBPOG assumes responsibility for the distribution of the required lake treatment notice according to EGLE regulations (at least 7 days before the first application and not more than 45 days before). The lake treatment notice may be distributed electronically and/or by insertion/inclusion in your spring newsletter or by other means to comply with Michigan law. The WBPOG authorizes Aqua-Weed Control to file documents with the EGLE to secure a permit and any permit amendments that may be required for chemical treatment of the water body. The WBPOG may be the permit applicant (permittee) and warrants that they have control of the lake bottom land where chemical treatment is requested to be performed and/or have obtained permission from all riparian owners for the pesticide applications proposed before treatment takes place and can satisfy State of Michigan law regarding such control requirements. The WBPOG is responsible for all permit fees.

When using granular 2,4-D and/or granular endothall a drinking water well set back is required by the EGLE. They are: 75’ from all wells; 250’ from wells less than 30’ deep (not very common). EGLE may request well location information as part of the permit application. The WBPOG is responsible for locating the drinking water wells around the water body if requested.

By signing below, the WBPOG understands and accepts the risk of fish kills which are naturally and artificially inherent with any waterbody (road salt / sediment runoff, temperature fluctuations, etc…). Because of oxygen depletion concerns resulting in fish kills, particularly during the warmest months of the summer, herbicide and algaecide applications must be limited. Even with limited treatments, the risk of a fish kill remains. Aqua-Weed Control Inc. will take steps to limit the possibility of a fish kill event.

The WBPOG agrees to indemnify and hold harmless Aqua-Weed Control and its employees, agents, officials and officers for, from and against any and all claims and causes of action arising from and in connection with the lawful chemical treatment of these waters.

Treatment Plan:
File for your EGLE permit during the Fall/Winter after receipt of the required paperwork and permit fee.
Treat according to the agreed upon schedule below. These approximate dates can be adjusted per weather, plant growth, and your request. Please call to adjust these dates and for additional treatments. Please call to request a pre-season survey.

Regarding the treatment, primary target plants are exotic species such as Eurasian Water Milfoil and Curly-Leaf pondweed. Treat for targeted plants using current best management practices. Nuisance milfoils aggressively treated using systemic herbicides such as 2,4-D and/or Triclopyr or contact herbicides. Nuisance pondweeds and algae’s controlled as permitted by the EGLE using contact herbicides and algaecides. Treatment for lilies and other emergent plants as permitted, 40’ x 40’ near docks and beaches plus boat paths, using systemic herbicides, glyphosate and/or flumioxazin. Permit amendments may be required to treat native plants which EGLE may or may not approve. Targeted plant control effects expected 3 weeks post treatment.

Products are applied via surface and subsurface injection and/or granular application equipment. Aqua-Weed Control employs a large fleet of application boats, and other specialty equipment to respond to any conceivable weed control project on any size lake.
Water body is posted with yellow water use restrictions signs before each application.

Pricing: Season Plan. Pay one price for the season plus the required EGLE permit fee.

Three (3) treatments are planned…two weed and algae plus one algae only

Seven (7) Bacteria Treatments per year in the Canal along with Three (3) Cattails treatments in the North Canal

Season total invoiced after first application.

<table>
<thead>
<tr>
<th>Year</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
<th>2026</th>
</tr>
</thead>
<tbody>
<tr>
<td>Costs</td>
<td>$8500.</td>
<td>$8600.</td>
<td>$8750.</td>
<td>$8850.</td>
<td>$9000.</td>
</tr>
</tbody>
</table>

Treatment Schedule:
1X Late May Weed and Algae Control
2X Late June Algae Control
3X Late July Weed and Algae Control

Additional services you may request:
Water Quality Testing…………………………………………………………………………………………………………………………$250. Per test site
Microcystin Field Testing…………………………………………………………………………………………………………………………$150. Per test site
Microcystin lab test (includes overnight shipping)……………………………………………………………………………………………………$590. Per test

No charge for lake surveys required for treatment planning. No charge to attend your association meetings.
Permit Fee:  EGLE permit fee is $408. Payable to “Aqua-Weed Control Inc.”. The permit fee total includes a 2% credit card processing fee. Paying by credit card allows for much faster permit application processing and eliminates the possibility of lost and misplaced permit fee checks. Another benefit is no more waiting for checks to clear before the permit review process can begin. Paying by credit card also allows for greater tracking of each water body fee payment thru the process. Aqua-Weed Control will pay your EGLE permit fee via credit card after receipt of the required forms and your permit fee check.

Guarantee:  Aqua-Weed Control guarantees at least 90% control of the targeted exotic plants or we will re-treat the area at no additional charge! Control of targeted plants expected 3-4 weeks after treatment.

Insurance:  Aqua-Weed Control is insured as required by law, however, being an “Additional Insured” adds you to our policy and would require our insurance company to defend you and your association against a claim. Because of the additional cost incurred, we must charge $50. for this additional coverage. We will supply a “Certificate of Insurance” at no charge. The “Certificate of Insurance” is documentation that we have insurance. Do you wish to be an “additional insured”? YES ☐ □ [If yes, $50. will be added to your first invoice of the summer.]

Posting:  Aqua-Weed Control will post the yellow water use restriction signs along the shoreline as legally required via stakes, stapling to larger trees or the best available alternative unless otherwise advised in writing by the WBPOG and then authorized by the EGLE. The WBPOG agrees to remove all posted water restriction signs after the longest restriction date has expired.

Cooperation:  The WBPOG agrees to reasonably cooperate with Aqua-Weed Control regarding aquatic weed treatments and related matters.
The WBPOG shall provide Aqua-Weed Control with a readily usable boat access to the water body.

Representative of Authority:  The WBPOG represents and warrants that its representative has full authority to sign and bind the WBPOG to this contract and addendum documents such as the Authorization form.

Accepted and agreed to by: ________________________________ Title ____________________ Date ___________________.

We agree to perform the above services for the agreed upon price. Because of the EGLE requirements and restrictions with respect to the amount and types of aquatic vegetation that we can control in a given water body / area (i.e. arrowheads, cattails, etc.) and environmental conditions (i.e. weather, water flow, plant chemical resistance, etc.) treatments may be limited. We value and appreciate each customer and will strive to achieve results that will satisfy your expectations. If at the time of treatment the job circumstances and conditions are different than anticipated we will discuss the problem before we do the treatment. These statements do not represent any change from the policies that we have successfully worked with since we began in 1975.

Blake Cuthbert
Aqua-Weed Control, Inc.

April 15, 2021
Date
6/7/2021

INVOICES

<table>
<thead>
<tr>
<th>Description</th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non Board Bills</td>
<td>5/27/21</td>
<td>$8,631.69</td>
</tr>
<tr>
<td>Non Board Bills</td>
<td>6/2/21</td>
<td>$5,057.63</td>
</tr>
<tr>
<td>Board Bills</td>
<td>6/7/21</td>
<td>$2,394,561.39</td>
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<tr>
<td>Total Invoices</td>
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<td>$2,408,250.71</td>
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<table>
<thead>
<tr>
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<tbody>
<tr>
<td>#132988</td>
<td>Due diligence</td>
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<tr>
<td>#127112</td>
<td>Due diligence</td>
<td>($900.00)</td>
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<tr>
<td>#129446</td>
<td>Due diligence</td>
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Total Invoice Disbursements $2,403,679.71

PAYROLL

<table>
<thead>
<tr>
<th>Description</th>
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</tr>
</thead>
<tbody>
<tr>
<td>POC Firefighters</td>
<td>5/20/21</td>
<td>$5,856.80</td>
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<tr>
<td>Regular Pay</td>
<td>5/26/21</td>
<td>$219,000.97</td>
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<td>Board Pay - Add'l from 1st qtr</td>
<td>5/28/21</td>
<td>$400.00</td>
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<tr>
<td>FICA Expenses</td>
<td></td>
<td>$16,786.86</td>
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<tr>
<td>Benefit Expenses</td>
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<td>$142,175.38</td>
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Total Payroll Disbursements $384,220.01

Grand Total Disbursements $2,787,899.72

Due to the conversion to the Pooled Cash Fund, total disbursements include refunds from deposits, bonds & escrows which are not expenses to the township.
The payroll check register shows deductions that are not expenses to the township.

Prepared by Tandem Graves, AP/PA Coordinator
CALL TO ORDER. The Charter Township of Orion Board of Trustees held a Public Hearing on Monday, May 17, 2021 at the Orion Center, 1335 Joslyn Road, Lake Orion, Michigan. The Public Hearing was held to provide an opportunity for members of the public to offer comments related to the 2021 proposed millage rates as it relates to the 2022 Budget.

BOARD MEMBERS PRESENT: Chris Barnett, Penny Shults, Donni Steele, Brian Birney, Julia Dalrymple & Mike Flood

BOARD MEMBERS ABSENT: Kim Urbanowski, absent with notice

OTHERS PRESENT: Mike Pikels, Michele Arquette-Palermo, Eileen Nolton, Theresa Fougnie, Lori Lynch, Aaron Whatley, Gary Roberts, Tom Fisher, Jeff Stout, David Goodloe, Shelby Van Buren, Dan Kelly, James Stevens, Denise Burns

Supervisor Barnett convened the Public Hearing at 7:04 p.m.

The Public Hearing was held to afford the opportunity for public comment related to the 2021 proposed millage rates as it relates to the 2022 Budget.

Moved by Clerk Shults, seconded by Treasurer Steele, to adopt the Resolution Establishing the Proposed 2021 Millage Rates for the Charter Township of Orion, as presented.

AYES: Steele, Birney, Dalrymple, Flood, Barnett, Shults

ABSENT: Urbanowski

NAYS: None

MOTION CARRIED

Held the Truth-in-Budgeting Public Hearing on proposed millage rates to be levied for 2021 in support of the 2022 budget.

Seeing and hearing no citizens were interested in providing comments related to the 2021 proposed millage rates as it relates to the 2022 Budget, Supervisor Barnett adjourned the Public Hearing at 7:08 p.m.

________________________________
Penny S. Shults, Clerk

Transcription: P. Shults
1. **CALL TO ORDER.** The Charter Township of Orion Board of Trustees held a regular meeting on Monday, May 17, 2021 via video conference and in person at Orion Center, 1335 Joslyn Road, Lake Orion, MI 48360. Supervisor Barnett called the meeting to order at 7:00 p.m.

**BOARD MEMBERS PRESENT:** Chris Barnett, Penny Shults, Donni Steele, Brian Birney, Julia Dalrymple, Mike Flood – All members present in person.

**BOARD MEMBERS ABSENT:** Kim Urbanowski, absent with notice

**OTHERS PRESENT:**
- Mike Pikels
- Michele Arquette-Palermo
- Eileen Nolton
- Theresa Fougnie
- Lori Lynch
- Aaron Whatley
- Gary Roberts
- Tom Fisher
- Jeff Stout
- David Goodloe
- Shelby Van Buren
- Dan Kelly
- James Stevens
- Denise Burns

2. **VIRTUAL MEETING INSTRUCTIONS.**

3. **INVOCATION AND PLEDGE.** Clerk Shults gave the invocation, followed by the Pledge of Allegiance.

4. **PUBLIC HEARING - Truth-in-Budgeting.** The Public Hearing was held to afford the opportunity for public comment related to the 2021 proposed millage rates as it relates to the 2022 Budget.

Moving by Clerk Shults, seconded by Treasurer Steele, to adopt the Resolution Establishing the Proposed 2021 Millage Rates for the Charter Township of Orion, as presented.

**AYES:** Steele, Birney, Dalrymple, Flood, Barnett, Shults

**ABSENT:** Urbanowski

**NAYS:** None

MOTION CARRIED


6. **PRESENTATION - Citizen of the Month.** Supervisor Barnett honored Sammy and Anthony Taormina, twins with Autism who inspire their community through understanding, accepting, and embracing others.

7. **APPROVAL OF BILLS.** Moved by Treasurer Steele, seconded by Trustee Flood to authorize payment of bills in the amount of $2,962,279.91 and payrolls in the amount of $293,037.86, for a total disbursement of funds in the amount of $3,255,317.77, as presented.

**AYES:** Barnett, Shults, Steele, Birney, Dalrymple, Flood

**ABSENT:** Urbanowski

**NAYS:** None

MOTION CARRIED

8. **PUBLIC COMMENT.** (3 minutes or less) *Board does not respond during public comment. Public comment was heard.

Moved by Trustee Flood, seconded by Trustee Birney to approve the agenda, as amended. MOTION CARRIED

10. CONSENT AGENDA.


B. Request for Waiver of Fees- Leader Dog for the Blind. Waive Alberici Lodge rental fees for the Leader Dogs for the Blind puppy training program.

C. Outdoor Assembly Permit - Dino Stroll. Approved the permit.

D. Outdoor Assembly Permit - Michigan Flower, Art & Home Improvement. Approve the permit.

E. Michigan Municipal League Membership. Approve the Michigan Municipal League membership renewal and authorize the payment in the amount of $7,699.00.

F. Authorize Engineering for Polly Ann Trail Parking Lot. Authorize engineering expenses for the Orion Center/Polly Ann Trail Paving Project, at a cost not to exceed $9,200.00.

G. Wildwood/Agawam Partnership Agreements. Approve the Partnership Agreements with Orion.Events and Johnny Blacks, and authorize the Township Supervisor to execute the same.

H. Committee Resignation and Appointment - Environmental Resource Committee. Accept Environmental Resource Committee resignations from Debbie Leveski and Michele Arquette-Palermo and appoint Denise Burns as a Voting Member for a term expiring 12-31-2022, and Thomas Fisher as a Voting Member for a term expiring 12-31-2023, and post the remaining vacancy for an Alternate.

I. Job Descriptions Update. Approve the updates to the Full-Time and Part-Time status of Building Clerk positions resulting in on Full-Time Building Clerk and one Part-Time Assessing Clerk and corresponding job descriptions effective May 18, 2021.

J. First Quarter Treasurer Reports. Receive and file reports, as presented.

K. Set Corridor Improvement Authority (CIA) Interest rate for 2022.+ Approve an interest rate of 1.5% for the remaining 15 year term of the Baldwin Road Corridor Improvement Authority Promissory Note.
L. Tuition Reimbursement Request – Conner Reiter. Authorize Conner Reiter to take the Permaculture course and approved reimbursement in an amount not to exceed $2,079.00, contingent upon all requirements as listed in the Tuition Reimbursement Policy.

Moved by Trustee Flood, seconded by Trustee Birney to approve the Consent Agenda, as amended.
AYES: Steele, Birney, Dalrymple, Flood, Barnett, Shults   ABSENT: Urbanowski
NAYS: None     MOTION CARRIED

11. PENDING BUSINESS.

A. Adopt Millage Rates (Action After Hearing). Moved by Clerk Shults, seconded by Treasurer Steele, to adopt Resolution establishing actual 2021 millage rates for the Charter Township of Orion, as presented, and direct the Clerk and Supervisor to sign the 2021 tax rate request and submit to Oakland County.
AYES: Birney, Dalrymple, Flood, Barnett, Shults, Steele   ABSENT: Urbanowski
NAYS: None     MOTION CARRIED

B. Outdoor Assembly Application Process Update. Moved by Trustee Flood, seconded by Trustee Birney, to approve the updated application and process for receiving, routing, reviewing, and approving Outdoor Assembly applications.
AYES: Dalrymple, Flood, Barnett, Shults, Steele, Birney   ABSENT: Urbanowski
NAYS: None     MOTION CARRIED

C. Toshiba Agreement. Moved by Trustee Flood, seconded by Trustee Birney, to approve the Agreement with Toshiba Business Solutions – Michigan, authorize the Township Supervisor to execute the same.
AYES: Flood, Barnett, Shults, Steele, Birney, Dalrymple   ABSENT: Urbanowski
NAYS: None     MOTION CARRIED

D. April 5, 2021 Emergency Orders Discussion. Moved by Clerk Shults, seconded by Trustee Birney, to rescind the Emergence Order of April 15, 2021 effective June 1, 2021.
AYES: Steele, Birney, Dalrymple, Flood, Barnett, Shults   ABSENT: Urbanowski
NAYS: None     MOTION CARRIED

12. REPORTS.

A. Police/Fire Reports. Moved by Trustee Birney, seconded by Clerk Shults, to receive and file the reports, as presented.
MOTION CARRIED

B. CIA - FY 2019 Annual Report on Status of Tax Increment Financing Plan. Moved by Trustee Flood, seconded by Treasurer Steele, to receive and file the report, as presented.
MOTION CARRIED
C. CIA - FY 2020 Annual Report on Status of Tax Increment Financing Plan. Moved by Trustee Flood, seconded by Treasurer Steele, to receive and file the report, as presented. 
MOTION CARRIED

D. Federal Government's Emergency Broadband Benefit. Moved by Clerk Shults, seconded by Trustee Birney, to receive and file the report, as presented.
MOTION CARRIED

13. PUBLIC COMMENT. Public Comment was heard.

14. BOARD MEMBER COMMENTS. Board member comments were heard.

15. ADJOURNMENT. Moved by Treasurer Steele, seconded by Trustee Birney to adjourn.
MOTION CARRIED The meeting was adjourned at 8:47 p.m.

Transcription: Penny Shults

______________________________
Penny S. Shults, Clerk

______________________________
Chris Barnett, Supervisor
Charter Township of Orion
1. CALL TO ORDER. The Charter Township of Orion Board of Trustees held a special meeting on Tuesday, May 25, 2021 via video conference. Supervisor Barnett called the meeting to order at 9:02 a.m.

BOARD MEMBERS PRESENT: Chris Barnett, Penny Shults, Donni Steele, Brian Birney, Julia Dalrymple, Mike Flood, Kim Urbanowski – All members present via video conference, Oakland County, MI.

BOARD MEMBERS ABSENT: None

OTHERS PRESENT: Dan Kelly Samantha Timko John Pender
Aaron Whatley Deanna Calloway

2. APPROVAL OF AGENDA. Supervisor Barnett added Purchase: Fire Department LED Lighting, Hire Full Time IT/AV Technician – Supervisor’s Office, and Update Job Description.

Moved by Clerk Shults, seconded by Trustee Flood, to approve the agenda as amended. MOTION CARRIED

3. PENDING BUSINESS.

A. Resolution: Friends of Camp Agawam – MLCC Special License Application. Moved by Clerk Shults, seconded by Trustee Flood to approve the MLCC Certified Resolution of the Membership of the Board of Directors authorizing the application for the Friends of Camp Agawam to serve alcohol on June 4, July 30, July 31, and August 1, 2021 at Camp Agawam, located at 1301 W. Clarkston Road, Lake Orion, MI 48362.

AYES: Birney, Steele, Dalrymple, Urbanowski, Flood, Barnett, Shults
NAYS: None
MOTION CARRIED

B. Fire Department LED Lighting. Moved by Clerk Shults, seconded by Trustee Dalrymple to approve the purchase of parts and labor from Graybar Electric Company, using the OMNIA Partners contract for LED lighting for Fire Stations 2 & 4 at a cost not to exceed $33,335.

AYES: Steele, Dalrymple, Urbanowski, Flood, Barnett, Shults, Birney
NAYS: None
MOTION CARRIED

C. Hire Full Time IT/AV Technician – Supervisor’s Office. Moved by Trustee Flood, seconded by Trustee Birney to hire David Raftery as IT/AV Technician – Supervisor’s Office, a salary potion at the annual rate of $65,000 per year, full time, full benefits, effective July 1, 2021.

AYES: Dalrymple, Urbanowski, Flood, Barnett, Shults, Birney, Steele
NAYS: None
MOTION CARRIED
D. **Update Job Description.** Moved by Clerk Shults, seconded by Treasurer Steele to approve the updates to the Parks Superintendent job description effective May 25, 2021 and approve posting of position.

AYES: Urbanowski, Flood, Barnett, Shults, Birney, Steele, Dalrymple

NAYS: None

ABSENT: None

MOTION CARRIED

4. **PUBLIC COMMENT.** Public Comment was not heard.

5. **BOARD MEMBER COMMENTS.** Board member comments were heard.

6. **ADJOURNMENT.** Moved by Trustee Flood, seconded by Treasurer Steele, to adjourn.

MOTION CARRIED  The meeting was adjourned at 9:36 a.m.

Transcription: Penny Shults

________________________________
Penny S. Shults, Clerk

_____________________________
Chris Barnett, Supervisor
Charter Township of Orion
Agenda Item Summary

To: Board of Trustees
From: Penny Shults, Township Clerk
Meeting Date: June 7, 2021
Memo Date: May 28, 2021
Subject: Request Sign Fee Waiver - Young Life 5k

☐ Consent  ☐ Pending

REQUEST
Young Life is hosting a 5k on June 5th, 2021 at Friendship Park at 8:00 a.m. and is requesting a waiver of the sign fee.

REASON
Young life is a non-profit group. The signs have been placed throughout the Township with prior permission.

PROCESS
Please see the attached sign application.

RECOMMENDATION (MOTION)
Board Action would be to waive the $25.00 sign fee for Young Life.
Temporary Sign Permit Application

I. LOCATION OF SIGN:
Address: Intersections throughout CO.
City: Lake Orion

II. APPLICANT INFORMATION:
Name of Business/Organization: YoungLife
Contact Name: Chad Cromwell
Street Address: 498 Coats Rd
City: Lake Orion
Business Complex Name:
Phone # (Daytime): 248-249-9398
Email Address: chad.cromwell@gostraightdrop.com
Cell Phone #: 866-

III. TEMPORARY SIGN INFORMATION:
"Temp. Sign is a 30 Day Permit w/2 Renewals (Annually)"
Type of Sign:
- Banner
- Blade
- A-Frame
Size of Sign: 15" x 24" (approx. 15-20)
Start Date: 5/19/21
End Date: 6/4/21

A. Renewals:
1st Renewal: (30 days)
Start Date:
End Date:
2nd Renewal: (30 days)
Start Date:
End Date:

* NOTES:
- Commercial Property - No more than 32 sqf.
- Residential Property - No more than 16 sqft.
- No closer than 10 ft. from road surface.

III. APPLICANT SIGNATURE:
Applicant Signature: [Signature]
Print Name: Chad Cromwell
Date: 5/17/21

Property Owner Signature:
Print Name:

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<tr>
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<tr>
<td>Renewal (each renewal)</td>
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TOTAL PERMIT COST: $ [Blank]

OFFICE USE ONLY
Approved By: [Blank]
Date: [Blank]
Denied By: [Blank]
Denied Reason: [Blank]

Temporary Sign Permit Application: 1-1-2021
Young Life 5K — June 5th, 2021
Friendship Park @ 8am
REQUEST
To add additional position to credit card usage policy.

REASON
In 2020, the Township switched their credit card provider to Chase in an effort to offset the annual fees charged by banking with Chase. Annually, a 'rebate' will be issued to Orion Township based on a percentage of the total charges put on the credit card. In an effort to maximize the rebate, the township has been paying many utility bills and annual renewals on the credit card. These charges are routinely placed on the Budget Director's credit card. Chase recommended the Township utilize a "Department" credit card for "Accounts Payable." This card would be in the name of "Accounts Payable" vs an individual's name. This would allow utility charges, and various annual renewals to be charged appropriately and would allow the Township to run reports in Chase to see how each department utilizes the credit card. Additionally, it would still allow for these expenses to qualify towards the annual rebate. All the credit card charges (for all positions) are reviewed by the Budget & Procurement Director, the Township Clerk, the Township Treasurer and the statements are provided to the Township Board.

PROCESS
Please review attached change.

RECOMMENDATION (MOTION)
To authorize the 'position' of 'Accounts Payable' to be issued a credit card.
A. The Township Supervisor, in conjunction with the Treasurer, is responsible for issuing, accounting for, monitoring, retrieving and generally overseeing compliance with the Township’s Credit Card Policy. Such duties may be delegated to other personnel or officials, in accord with Township spending, bidding, and procurement policies and with approval of the Board of Trustees.

B. Township credit card(s) may be used only for the purchase of goods or services for the official business of the Township. One card shall be issued in the name of the Township Supervisor. In the event it is deemed necessary by the Township Board to issue additional cards to effect the business of the Township, issuance shall be limited, and issued in the name of the employee holding the following positions: Township Clerk, Township Treasurer, Township Fire Chief, Assistant Fire Chief, Parks & Recreation Director, Park Superintendent, Director of Public Works, Water & Sewer Superintendent, Building Official, Planning & Zoning Director, Budget & Procurement Director, OCSO Substation Lieutenant Commander, and Chief Assistant to the Supervisor.

Additionally, one card shall be issued as a Department Card for the Accounts Payable Coordinator to be used for accounts payable when deemed by the Township Supervisor, the Township Clerk, the Township Treasurer, and/or the Budget & Procurement director as appropriate. The physical card shall be held in the Treasurer’s safe.

All authorized users of any issued card shall abide by the then current spending and procurement policies of the Township.

C. The Township Official who uses a Township credit card shall, as soon as possible, submit a copy of the vendor’s credit card slip to the Township Treasurer or designated official described in A. above. If no credit card slip was obtained that describes the transaction, the official shall submit a signed voucher that shows the name of vendor or entity from which goods or services were purchased, the date and amount of transaction, the official business that required the transaction, and the chart of account number indicating the line item to which the transaction is to be charged. All credit card slips shall include this information as well. Vouchers shall also include a statement why a credit card slip was not obtained.

D. Any official who is issued a credit card is responsible for its protection and custody. If a credit card is lost or stolen, the Township Treasurer or designated official described in A. above shall be notified. The entity issuing the lost or stolen credit card shall be immediately
notified to cancel the card.

E. The Township Supervisor’s Office shall review each credit card statement as soon as possible to ensure that transactions comply with Township policy. Any transactions that appear on the statements that are not documented with a credit card slip or a signed voucher shall be immediately investigated. Transactions that do not appear to comply with this policy shall be reported to the Township Supervisor, who shall inform the Board of any violation or irregularity in report form.

F. The Township Board shall not approve a payment to the entity issuing the credit card until all transactions have been verified, including the approval of the transaction invoices if issued.

G. The balance including interest due on an extension of credit under the credit card arrangement shall be paid for within not more than 30 days of the initial statement date.

H. The credit card statement and itemized allocation spreadsheet will routinely be included in the Board meeting packet.

Revisions

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<th>Author</th>
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Agenda Item Summary

To: Board of Trustees  
From: Ashley Coyle, Budget & Procurement Director  
Meeting Date: June 7, 2021  
Memo Date: June 3, 2021  
Subject: Resolution - Interfund Transfer

REQUEST
To clarify accounting transfers made in the fiscal years 2019 and 2020 between the Fire Fund(s) and Host Fee Fund.

REASON
In 2019, the Township Board of Trustees authorized an interfund loan of $1,014,792.00 from the 417-Host Fee Fund to the 406-Fire Capital Improvement Fund for the Fire Station 3 remodel project. In 2020, the Township’s 206-Fire Fund paid back a total of $628,649.95 to the 417-Host Fee Fund, since the 406-Fire Capital Improvement Fund was expired. Based on the 2020 audit, it was requested that the Township make certain transfers as outlined in the attached Resolution to Authorize an Interfund Transfer to reflect reimbursement of the 417-Host Fee Fund from the 406-Fire Capital Improvement Fund (the Fund that the Host Fee transferred funds to in 2019), rather than the 206-Fire Fund.

PROCESS
$549,260.22 will first need to be transferred back from the 417-Host Fee Fund to the 206-Township Fire Fund since the 206-Fire Fund did not receive the original loan and should not have made the initial repayment. Then, a total of $628,649.95 (the initial payment plus an additional contribution from the Fire Fund Balance) will be transferred from the 206-Fire Fund to the 406-Fire Capital Improvement Fund, which will allow for the final transfer of the $628,649.95 repayment from the 406-Fire Capital Improvement Fund to the 417-Host Fee Fund.

RECOMMENDATION (MOTION)
I move to approve the Resolution to Authorize an Interfund Transfer of $549,260.22 from the 417-Host Fee Fund to the 206-Township Fire Fund; followed by a transfer of $628,649.95 from the 206-Township Fire Fund to the 406-Fire Capital Improvement Fund; followed by a transfer in the amount of $628,649.95 from the 406-Fire Capital Improvement Fund to the 417-Host Fee Fund.
Request
To forgive the remaining $386,142.05 loan from the 417 Host Fee Fund to 406 Fire Capital Improvement Fund.

Reason
In 2019, the Township Board authorized an interfund loan of $1,014,792.00 from the 417-Host Fee Fund to the 406-Fire Capital Improvement Fund for the Fire Station 3 remodel project. In 2020, the 406-Fire Capital improvement fund reimbursed the 417-Host Fee Fund $628,649.95. It has been determined that the remaining loan balance does not need to be repaid, and as such, the Township Auditors have requested the attached Resolution to Forgive Portion of an Interfund Loan be approved by the Township Board.

Process
If approved, the Resolution will be filed and maintained as public record that the 406-Fire Capital Improvement Fund and the 206-Fire Fund have been forgiven of any obligation to reimburse the remaining balance of the $386,142.05 of the original transfer of $1,014,792.00 from the 417-Host Fee Fund.

Recommendation (Motion)
I move to approve the Resolution to forgive any obligation of the 406 Fire Capital Improvement Fund or the 206 Fire Fund to reimburse the 417 Host Fee for the remaining balance of an outstanding interfund loan in the amount of $386,142.05.
REQUEST
To dissolve the 406-Fire Capital Improvement Fund at the end of 2021, with any remaining funds and assets to be transferred to the 206-Fire Fund.

REASON
The 406-Fire Capital Improvement Fund's millage expired in 2019. This fund will not be receiving any additional revenue. To streamline accounting, the request would be to close this fund and transfer any remaining assets and/or funds to the 206-Fire Fund.

PROCESS
As part of the year-end close out, the Accounting Controller will transfer any remaining assets and/or funds from the 406-Fire Capital Improvement Fund to the appropriate accounts within the 206-Fire Fund.

RECOMMENDATION (MOTION)
I move to approve the Resolution to Dissolve the 406-Fire Capital Improvement Fund as of December 31, 2021, with all remaining assets and/or funds to be transferred to the 206-Fire Protection Fund as of that date.
To: Board of Trustees
From: Ashley Coyle, Budget & Procurement Director
Meeting Date: June 7, 2021
Memo Date: May 26, 2021
Subject: Heather Lakes Special Assessment District Deficit Elimination Plan

REQUEST
To approve the Heather Lakes Street Lighting Special Assessment District Deficit Elimination Plan.

REASON
The Heather Lakes Street Lighting Special Assessment District had a deficit in 2020 based upon the early payment of an invoice in the amount of $4,513.46. As a result, pursuant to State law, 1971 PA 140, Sec. 21(2), the Township is required to file a Deficit Elimination Plan. Because the payment was mistakenly made on or about December 27, 2020, within the fiscal year of 2020, the $4,513.46 deficit can now be paid out of the 2021 revenues and approved budget. The Township’s Director of Budget and Procurement, Ashley Coyle, has prepared the appropriate Deficit Elimination Plan per the State statute.

PROCESS
Per State law, when a Special Assessment District is in deficit at the end of its fiscal year, the State Treasury Department will require a Deficit Elimination Plan. The deficit in this case was created when a payment was made on or about December 27, 2020, for a 2021 expense. As a result, the Board must approve by resolution a Deficit Elimination Plan accounting for the $4,513.46 deficit. Contained in the packet is a proposed resolution providing for same.

BUDGET

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<th>263 - Heather Lakes SAD</th>
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<td>Budget Adjustment Needed:</td>
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| Project/Grant Tracking? | ☐ |
| Expected Invoice Date: | NA |
| Reviewed by Budget Director: | ☒ |

RECOMMENDATION (MOTION)
I move to approve the Resolution Approving the Heather Lakes Street Lighting Special Assessment District Deficit Elimination Plan and authorize the Township Supervisor and Clerk to execute any and all documentation necessary to submit the Deficit Elimination Plan in a timely manner.
RESOLUTION APPROVING HEATHER LAKES SPECIAL ASSESSMENT DISTRICT DEFICIT ELIMINATION PLAN

At a regular meeting of the Township Board of the Charter Township of Orion, Oakland County, Michigan (the “Township”), held on the 7th day of June, 2021.

PRESENT:

ABSENT:

The following Resolution was offered by ______________________ and seconded by ______________________:

WHEREAS, in 2009, the Township Board of Trustees authorized the Heather Lakes Street Lighting Special Assessment District (“SAD”) by establishing the SAD and by resolution confirming the special assessment roll; and

WHEREAS, the Heather Lakes Street Lighting SAD was created for the purpose of providing street lighting in the residential subdivision of Heather Lakes and was otherwise authorized by the Township and Village Public Improvement and Public Service Act, Act 116 of 1923, MCL 41.411; and

WHEREAS, pursuant to Township authorization and State law, on an annual basis the Charter Township of Orion collected certain monies which benefited from the street lighting SAD and made payments for the operation and expenses related to said street lighting; and

WHEREAS, on or about December 27, 2020, the Charter Township of Orion mistakenly made payment in the amount of $4,513.46 for an expense which was not due nor budgeted until 2021; and

WHEREAS, as a result of the mistaken payment of $4,513.46 in 2020, there were insufficient funds in the Heather Lakes street lighting SAD fund resulting in a
WHEREAS, in compliance with the Glenn Steil State Revenue Sharing Act of 1971, 1971 PA 140, Section 21(2), the Charter Township of Orion has prepared a Deficit Elimination Plan based upon the 2021 budget showing revenues in excess of the 2020 deficit and 2021 expenditures for the Heather Lakes street lighting SAD; and

WHEREAS, the Charter Township of Orion Board of Trustees having reviewed the proposed Deficit Elimination Plan and otherwise being fully advised do hereby state the following:

NOW, THEREFORE, BE IT RESOLVED THAT the Charter Township of Orion does hereby recognize and acknowledge that a payment of $4,513.46 was mistaken made in 2020 from the Heather Lakes street lighting SAD fund, resulting in a deficit in the SAD Fund 263 and therefore requiring a Deficit Elimination Plan being filed with the State of Michigan Department of Treasury; and

BE IT FURTHER RESOLVED THAT the Charter Township of Orion Board of Trustees having reviewed the Heather Lakes street lighting SAD’s Deficit Elimination Plan and having confirmed sufficient revenues in the approved 2021 SAD budget does hereby, pursuant to the Glen Steil State Revenue Sharing Act of 1971, 1971 PA 140, Section 21(2), approve the Deficit Elimination Plan which in fiscal year 2021 shall resolve the deficiency created by the inadvertent early payment of $4,513.46 in fiscal year 2020.

RESOLUTION DECLARED ADOPTED.

YEAS: ______

NAYS: ______

ABSTENTIONS: ______
CERTIFICATION

STATE OF MICHIGAN  )
COUNTY OF OAKLAND  )

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Charter Township of Orion, Oakland County, Michigan, on the 7th day of June, 2021, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 7th day of June, 2021.

______________________________
Clerk Penny Shults
Charter Township of Orion
Agenda Item Summary

To: Board of Trustees  
From: Robert Duke, EFO, Fire Chief  
Meeting Date: June 7, 2021  
Memo Date: June 3, 2021  
Subject: Michigan Emergency Management Assistance Compact (MEMAC) Resolution

Request
The Fire Department is requesting Board approval of a resolution to join the Michigan Emergency Management Assistance Compact (MEMAC).

Reason
The Michigan Emergency Management Assistance Compact (MEMAC) establishes a system for providing mutual aid to localities in Michigan in the event of a catastrophe or major disaster where existing mutual aid agreements become exhausted. MEMAC is a voluntary agreement between governmental units in Michigan. MEMAC was approved by the Governor in 2006 and was issued under the authority of Public Act 390 of 1976, as amended.

Process
Following Board review of the attached packet of information regarding MEMAC, should the Board authorize and approve entering into this statewide mutual aid agreement, the Township Supervisor will sign the compact on behalf of the Township, and forward the Board Resolution and all other required documents and information to the Oakland County Clerk's Office.

Recommendation (Motion)
“I move to approve the Resolution to adopt the Michigan Emergency Management Assistance Compact and authorize the Township Supervisor to execute the corresponding Agreement.”
CHARTER TOWNSHIP OF ORION
COUNTY OF OAKLAND
STATE OF MICHIGAN

RESOLUTION TO PARTICIPATE IN THE MICHIGAN EMERGENCY MANAGEMENT ASSISTANCE COMPACT (MEMAC)

At a regular meeting of the Township Board of the Charter Township of Orion, Oakland County, Michigan (the “Township’), held on the ____ day of June, 2021.

PRESENT:

ABSENT:

The following Resolution was offered by __________________________ and seconded by __________________________:

WHEREAS, the State of Michigan Emergency Management Act, Act 390 of the Public Acts of 1976, as amended MCL 30.401 et. seq., authorizes the State and its political subdivisions to provide emergency aid and assistance in the event of a disaster or emergency; and

WHEREAS, the Michigan Emergency Management Assistance Compact (“MEMAC”) is an initiative of the Michigan State Police, Emergency Management and Homeland Security Division (MSP/EMHSD) designed to help Michigan’s local political subdivisions share vital public safety services and resources more effectively and efficiently; and

WHEREAS, incidents that may require a need for large-scale mutual aid include fire, severe weather, chemical spills, explosions or nuclear incidents, and MEMAC is intended to encompass “all hazards” that are of such scope, resources of many jurisdictions are required; and

WHEREAS, MEMAC is intended to supplement rather than replace existing local mutual aid agreements already in place to handle “routine” public safety services among neighboring jurisdictions and fire departments; and
WHEREAS, no single local entity can afford to maintain all of the resources necessary in the event of a large-scale disaster and mutual aid, and MEMAC provides for the leveraging of resources and establishes a system for requesting and providing emergency assistance with pre-established reimbursement guidelines; and

WHEREAS, MEMAC enhances cooperation, pre-planning, and the prompt leverage of essential resources such as people and equipment from areas of availability to areas of need and also helps contain liability exposure to those who provide assistance; and

WHEREAS, disasters occur at the local level, and the vast majority of disaster response resources (people, facilities, materials, and equipment) are located at the local level where a large-scale mutual aid arrangement can provide rapid emergency assistance from surrounding areas to those in need, allowing jurisdictions to provide and receive assistance. If a significant emergency strikes, a response can be mobilized in an organized manner while minimizing the occurrence of “self-deploying” resources; and

WHEREAS, this Resolution authorizes the request, provision, and receipt of interjurisdictional mutual assistance in accordance with the Emergency Management Act, Act 390 of the Public Acts of 1976, as amended among political subdivisions within the State.

NOW, THEREFORE, BE IT RESOLVED, that in order to maximize the prompt, full, and effective use of resources of all participating governments in the event of an emergency or disaster, the Charter Township of Orion hereby adopts the Michigan Emergency Management Assistance Compact which is incorporated by reference; and

BE IT FURTHER RESOLVED, that the Township Supervisor is authorized to sign all contract documents consistent with this Resolution.

RESOLUTION DECLARED ADOPTED.
YEAS: _____
NAYS: _____
ABSTENTIONS: _____

CERTIFICATION

STATE OF MICHIGAN )
COUNTY OF OAKLAND ) ss

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Charter Township of Orion, Oakland County, Michigan, on the _____ day of June, 2021, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this _____ day of June, 2021.

________________________________________
Clerk Penny Shults
Charter Township of Orion
The Michigan Emergency Management Assistance Compact (MEMAC) establishes a system for providing mutual aid to localities in Michigan in the event of a catastrophe or major disaster where existing mutual aid agreements become exhausted. MEMAC is a voluntary agreement between governmental units in Michigan. The agreement sets forth a system to provide large-scale mutual aid assistance in the event of an emergency of such significance it appears beyond the capability of local resources to handle. MEMAC was approved by the Governor in 2006, and was issued under the authority of Public Act 390 of 1976, as amended.

Who Can Join MEMAC?
- Governmental units that may join MEMAC include: the State of Michigan, counties, municipalities, townships, political subdivisions, federally recognized tribal nations, and "interlocal public agencies."

How Does a Governmental Unit Join MEMAC?
Follow five simple steps:
1. The Chief Executive must sign the Compact;
2. A resolution from the governmental unit must be provided;
3. A letter regarding the type of insurance for five defined lines of insurance must be provided to the Michigan State Police, Emergency Management and Homeland Security Division (MSP/EMHSD);
4. A list of authorized contacts must be submitted to the MSP/EMHSD; and
5. A copy of the resolution is filed with the County Clerks Office.

What Type of Hazards can MEMAC be Activated?
- MEMAC is intended to cover "all hazards" that are of such scope resources of many jurisdictions are required. Incidents that may require a need for large-scale mutual aid include fire, severe weather, chemical spills, explosions, or nuclear incidents.

Are there disadvantages of joining MEMAC?
- There are no disadvantages to joining MEMAC. Pre-planning is always better than no planning.
- MEMAC is a way to leverage resources and provide assistance when needed.

What is the Difference between MEMAC and EMAC?
- MEMAC is intrastate, jurisdiction helping jurisdiction within the State of Michigan.
- The Emergency Management Assistance Compact (EMAC) is interstate; state helping state.
- By being a MEMAC member, you or your resources are eligible to be deployed out of state as a part of EMAC.
- All of the benefits of MEMAC apply to EMAC.
Main Benefits of MEMAC Membership
- When a significant emergency strikes, a large-scale response can be mobilized in an organized manner allowing jurisdictions to provide assistance, while minimizing the occurrence of “self deploying” resources.
- Reimbursement for assistance provided is set forth in a pre-agreement.
- Liability issues are addressed.
- Command structure and lines of authority are defined before an emergency occurs.

Main Benefits of MEMAC in an Emergency
- It establishes a system for requesting and providing emergency assistance with pre-established reimbursement guidelines.
- It helps contain liability exposure to those who provide assistance.
- It enhances cooperation, pre-planning, and the prompt leverage of essential resources (people and equipment) from areas of availability to areas of need.

Main Benefits of Mutual Aid
- Disasters occur at the local level, and the vast majority of disaster response resources (people, facilities, materials and equipment) are located at the local level. Mutual aid can provide rapid emergency assistance from surrounding areas to those in need. (Many fire departments do this already, but usually only in localized areas.)
- No single entity can afford to maintain all of the resources necessary in the case of a large-scale disaster. Mutual aid provides for the leveraging of resources.

Important Features of MEMAC for State and Local Government
- MEMAC is activated upon request by the local government through the Compact terms of agreement.
- MEMAC is not a state mandate to provide assistance. MEMAC is a mutual aid system, whereby both the requesting and providing parties agree to terms.
- Participation in MEMAC is voluntary.

For Additional Information and to Become a Signatory:
Contact F/LT. Ralph Hobrat of the MSP/EMHSD at Hobratr@michigan.gov or (517) 333-5048.
Agenda Item Summary

To: Board of Trustees
From: Chris Barnett, Township Supervisor
Meeting Date: June 7, 2021
Memo Date: June 2, 2021
Subject: Hire Full Time Controller

REQUEST
To approve hiring of Tandem Graves as the Full Time Controller - Clerk's Office (Full time, 40 hours per week, Level 8, full benefits)

REASON
It is the recommendation of the Clerk, Township Supervisor and Human resources to hire internal candidate, Tandem Graves for the full time Controller position.

PROCESS
Interview and selection process was completed by Township Clerk, Supervisor, Treasurer and Human Resources.

RECOMMENDATION (MOTION)
Hire Tandem Graves as full-time Controller, Clerk’s Department, a Level 8 Technical Unit union position at the rate of $33.67 per hour, full time, 40 hours per week, full benefits, effective July 1, 2021.

☐ Consent  □ Pending
REQUESTS
Sarah Paine’s term on the Orion Community Cable Communication Commission expires June 30, 2021. She has expressed an interest in continuing to serve on the Cable Commission.

REASON

PROCESS

RECOMMENDATION (MOTION)
Appoint Sarah Paine as an appointee of the Township Board to a new two year term expiring June 30, 2023, on the Orion Community Cable Communication Commission.
REQUESTS

There are two vacancies to fill on the Parks & Paths Advisory Committee.

1. Michele Arquette-Palmero has turned in a notice of resignation, effective immediately. We received an application to serve on this committee from Elizabeth Pike, and it is mine and Aaron Whatley’s recommendation to appoint her to fill the vacancy.

2. Tim Williams has missed three (3) meetings of the Parks & Paths Advisory Committee. Per the Parks & Paths Advisory Committee Bylaws, the removal process is: “Any member of the Committee may be removed by the Charter Township of Orion Board with cause by his/her unexcused absence of three (3) meetings during a single three-year term without notice, the Chairperson may request that a member be asked to resign, with a report to that effect shall be sent to the Township Supervisor along with a request to remove that member from the Committee and any office held by that member shall be vacated.” It is our recommendation to remove Tim Williams and appoint Tom Fisher, who has expressed an interest in serving on this committee.

REASON

PROCESS

RECOMMENDATION (MOTION)

Accept Michele Arquette-Palermo’s resignation with regret, and appoint Elizabeth Pike to fill the vacancy for a term that expires 12-31-2021; and remove Tim Williams and appoint Tom Fisher to fill that vacancy, for a term that expires 12-31-2023.
REQUEST
Attached is an application from Indianwood Golf & Country Club for a fireworks display on June 25, 2021 (rain date July 9, 2021). The request has been reviewed by the Fire Department and Sheriff’s Department, and their comments are attached.

REASON

PROCESS

RECOMMENDATION (MOTION)
Approve the request contingent upon the display being conducted in full compliance with the current code for fireworks displays, and all required social distancing rules being followed.

attachments
Date:  April 21, 2021

To:   Julianne Savard, Administrative Assistant

Re:  2021 Indianwood Golf & Country Club Fireworks Display

The Orion Township Fire Department has reviewed the proposed documentation and recommends approval of the display with the following requirements:

1. The proposed fireworks display shall be compliance **NFPA 1123: Code for Fireworks Display, 2018 Edition**.

If you have any questions, please contact our office at 248.391.0304.

Sincerely,

**Jeffrey Williams**

Jeffrey Williams, Fire Marshal
Orion Township Fire Department
## 2021 Application for Fireworks Other Than Consumer or Low Impact

### Authority: 2011 PA 256

The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, marital status, disability, or political beliefs. If you need assistance with ready, writing, hearing, etc. under the Americans with Disabilities Act, you may make you known to the Legislative Body of City, Village or Township Board.

### TYPE OF PERMIT(S) (Select all applicable boxes)

- Agricultural or Wildlife fireworks
- Articles Pyrotechnic
- Display Fireworks
- Public Display
- Private Display
- Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes

### NAME OF APPLICANT

**Indianwood Golf & Country Club**

**Address of Applicant**: 1081 Indianwood Road, Lake Orion, MI 48362

**Age of Applicant 18 years or older**

- **Yes**
- **No**

### NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER

**Keith Kidridge**

**Address of Person or Resident Agent Representing Corporation, LLC, DBA or Other**

1081 Indianwood Road, Lake Orion, MI 48362

**Telephone Number**

248-493-9100

### NAME OF PYROTECHNIC OPERATOR

**Great Lakes Fireworks, LLC**

**Address of Pyrotechnic Operator**

3275 W. M-76, PO Box 276
West Branch, MI 48661

**Where**

Throughout Michigan

**No. Years Experience**

20+

**No. Displays**

200+

### NAME OF ASSISTANT

**TBD**

**Address of Assistant**

24805 Marine Ave, Eastpointe, MI 48021

**Age of Assistant 18 years or older**

- **Yes**
- **No**

### NAME OF OTHER ASSISTANT

**TBD**

**Address of Other Assistant**

**Age of Other Assistant 18 years or older**

- **Yes**
- **No**

### EXACT LOCATION OF PROPOSED DISPLAY

1081 Indianwood Road, Lake Orion, MI 48362

**Date of Proposed Display**

June 25, 2021 (Rain: 7/9/2021)

**Time of Proposed Display**

Approx. 10:00 pm

**Manner and Place of Storage, Subject to Approval of Local Fire Authorities, in Accordance with NFPA 1128, 1124 & 1106 and Other State or Federal Regulations. Provide Proof of Proper Licensing or Permitting by State or Federal Government**

Stored at federally licensed facility until date of display.

**Amount of Bond or Insurance (to be set by Local Government)**

$5,000,000

**Name of Bonding Corporation or Insurance Company**

McGowan Allied Specialty

**Address of Bonding Corporation or Insurance Company**

140 Fountain Parkway, North Suite 570, St Petersburg FL 33176

### NUMBER OF FIREWORKS

| Approx. 480 | 3” shells |
| Approx. 140 | 4” shells |
| Approx. 100 | 5” shells |
| Approx. 6 | Various barrage cakes 3” and smaller |

### SIGNATURE OF APPLICANT

[Signature]

**Date**

4/20/2021
GREAT LAKES FIREWORKS
3275 W. M-76 • West Branch, MI 48661 • Office: 989.726.5040 • Fax: 989.726.5041 • greatlakesfireworks.com

THIS CONTRACT AND AGREEMENT for the sale of Fireworks made and concluded this 29th day of March, 2021, and between GREAT LAKES FIREWORKS, LLC of Eastpointe, Michigan, (hereinafter referred to as “Great Lakes”), and INDIANWOOD GOLF & COUNTRY CLUB, (hereinafter referred to as “Customer”).

GREAT LAKES agrees:
1. To sell, furnish and deliver to Customer, fireworks to be exhibited on the following dates set forth and agreed upon at the time of signing this contract and Customer agrees to pay Great Lakes for the fireworks as follows:
   Display Date(s): June 25, 2021
   Alternate Date(s): July 9th, 2021
   Contract Amount: $6,000
   Fifty percent (50%) due upon signing the contract and balance due on date of display. All payments shall be made by draft or certified check payable to Great Lakes Fireworks, LLC. Great Lakes will assess a $25.00 late charge and a 7% per annum late fee on balances not paid in full by the display date.

2. Great Lakes further agrees to furnish sufficiently trained personnel to present a display.

3. Great Lakes agrees to furnish Customer with liability insurance in the amount of $5,000,000 and other coverages as identified in the COI attached.

CUSTOMER agrees:
4. To procure and furnish a suitable place to display said fireworks, to furnish the necessary police and fire protection; to secure all police, local, and state permits, and to arrange for any security bonds or insurance as required by law in their community when necessary.

5. Prior to, during, and immediately following the display, Customer shall be solely responsible to keep all persons (except employees of Great Lakes) out of the designated danger areas and behind safety zone lines and limits.

6. Immediately following the display, Great Lakes, to the best of its ability, will police the area for any misfires (“duds”). Great Lakes agrees to police the area again at “first light.” Great Lakes will pick up misfires for disposal. If Customer must move misfires for safety reasons, Customer understands that the misfires are only to be handled by trained personnel. Customer is responsible for debris clean up and the refilling of any holes.

7. Customer agrees to hold harmless Great Lakes for any liability caused by other than the employees or products supplied by Great Lakes.

The PARTIES mutually agree:
8. Should inclement weather prevent firing of said display on the “Display Date(s),” then it will be understood the program is postponed and will be fired on the “Alternate Date(s),” and there will be a charge to cover the costs of the postponement of ten percent (10%) of the contract amount. If the program is not fired on either the “Display Date(s)” or the “Alternate Date(s),” then it will be understood the program is cancelled; and there will be an additional charge of ten percent (10%) of the contract amount to cover the cancellation costs.

9. Great Lakes reserves the exclusive right to make minor modifications and substitutions provided that such changes are reasonable and necessary and do not materially adversely affect price, time of delivery, functional character, or display performance.

10. If the location of the firing site, spectators’ location, parking areas, or structures is deemed unsuitable or unsafe, Great Lakes may refuse to fire the display until conditions are corrected. If such conditions are not corrected, Great Lakes may cancel the display without further liability to the Customer for such cancellation.

11. In the event of fire, accident, strikes, delay, flood, act of God or other causes beyond the control of Great Lakes, which prevent the delivery of said materials, the parties hereto release each other from any and all performances of the covenants herein contained and from damages resulting from the breach thereof.

Amendments:

For: GREAT LAKES FIREWORKS, LLC

Bruce Tyree, Member

For: INDIANWOOD GOLF & COUNTRY CLUB

Samantha Strzyzynski, Clubhouse Manager
GREAT LAKES FIREWORKS

3275 W. M-76 • West Branch, MI 48661 • Office: 989.726.5040 • Fax: 989.726.5041 • greatlakesfireworks.com

COMMUNICATION SHEET

PLEASE COMPLETE AND RETURN WITH YOUR SIGNED CONTRACT

CUSTOMER INFORMATION
Name: Indianwood Golf & Country Club
Address: 1081 Indianwood Road
          Lake Orion, MI 48361

SHOW INFORMATION
Date: June 25, 2021
Rain Date: July 9, 2021
Time: Approx. 10:00pm (Dusk)

FIRING SITE INFORMATION
Location: Indianwood Golf & Country Club
Address: 1081 Indianwood Road
          Lake Orion, MI 48361
Contact: Samantha Strozyński
Cell: 586.354-3063

AUTHORITY HAVING JURISDICTION
Fire Marshal / Fire Chief (Circle one)

CONTACT PERSON
Name: Samantha Strozyński
Address: 1081 Indianwood Road
          Lake Orion, MI 48361
Cell/Office: c: 586.354-3063
Fax: 248.693.6006
Email: Samantha@iwgcc.com

ALTERNATE CONTACT
Name: Courtney Ahearn/Suzanne Sharpe
Address: 1081 Indianwood Road
          Lake Orion, MI 48361
Cell/Office: c: 810.583.9383 c: 810.441.3630
Fax: 248.693.6006
Email: crystal@iwgcc.com

DIRECTIONS TO SITE FROM MAJOR HIGHWAY
N- off I-75(Exit 81), M24 Lapeer Rd near the Palace of Auburn Hills
N To Indianwood Rd +M24 - Left on Indianwood Rd
Clubhouse will be on the left.

INSURANCE
Contract/certificate holder name
Additionally insured names
CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 3/29/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFER NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
McGowan Allied Specialty
140 Fountain Parkway, North
Suite 570
St. Petersburg FL 33716

CONTACT
NAME: Brenda Thomas
PHONE: 727-547-3034
FAX: 727-367-2918
EMAIL: bthomas@mcgowananallied.com

INSURED
Great Lakes Fireworks, LLC
24805 Marine
Eastpointe MI 48021

LICENSE#: 973
GREALK-13

INSURER A: A.T. & T. Insurance Company
MAC #: 12866

INSURER B: Accident Fund Insurance Company of America
MAC #: 10166

COVERAGES
CERTIFICATE NUMBER: 833700163

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY Pertain, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY BE REDUCED BY PAID CLAIMS.

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<tr>
<th>INSURER</th>
<th>TYPE OF INSURANCE</th>
<th>ADD ON SUB</th>
<th>POLICY NUMBER</th>
<th>POLICY EFF</th>
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<td>ANY AUTO</td>
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<td>1/15/2022</td>
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<td>OCCUR</td>
<td>ELP0010168-11-VL</td>
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<td>WORKERS COMPENSATION</td>
<td>N/A</td>
<td>ARPI2000148040-02-MI</td>
<td>1/15/2021</td>
<td>1/15/2022</td>
<td>E.L. EACH ACCIDENT: $1,000,000</td>
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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 191, Additional Remarks Schedule, may be attached if more space is required)

Display Date: June 25, 2021
Rain Date: July 9, 2021
Location: 1801 Indianwood Road, Lake Orion, MI 48363

RE: General Liability, the following are named as additional insured in respects to the negligence of the named insured:

Orion Township including all its elected and appointed officials, employees, volunteers, boards, commissions, and/or other authorities; Indianwood Golf & Country Club and its officials, employees, members, volunteers, boards, commissions and/or other authorities

Cert #: 21022

CERTIFICATE HOLDER

Indianwood Golf & Country Club
1801 Indianwood Road
Lake Orion MI 48363

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.
I have reviewed the fireworks display request.

Due to previous displays, we do not have any issues or concerns.
Agenda Item Summary

To: Board of Trustees
From: Chris Barnett, Supervisor
Meeting Date: June 7, 2021
Memo Date: May 24, 2021
Subject: Bunny Run Lake Water Quality Control SAD #2
Public Hearing on Cost Estimate

REQUESTS
The public hearing on the cost estimate and work plan will be held on Monday, June 7, 2021.

REASON

PROCESS
After the hearing is held, the Board has the following options:

1. Adopt the attached resolution authorizing preparation of the Special Assessment Roll as presented, or
2. Adopt the attached resolution authorizing preparation of the Special Assessment Roll as modified (by removing/adding properties), or
3. Drop the project (for any reason the Board chooses).

RECOMMENDATION (MOTION)
As appropriate after the public hearing.

attachment
At a regular meeting of the Board of Trustees of the Charter Township of Orion, Oakland County, Michigan, held at the Orion Township Hall, 2525 Joslyn Rd., Lake Orion, Michigan, on Monday, June 7, 2021, the following resolution was offered by ________, seconded by __________.

Recitals

A. This is the time and date fixed for hearing and considering any objections to the improvement of Bunny Run Lake and to the Special Assessment District tentatively established thereto.

B. Petitions have been received by the Township signed by record owners of the land whose total percentage constitutes more than 50% of the total land area of the proposed Special Assessment District described in this Resolution for the purpose of establishing such District for the improvement described in this Resolution.

C. Plans and specifications for the proposed improvement, including an estimate of cost, have been prepared by the Township.

D. A public hearing has been held as required by law.

Therefore, Be It Resolved:

1. The petitions described in Recital “B” are hereby determined to be sufficient to proceed with the improvement.

2. This Board hereby approves the plans and cost estimate for the improvement as prepared by the Township.

3. This Board does hereby determine to proceed with the improvements set forth as described in the plans.

4. This Board does hereby designate a Special Assessment District to be assessed for said improvement, for a period of five (5) years, or until a petition to discontinue the special assessment district is received with signatures that represent a majority of the properties in the district, consisting of the following properties:

   09-01-276-001  09-01-277-031  09-01-427-044  09-01-427-048  09-01-427-038  09-01-278-056  09-01-278-055  09-01-278-062
   09-01-278-048  09-01-278-053  09-01-278-050  09-01-277-026  09-01-427-043  09-01-427-025  09-01-278-052  09-01-278-058
   09-01-278-064  09-01-278-049  09-01-278-019  09-01-278-065  09-01-277-004  09-01-427-049  09-01-427-042  09-01-427-046
   09-01-427-049  09-01-426-007  09-01-278-034  09-01-278-054  09-01-278-066  09-01-277-003  09-01-427-008  09-01-427-045
   09-01-427-020  09-01-427-030  09-01-427-051  09-01-278-035  09-01-278-022  09-01-278-010  09-01-277-022  09-01-427-041

5. Periodic redeterminations of the cost of the improvement shall be necessary in the future, without a change in the boundaries in said Special Assessment District. The projected incremental increases are ten (10%) percent per year for the term of the improvement without additional public hearings.

6. The Supervisor shall make a Special Assessment District Roll assessing one hundred (100%) percent of the amount contained in the cost estimate for said improvement against the lands in said Special Assessment District, on which Roll shall be entered and described all parcels of land to be assessed with the names of the respective owners thereof, if known, and the total amount to be assessed against each parcel of land, which amount shall be the relative portion of the whole sum to be levied against all parcels of land in said Special Assessment District as the benefit to such parcel of land bears to the total benefit of all parcels of land in said Special Assessment District.

7. When the Supervisor shall have completed said Special Assessment District Roll, he shall affix thereto his certificate, as required by law, and report the same to this Board.
8. The Special Assessment shall be payable in annual installments, which become due at such time as the Board shall hereafter determine.

9. This Board shall meet at a date and time to be set at a future meeting to hear and consider any objections submitted by any interested persons with respect to the Special Assessment Roll. The Township Clerk shall give notice of the hearing by publishing a notice twice prior to the hearing in the LAKE ORION REVIEW, a newspaper circulating in the Charter Township of Orion, and also, by mailing a copy of the notice, by first class mail, to each owner of, or party in interest in, property located within the proposed Special Assessment District, whose name appears upon the last Township tax assessment records, and also to any railroad companies as required by Section 4 of Act 188, Public Acts of 1954, as amended. The first publication and the mailing of the notice shall take place at least ten (10) days prior to the date and time of the hearing.

Ayes:
Nays:
Absent:

**Certification**

I, Penny S. Shults, the duly elected Clerk of the Charter Township of Orion, Oakland County, Michigan, hereby certify that the foregoing is a true copy of a Resolution adopted at a regular meeting of the Orion Township Board held on Monday, June 7, 2021.

_____________________________
Penny S. Shults
Clerk
Agenda Item Summary

To: Board of Trustees
From: Chris Barnett, Township Supervisor
Meeting Date: June 7, 2021
Memo Date: June 3, 2021
Subject: Master Plan Update Discussion

REQUEST
The request is to provide Township Board recommendations to the Planning Commission pertaining to the Master Plan update.

REASON
The Planning Commission is currently in the process of updating the Township's five-year Master Plan and is requesting recommendations from the Township Board on potential updates to the Master Plan.

PROCESS
N/A.

RECOMMENDATION (MOTION)
As appropriate after discussion.
Agenda Item Summary

To: Board of Trustees  
From: Donni Steele, Township Treasurer and Tammy Girling, Planning and Zoning Director  
Meeting Date: June 7, 2021  
Memo Date: May 25, 2021  
Subject: Payment in lieu of construction of safety path for API Consulting

REQUEST

The Parks and Path Advisory Committee recommends to the Board of Trustees that instead of installing a safety path along the south side of Clarkston Road, in front of API Consulting (PC-2021-40), owner agrees to reimburse Orion Township Safety Path Fund $11,000 in lieu of construction.

REASON

API Consulting located at 339 W. Clarkston Road (09-14-100-008) is adding an additional 860 square feet to their existing 550 square foot existing office building. According to Ordinance #78- any construction/addition to a parcel, developer (owner) will install a safety path along the roadway of their property. On April 7th, this project went before the Planning Commission for waivers on specific items, including waiving placing the path. During the meeting the P/C recommended to waive safety path construction, pending the review of Parks and Path committee their decision about construction or payment in lieu of construction. To follow our safety path ordinance #97- Section 5, B., this went before the newly formed parks and path committee for their recommendation.

PROCESS

The Parks and Path Committee had a meeting on May 20th discussed that placing the path would not be a current benefit to our residents because there is not a safety path along the South side of Clarkston Road east of the Polly Ann Trail; the cost of mobilizing for a single parcel is much greater than a path along many parcels simultaneously. Therefore, it was motioned to have the owner to reimburse the Safety Path Fund approximately half of the OHM estimate; please see attached.

RECOMMENDATION (MOTION)

In lieu of construction an 8' safety path along the front of 339 W. Clarkston Road, the developer/owner agrees to reimburse the Orion Township Safety Path Fund $11,000 - prior to final construction and building approval process.
**OPINION OF PROBABLE COST**

**OHM Advisors, Inc.**
1827 N. Squirrel Road, Auburn Hills, MI 48326
Telephone: (248) 751-3100

**PROJECT:** API Consulting

**PROJECT NO.** 0121-21-1071
**DATE:** Apr 29, 2021
**ESTIMATOR:** JL
**CHECKED BY:** ML

### BASIS FOR OPINION:
- [X] CONCEPTUAL
-  
- PRELIMINARY
-  
- FINAL

### Remove and Replace Work:
Construct 8' wide HMA pathway along property frontage at API Consulting on W. Clarkston Rd. Assumed length is 135'.

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<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUANTITY</th>
<th>UNIT</th>
<th>UNIT PRICE</th>
<th>TOTAL</th>
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<td>$3,500.00</td>
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<td>2</td>
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<td>ft</td>
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<td>Cyd</td>
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<td>4</td>
<td>Station Grading - Pathway</td>
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<td>Sta</td>
<td>$2,250.00</td>
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<td>Syd</td>
<td>$14.00</td>
<td>$1,890.00</td>
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<td>Tons</td>
<td>$150.00</td>
<td>$3,450.00</td>
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<td>SFT</td>
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<td>$1,470.00</td>
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<td>ft</td>
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<td>Syd</td>
<td>$5.00</td>
<td>$500.00</td>
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</table>

Construction Subtotal $15,104.50
Contingency (10%) $1,600.00
Topo and Design Engineering (10%) $1,600.00
Construction Services (15%) $2,300.00

**PROJECT TOTAL** $20,700.00

### Assumptions:
1. Unit price averages taken from MDOT Bid Letting for 2021.
2. RCOC Permit will be required for this work.
CHARTER TOWNSHIP OF ORION PLANNING COMMISSION
****** MINUTES *****
REGULAR MEETING, WEDNESDAY, APRIL 7, 2021

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, April 7, 2021, at 7:00pm at the Orion Township Community Center, 1335 Joslyn Rd., Lake Orion, Michigan 48360

*Please note this meeting was also available virtually via a “GoToMeeting” #599-669-285*

PLANNING COMMISSION MEMBERS PRESENT (Commissioner location):
Scott Reynolds, Chairman
Don Gross, Vice-Chairman
Joe St. Henry, Secretary

PLANNING COMMISSION MEMBERS ABSENT:
Garrett Hoffman, Commissioner
Jessica Gingell, Commissioner

1. OPEN MEETING
Chairman Reynolds opened the meeting at 7:00 pm.

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Rodney Arroyo, (Township Planner) of Giffels Webster
Eric Fazzini, (Township Planner) of Giffels Webster
Eric Pietsch, (Township Planner) of Giffels Webster
Mark Landis (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Daniel Spatafora
Pam Omilian
Angie Aldridge
Dominic Goric

Daniel Spatafora
Pam Omilian
Angie Aldridge
Dominic Goric

3. MINUTES
A. 03-17-21, Planning Commission Workshop Meeting Minutes
B. 03-17-21, Planning Commission Regular Meeting Minutes
Moved by Secretary St. Henry, seconded by Commissioner Walker to approve both sets of minutes, as submitted. Motion carried

4. AGENDA REVIEW AND APPROVAL
Moved by Vice-Chairman Gross, seconded by Secretary St. Henry, to approve the agenda as presented. Motion carried

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY
None

6. CONSENT AGENDA
None

7. NEW BUSINESS
A. PC-2021-38, Canterbury Village, Modify Existing Site Condominium, located at 2359 Joslyn Ct., (parcel 09-21-251-004).
Chairman Reynolds asked if the applicant was present?

Ms. Angie Aldridge, co-owner of Canterbury Village, 525 Indianwood Rd. presented.

Ms. Aldridge stated that they are selling Yates building to them and creating a new parcel off of Canterbury Village. They were there for two variances for the north and the east. The south setback is good at 92-ft. The west setback moved 40-ft. to be in compliance. She added that if they look north, they have two setbacks there, 23-ft. and 8-ft. It butts up to the sidewalk, they are not selling the sidewalk, which will remain Canterbury Village’s property. The sidewalk has always been on the lot line even when Stan Aldridge owned Canterbury Village and Yates was the Bullpen. When Stan bought the Bullpen, it became all of Canterbury Village. They are looking for the variance north it is supposed to be 30-ft. and they have two variances of 23-ft. and 8-ft. Chairman Reynolds stated that she was there tonight to subdivide the condominium unit, so they are just reviewing condo documents. He added that will be a future step that will be dependent upon their approval at this phase. Ms. Aldridge said she thought that this was for the approval of the two variances. Chairman Reynolds stated that this was to approve the division of land, and the next step is going to be a variance that they are seeking, and will be a condition of this motion. Chairman Reynolds said that the overview of splitting off the building was accurate. Ms. Aldridge apologized and said she thought she was there for a variance. Chairman Reynolds said that will be a different Board, it will be another process after this. It may be helpful to have the professional consultants walk them through, and then they will turn it back if there was anything else, she would like to add.

Planner Fazzini read through his review date stamped March 31, 2021.

Engineer Landis read through his review date stamped March 24, 2021.

Vice-Chairman Gross said that this appeared to be straight forward application. The site is currently developed, no additions or modifications are being proposed to the site. The lot split application has been reviewed by the Township Attorney and he was satisfied with the appropriate Master Deed and documents, and there are appropriate easements provided in the lot split for the subject parcels.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission approve KALGW LLC’s application to subdivide condominium Unit 1 located within the condominium known as “Canterbury Village” into two units, subject to the recording of the “First Amendment to Master Deed Canterbury Village” as reviewed by the Township Attorney.

Discussion on the motion:

Chairman Reynolds said that sometimes these are a little complicated but since it is zoned (SP-1) and this is a separate condominium area if this was ever to be sold off partially, in the future, he asked if that creates any issues with setbacks? He questioned if it was a separate lot or if it was a whole? Planner Fazzini said that unit 3 would need to meet setbacks, there are 4 units within the condo, 2 are general common element areas. The units with buildings and improvements on them will need to meet setbacks and the standard district requirements. Unit 3 appeared to be the only one that may have some questions, and they can work with the Planning & Zoning Director on that as far as what is nonconforming or what needs a variance.

Chairman Reynolds said his concern was that they are creating a nonconforming lot which they cannot do, so technically they have to deny with a motion to approve if they
receive approval from the ZBA. Planner Fazzini said that they have not reviewed the plan on the screen that indicates the setbacks, so they have not verified if there are standards that are met or not, that is something that still needs to be done.

Chairman Reynolds asked if it was the north and east setbacks? Ms. Aldridge replied correct. Chairman Reynolds said that when there is a variance requested it is denied at this level but approved if the variances are approved. Secretary St. Henry questioned if they don’t have to come back? Chairman Reynolds replied correct. He added that if they are fine with the lot split, he thought that they were creating a nonconforming lot. Secretary St. Henry said so a conditional approval? Chairman Reynolds stated that there are already conditions, but it needs to go to the ZBA, but it is not in the motion currently.

Vice-Chairman Gross amended the motion, Commissioner Walker re-supported to include that this was subject to granting the approval of any necessary setback waivers by the Zoning Board of Appeals.

Roll call vote was as follows: Walker, yes; St. Henry, yes; Gross, yes; Urbanowski, yes; Reynolds, yes. Motion carried 5-0. (Hoffman & Gingell absent)

B. PC-2021-40, API Consulting Office Addition Site Plan, located at 339 W. Clarkston Rd. (parcel 09-14-100-008).

Chairman asked to be recused because he was in direct relationship to the drawings prepared by his office for API Consulting, and will come back for item 8A.

Moved by Trustee Urbanowski, seconded by Vice-Chairman Gross, to recuse Chairman Reynolds from the PC-2021-40, API Consulting site plan approval due to conflict of interest.

Roll call vote was as follows: St. Henry, yes; Urbanowski, yes; Walker, yes; Gross, yes. Motion carried 4-0 (Hoffman & Gingell absent, Reynolds recused)

Acting Chairman Gross asked if the applicant would like to make a presentation?

Mrs. Pam Omilian with API Consulting located at 339 W. Clarkston Rd. She was present with her husband Brian Omilian, and are life-long Lake Orion residents and are both business owners in Lake Orion. They were proposing an 860-ft. addition to their existing 550-sq. ft. existing office building. It currently houses their office, but they are growing. Their building is neighbored on the east side by the Orion Area Eagles club, and on the west side is an unoccupied building. They wanted to explain a few items that came up in the review and they are requesting some waivers due to the existing building that is already on the property. The first one was a Parking & Buffer setback waiver. The Parking & Buffer setback waiver is limited by the existing building and the existing driveway at that location. They have thoroughly researched it and it is still the best place for parking. The Trash Enclosure, they are also asking for a waiver from a trash enclosure, since they only need one trash receptacle. They use a residential bin they don’t see a significant change or any request for an addition. They are a very small office and they are mostly paperless. The third thing was site lighting, there was a note referring to the lighting plans due to the small nature of the project they just wanted to keep the proposed lighting in line with what they already have on the existing portion of the building, and they have their lighting ordinances noted on the plans. The last item they had was the safety path. They understood the importance of safety paths but there is nothing on the south side of Clarkston Rd. from M24 except in front of the Speedway to Joslyn Rd. There is one right
across the street that goes from M24 to Baldwin. Their safety path would go nowhere and would adhere to the cost of their project because it is a very low-cost project.

Planner Fazzini read through his review date stamped March 31, 2021.

Engineer Landis read through his review date stamped March 31, 2021

Secretary St. Henry asked in regards to the waiver request for the Parking and the Greenbelt Waiver, he did agree that the existing driveway and the building footprint it is there and there is not a whole lot they can do about that. He thought it would be unreasonable not to allow that. In terms of the trash, he thought that residential trash pick-up was more than sufficient, especially since a lot of their business is paperless. Regarding the Planners and the Engineers talking about the safety path, there is no safety path. He didn't think he had ever seen anybody on that side of the road on a bike. He thought it was sufficient for that part of Clarkston Rd.

Trustee Urbanowski said she agreed with the safety path because the safety path on the other side of Clarkston is the one that is connected to all that beautiful stuff that they just recently have done, and thought that most people would be walking on that side of the street. She added that there is mostly just business on that side of the road. The covered trash area waiver she knew that they didn’t have a lot of garbage.

Trustee Urbanowski questioned the parking setback, and asked if that was the front parking setback? Engineer Landis replied correct the northern parking. Trustee Urbanowski asked if that would be even more affected by the Road Commission? Engineer Landis replied yes; if they are measuring the setback from the Future Master Plan right-of-way, it would be 60-ft. off the center of the road would be the right-of-way, but if they are looking to give a waiver for that, that would be fine. Acting Chairman Gross said it would affect the landscaping setback, not parking within that area, so the parking would not be affected just the setback for the parking. Trustee Urbanowski said that it is an existing parking lot, and then the drive around as well. She added that in the Fire Marshal review, that it is the Fire Departments' recommendation that the gravel surface located in the access turnaround be paved. She thought if that should be paved because that was in the Fire Marshal report. Mrs. Omilian stated that was their plan to have it all paved, and it is plowed now even though it is gravel, but it will continue to be paved and plowed.

Trustee Urbanowski said that they have these plans now but some of these like the lighting sheets, and the landscaping, she asked if that was something that could be resubmitted and looked at again? Engineer Landis stated that he would be comfortable doing it as an administrative review of the plans if they wanted to make a motion to meet the conditions of their review except for the pathway if that is the way they are leaning.

Planner Fazzini said that the Parking Setback Waiver they could add that to the motion because they need that waiver on the west side, they could reference the front setback area, as well, if they desired. Otherwise, they would need to redesign and potentially shift that area. He added that on the lighting, it was unlikely that they will not meet the illumination levels at the property line. He said that one-foot candle was pretty high, so what they would be looking for is that the fixtures will cut off if there are pole lights in the parking lot, that don’t exceed 20-ft. He thought that the lighting was relatively minor and could be changed without affecting the proposal substantially. The safety path question he said the process for not constructing a safety path is the payment in lieu, and that is a multi-step process with the Planning Commission and the Safety Path Advisory Committee, then that is ultimately decided by the board, so they could make a recommendation either way towards the safety path question.
Secretary St. Henry asked Engineer Landis if he was comfortable with making an administrative review on these items? Engineer Landis replied that he would be ok with that.

Acting Chairman Gross asked what API Consulting did? Mrs. Omilian replied that it was an accounting firm. Acting Chairman Gross asked how many customers do they have in a day. Mrs. Omilian replied not very many, it is mostly done virtually, especially now, but before they might have someone come in and drop stuff off, but there are four staff members and that is it. Acting Chairman said they have four people in the office, and then maybe an occasional client. Acting Chairman asked if their trash was just paper? Mrs. Omilian replied correct. Acting Chairman asked if it was handled manually as opposed to with a truck? Mrs. Omilian replied correct, they recycle and most of it is just paper in the garbage.

Acting Chairman Gross said the existing site was relatively narrow and it is confined by use on one side, the fraternal lodge, and then a future probably office on the other side that is currently on the market. Mrs. Omilian said it was on the market for lease.

Acting Chairman asked if there was a safety path on a Master Plan? Planning & Zoning Director Girling said whether it is on the Master Plan or not, the Planner is correct, that per the ordinance the plans should show the safety path, and then the Planning Commission can make a recommendation to the Safety Path Committee of whether they are to contribute in lieu of or construct it, and then the Safety Path Committee makes a recommendation to the Board that then decides whether they have to construct it or contribute in lieu of. If the vote is to contribute in lieu of, with the fact that it is not on the Master Safety Path plan they could have something contributing in lieu of that is considerably lower. It is ultimately not the Planning Commission’s decision. Planner Fazzini said that this location is on the north side of Clarkston Rd., but the ordinance language overrides the map, even though it is not shown on the map on the south side of the road, it still has to go through that safety path ordinance process. Acting Chairman noted that there would be a couple of motions that would be required. One is relative to the Off-Street Parking Setback Waiver for the front parking along Clarkston Rd. The second motion would be for the Landscaping Greenbelt Waiver along the perimeter of the site. He thought that they discussed both of those, it was the existing parking and the waiver was a result of the future right-of-way for Clarkston Rd.

Acting Chairman said that the Landscaping Greenbelt Waiver is a result of the restricted site size in terms of its frontage. He added that a Covered Trash Area Waiver is required and justification has been presented for that, which is that there is no trash generated warranting a trash dumpster on the site. Then there would be a fourth waiver relative to a safety path on Clarkston Rd. as to whether that should be shown and or requesting a monetary donation in lieu of the safety path. He said that there should be separate motions for each of those. Mrs. Omilian said that the lot is very narrow but it was very deep, and they are not going to do anything with the woods in the back quarter of the lot. It is all wooded until they get to the wetlands, they plan to leave that wooded section there. She noted that it was one of the only lots that still have the woods in between the water and wetlands, and there is a good chunk of woods there, with landscape plants and mulch around the rest of it.

Commissioner Walker asked if they would be willing to put that preservation of the wooded area in their request today, that if they were to grant them the parking waiver, would it be ok to put that in the motion? Mrs. Omilian replied that would be fine.

Moved by Trustee Urbanowski, seconded by Commissioner Walker, that the Planning Commission **approves** a 9-ft. waiver from the required 20-ft. parking area to property line setback for PC-2021-40, API Consulting Office Addition Site Plan located at 339 W. Clarkston Rd.
Road (09-14-100-008) for plans date stamped received March 17, 2021, for the following reasons: it is an existing site and it would create a hardship for them to try to fix that.

Trustee Urbanowski amended her motion, re-supported by Commissioner Walker to include the promise to preserve the back part of the lot, the woodlands, up to the wetlands.

Roll call vote was as follows: St. Henry, yes; Urbanowski, yes; Walker, yes; Gross, yes. Motion carried 4-0 (Hoffman & Gingell absent, Reynold recused)

Moved by Trustee Urbanowski, seconded by Secretary St. Henry, that the Planning Commission grant a 9-ft. waiver from the required 20-ft. landscaping greenbelt requirement along the entire perimeter of the property for PC-2021-40, API Consulting Office Addition Site Plan located at 339 W. Clarkston Road (09-14-100-008) for plans date stamped received March 17, 2021, for the following reasons: it is a narrow site and it is already built upon.

Roll call vote was as follows: Gross, yes; St. Henry, yes; Urbanowski, yes; Walker yes. Motion carried 4-0 (Hoffman & Gingell absent, Reynold recused)

Moved by Secretary St. Henry, seconded by Trustee Urbanowski, that the Planning Commission approve a waiver from the requirement for a covered trash receptacle for PC-2021-40, API Consulting Office Addition Site Plan located at 339 W. Clarkston Rd. (09-14-100-008) for plans date stamped received March 17, 2021, for the following reasons: the applicant plans to continue using the residential trash service for their business after the addition, and they are virtually paperless now, and there will be no need for a commercial dumpster or receptacle.

Roll call vote was as follows: Walker, yes; St. Henry, yes; Gross, yes; Urbanowski, yes. Motion carried 4-0 (Hoffman & Gingell absent, Reynold recused)

Moved by Trustee Urbanowski, seconded by Secretary St. Henry, that the Planning Commission forward a recommendation to the Safety Path Committee to waive the safety path for PC-2021-40, API Consulting Office Addition Site Plan pending review and their decision about construction or payment in lieu of construction.

Roll call vote was as follows: St. Henry, yes; Urbanowski, yes; Walker, yes; Gross, yes. Motion carried 4-0 (Hoffman & Gingell absent, Reynold recused)

Moved by Trustee Urbanowski, seconded by Commissioner Walker, that the Planning Commission grants site plan approval for PC-2021-40, API Consulting Office Addition Site Plan, located at 339 W. Clarkston Rd. (09-14-100-008) for plans date stamped received March 17, 2021, based on the following findings of fact: the applicant rectifies any of the unresolved issues in the OHM report minus #1 and #5, including the grading shall be included in the plan set, revising the plans to include the paving of the southern tee turnaround extension; extending the proposed rain garden around the tee turnaround; showing the hydrants so that coverage may be assessed; add proposed pavement sections to the plan; and confirm that the building is connected to the sanitary sewer or show the location of the septic field.

Discussion on the Motion:

Planning & Zoning Director stated that even though that they are not recommending the safety path be constructed it should still be shown on the plan.
Trustee Urbanowski amended the motion, Commissioner Walker re-supported to include under the OHM report bullet point #5 a public pathway shall be included along the frontage of the property in the plan set.

**Roll call vote was as follows:** Urbanowski, yes; St. Henry, yes; Walker, yes; Gross, yes.

**Motion carried 4-0** (Hoffman & Gingell absent, Reynolds recused)

**8. UNFINISHED BUSINESS**

A. **PC-2018-49, Hills of Woodbridge Planned Unit Development (PUD) Final Plan**, located on a vacant parcel 09-26-451-004 north of 3805 S. Lapeer, vacant parcel 09-26-402-020, and vacant parcel 09-26-402-021 (both west of 40 Hi-Hill Dr.).

Chairman Reynolds asked if the applicant was present?

Mr. Tom Kalas 31350 Telegraph Rd., Suite 201, Bingham Farms, 48025. He was representing the applicant Hills of Woodbridge LLC, pertaining to a request for a final PUD plan recommendation for approval so then they can proceed to the Township Board. Also, he had with him, if there are any questions, were representatives from the owner along with the engineer for the project.

Mr. Kalas said they have been going at this for close to two years or more. They have gone back and forth a few times, they tweaked the plans considerably, the number of units has been reduced, the proposed commercial buildings have been reduced from four to three. The number of units is a duplex condominium unit, they have been reduced from 128 units to 114 units. They did attach with their submittal a four-page summary of all the changes that have been made to the plans since they were last there in front of the Planning Commission at which time, they had received a conceptual site plan approval. He added that this was a project that is proposed for the east side of Lapeer Rd. just north of Silverbell Rd., north of the Edger Chevrolet Dealership. There will be duplex condominium units and along Lapeer Rd. there will be three retail buildings for future development. They are seeking a Final PUD Plan approval and felt that they had adequately addressed all the comments from the engineering consulting firm, from the Planner, and they are ready to proceed to the next step subject to their review and recommendation.

Mr. Kalas added that the property is split zoned, it consists of approximately 28-acres, the zoning on the property is for residential, office, and restricted business uses. He added that these units they felt were in demand not only in the Township but also throughout the southeast Michigan area. They are going to be nice beautiful condominium units ranging in square footage from 1,700 – 1,900-sq. ft., 2-car attached garage, and two to three bedrooms each. They have submitted as part of their package elevations, floor plans, building materials, all the materials and information that is required under the (PUD) ordinance. They felt that they have addressed all of the concerns that the Commissioners and the consultants had and would like to have a recommendation this evening for approval so that they can proceed with the plan and hopefully break ground sometime this summer.

Planner Fazzini read through his review date stamped April 1, 2021.


Chairman Reynolds stated that they had a few reviews from DPW, that there are not any additional concerns or comments with the development.
Chairman Reynolds said that they had a review letter from their Fire Marshal that they are recommending approval with comments from the residential portion of the development, with the understanding that a temporary Fire Department access drive that leads to Brookstone Dr. This temporary drive will be installed in phase one, as a portion of the project and shall meet the requirements of section 503 of the International Fire Code. The commercial development is not recommended for approval, a couple of requirements that are not addressed is truck turning template overlay shall be depicted on the plan for the commercial site, and an additional fire hydrant will be required on the commercial site with the location shown.

Chairman Reynolds said that there is a tree survey review that was dispersed today, just a chart. There was some clarification dispensed from the applicant just to clarify a few things that were recommended for visual purposes and was once again reviewed. A number of items are in here the Wetland Plan, as mentioned by OHM, there is an EGLE permit submitted, a lighting plan, and documents that support the application.

Vice-Chairman Gross thanked the applicant for spending a lot of time and effort on their site plan. As the Planner indicated this is the first time that they have actually seen a site plan with the building and elevations. He was disappointed with the site plan. As a review of the plan from the streetscape, all they are going to see is a series of garages in the front of the buildings. The entrance to the buildings is through a 5-ft. wide passageway between the garage and a building side. The elevations there are two, Ashley and a Barclay, which are the same basic elevations and there are no variations, they are very monotonous, showing brick veneer, and stone veneer on one elevation, and then they reverse that to stone and brick veneer on the other elevation. Units 1 – 114 are considered all the same. If they are going down any of the streets within the complex, they will be able to see 114 garages. He was not able to find any community open space within the development, there is very little passive open space for the individual units. There is not a lot of community open space that is available for the occupants of the building. 114 units he thought deserves and warrants a boulevard entrance off Lapeer Rd. A single entrance that serves both the 114 units plus the future commercial he thought would be better served with a boulevard entrance identifying the complex. He was disappointed with what he saw on the site plan.

Chairman Reynolds said he wanted to speak to the garage component and was one thing that was briefly mentioned in the Planners review, and didn’t agree with transpiring of the comments between architectural features, this was the first time they were seeing the real elevations of the project. The ordinance requiring at least 50% either to be a side entry or a minimum of 5-ft. recess. The ordinance does give two options to say as much as they prefer a side entry the recess is another allowable way to achieve that, and he was open to that, he didn’t see that in the plans and in any of the variation that it is proud of the main façade. How they are addressing that was one of his immediate concerns. He knew it was a challenging long skinny site, there is a lot of grade changes there so he knew that the boulevard was difficult, he would love to see more, he knew that there was some landscaping that was previously discussed at the concept level, to make it a welcoming façade, so maybe when they get into architectural features, they can walk them through that as the applicant. They can talk about some open space too, obviously, that is a major requirement when they look at the concept level and the density in general there are some modifications where units were reduced. He thought that the density was a similar platform, when they removed the small parcel that is adjacent to Walley Edgar, the same number of units was reduced there.

Secretary St. Henry said that his biggest concern looking at the site plan focused on the fact that there doesn’t appear to be enough open space for a development of this size. He understood that it was a tough piece of property to build on but at the same time if they are going to have over 100 units that are a community, he thought it deserved some sort of open
space consideration. In regards to the elevations, they do have that caveat in the ordinance in regards to the 5-ft. setback, and they know that developers take advantage of that.

Chairman Reynolds noted that from concept approval to where they are now there is a slight decrease in the overall units that are being proposed. He didn’t have the density requirements in front of him, he didn’t know how much this had strayed from the concept from final approval in density necessarily. There was concept approval for speaking to density and those big pictures, so to bring that back up now or to significantly change that kind of contradicts their process. Not that things don’t change from concept to final, he knew that there would always be items that they address at final and not at the concept, but generally following the path through he wanted to make sure that they don’t lose focus or start the process over even though they started this back in 2009.

Trustee Urbanowski said she understood that they are just forwarding the recommendation for rezoning it as a PUD, she did want to reiterate what they are saying about those elevations. They have made it a point before that 50% either needs to be a side entry, and it looks like obviously, it can’t be. She said different elevations and sticking to that, that to her was important. Making it so that there are different elevations or that garages being setback that 5-ft., and the open space too. There is not a lot of space but that is a lot of potential families in there.

Chairman Reynolds said that he wanted to turn it back over to the applicant. He stated that they have heard some initial knee-jerk reactions specific to their garage requirement of at least 50% being a 5-ft. recess or side access, some concerns about open space, and a discussion point of a nicer entry boulevard. He asked the applicant to speak to some of those comments.

Mr. Kalas said had color booklets that were prepared to help the Commission visualize it more because they felt that the units were nice-looking units. He added that they did understand as far as the commercial portion of the PUD that at some point in the future when the user does present for that site that they will have to come in for a separate site plan approval and meet all the Township requirements at that time relative to setbacks, parking, and buffer landscaping. He said they had no issues with that. As far as building materials, elevations, why the units were designed or laid out the way they were, he deferred to the applicant and owner Mr. Dominic Goric.

Mr. Dominic Goric with the Hills of Woodbridge Development.

Mr. Goric stated that he wanted to address the side entrance garages. He said this was something that they went through in their initial concept. This site has over 100-ft. of fall, the whole south side is going to be walkout basements, to do side entrance garages are going to have retaining walls everywhere. What they found in their 6 or 7 projects in the past that people don’t like side entrance garages especially when they are going to have to have 8-9-ft. retaining walls that they are going to be able to maneuver into these garages. The other point is when they do side entrance garages the minute, they do them they are going to add another 400-500-sq. ft. of concrete drive, so that will take away from the open space requirement. Their open space, what they focused on was the east side of the property, that is where they have most of the trees, and most of the residents, and that is where they felt they could leave a very large area that they could preserve the trees and to create a buffer between the condos. As they get closer to Lapeer Rd. that is where they start falling off and they are going to have a lot of walkouts. That is the reason they are not seeing too many side-entry garages, the minute they do a side entry garage on this particular site they are going to have an 8-10-ft. retaining wall, which is going to scare the heck out of people when they have to pull in. The other issue is the more side entrance garages they have the more concrete, more maintenance for the
associations. The open space they preferred to leave it in the rear yards as opposed to putting condos up to the property line and then creating an open space somewhere else, especially closer to Lapeer Rd. They carry elevations down the street, so there are four different variations. They are going to have a hip-roof, and a gable roof. They are going to have stone on one side, brick on one side, then they reverse. They carry that theme down the street reversing back and forth. This was common in all of their projects. As far as relief, they carry a 2-3-ft. relief between the units and then the porches are set back about 5-ft. and then they have the garages. They try not to protrude the garages too much forward because then all of a sudden when they are driving down the street all they are looking at is garages. They are trying to recess those garages back as far as they can.

Mr. Goric said this was not a new plan, they have used this plan in about 2 or 3 projects already. They have full brick, full stone, if it is a walkout it is going to be full brick as well. There will be 30-year shingles. He added that this will be all very high materials they are not using anything cheap, even the vinyl siding will be the highest-grade vinyl siding. They build luxury condominiums in Metro Detroit, so what they are going to bring is going to be first-class. The floor plans are 1,600-2,000-sq. ft. He was happy to address any item one at a time.

Chairman Reynolds said that regarding the garages, he agreed that there were some significant changes with side entry. He then asked about exploring the alternate in the ordinance requirement that says a 5-ft. recess? He questioned if that was feasible? Mr. Goric replied that he didn’t understand the 5-ft. recess what are they trying to accomplish? He asked if they are going to push the garage out 5-ft. then they are going to be starring at garages going down the street. Chairman Reynolds replied no; he said that the ordinance outlines 50% in a PUD has to either be a side entry garage or a minimum of a 5-ft. recess from the primary façade. He added that they provide two opportunities to still have addressed the architectural relief without necessarily guiding everyone toward a side entry garage. Mr. Goric said so then they’re going to push the garage 5-ft. back which then pushes the unit back 5-ft. on the backside. Now all of a sudden, they are just pushing the units closer to the road because they are getting 5-ft. closer to that open space area. He added that anything that is controlled from one side is going to be pushed out on the other side. There are detached units, and 3 car garages, which they are not going to find in a lot of projects. There is a side entrance garage where it is flat, so it is not just all straight, whatever they had a contour they had space they put a three-car garage in and also, they put side entrance garages in where they could, so it is not just all straight. He said regarding the double boulevard, they tried to put the double boulevard at Lapeer Rd., the problem there is when the state came through and did the widening, they expanded the pond in front of the property, it doesn’t give them much room. They went back and forth with the state where they could even put the entrance, and that was pretty much the controlled point where they could put an entrance in, they still have a lot of control over them it is not just – we can do what we want. Chairman Reynolds stated that it was a requirement of the ordinance for PUDs. There are three side entry garages currently indicated in the plan. Mr. Goric said that they had brought this point up, if they go back to the minutes at the original concept site plan, they brought this point up, and said this is not a site that they can do side entrance garages, 1) they are going to add $15,000 - $20,000 a unit in retaining walls, 2) people don’t like them. He could show them in Shelby he had to do two of them, he couldn’t sell the unit, he sold it to a 30-year-old who doesn’t mind coming out of the garage. People are scared to death when they see they have to go out and turn around and then they have a 10-ft. fall if they miss. This particular site is just not conducive to that, and that is what they brought up in the original site plan.

Secretary St. Henry said he understood exactly what he was saying about the side entrance garages, he was familiar with the piece of property. They do have this 5-ft. elevation. Mr. Goric asked what is 5-ft. considered? He stated they have a 5-ft. setback from the porches 5 almost 10-ft., he didn’t understand. He questioned if they are trying to get the garage back the whole 5-
ft. from the front? Chairman Reynolds replied yes. Mr. Goric said then they are going to push the unit back 5-ft. in the backside. Chairman Reynolds said that they are just speaking to an ordinance requirement that is required of a PUD. Mr. Goric said that he thought this was brought up in the original concept plan and they sought a waiver from it, and when they thought that they go with the conceptual site plan approval, he didn't think that they understood that they would be changing the site plan again. Chairman Reynolds said he didn't think they were speaking to changing the site plan to side entry garages, they are talking about a plan change or at least 50% of the plans changed, and this is something that they have required of other PUD's that have recently been approved. Mr. Goric said right, but now they are going to change the road pattern, setback, everything is going to change, it will change the whole plan because they have to push back the rear yards 5-ft. He said he would like to seek a waiver on that requirement. This is a product that they have done in 7 or 8 communities, and he has never had a problem with it.

Chairman Reynolds said that it was something that they have asked for and gotten in other PUD condo minimized products. Very frequently none of them are side-entry garages but they have provided multiple plans that address that ordinance requirement. Chairman Reynolds asked if it would be a variance? Planner Fazzini said they would have the deviation process for PUD's so on their site plan they have a table of standards that they can't meet and if the PUD is approved those deviations are accepted. Their recommendation to the Board could either be to include a deviation or to not include and to meet that PUD standard. Planner Fazzini said that this was discussed with The Cottages of Gregory Meadows, they committed to that percentage as part of the varied elevations, they didn't have the hard number at that time, but it was discussed and agreed that they would try to meet that 50%. Chairman Reynolds said he thought that this was something that was discussed and brought up in the past two times. He went back and reviewed the discussions from December, it was brought up as a concern that that would be something that they talked about. At concept review they didn't have any building plans, they talked to many concerns about decks, elevations, grade changes, and how that would affect.

Chairman Reynolds agreed with the architectural materials that are being proposed, he thought that plans looked nice, he was just going off a floor plan requirement specific to floor plans and garages if they are not going to offer any side entry garages, they do offer three, he agreed. Mr. Goric said on the deviation requirement it is listed and it was listed on the conceptual plan as well, the 54-unit reduction, and the offset. He said he didn't see the offset though.

Chairman Reynolds agreed that there could be things that were discussed as a concept. He went back through meeting minutes and discussion points, going back to December they spoke about this very topic. His effort is not to shut the project down or put any footwork against the project as it is proposed but they have had projects that have had two plan offerings that offer that and meet that criteria. He added that they are a recommending body, if his fellow Planning Commissioners agree to it, speak to that, or push forward but that is one item that he brought it up, they don't necessarily talk ahead of time, it was something that Vice-Chairman Gross brought up tonight. He went back through and did his homework back to concept to where they were in December to where they are right now. He added that concept doesn't necessarily mean that final approval gets granted especially when they didn't see floor plans or much else, other than that there was an elevation presented at the meeting.

Mr. Kalas said to Chairman Reynolds that he recognizes his concern. He added that at this point, under the PUD law ordinance they do have the right to grant the deviation, which they are requesting because otherwise physically if they had to abide by that 50% requirement, they would be back to square one. It changes the layout, the density, the road pattern. He said the emphasis was to leave the open space in the back for the units closer to Lapeer Rd. Based on prior developments that this developer has done, from the marketing, and the sales standpoint,
the front entry garages are what sell the duplex units. Secretary St. Henry said they are not questioning the side entrance. Mr. Goric said it is the 5-ft., he understood, but even the 5-ft. they are going to be starting all over because all the setbacks are going to change. If you push a garage back 5-ft. they push the rear of the unit back 5-ft. Secretary St. Henry said that this has been in the ordinance, they didn’t just come up with this week. Mr. Goric said he understood, but under the PUD they are requesting a deviation respectfully. He added that the demand right now and the market is they can’t build things fast enough, and material costs have gone up on this same unit $25,000-$35,000 just in one year. If they get approval, they can get this in the ground this year.

Secretary St. Henry stated that this is a landmark development coming into Orion Township, right down Lapeer Rd. They are very familiar with the neighborhood that sits behind Hi-Hill. It is very important to the Planning Commission, and to the other government officials, and many of the residents that this is done right. Because we are going to be long gone by then. Coming into Orion Township, it is very important to them that they get this right. That is why they are being sticklers about this. Mr. Goric said he understood but the property is a commercial and office property, and he thought they were bringing a lot of value, they are bringing in over 40 million dollars in tax base. Mr. Goric said if they look at their background, they do nothing but the highest quality. Secretary St. Henry said he was not questioning that at all.

Mr. Kalas said it was an alternative to what it is currently zoned. They felt that in and of itself is going to be a lot nicer than office and commercial development.

Mr. Goric said the 5-ft. offset, all they are now doing is just pushing the 5-ft. in the rear, and he doesn’t see the benefit of pushing the garage 5-ft. back. They already have the porches off-set over 5-ft. the front is off-set over 2-3-ft in between units and to push the garages back another 5-ft. now they are just going to line that up with the porch, and push the rear yard which means they have to start all over with the street patterns. Or they could build smaller units if that is what they want to do, instead of 1,600 they can build 150-250-sq. ft. smaller units, which is not what they want to do.

Chairman Reynolds said that the building design criteria as presented within the color elevations, and he asked for their, thoughts, concerns, support. He said that brick materials, long-lasting materials, he thought dimensionally they look nice, it was the ordinance requirement of the garage items. He thought that the units other than that of materiality he supported the project and what is being proposed. Trustee Urbanowski thought that it looked like a very attractive building and she liked the materials and she thought that the product would be beautiful.

Trustee Urbanowski said that she appreciated the amount of information that had given them, and it was very thorough, and it is a lot of work, and they all know that. She knew that they were very passionate about the project but they do have to do their diligence too. Mr. Goric asked what does the 5-ft. offset accomplish? He said they are now taking a nice building and they are just pushing the garage back 5-ft. and making it flat with the porch. These porches he was raising up and giving it a little bit of a contour so they stick up. Now they put the garage up and flat with the porch, architecturally it is not going to look good. They are meeting the 5-ft. setback but they are not architecturally achieving anything. Trustee Urbanowski said she thought that the idea, from the other plans, that she has seen in other PUD’s is that the front porch is the presentation point as opposed to the door of the garage. Chairman Reynolds said correct, there have been other plans submitted to them that adheres to that requirement that still has a nice architectural relief. They realize that is not possible everywhere in a development, that is why it is 50%. It is not just side garages it is side garages or the architectural relief element. They understand their concerns about reworking roads and things like that. Mr. Goric
said that they take pride in their elevations and they spend a lot of time on them, and he is passionate about it, this is not something they just throw together. He stated they went back probably 5 times on them and raised it and put 8-ft. doors on it, stuff that they don’t normally see in normal condos. They bring high luxury units, and the materials they use are just brick and stone and 30-year shingles. When they are done, they want to make sure that it lasts.

Commissioner Walker said he thought everyone thought it looked good. Their issue is that there is an ordinance that says they must do something. Not only must they do it every PUD application for the last 10, 15, 20 years has had to meet the same criteria. Their point is well taken that there are elevation issues with the property but almost every applicant for a PUD that comes before them could make that same kind of argument. They are asking them to do something here today that they have never done before, and if they did that, he could just see a line out the door of people that they put through more effort, more expense to do these things over the last 20 years.

Mr. Kalas said that the PUD does give them the discretion to deviate. This is a unique site perhaps unlike other sites that have come in front of them because of the slope, the contour, abutting Lapeer Rd., how it is currently zoned. These are factors that they felt should be taken into consideration in granting that deviation, and felt that it was warranted. He understood, but that is the beauty of a PUD, the law allows a lot of discretion as opposed to a regular site plan, where if they meet the ordinance, they have to grant the approval. PUD gives them the discretion because it realizes and the whole point of a PUD ordinance is to apply it to sites that are difficult to develop, either because of physical characteristics, wetlands, wooded areas, contours, and slopes. Again, that is the beauty of a PUD because it allows creativity and it allows the Township, both Planning Commission and the Township Board, to deviate from certain requirements if it makes sense if it looks good, and if it meets the spirit and intent of the zoning ordinance, and felt in this situation that it does. They are beautiful units even with the front-facing garages without the 5-ft. variation, and it is a product that they have developed before, they know it will sell, they know there is a demand for it, and to say that they have to push the garages back on 50% of the units 5-ft. will kill this project from a physical and an engineering standpoint.

Chairman Reynolds asked what if they pushed back recessed garages on units 12-28 or 78-91? Mr. Goric said that they could push back 12-29 if they don’t mind. Chairman Reynolds noted so there is a possibility to address. Mr. Goric said what happens to them, now they are changing the floor plan. When they build models, they build two variations and they go in. Now they have to build four models because he has a 5-ft. offset on the one side. He added that there were areas that they could do it but now they are introducing two more floor plans and he has to build two more models.

Mr. Daniel Rhoton the Engineer for the project stated that is where they are preserving the majority of the trees. They were all familiar with the development to the east, having an issue with it they were trying to give as much buffer and preserve as much natural foliage there, pushing that back 5-ft. is only going to increase the slopes and increase the number of trees they need to remove.

Secretary St. Henry said this the beauty of a PUD, it is messy in a good way, and that was a good point, that the engineer brought up because the neighborhood behind is very sensitive to this development.

Chairman Reynolds asked if they could speak to the phasing of the project and agreement to the construction schedules as brought forth by their engineer. They have spoken about phase one being initiating within one year of approval, was there any issue with that? Then
understanding that there are some open comments from a number of items on the commercial phase, so that would be a future phase? Mr. Kalas said if they get approval tonight, they will be out there real soon. He added that there is such a short window in this state, if they get approval, they go out for permits they are already going to be in the middle of summer. They have grading, underground paving, approval today is going to be really close to getting this in the ground. He stated that there was a comment about a temporary asphalt turnaround at the end of the court, they had no issues with that. The commercial component, they have no issue coming back, as they need users. If they have a site plan, they can treat that total separate site plan approval when they have uses, they have no issue with that.

Chairman Reynolds said that there was a discussion about the recommendation to have an additional safety path that connected to the middle of the development. One of the thoughts that he had upon review of the set was the temporary road. He understood that it was a unit that looks to be a side entry garage and a front entry, but a three-unit garage, he thought it was unit 40. If that temporary path turned into a walking path in the future. Mr. Goric stated that he did have a concern because they have built these where they have the commercial going back because that is the normal transition, commercial, multi-family, to residential. Most communities want the wall up, they don’t want any pedestrian traffic going through because it is a safety concern. The other problem they have there is 54-41 are all going to be walk-out basements, so if they do a safety path through there, there is a concern for liability for the association, if someone slips and falls on a safety path. He stated that there is a sidewalk that goes all the way around, right to the commercial component from the neighborhood. His recommendation would be because of the slope, the walkouts, association liability, and he didn’t think people like safety paths going through their yards to a commercial neighborhood. His suggestion would be not but he would leave that to discretion, again the concern would be the slope in that area.

Chairman Reynolds asked about the tree preservation details, or at least indicating preservation criteria. Mr. Goric replied that fencing and protection are no problem in those areas.

Chairman Reynolds said that they already talked through building design. There is the agreement that the commercial phase would be something in the future that would need additional final approval. Safety path is within the recommendation by Giffels Webster but the applicant has spoken to them that there is a slope and it would have two side yards of two units, construction schedule would agree to be within one year, it sounded even sooner than that, and tree preservation details would be spoken to. He added that may be just the point of their safety path, is their concern that there wouldn’t be a middle path, there are paths that go all the way around the site to the commercial development. Trustee Urbanowski said that the safety path in the middle of the site was not important to her. If she was in unit 40 or 41, she wouldn’t want people walking through her yard to get to whatever is there. Mr. Goric said that they had purchased a project and when they got in there, they told them to tear out the paths because people didn’t like them going through their yards. Mr. Goric thought that 54-41 are all walkout basements, so they are going to have an 8-10-ft. fall from that road to the bottom.

Chairman Reynolds stated that they need to pass the wetland permit, as brought forth, there is a review from OHM, there weren’t any significant comments, or open issues, that they do need some feedback. He said there are some items, in general, that support what is being mitigated. There was an application to EGLE currently. He asked if there were potential motions towards a wetland permit. Secretary St. Henry said he wasn’t ready to make a motion yet. He said that they have seen at least one maybe two other developers try to do something with this piece of property. There has been a lot of concern from the community, directly to the east about any development here. When there is a PUD or whenever they are looking at any development, there is a lot of give and take, back and forth, and compromise, and recognizing the importance of that buffer in the back of this development and how important that is to the community, and
the neighborhoods behind, he felt that they should seriously consider a deviation on those garages. If they do move back and they do have to take down trees, even if they took down one tree that they hadn't planned on originally, then folks in that neighborhood are not going to be happy with that, and they need to take their concerns into consideration and find some middle ground. In this particular case, in this development, even though he hoped it didn't set a president, this could open up a can of worms, he thought that being responsive to the neighborhood behind this development that more space they could give them, that is better and the compromise should be considered.

Chairman Reynolds agreed that a PUD is challenging in that they need to consider a lot of factors that is why it is not a single set process, it is a recommendation, it is not final approval. Upon reviewing the tree surveys and everything like that, he thought that there was the opportunity to attempt to address those ordinance requirements. He didn't believe that when they look at the tree survey there are many gaps of trees, what is existing, there are going to be trees proposed, but to meet the ordinance and to address by a 5-ft. mark in many areas not significantly changing the open area or the landscape area that is proposed. He adhered that there was difficulty to the site with the mass grading, but he would like to see at least an attempt to address that concern or that ordinance requirement. He said they have stood on very solid ground with as difficult sites that are very long narrow that have had mass grading. They have the project off of Morgan Rd., Cottages of Gregory Meadows, where they had huge grading of that site. On their site walk they drove up that site and there has to be 50-60-ft. elevation grade change from existing, but they held them to that 50% requirement and said they need to put a stop to this plan or only sell “X” amount of plan “Y”. His issue with this is there are many reasons why it can't be done versus an attempt to say they can accomplish 25% or 10%. He didn't want to shoot down the whole project over that, he just believed that there was some sort of compromise that can be made whether those become a larger premium unit or a slightly different façade, but he thought there should be an attempt made towards that because it is something that they have over the last 2-3 years with PUD’s required and never deviated a single percent. Mr. Goric said that one of his concerns is when they start changing one unit, they have to change them all, or they have to introduce many models. He said understanding the history of this site, they had a Redwood project that was approved, it was all vinyl sided, there were no 5-ft. deviations, they had some side entrance garage which they appeased to them but it was just flattening the entire site and making a hole in it. He stated that maybe they can't give them the 5-ft. but he is giving them quality materials, full brick, stone, 30-year shingles, versus a project that was already approved that to him was very lackluster and they approved it. He said now he is here and they are pounding on this 5-ft. and he is saying there is a lot more superior to their site plan, product, and their elevation than they have given Redwood. A 5-ft. setback starts this all over with this project, it wouldn't be until next year.

Trustee Urbanowski said that they have asked this of others. She thought it was a hard place to be. She said she hasn't seen all the other plans, she didn't have that history, but she did know that there was some rocky history with this particular piece. She thought it will be something that people will see, Lapeer Rd. is the major artery in their Township, and to have something that looks nice, quality, and all that is very important. Mr. Goric said he didn't think that a 5-ft. setback was going to do anything for cars going 60MPH. He said they have to put all the landscaping in to try to buffer. Trustee Urbanowski said that they still have other pieces of land that are going to come before them as a PUD and if they don't follow their ordinance then there is really no reason to have it. She asked them if there was a way to work with them a little bit. Mr. Goric said it was not working with them it is starting all over. If they push back a garage 5-ft. that means they have to redesign the whole unit 5-ft., the first-floor plate changes. He added that if they look at the floor plans if they push back the garage 5-ft., it lines up with the porch, then they lose that 2-ft. and then they go back 5-ft., then it comes back. Trustee Urbanowski said she was not an architect and she admired the work that they do.
Chairman Reynolds said with the effort that they don’t want to shoot down projects, they are obviously just speaking to ordinance concerns and items that get brought forth to them, is there are some other pieces to this puzzle that they could make the motions towards, and they are a recommending body so there is the opportunity to have their recommendation reviewed at the Board of Trustees level, so, one way or the other. Chairman Reynolds said they were happy to proceed with some of these hang-ups that are being brought forth tonight, if that was favorable with them they would be working towards motions. He said that there is a wetland permit ordinance #107.

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, that the Planning Commission approves the wetland permit for PC-2018-49, Hills of Woodbridge located on a vacant parcel 09-26-451-004 north of 3805 S. Lapeer, vacant parcel 09-26-402-020, and vacant parcel 09-26-402-021 (both west of 40 Hi-Hill Dr.) for plans date stamped received March 15, 2021. This approval is based on the following findings of facts: that the proposed impact for the wetland pond will not have long term negative effects and therefore can be approved; the proposed land use is consistent with the zoning of the property and the proposed minor impacts are consistent with the typical development provide and require stormwater management and prevention of soil erosion; there does not appear to be any feasible or pertinent alternatives for this particular site; the applicant has provided the adequate stormwater management facilities and not impacting wetland behaviors and should be considered a regulated wetland.

Roll call vote was as follows: Gross, yes; Urbanowski, yes; St. Henry, yes; Walker, yes; Reynolds, yes. Motion carried 5-0 (Hoffman & Gingell absent)

Chairman Reynolds said that brings them to the PUD, they can have a further discussion if someone wants to make a motion that they can discuss, he entertained that also.

Secretary St. Henry asked in the spirit of compromise, right now they are at zero 5-ft. recessed garages, was there any room to go from zero to 20-25% working together in good faith? Mr. Goric said if they change one thing, they change the whole unit, they would have to go back to the architect. Their focus is on every wall being moved a little bit so they are just not making it flat. They went and made 20x20 garages because everyone was complaining that the garages were small, and added 3-car garages. If that is the only thing, and they find the other things in the site plan are acceptable and up to the standard, if that would be the only recommendation would be that they agree with the 5-ft., and move on, then maybe they can address it with the Board. Mr. Kalas said if they push them back 5-ft. it affects the setbacks, it is not that easy. Chairman Reynolds said they are well aware of the chain reaction. Mr. Goric said that this unit went from 1,450-sq. ft. to 1,600-sq. ft. because he thought that 1,450-sq. ft. was tight and small, and coming out to Orion they want at least a 1,600-sq. ft. ranch, so they expanded it to 1,600-sq. ft. and pushed them wider, and now to push it back 5-ft. they are going back to losing a 100-ft. He wished he could say move it back 5-ft. but now all of a sudden, the decks move back and they get into the setbacks and some of the decks are right at the setbacks.

Chairman Reynolds said if he were to make a motion if there was zero effort towards our ordinance that would significantly change the effort. If there was a compromise to say it is a difficult site there is a lot of grading but I gave them 15% or 25% he would personally have a different conversation. Mr. Goric asked if they could say, as he was looking at phase two, there are so many units on the north side they have more room on the north side, on the south side they are right up against the property line. Secretary St. Henry asked them to put it up on the screen, so it was easier for them to see. Chairman Reynolds stated that phase two starts at unit 74? Mr. Goric replied right. Mr. Goric said he wants to get this project rolling this year, so in phase 2 they can see the rear yards there have a little more room, so if they said that 74 – 98, 70-100% of those units they have to do the 5-ft. off-set on the north side, there is room there
and what it does is it gives them time to redesign the units when they go into the next phase because they are set to start phase one. He said that 74-98 there was plenty of rear yard setback, there are 2-3 units where it will be tight, but most of those units they can achieve the 5-ft. in the back, and then when they go to phase-two they can introduce another model, and show the people what will change. Secretary St. Henry asked if they would sell them just as quickly? Mr. Goric replied he hoped so. He added that it is not a matter of sales, he thought that the elevation that they have is tremendous and why would he want to put the porch even with the garage door, now he has a porch that is going to be sticking out in front of the garage door which he hates, but if that is what is going to get them there, then he can concede and that will give him time to redo a plan into next phase because that will probably be two to three years from now. That will help get the project rolling, maybe achieve their goal, and gives him time. Chairman Reynolds asked what would they say that represent or what criteria would they be putting forth, the requirement is 50%? Mr. Goric said that the 5-ft. deviation there are going to be some units, they are already 35-ft. on unit 74 and 75, but most of the units he thought they could achieve the 5-ft., there are 3 there that are going to be tight, so approximately 80% of those units. He didn’t want to have to go to the Zoning Board of Appeals for 2 or 3 of these units either because of the 5-ft., so, 20 of 24 wherever there is not an issue. He added that if they say that 20% of the site had to be 5-ft. he thought that they could find that.

Chairman Reynolds said he was not going to speak for everyone, he thought that was moving in the right direction, he would love to see as many as possible, and not be limited to phase 2. His personal feeling on the property is that there are not many other major comments he had besides that main piece. He said that there would be some time to address potentially compromise between now and the next step, they are a recommending body. He thought it was one of the conditions or criteria of findings of fact for one way of approval or denial. He said it seemed they were dancing around a recommendation here tonight, hanging on topic, he would really like to see that brought forth. He thought that if there was a significant movement in that or proof that they are either modifying some of the units in phase one to bring that criterion up, or proving some findings of fact of why that limitation really doesn’t exist. He said as a professional and as a design architect making a 5-ft. change in a façade isn’t that significant and isn’t going to make or break the entire project. He understood that grading plays into that and understood that there were a lot of parts, that is why he is suggesting that certain units. He thought that there was a way to bring that up without a significant change. He understood that economically they had to build two models or units, but he thought that there was a way to have some better faith towards that ordinance requirement. He said there were a number of items that still need to be addressed, a number of conditions. He thought one of the conditions beyond Planners, Engineers, and department reviews, future phasing, and adding some of these things could be the reason why it is denied and what they are asking for or potential findings of fact of what would change their feeling, he thought that they could submit that to the Board of Trustees.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission forwards a recommendation to the Township Board to deny PC-2018-49, Hills of Woodbridge Planned Unit Development (PUD) Final Plan request to rezone the property from Restricted Business (RB), Office Professional (OP), and Single Family Residential (R-1) to Planned Unit Development (PUD) located on a vacant parcel 09-26-451-004 north of 3805 S. Lapeer, vacant parcel 09-26-402-020, and vacant parcel 09-26-402-021 (both west of 40 Hi-Hill Dr.) for plans date stamped received March 15, 2021. This recommendation for denial is based on the following findings of facts: the plans are not in compliance with the PUD Concept, Section 30.03(g)(5), relative to the architectural and site rezoning requirements relative to the attached garages being at least 50% side entry or recessed, where the front of the garages is at least 5-ft. from behind the front line of the living portion of the principal dwelling; the impact on traffic, he thought, could be improved with a boulevard entrance, on Lapeer Rd., a project of 120
units with a commercialize will be part of this entrance deserves a major boulevard entrance to accommodate the traffic entering and exiting the project.

Vice-Chairman Gross amended the motion, Commissioner Walker re-supported that the plan does not include and the applicant indicates that they would come in with a subsequent review for the commercial development along Lapeer Rd.

Discussion on the motion:

Secretary St. Henry asked if they approve to deny and then the Board of Trustees agrees and then they deny, can the applicant come back and say that they have adjusted and they are at 20-25% of recessed garages? Chairman Reynolds said that it would be one year before they could come in with a resubmittal. Secretary St. Henry asked if they agree to deny and between now and the time they go to the Board of Trustees, they come up with some adjustments, then at that point, can the Board of Trustees approve this recognizing that the applicant worked in good faith to try to meet this? Planner Fazzini said they can do whatever they want it is a rezoning.

Chairman Reynolds said they are a recommending body, whether they recommend to approve or deny the Board could agree or disagree with their position. He understood that it is not in substantial completion, some of those things he would agree with. His opinion was that if it was to be overturned is that, there are some outstanding comments that need to be addressed. They don’t always get into this situation. He asked Planner Fazzini if they recommend denial and it was to be approved at the Board level that doesn’t necessarily address the open comments from their reviewers, or does it come back to them? Planner Fazzini said they could send it back to them. Planning & Zoning Director Girling said at the Board level they have three options to approve, deny, or send it back to the Planning Commission. If the recommendation from the Planning Commission is to deny then their deliberating on it on their own based on what is in their motion on why they denied it. Planner Fazzini said that they could discuss the garage percentages if there was a compromise or a change, then they could send it back to them for further discussion on what has changed and then back to the Board. Planning & Zoning Director Girling said correct, but the main point is if the motion is on the floor unless she was mistaken, she didn’t think that the motion mentioned that the garage was the issue. She said as it was a motion to recommend denial based on the conditions or the reasons that Vice-Chairman Gross gave, so that is what the Board is going to look at is what is within the motion.

Chairman Reynolds said that the motion that is currently on the table is a motion to deny since the plan is not in substantial completion to PUD requirements specifically due to the 50% garage requirements. The reasons for impact traffic could be improved with a major boulevard entrance, and the plans do not currently include the commercial development phase, and that would have to be a future approval.

Chairman Reynolds stated that if there are other concerns of why they are denying this, that they should include that or at least forward with their recommendation that they can include the idea if they were to disagree that it should come back for review versus just overturning it because there are items that need to be addressed and specifically to phasing, the commercial phase, tree preservation details, some of those are minor in nature but they are obvious items to address. They can include those currently even if it is a motion to deny just to clarify and keep the air clean because it is a messy subject. There is the potential that there is some difference in opinion between themselves as a recommending body, and the Board of Trustees as the final approver.
Vice-Chairman Gross said he would be agreeable to include those, and asked if Chairman Reynolds had a list. Chairman Reynolds said he would like to discuss it a little further, and he had a list that they could speak to.

Mr. Goric asked regarding the double boulevard, was he talking about segregation with plantings in the middle at the entrance? Vice-Chairman Gross replied yes. Mr. Goric said they typically do that and didn’t know why it wasn’t on the plan.

Vice-Chairman Gross amended the motion, Commissioner Walker re-supported, that the final approval of the commercial phase is not included in this recommendation, phase one construction is to commence within one year of approval, and tree preservation details and preservation requirements are to be provided and added to the plan. Also, that a temporary paved turn around is plotted at the end of phase one, and that the landscape plan be amended to extend the tree plantings shall be shown outside of the proposed water and sewer easement, and the Fire Marshal that is echoing those concerns. So, for the OHM requirements for the temporary access drive, the comments from the Fire Marshal, tree preservation details, construction schedule, and commercial phase are not included.

**Roll call vote was as follows:** Walker, yes; Gross, yes; Urbanowski, yes; St. Henry, yes; Reynolds, yes. **Motion carried 5-0** (Hoffman & Gingell absent)

**9. PUBLIC COMMENTS**
None

**10. COMMUNICATIONS**
None

**11. PLANNERS REPORTS/EDUCATION**
None

**12. COMMITTEE REPORTS**
None

**13. FUTURE PUBLIC HEARINGS**
A. 4-21-21 at 7:05 p.m., PC-2021-39, Lake Orion Community Schools Rezone Request, to rezone a portion (approx. .648 acres) of parcel #09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI).

B. 4-21-21 PC-2021-37 (immediately following the PC-2021-39 Public Hearing at 7:05 p.m.), Meijer ORI, Special Land Use Request for Large Scale Retail Establishment equaling 90,000-sq. ft. located at 1025 S. Lapeer Rd. (Sidwell #09-14-226-008) & unaddressed parcel #09-14-226-001 (surrounded by parcel #09-14-226-008).

**14. CHAIRMAN’S COMMENTS**
Chairman Reynolds said that he appreciated the discussion points, he knew they have some very difficult projects here in the Township. He thought it was important not only to get in-depth with some of these discussion points but also to bring forth comments about how they are applying some of the ordinances and approaches equally to the projects brought forth to them. He stated that the comment, that just because they didn’t explicitly mention it in the concept, he didn’t agree that it follows suit to final PUD. It was a big discussion point and they are always going to maybe bring up things that are different, but thought that was one item.
Chairman Reynolds said that the next meeting is at 6pm, they have their Master Plan special meeting that will be in person starting at 6 pm at the Orion Center.

15. COMMISSIONERS’ COMMENTS
Trustee Urbanowski said that these are really tough, to see the effort and the care that people put into the projects, it is hard sitting here and looking people in the eye and making those decisions. She thanked them for mentoring her through this.

Chairman Reynolds said he thought that is why they have boards and commissions everyone brings insight and a perspective. Even if they are not a professional, with a room full of money being spent on professional consultants, they bring up valid points and he felt supporting their ordinance or their concerns as a resident and they are no less valuable. There is MTA and there are training dollars available to all of them. If they would like to be educated on something those are plenty of training seminars.

Secretary St. Henry said he likes to cut to the chase sometimes. Any organization or municipality compromise wins and as long as they are open to compromise, they are able to accomplish what they need to accomplish as a Planning Commission, as a Township, working with developers.

Commissioner Walker stated that he knew that Trustee Urbanowski was new to the board, but he was very impressed with her analytical skills, and her questions about how this stuff works.

16. ADJOURNMENT
Moved by Trustee Urbanowski, seconded by Secretary St. Henry to adjourn the meeting at 9:20 p.m. Motion carried.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

May 5, 2021
Planning Commission Approve Date
Charter Township of Orion
Parks and Path Advisory Committee
May 31, 2021 - 6:00 p.m.
Meeting Minutes
Orion Center
1335 Joslyn Rd. Lake Orion, MI 48360

VIA VIDEO CONFERENCE - (Meeting being conducted via Video Conference due to health concerns of Covid-19 and the Michigan Department of Human Services (MDHHS))

LEADERSHIP:
CHAIRPERSON: (vacant)
VICE-CHAIRPERSON: Jenn Miller
SECRETARY: Kevin Gorman

1. CALL TO ORDER
DETERMINATION OF QUORUM (minimum 4 members)
MOTION BY Aaron Whatley (Acting Chairman) SECOND BY Julia Dalrymple

2. ROLL CALL
MEMBERS
Miller, Jenn Absent Richards, Jerry Present
Cotter, BC Absent Williams, Tim Absent
Gorman, Kevin Present Dalrymple, Julia (Board Rep) Present
Steele, Donni (Board Rep) Present Birney, Brian (Alt. Board Rep) Absent
Landis, Mark (OHM - Twp. Engr.) Present Whatley, Aaron (P&R Director) Present

3. APPROVAL OF MINUTES
(as presented previously sent in email)
Motion by: Donni Steele Second: Julia Dalrymple all ayes

4. APPROVAL OF MEETING AGENDA
Motion by: Aaron Whatley SECOND BY Donni Steele

5. PUBLIC COMMENT ON NON AGENDA ITEMS (3 minute limit per person)
DISCUSSION: (none)

6. NEW BUSINESS
   a. Chairperson Replacement: Aaron has some people in mind who have expressed interest in the Parks and Path Committee and proposed that a motion to be made to postpone the Chairperson replacement discussion until next meeting. In addition, committee member Tim Williams wishes to step down. Motion by Richards 2nd Keven all ayes
   b. Clarkston Road Safety Path issue: OHM Advisors on Clarkston Road are asking for a variance from township regulations for the construction of a safety path at the front of their property due to the cost. The cost was estimated to be quite high. Instead the township is in favor of

Ordinance
accepting a donation to construct a safety path at the north side of Silverbell by the new gas station. For this, Jerry Richards made the following motion:

“The Parks and Path Advisory Committee recommends to the Board of Trustees that instead of installing a safety path along the South Side of Clarkson Road in front of API Consulting (PC-2021-40);

Developer/Owner agrees to reimburse Orion Township Safety Path Fund $11,000 in lieu of construction.”

Donni Steele Supported the motion, and the recommendation will be made to the Township.

All Ayes 5-0

7. Pending Business
   a. Path Project Updates – Landis, OHM
      i. Retaining Wall #3 (at Joslyn and Walden) is nearly complete. Restoration to the path in front of the wall will start. New trees will be planted on top of wall.
      ii. Safe routes:
          1. Waldon Road/Middle school: Nearly complete
          2. Carpenter Elementary School: Under Progress
          3. Stadium Middle School: Construction to start by May 27th
          4. Oria Oaks Middle School: Construction to start July 26th
          5. Weber Elementary: Construction to start July 26th
          6. Paint Creek Elementary: Construction to start August 11th
          7. Blanch Sims: Construction to start August 11th
          8. Greenshield & Lapper pedestrian bridge: construction to start September 11th
          9. URL: https://www.orionparks.com/community/safe_routes_to_school.php

8. Director’s Report: Aaron Waitly
   a. Green Up Project: Over 200 people showed up on 4/24/21 at over 22 locations. 16 Trees were planted, Arbor Day event took place at Camp Agawam.
   b. Camping conditionally approved for Camp Agawam. There was septic approval for existing facilities. There are 10 permitted camping sites suitable for tents and pop-up trails (RVs not permissible). 2 Lodges in the plan.
   c. Wildwood: Revenue sharing is agreed too at 15% with Johnny Blacks securing the licensed for concessions. Additional physical improvements at Wildwood include new Truss lighting system for the stage.
   d. Little League is very active. Still doing COVID testing (but may change soon)
   e. Township Safety Maps is on line and virtual. See https://www.orionparks.com/news_detail_T8_R14.php

Trail maps include resources such as rest rooms and drinking fountains.

9. Organization Reports
   a. Planning Commission – Landis (OHM)
      i. Meijers at the old K-Mark on Lapeer Road. There will be a pedestrian connection the Clarkson Connection trail.
      ii. FedEx Is Expending it’s lot at the Giddings road facility. Path way to be installed in Liberty Park with the expansion.
   b. Paint Creek/Polly Ann Trail
      i. National Trails Day, June 6th, 2021, 12pm – 3pm. There will be a Goose Chase Scavenger hunt. There will also been awards given at Cookies and Cream @ 3pm.
ii. The township is planning on grading/smoothing out the Paint Creek trail within the next month or so.

iii. There will be a new restroom at Rhodes Rd.

c. Slow Row: Next event will be River days (see township events for details)

d. Upcoming Events. Fliers were handed out.

10. Committee Comments (None)

11. Next Steps: Next Meeting Thursday July 15, 2021 @ the Orion Center

12. Meeting Adjourned 7:37. Motion: Jerry Richards, Supported: Jay Berwick
Charter Township of Orion

Ordinance No. 97

Safety Path Regulation

Adopted June 3, 1991

AMENDED
July 19, 1993
August 15, 1994
October 20, 1997
February 3, 2003
January 19, 2021
AN ORDINANCE REGULATING THE DEVELOPMENT, CONSTRUCTION, MAINTENANCE, AND SIGNAGE OF SAFETY PATHS, AUTHORIZING THE ISSUANCE OF PERMITS AND THE COLLECTING OF FEES FOR THE CONSTRUCTION OF SAFETY PATHS, AND PROVIDING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

Section 1 - Title

This Ordinance shall be known and may be cited as the Orion Charter Township "Safety Path Regulation Ordinance", and it shall be deemed sufficient in any action for the enforcement of the provisions hereof to define the same by such short title and by reference to the number hereof.

Section 2 - Purpose

The purpose of this Ordinance shall be:

1. In the consideration and enactment of the Ordinance from which this section derives, the Township Board finds that there are public safety paths which are part of the Township system intended for general public use during times when accumulations of snow and/or ice are not on the safety paths; and, that there are sidewalks that are not part of the Township’s system of safety paths as shown on the official safety path map, maintained by the Township. It is the intent of the Township Board to finance the maintenance and repair of safety paths from the Safety Path Fund, and to finance needed maintenance and repair of sidewalks by special assessment. (added 02.03.03)

2. To further secure and protect the general welfare and safety of the citizens and other persons within the Charter Township of Orion.

3. To regulate the development and construction of safety paths within the Charter Township of Orion.

4. To provide for the maintenance of those safety paths, as well as signage along them.

5. To authorize the issuance of permits for construction of safety paths.

6. To authorize the collection of fees for the construction of safety paths.

7. To provide for penalties upon the violation of these provisions.

Section 3 - Definitions

A. The following words and phrases, when used in this Ordinance, shall have the meanings respectively ascribed to them in this section:

Board - The Board of Trustees of the Charter Township of Orion.


Committee - The Parks and Paths Advisory Committee of the Charter Township of Orion. (amended 01.19.21)

Condition of Disrepair (added 02.03.03) - Having any one or more of the following characteristics; provided, however, that the existence of any one or more of these characteristics shall not create a presumption or other indication that such characteristics were the cause of any injury or damage which may occur:

1. Hole - Place where the surface is missing;

2. Gap - Separation of material proportion on the surface of the safety path or sidewalk itself or between the safety path or sidewalk and the adjacent surface;

3. Rise or Drop - Abrupt change in grade where one surface vertically separates from an adjacent surface;

4. Tilt - Incline where the safety path or sidewalk surface has rotated and is no longer oriented in gradient or cross slope;
5. **Swell** or **Depression** - Place where the surface undulates due to uplift or subsidence of underlying materials;

6. **Object** or **Debris** - Obstruction that covers some or all of the surface of the safety path or sidewalk;

7. **Suspension** - Object or material hanging over the surface of the sidewalk or safety path below a height of eight and one-half (8.5) feet.

**Developer** - An owner who is causing property to be developed, except for an owner who is constructing or causing to be constructed a single-family dwelling on a lot in a single-family residential district. *(amended 07.19.93, 02.03.03)*

**Existing Fixed Object** - An object that cannot be easily moved without the assistance of mechanical tools and/or without causing destruction to the property to which it is attached, including, but not limited to, buildings, driveways, utility poles, and fences. *(added 02.03.03)*


**Owner** - A natural person, firm, association, partnership, corporation or other legal entity or combination of them which may hold any ownership interest in land whether recorded or not. *(amended 02.03.03)*

**Pathway** - For purposes of this Ordinance only, the term "pathway" shall be synonymous with the term "safety path". *(added 02.03.03)*

**Person** - A natural person, firm, association, partnership, corporation or other legal entity. *(amended 02.03.03)*

**Report** - Minutes of any meeting of the Parks and Paths Advisory Committee, prepared by the Committee. *(amended 07.19.93, 01.19.21)*

**Road, Public** - A road accepted by dedication or otherwise by the Road Commission for Oakland County. *(added 02.03.03)*

**Safety Path** - *(See Sidewalk and Safety Path)* *(deleted 02.03.03)*

**Safety Path Plan** - The recommended and approved plan showing all planned safety paths, existing or future, that has been made part of the Township's Master Plan. *(amended 07.19.93)*

**Sidewalk and Safety Path** shall be synonymous in terms of their basic substantive meaning, being a constructed surface located in a public right-of-way, but separate from any improved portion of a roadway or highway, dedicated primarily for use by pedestrians and persons operating non-motorized vehicles. For purposes of regulation under this Ordinance only, sidewalks and safety paths shall be broken into two (2) sub-classifications, as follows *(added 02.03.03)*:

1. A safety path shall mean a certain type of sidewalk constructed for the benefit of the general public in the Township, as shown on the official safety path map maintained by the Township. The use of the term "safety path" itself does not mean, and shall not be construed or relied upon in any way as meaning, that such safety paths are inherently safe or in a safe condition. Instead, the reference to "safety" in the labeling of such paths is nothing other than a reference to the fact that such pathways are typically considered to be safer for pedestrians to use than the improved portions of road on which motor vehicles travel.

2. Sidewalk shall mean and refer to all other constructed surfaces located in the public right-of-way dedicated primarily for pedestrian usage, not including those sidewalks being referenced above as "safety paths," and constructed primarily as dedicated pedestrian paths within subdivisions or adjacent to street lots.

**Street Lots** - One or more lots which are not part of a formally created subdivision, but which are part of a neighborhood where a sidewalk has been constructed to serve the lots within such neighborhood. *(added 02.03.03)*

**Subdivision** - The lots, units, and other areas which are part of a development platted under the Michigan Land Division Act (or predecessor Act) or created under the Condominium Act. *(added 02.03.03)*

**Vegetation** - Trees, shrubs, bushes, flowers, weeds, or any other type of plant growth.
Section 4 - Safety Path Development

The Parks and Paths Advisory Committee shall prepare and present a safety path plan (route map) showing existing and future safety paths throughout the Township, which shall become part of the Township’s Master Plan at the time the Master Plan is updated and adopted. This plan shall be reviewed by the public at a public hearing and subject to approval by the Township Board. (amended 07.19.93, 01.19.21)

This plan shall guide all the development of a system of planned safety paths in the Township and shall be updated from time to time as an amendment to, or in conjunction with, the Master Plan. (amended 07.19.93, 02.03.03)

Section 5 - Safety Path Plan Implementation / Developer's Responsibilities (amended 07.19.93)

A. All developers of property along either side of a public roadway shall construct a pathway when they develop their property, in accordance with the standards outlined in this Ordinance. (amended 07.19.93, 02.03.03)

B. In lieu of constructing the pathway, and only with the recommendation of the Planning Commission and Parks and Paths Advisory Committee and approval of the Township Board, a developer may be allowed to pay to the Township a sum of money equivalent to the actual cost of construction of the path, including permit, engineering, and inspection fees. Except as otherwise provided below, the actual cost of construction, including fees, shall be determined by the Township Engineer, and shall be based on recent bids received by the Township for similar types of path construction. The Township Board, upon recommendation of the Parks and Paths Advisory Committee, may accept a lesser amount of money from a developer only in the situation where the developer’s respective section of safety path is either not included in the Safety Path Master Plan, or deemed to be not necessary by the Parks and Paths Advisory Committee and Planning Commission. Any payment in lieu of constructing the pathway shall be paid in full prior to a pre-construction meeting and issuance of a soil erosion permit. (amended 07.19.93, 02.03.03, 01.19.21)

C. Unless the Township Board has allowed a developer to pay a sum of money to the Township in lieu of constructing a pathway under Subsection 5(B), construction of the safety path shall be completed for each phase (if applicable) prior to the issuance of a final Certificate of Occupancy for any building structure located on the parcel in which the safety path is to be located. The developer shall be responsible for securing all necessary permits, paying all necessary fees, and obtaining necessary inspections from Orion Township, the Road Commission for Oakland County, and/or the Michigan Department of Transportation. (amended 07.19.93, 10.20.97)

D. In order to ensure completion of the path, the developer shall deposit a Performance Guarantee per Section 30.09 of Ordinance 78 prior to beginning construction of the safety path to guarantee the completion of such path. The escrowed amount shall be returned to the developer upon completion of the safety pathway and approval by the Township Engineer and Building Official. (amended 10.20.97, 02.03.03, 01.19.21)

E. Anyone constructing a safety path in Orion Township shall first obtain a permit from the Township, using forms provided by the Planning & Zoning Department. A Township review fee shall be established in accordance with the Schedule of Fees & Escrow Charges, Ordinance 41, for applicable portions of site plan review, and shall be deposited with the Township, along with plan submittal. (amended 07.19.93, 02.03.03, 01.19.21)

F. Periodic inspection is required during safety path installation. An acceptable final inspection is also required. A construction inspection and administration escrow estimate will be determined by the Township Engineer in accordance with the Township Engineering Standards as adopted April 2016 and as amended, to cover the cost of required inspections, scheduling inspectors, construction engineering review and site visits, processing/administration of construction related documents/matters, and associated work by the Township Engineer. Inspection & administration escrow accounts must be established with the Township before any site work may begin. (added 2021)

G. These monies will be placed in an escrow account and any unused monies will be refunded. If the escrow is not sufficient to cover the project costs, an additional deposit shall be required prior to the acceptance of the pathway by the Township, issuance of a final certificate of occupancy or release of the SESC Guarantee. (added 2021)
H. In addition to the above construction, permit, and inspection fees, the developer shall place, with the Township, a 2-year Maintenance and Guarantee Bond in the amount of twenty-five percent (25%) of the estimated cost of the safety path construction, as agreed upon by the Township Engineer and the developer, shall be provided by the developer to the Township following the final inspection and acceptance of such path by the Township Engineer. At the expiration of the two (2) year period, the bond will be returned to the developer, provided that no damage has been done to the safety path by construction activities and that the path is in essentially the same condition as it was at the time of final inspection by the Township Engineer. (amended 07.19.93, 02.03.03, 01.19.21)

Section 6 - Safety Path Construction Standards (amended 01.19.21)

Safety Paths shall be constructed according to the following standards and specifications:

A. All construction shall comply with the requirements of the Road Commission for Oakland County where it is feasible and practicable. (See Exhibit 1) (amended 02.03.03)

B. Design Standards. Safety Paths shall be constructed in accordance with April 2016 adopted and as amended engineering standards for the Township. (amended 07.19.93, 02.03.03, 01.19.21)

Section 7 - Safety Path Maintenance

A. The developer of any section of approved Orion Township safety path shall be responsible for the maintenance of such path for a period of two (2) years, commencing on the date of the path's final inspection and acceptance by the Township Engineer and expiring on the two (2) year anniversary date of such acceptance. This expiration date is intended to coincide with the 2-year Maintenance and Guarantee bond reimbursement date, at which time the Township, upon approvals from the Township Engineer as to the acceptable condition of such path, shall take over the maintenance of such path and the developer's responsibility shall end, excepting for Paragraphs C and D. (amended 07.19.93, 01.19.21)

B. The developer of real property across which a safety path traverses shall be responsible for the following maintenance for a two-year period, which shall begin upon completion and acceptance of the Safety Path. (amended 07.19.93, 02.03.03, 01.19.21):

1. Repair of surface cracks, upheaval, or deterioration.

2. Any damage caused by the elements or by any person during the duration of the two (2) year period.

C. Safety paths constructed as part of the internal site improvements of any new development within the Township shall be constructed and maintained by the Developer as stated in Section 7(B)(1)-(2) above and as determined by the Township Engineer. Thereafter the Homeowners Association shall be responsible for all future maintenance, replacement, or repair thereof. These requirements shall be made a part of the condominium bylaws and recorded as part of the Master Deed. Safety paths constructed along the development’s main public road frontage per Section 5.A. and as determined by the Township Engineer, will be maintained by the Township following final acceptance and release of the 2-yr Maintenance and Guarantee Bond as noted in Section 5.D. (added 01.19.21)

D. Owners of developed property abutting the pathway shall keep vegetation trimmed so that no portion of said vegetation extends over the safety path unless such vegetation is a minimum of eight and one-half (8.5) feet above the safety path.

E. Owners of developed property shall keep the portion of the safety path that runs adjacent to their property free and clear of all debris, litter, leaves or branches, machinery, vehicles, equipment, junk, and other items which may obstruct the use of the safety path.

F. Any person who negligently, intentionally, or maliciously causes damage to the safety path shall be responsible for either one of the following (amended 02.03.03):

1. repair and/or replacement of the affected portion of the safety path, or

2. the cost of repair to the safety path.

Should the responsible person choose to repair and/or replace the safety path, said repair shall be made to the standards in Section 6, within ninety (90) days, weather conditions permitting, following issuance of a Township construction permit.
If the responsible person opts to pay the cost of repair, notice of the actual cost of such repair shall be sent to the responsible person by the Township Clerk, with a demand for payment. If said person fails to pay such costs within thirty (30) days after notice, the Township Board may authorize civil action to collect such costs.

Upon repair and/or replacement of the damaged safety path, the responsible person shall maintain the applicable section of safety path for a period of one (1) year. This requirement may be waived in situations where a minor section of the safety path has been repaired and/or replaced upon petition to the Township Board, based on the recommendation of the Parks and Paths Advisory Committee. (amended 01.19.21)

G. The Township shall establish a Safety Path Maintenance Fund. This fund shall receive a minimum of five percent (5%) of the revenue generated by the Safety Path millage each year. These monies shall be used exclusively for maintenance purposes.

H. Removal of Animal Excrement Required. (added 02.03.03)

It shall be unlawful for any owner of a dog or cat to allow or permit such dog or cat to soil, defile, defecate, or to commit any nuisance on a public thoroughfare, sidewalk, passageway, bypass, play area, park or any place where people congregate or walk, or upon public property whatsoever, or upon any private property without permission of the owner of such property unless:

1. Such owner shall immediately remove all droppings deposited by such dog or cat by any sanitary method, and for such purposes shall possess a container of sufficient size to collect and remove the above mentioned droppings and exhibit the container, if requested by any official empowered to enforce this Ordinance; and

2. Such owner shall deposit said droppings or container of droppings in a toilet or a receptacle ordinarily used for garbage and covered by a lid or in an otherwise lawful and sanitary manner.

Section 8 - Sidewalk Maintenance (added 02.03.03)

A. The Township Board, pursuant to MCL 41.288a, may order the maintenance or repair of sidewalks in the Township because of health, safety, or general welfare of the residents of the Township.

B. The following regulations shall apply to sidewalks in the Township:

1. If the Township Board tentatively determines that maintenance or repair of sidewalks within a subdivision and/or adjacent to one or more street lots may be necessary due to being in a condition of disrepair, or due to one or more other identified reasons:

   a. The Township shall obtain the approval of the Michigan Department of Transportation or of the Road Commission for Oakland County with regard to undertaking the maintenance and/or repair of sidewalks in a right-of-way within their respective jurisdiction.

   b. A plan and cost estimate for maintenance and repair shall be prepared, along with an assessment roll based upon such cost estimate, allocating the cost of the project, including the cost of inspection, engineering, legal, finance and administration, to the properties involved (e.g., the properties within the subdivision), and a notice of a public hearing shall be sent to owners of such lots, units and parcels. The notice shall include a basic description of the project, the cost estimate, and the tentative assessment amount, and shall be sent by first class mail to the last known address of the owner of the properties based upon the current tax assessment records in the Township.

2. Following the public hearing, if the Township Board determines that the maintenance and/or repair of certain sidewalks is necessary due to being in a condition of disrepair, or due to one or more other identified reasons, the Board may adopt a resolution confirming the assessment roll and determining to contract for such maintenance and/or repair, and assess the costs to the properties involved in proportion to the respective benefits received, payable in five (5) annual installments, with interest; provided, however, prior to entering into such contract, the Township Board may, if requested in writing by persons representing a number of properties within the area to be assessed deemed sufficient by the Township Board, provide an opportunity within a reasonable time set by the Township or the respective property owners involved to have the sidewalks maintained and/or repaired at their own expense, according to specifications directed by the Township.
3. A notice of assessment shall be sent to each property involved following entry into a contract for the maintenance and/or repair. If the amount of the contract is more or less than the cost estimate, the amount of the assessment upon each property shall be adjusted accordingly; provided, however, if the cost difference is more than ten percent (10%) higher than the estimate, the contract shall not be entered into, and the assessment shall not be finalized unless and until a new public hearing is noticed and held by the Township Board in the manner provided above.

C. Assessments established under this Ordinance shall constitute a lien upon the property assessed and shall be collected, and delinquent assessment payments shall accrue interest and penalties, as provided for in Public Act No. 188 of 1954, as amended.

Section 9 - Private Maintenance and/or Repair of Sidewalks and Safety Paths (added 02.03.03, 01.19.21)

A. If an area of sidewalk is in a condition of disrepair resulting from the actions of one or more private property owners, such owner or owners shall repair such area of sidewalk. For purposes of this section, "actions" shall include, but shall not be limited to: surface drainage; on-site construction; vehicular traffic; and other site activities and actions resulting in a condition of disrepair. All repairs shall be made within ninety (90) days, weather permitting, following issuance of a Township construction permit, and in accordance with the standards in Section 6. The following sections shall also apply if a responsible person opts to repair and/or replace a damaged section of safety path under Section 7(E).

B. If an area of sidewalk is in a condition of disrepair resulting from the actions of a public utility franchise, such entity shall repair such area of sidewalk or safety path at its sole cost. For purposes of this section, "actions" shall include any on-site activities conducted by the public utility and actions resulting in a condition of disrepair. All repairs shall be made within ninety (90) days, weather permitting, following issuance of a Township construction permit, and in accordance with the standards in Section 6. (added 2021)

C. If damage or injury is caused as a result of a failure to promptly repair a condition of disrepair, as stated in Subsection A of this section, above, and if the Township had previously provided notice of the condition of disrepair and allowed an opportunity for hearing before the Township Board, or the Board’s designee, the owners to whom such notice was sent shall be liable to the Township for any damages, costs and expenses incurred by the Township, including reasonable attorney fees expended by the Township.

D. In addition to the above, the Township Board, pursuant to MCL 41.288a, may order the repair of such sidewalk or safety paths by the persons whose actions resulted in a condition of disrepair; and, if such repair is not made within the time stated in the order of the Township Board, and the sidewalk or safety path is within reasonable proximity of the property owned by the breaching party, the Township may proceed with the repairs and recover all costs and expenses incurred by the Township, plus a reasonable administrative fee, by assessing the property of the owner or owners who failed to make the repairs required under this section. Such assessments shall be made in accordance with the procedure specified, above, in this section. If the party failing to make the required repair does not own the property within reasonable proximity of the sidewalk or safety path to be repaired, the Township may seek recovery of all costs and expenses, including reasonable administrative costs and attorney fees, by any lawful means.

E. In the event an individual alleges the Township has any liability for injuries sustained by that individual as a result of a defective sidewalk or safety path, the injured person shall serve notice upon the Township within the time and in the manner prescribed by law as a condition to any recovery. (amended 01.19.21)

Section 10 - Prohibition of Obstruction of Sidewalks and Safety Paths (added 02.03.03)

A. No person shall obstruct, or cause or permit the obstruction of any sidewalk or safety path in the Township by the placement on such sidewalk or safety path of any object, debris or material of any kind or nature, or by suspending any sign, object or material within eight and one-half (8.5) feet above a sidewalk or safety path. This provision is not intended to create an obligation to modify natural accumulations of snow or ice.

B. Subsection A shall not apply in circumstances in which a person is temporarily loading or unloading a vehicle adjacent to the property, if such person has, if reasonably required, secured a device reasonably calculated to warn users of the sidewalk or safety path of the obstruction so as to avoid injury and/or damage.
Section 11 - Safety Path Signage (amended 07.19.93)

The Parks and Paths Advisory Committee may develop, in conjunction with the Safety Path Plan, a plan for signage along each section of pathway as it is proposed for construction. The Committee may require signs under the following circumstances and for the following reasons (amended 02.03.03, 01.19.21):

A. As part of a developer's responsibility in constructing the path as approved by the Township Engineer.

B. As part of the Township's responsibility when the Township assumes the maintenance of any portion of each path.

C. To prohibit all motorized vehicles from using the path, excepting:
   1. Vehicles for the physically disabled designed for use by one individual at a time.
   2. Light duty maintenance vehicles authorized by the Township.

D. To alert pathway traffic to hidden driveways or similar hazards.

E. To alert approaching motorists to the presence of the pathway.

The standards for signs including, but not limited to, sign size, material, location in relation to the pathway as well as the roadway, height, and method of installation shall be in accordance with established Road Commission for Oakland County sign standards. (See Exhibit 1) (amended 02.03.03)

Section 12 - Severability

This Ordinance shall be deemed to be severable, and should any section, paragraph, or provision hereof be declared by the courts to be unconstitutional or invalid, such holdings shall not affect the validity of this Ordinance as whole or any part hereof, other than the part so declared to be unconstitutional or invalid.

Section 13 - Violation and Penalties (amended 08.15.94, 02.03.03)

A. Municipal Civil Infraction / Payment of Fine.

Any person, firm, or corporation violating a provision of this Ordinance, upon an admission or a finding of responsibility for such violation, shall be deemed responsible for a municipal civil infraction as that term is defined and used in MCL 600.101, et seq.; MSA 27A.101, et seq., as amended, and shall pay a civil fine as prescribed by ordinance or as determined by the district court, district court judge, or district court magistrate.

B. Costs.

A person, firm, or corporation ordered to pay a fine under Subsection A shall be ordered by the district court judge or magistrate to pay costs of not less than Nine Dollars ($9) or more than Five Hundred Dollars ($500), which costs may include all expenses, direct or indirect, to which the Township of Orion has been put in connection with the violation of the Ordinance up to the entry of the court's judgment or order to pay fines and costs.

C. Additional Writs and Orders.

A person who admits or is found responsible for violation of this Ordinance shall comply with any order, writ, or judgment issued by the district court to enforce this Ordinance pursuant to Chapter 83 and Chapter 87, of the Revised Judicature Act, MCL 600.101, et seq.; MSA 27A.101, et seq., as amended.

D. Default on Payment of Fines and Costs.

A default in payment of a civil fine, costs, or damages, or expenses ordered under Subsection A or B or an installment of the fine, costs, or damages or expenses as allowed by the court, may be collected by the Township of Orion by a means authorized for the enforcement of a judgment under Chapters 40 or 60 of the Revised Judicature Act, MCL 600.101, et seq.; MSA 27A.101, et seq., as amended.
E. Failure to Comply with Judgment or Order.

If a defendant fails to comply with an order or judgement issued pursuant to this section within the time prescribed by the court, the court may proceed under Subsection G.

F. Failure to Appear in Court.

A defendant who fails to answer a citation or notice to appear in court for a violation of this Ordinance is guilty of a misdemeanor, punishable by a fine of not more than Five Hundred Dollars ($500) plus costs and/or imprisonment not to exceed ninety (90) days.

G. Civil Contempt.

1. If a defendant defaults in the payment of a civil fine, costs, or other damages or expenses, or installment as ordered by the district court, upon motion of the Township of Orion or upon its own motion, the court may require the defendant to show cause why the defendant should not be held in civil contempt and may issue a summons, order to show cause, or bench warrant of arrest for the defendant’s appearance.

2. If a corporation or an association is ordered to pay a civil fine, costs, or damages or expenses, the individuals authorized to make disbursements shall pay the fine, costs, or damages or expenses, and their failure to do so shall be civil contempt unless they make the showing required in this subsection.

3. Unless the defendant shows that the default was not attributable to an intentional refusal to obey the order of the court or to a failure on his or her part to make a good faith effort to obtain the funds required for payment, the court shall find that the default constitutes a civil contempt and may order the defendant committed until all or a specified part of the amount due is paid.

4. If it appears that the default in the payment of a fine, costs, or damages or expenses does not constitute civil contempt, the court may enter an order allowing the defendant additional time for payment, reducing the amount of payment or of each installment or revoking the fine, costs, or damages or expenses.

5. The term of imprisonment on civil contempt for nonpayment of a civil fine, costs, or damages or expenses shall be specified in the order of commitment and shall not exceed one (1) day for each Thirty Dollars ($30) due. A person committed for nonpayment of a civil fine, costs, or damages or expenses shall be given credit toward payment for each day of imprisonment and each day of detention in default of recognizance before judgment at the rate of Thirty Dollars ($30) per day.

6. A defendant committed to imprisonment for civil contempt for nonpayment of a civil fine, costs, or damages or expenses shall not be discharged from custody until one of the following occurs:

   a. Defendant is credited with an amount due pursuant to Subsection G(5).

   b. The amount due is collected through execution of process or otherwise.

   c. The amount due is satisfied pursuant to a combination of Subdivisions G(6)(a) and (b).

7. The civil contempt shall be purged upon discharge of the defendant pursuant to Subsection G(6).

H. Lien Against Land, Building, or Structure (added 02.03.03).

1. If a defendant does not pay a civil fine or costs or installment ordered under Subsection A or B within thirty (30) days after the date upon which the payment is due for a violation of this Ordinance involving the use or occupation of land or a building or other structure, the Township of Orion may obtain a lien against the land, building, or structure involved in the violation by recording a copy of the court order requiring payment of the fine and costs with the Register of Deeds for Oakland County. The court order shall not be recorded unless a legal description of the property is incorporated in, or attached to, the court order.

2. The lien is effective immediately upon recording of the court order with the Register of Deeds.
3. The court order recorded with the Register of Deeds shall constitute the pendency of the lien. In addition, a written notice of the lien shall be sent by Orion Township by first class mail to the owner of record of the land, building, or structure at the owner’s last known address.

4. The lien may be enforced and discharged by Orion Township in the manner prescribed by its Charter, by the General Property Tax Act, Act No. 206 of the Public Acts of 1893, being Sections 211.1, et seq., of the Michigan Compiled Laws, or by an ordinance duly passed by the Township. However, property is not subject to sale under Section 60 of Act No. 206 of the Public Acts of 1893, being Section 211.60 of the Michigan Compiled Laws, for non-payment of a civil fine or costs or an installment ordered under Subsections A or B unless the property is also subject to sale under Act No. 206 of the Public Acts of 1893 for delinquent property taxes.

5. A lien created under this section has priority over any other lien unless one or more of the following apply:
   a. The other lien is a lien for taxes or special assessments.
   b. The other lien is created before the effective date of the amended ordinance that added this section.
   c. Federal law provides the other lien has priority.
   d. The other lien is recorded before the lien under this section is recorded.

6. The Township may institute an action in a court of competent jurisdiction for the collection of the fines and costs imposed by a court order for a violation of this Ordinance. However, an attempt by the Township to collect the fines or costs does not invalidate or waive the lien upon the land, building, or structure.

7. A lien provided for by this subsection shall not continue for a period longer than five (5) years after a copy of the court order imposing a fine or cost is recorded, unless within that time an action to enforce the lien is commenced.

Section 14 - Effective Date (amended 07.19.93, 02.03.03)

This Ordinance shall be published in full in a newspaper of general circulation in the Charter Township of Orion qualified under State law to publish legal notices and shall become effective upon publication, as provided by law.
### I. Minimum Guidelines

<table>
<thead>
<tr>
<th>Path Width</th>
<th>8 feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Path Depth</td>
<td>3 inches of hot mix asphalt over 4 inches of 21AA limestone aggregate</td>
</tr>
<tr>
<td>Fixed Object Clearance</td>
<td>3 feet</td>
</tr>
<tr>
<td>Shoulder Grading Width</td>
<td>1 foot</td>
</tr>
<tr>
<td>Overhead (Vertical) Clearance</td>
<td>8-1/2 feet</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
</tr>
<tr>
<td>From property line</td>
<td>1 foot</td>
</tr>
<tr>
<td>From back of curb</td>
<td>5 feet</td>
</tr>
<tr>
<td>From edge of pavement (no curb)</td>
<td>12 feet</td>
</tr>
<tr>
<td>From ditch back slope</td>
<td>3 feet</td>
</tr>
<tr>
<td>Sight Distance</td>
<td></td>
</tr>
<tr>
<td>Level path 0-4%</td>
<td>125 feet</td>
</tr>
<tr>
<td>At 5% grade</td>
<td>140 feet</td>
</tr>
<tr>
<td>Structures (Bridges)</td>
<td>Same width as pathway. Railings must be 4-1/2 feet high (minimum).</td>
</tr>
<tr>
<td>Curve Radii</td>
<td>90 ft. radius (20 mph)</td>
</tr>
</tbody>
</table>

### II. Maximums or No Variation

| Cross Slope Gradient for Drainage | 2% |
| Grade | 5% or per ADA standards |
| Railroad Crossing Angle | As close to 90 degrees as possible, but no less than 75 degrees |
| Curb Cut Ramps | All intersections with curbs |
| Signage | No posting of signs or painting on path surface for "Bikeway", "Bike Route", or "Bike Path" will be allowed. |
| Warning signs are required to indicate: | |
| * Path Ends Ahead | |
| * End of Path | |
| * Path Narrows Ahead | |
| All signs must conform with the Michigan MUTCD | |
| Signs may include: | |
| * Yield to Pedestrians | |
| * Safety Path Route | |
| * No Motor Vehicles | |
| * No Parking - Safety Path | |

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### Exhibit I (amended 07.19.93, 02.03.03, 01.19.21)

**Design Types - Type I Path:**
1. Call to Order

2. Roll Call – Parks & Paths
   - Arquette-Palermo, Michele
   - Miller, Jenn
   - Cotter, BC
   - Gorman, Kevin
   - Steele, Donni (Board Representative)
   - Landis, Mark (OHM – Twp. Engr.)
   - Berwick, Jay
   - Richards, Jerry
   - Williams, Tim
   - Dalrymple, Julia (Board Representative)
   - Birney, Brian (Altn. Board Representative)
   - Whatley, Aaron (Parks & Recreation Director)

Determination of a Quorum (minimum 4 members)

3. Approvals of Minutes- N/A

4. Approval of Meeting Agenda – February 18, 2021

5. Public Comment on Non-Agenda Items - 3-minute limit per person

6. New Business
   A. Chairperson - Appointment
   B. Clarkston Rd. Safety Path – Parcel #09-14-100-008 (PC-2021-40)

7. Pending Business
   A. Path Project – Updates – Landis, OHM
      1. Waldon Rd. retaining wall #3
      2. Safe Routes to School

8. Directors Report - Aaron Whatley

9. Organization Reports
   A. Planning Commission – Landis (OHM)
   B. Paint Creek / Polly Ann – Steele
   C. Waterways- Slow Row
   D. Upcoming Community Events
   E. Park Liaison (Bald Mountain, Oakland County)- Gorman?

10. Committee Comments

11. Next Steps

12. Adjournment

Next Meeting Parks & Paths Committee: Thursday July 15, 2021 @ 6pm @ Orion Center

*In the spirit of compliance with the American with Disabilities Act, individuals with a disability should feel free to contact the Township at least seventy-two (72) hours in advance of the meeting if requesting accommodations.*
To: Board of Trustees  
From: Penny Shults, Township Clerk  
Meeting Date: June 7, 2021  
Memo Date: June 3, 2021  
Subject: Second Reading 0 PC-2018-49 Hills of Woodbridge Final PUD Plan Rezone/Map Amendment, Agreement, and Condo Documents

REQUEST

REASON
Please refer to documentation from your May 3, 2021 meeting packet (following). A revised final PUD plan set was received since the first reading and are date stamped 06/03/21.

PROCESS
First Reading was held on May 3, 2021 and the item was advertised in the May 12, 2021 edition of the Orion Review for second reading and possible adoption at the June 07, 2021 meeting.

RECOMMENDATION (MOTION)
JUNE 7, 2021
The Charter Township of Orion Board of Trustees having reviewed the application, the Township consultant reviews and having taken into consideration all of the following eligibility criteria:

1. Recognizable Benefit
2. Density Impact
3. Township Master Plan
4. Economic Impact
5. Guaranteed Open Space
6. Unified Control

(IF MOTION TO APPROVE SECOND READING)
Move to declare the second reading of PC-2018-49, Hills of Woodbridge Planned Unit Development (PUD) Final Plan Rezone/Map Amendment, Agreement, and Condo Documents was held on June 7, 2021 and approve the request to rezone vacant parcel 09-26-451-004 north of 3805 S. Lapeer, vacant parcel 09-26-402-020, and vacant parcel 09-26-402-021 (both west of 40 Hi-Hill Dr.) from R-1, OP, and RB to PUD for plans date stamped received 06/03/21. In addition, the Township Supervisor and Township Clerk are authorized to sign the PUD Agreement on behalf of the Township after it is 
approved by the Township Attorney. This is also an approval of the condo documents after approved by Township Planner, Fire, Engineer, and Attorney.

(IF MOTION TO DENY SECOND READING)

Move to declare that the Orion Township Board of Trustees held and denied the second reading on June 7, 2021 for PC-2018-49, Hills of Woodbridge Final PUD Rezone/Map Amendment, Agreement, and Condo Documents, request to rezone vacant parcel 09-26-451-004 north of 3805 S. Lapeer, vacant parcel 09-26-402-020, and vacant parcel 09-26-402-021 (both west of 40 Hi-Hill Dr.) from R-1, OP, and RB to PUD for plans date stamped received 06/03/21 for the reasons given by the Planning Commissions motion to recommend denial from April 7, 2021.

(IF MOTION TO REFER THE FINAL PLAN BACK TO THE PLANNING COMMISSION)

Move to refer the Final PUD plan back to the Planning Commission for PC-2018-49, Hills of Woodbridge Final PUD Rezone/Map Amendment, Agreement, and Condo Documents, with the following comments: (insert comments)
Agenda Item Summary

To: Board of Trustees  
From: Penny Shults, Township Clerk
Meeting Date: June 7, 2021  
Memo Date: June 3, 2021  
Subject: Second Reading - PC-2021-39 Lake Orion Community Schools Rezone Request

REQUEST
Board action on PC-2021-39, Lake Orion Community Schools Rezone Request, a request to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI).

REASON
Please refer to documentation from your May 3, 2021 meeting packet (follow).

PROCESS
First reading was held on May 3, 2021 and the item was advertised in the May 12, 2021 edition of the Orion Review for second reading and possible adoption at the June 07, 2021 meeting.

RECOMMENDATION (MOTION)
June 7, 2021

IF MOTION TO APPROVE SECOND READING:

Motion to declare that the Orion Township Board of Trustees held and approved the second reading on June 7, 2021, for PC-2021-39, Lake Orion Community Schools Rezone Request, requesting to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI) for the reasons, and with the conditions, given in the recommendation of approval by the Planning Commission on April 21, 2021.

* (Motion maker to insert any additional reasons)

OR

IF MOTION TO DENY SECOND READING:

Motion to declare that the Orion Township Board of Trustees held and denied the second reading on June 7, 2021, for PC-2021-39, Lake Orion Community Schools Rezone Request, requesting to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI) for the following reasons:

*(Motion maker to list reasons.

☐ Consent ☒ Pending
Agenda Item Summary

To: Board of Trustees  
From: Tammy Girling, Planning & Zoning Director  
Meeting Date: May 3, 2021  
Memo Date: April 26, 2021  
Subject: PC-2021-39 Lake Orion Community Schools Rezone Request

REQUEST
Board action on PC-2021-39, Lake Orion Community Schools Rezone Request, a request to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI).

REASON
The Planning Commission, at their April 21, 2021 meeting, passed a motion to recommend conditional approval of PC-2021-39, Lake Orion Community Schools Rezone Request.

PROCESS
The Orion Township Board of Trustees deliberates on PC-2021-39 and approves or denies the first reading. If the first reading is approved the Clerk advertises for the second reading and possible adoption of the map amendment 6/7/21.

RECOMMENDATION (MOTION)

May 3, 2021

IF MOTION TO APPROVE FIRST READING:

Motion to declare that the Orion Township Board of Trustees held and approved the first reading on May 3, 2021, for PC-2021-39, Lake Orion Community Schools Rezone Request, requesting to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI) and direct the Clerk to advertise for second reading and possible approval on June 7, 2021.

OR

IF MOTION TO DENY FIRST READING:

Motion to declare the first reading was held and denied on May 3, 2021, for PC-2021-39, Lake Orion Community Schools Rezone Request, requesting to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI).
June 7, 2021

IF MOTION TO APPROVE SECOND READING:

Motion to declare that the Orion Township Board of Trustees held and approved the second reading on June 7, 2021, for PC-2021-39, Lake Orion Community Schools Rezone Request, requesting to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI) for the reasons, and with the conditions, given in the recommendation of approval by the Planning Commission on April 21, 2021.

*(Motion maker to insert any additional reasons)

OR

IF MOTION TO DENY SECOND READING:

Motion to declare that the Orion Township Board of Trustees held and denied the second reading on June 7, 2021, for PC-2021-39, Lake Orion Community Schools Rezone Request, requesting to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI) for the following reasons:

*(Motion maker to list reasons)
The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, April 21, 2021, at 7:00 pm at the Orion Township Community Center, 1335 Joslyn Road, Lake Orion, MI 48360 and also simultaneously VIA VIDEO CONFERENCE - GoToMeeting Access code 599-669-285 or VIA TELEPHONE 1-(571) 317-3122 Access Code 599-669-285 (Meeting was conducted both in-person and via video/telephone conference due to the health concern of COVID-19 and the Michigan Department of Health and Human Services)

PLANNING COMMISSION MEMBERS PRESENT
Scott Reynolds, Chairman             Kim Urbanowski, BOT Rep to PC
Jessica Gingell, Commissioner     Garrett Hoffman, Commissioner
Don Gross, Vice-Chairman            Don Walker, PC Rep to ZBA
Joe St. Henry, Secretary

PLANNING COMMISSION MEMBERS ABSENT:
None

1. OPEN MEETING
Chairman Reynolds opened the meeting at 7:03 pm.

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Eric Fazzini, (Township Planner) of Giffels Webster
Eric Pietsch, (Township Planner) of Giffels Webster
Mark Landis (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Gary Quesada   Tom Kesteloot
Jason VanderKode  Ashley Mack

3. MINUTES
A. 04-07-21, Planning Commission Regular Meeting Minutes

Moved by Vice-Chairman Gross, seconded by Commissioner Walker to approve the minutes as amended.

Vice-Chairman Gross amended the motion, Commissioner Walker re-supported, that the motion was changed to postpone the approval of minutes for two weeks for clarification of the intent of a motion for PC-2018-49, Hills of Woodbridge. Motion carried

4. AGENDA REVIEW AND APPROVAL
Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, to approve the agenda as presented. Motion carried

Chairman Reynolds recessed the regular meeting and opened the public hearing for PC-2021-39, Lake Orion Schools Rezone Request, a request to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI), at 7:17 pm and closed the public hearing at 7:24 pm.
Chairman Reynolds then opened the public hearing for PC-2021-37, Meijer ORI, Special Land Use request for a Large-Scale Retail Establishment equaling 90,000-sq. ft. located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 (surrounded by parcel 09-14-226-008), at 7:24 pm and closed the public hearing at 7:29 pm.

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY
None

6. CONSENT AGENDA
None

7. NEW BUSINESS
A. PC-2019-37, Meijer ORI, Special Land Use request for a Large-Scale Retail Establishment and Site Plan, located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001.

Chairman Reynolds asked if the applicant would like to make an additional presentation before they turn it over to their professional consultants?

Mr. Jason Vander Kodde, Civil Engineer Project Manager with Fishbeck, 1515 Arboretum Dr., Grand Rapids, MI presented.

Mr. Vander Kodde said that their presentation tonight is in support of the Special Land Use application. He said he had four things to talk about with them, obviously the introduction to Meijer Grocery, which Ashley had just provided, and then going to review the Master Plan, present the Site Plan as proposed, review the Special Land Use criteria, and then open it up for questions.

Mr. Vander Kodde showed them slides from his presentation. He said he was going to jump right into the Master Plan, the parcel is zoned for General Business (GB), it is also Master Planned for General Business (GB). He said that General Business (GB) as part of the Master Plan allows for general retail use including large format department stores and uses consistent with Meijer. He stated that this proposal is in full alignment with the Master Plan.

Mr. Vander Kodde presented the Site Plan as it related to the Special Land Use. The Site Plan is in part in with the Special Land Use they are requesting for a large retail in excess of 55,000-sq. ft. and they are asking for 90,000-sq. ft. To secure the Special Land Use, the Site Plan is an integral of how the site is put together and they wanted to share with them how they planned that.

Mr. Vander Kodde stated he was going to cover six items, location, neighbors, driveways, access, utilities, and buffering. He said that there are 7.55 acres on the SE quadrant of S. Lapper Road and East Clarkston Rd. Their immediate neighbors are Planet Fitness to the north, Oxford Bank to the south, Burger King to the south, and they are going to have the proposed Ponds of Orion 13.5 acres site multi-family to the east. He stated that the site is accessed via five driveways, those driveways are currently proposed to remain unchanged. The primary driveway is the signalized intersection at the southbound crossover. The secondary driveway from Lapeer Rd. is in front of Planet Fitness, which is a right in right out. The third driveway is a full access driveway onto E. Clarkston Rd. The fourth driveway is a cross-access easement with a Burger King. The fifth driveway is a cross-access connection with the Oxford Bank. He added that with these driveways are to remain, they are proposing to
provide easements for ingress and egress to benefit those existing businesses and neighbors, as well as to benefit Meijer.

Mr. Vander Kodde said that they also have several utilities on the site to pay attention to. There is a storm sewer that goes to a detention pond, just to the east of the site. There is an existing sanitary sewer main that runs through the front of the site and serves Burger King, and the neighbors to the south. There is an existing water main loop around the site that benefits the Township and the adjacent neighbors. There is also an existing berm, and a 30-ft. easement to the east, south, and southwest of the existing Kmart building.

Mr. Vander Kodde stated that they have ample adequate site features to work around with their planning process for a large format retail.

Mr. Vander Kodde said he was going to present how they have proposed to accomplish that, hopefully, together with them. Their site planning includes their customers because Meijer is a customer-based family-owned business. Then they want to provide access for the neighbors and themselves. They want to continue to provide utility service, and provide screening and buffering according to the Township Zoning Ordinance and planning ideals.

Mr. Vander Kodde showed the Board the upper right end of the store as their front entrance, and that is accessed by their primary parking lot, and then they have a secondary parking lot just to the north of the entrance. To the left side of the building is their pharmacy drive-up window, which is right behind the Oxford Bank. The right side of the building is the online order pick-up area. Behind the building on the south is the employee parking lot, and then on the northeast corner is the shipping/receiving area. These are coordinated with their access easements with their neighbors and their existing driveways.

Mr. Vander Kodde said that the proposed store location also accommodates the existing utilities, the sanitary sewer is in the same location, the water main loop also goes around the building, and then the storm sewer connects to the existing storm sewer lines that were historically serving the Kmart building. They are re-routing and reusing those existing utilities. He added that there was also a DTE powerline that runs along the south southeast and east property lines, which will also remain unchanged. He said that is their site planning, they accommodate customers, access, utilities, and screening.

Mr. Vander Kodde said next he would like to talk about the Site Plan waivers they are requesting. As their planning processes unfolded with the Township staff, they realized that this particular site with its existing conditions is a perfect fit for their proposal and it fits well to the site, however, some of the zoning ordinance requirements are going to require a little flexibility, if they are going to work together, so they are looking for their help on several items. They are trying to balance several things in the zoning ordinance on this site. The first thing is the parking space count. The ordinance requires five parking spaces per thousand square feet in the building, and they are at 3.2 parking spaces per thousand. They have submitted a parking study as part of their application packet supporting that request with their anticipated parking for the business. Because they are looking for a reduction in parking, they are also looking for a reduction in landscaping, they are trying to balance the need for as much parking as possible, with the need for as much landscaping as possible, on a very small existing site, that they thought was a perfect fit for a new Meijer store. The circulation patterns, the green space, and buffering areas are specifically designed to be as big as possible for both parking and landscaping needs. He added that the Township Planner can support the fact that they have provided as much parking and landscaping as they can within the site constraints and they still fall short of both parking and landscaping. If they are to increase the landscaping, they fall even further short in parking. If they decrease landscaping to increase parking, they fall further short.
in landscaping. With the 7.55 acres site, there is simply not enough real estate for them to accomplish everything the ordinance asked them to do. Those are the waivers they are asking for tonight. He was happy to talk about any of them in detail but wanted to start with a high-level conversation for them.

Mr. Vander Kodde said they are also looking at the Special Land Use criteria. They are compatible with the adjacent uses and the Master Plan. They are reusing their existing public services, impact on traffic patterns, and they are not creating detrimental effects, they are enhancing the surrounding environment with improved landscaping, and circulation and they are not isolating any existing land uses. They felt that they meet the Special Land Use criteria.

Planner Fazzini read through his review date stamped April 9, 2021.

Engineer Landis read through his review date stamped April 7, 2021.

Chairman Reynolds stated that the Fire Marshal had some comments in regards to the east drive requiring no parking signage, and the Fire Department connection is being on the northeast side of the building. They don’t have any comments from RCOC, but they did complete a preliminary review. There were no additional comments or concerns in their Public Services review. There was a site walk done by the site walk committee, himself, Vice-Chairman Gross, and Secretary St. Henry were present.

Vice-Chairman Gross said that the cross-access agreement with the property to the north the formal written agreement, the bank, and Burger King that was kind of a handshake. Ms. Ashley Mack said that Burger is documented, and then the bank is historical, so they are going to leave everything as is. Vice-Chairman Gross asked if they are formal agreements? Ms. Mack replied that since it has been there for so long they are not going to touch it. Vice-Chairman Gross said if they wanted to they could close them off? Ms. Mack replied they could but she didn’t think it would be beneficial to them.

Vice-Chairman Gross asked what was the net use of the store? Ms. Mack replied that the entire store will be 90,000-sq. ft., she said sales floor area they didn’t lock that down. Vice-Chairman Gross said basically 10% or 20% backroom? Ms. Mack said probably closer to 10%. Chairman Gross said that would reduce the amount of parking that would be required under the ordinance by about another 50 parking spaces or so.

Vice-Chairman Gross asked what the status of the Ponds of Orion? Planning & Zoning Director Girling replied that they have a soil erosion permit that has occurred. She added that the developer is active in the community in other developments so it is not a matter of them being gone, they just have not proceeded past the soil erosion, and the soil erosion stops the expiration of the site plan. Vice-Chairman Gross asked if they are moving forward or not? Planning & Zoning Director Girling replied that she has no reason to believe they are not.

Vice-Chairman Gross stated that one of the reports said that the Ponds of Orion will be installing a 6-ft. concrete along the rear property line between their properties. Mr. Vander Kodde replied yes there is a 6-ft. concrete on the approved engineer drawings for the Ponds of Orion on their side of the property line. Vice-Chairman Gross asked if their plans could reflect that 6-ft. wall that would be by others, he thought that would be helpful because right now there is just a chain-link fence back there. Mr. Vander Kodde replied absolutely.

Vice-Chairman Gross asked about the retention pond? Engineering Landis replied that is an existing pond that the Ponds of Orion are proposing to enlarge to accommodate their development. As it stands now that pond serves the existing building, so they are allowing them
to discharge to that as is with the understanding that they will be adding the mechanical pretreatment devices to filter out the sediments as it doesn’t have a 4-bay. Vice-Chairman Gross asked if Engineer Landis was ok with that under the current plan? Engineer Landis replied yes.

Vice-Chairman Gross asked if their trash is going to be with a compactor inside the store? Mr. Vander Kodde said that the compactor is inside and the trash receptacle is outside, but it is an enclosed receptacle.

Vice-Chairman Gross said relative to the parking he saw a logical request to reduce the amount of parking. They are dealing now with online purchases which are going to reduce the amount of instore traffic, hopefully, and the same with the pharmacy so people will not be parking their car and going into the store and taking up parking spaces.

Vice-Chairman Gross thought that their report was very well done, in terms of addressing all of the issues regarding the standards and requirements of the Special Land Use.

Vice-Chairman Gross questioned the other Board Members if there are some items that require Zoning Board of Appeals waivers, and asked if they were in the position of denying the site plan because of the deficiency in the setbacks, or approving subject to the waivers? Planning & Zoning Director Girling said if they look at the suggestions, she has incorporated them into the postponement which could be carried to any of the other motions. She did have a conversation with the Township Attorney and based on the complexity of it and discussion on the ability to go to the Zoning Board of Appeals prior to a concrete answer at the Planning Commission is appropriate. It would be whatever their motion is, any of those features that require a variance to allow the ability to go to the Zoning Board of Appeals. She added that if they are ok with what is on the plan, and they are giving a Conditional Approval, the suggested motion would be technically denied, however, if they get their variances they are approved, which they are used to doing. If they don’t feel that everything is on the plan that they need to see, then that is the motion that she provided to them which is a motion to postpone, however, they are denied on the aspects that it requires a variance to allow them to go the Zoning Board of Appeals before they come back to the Planning Commission. All of that was verified with the Township Attorney.

Mr. Vander Kodde asked Planning & Zoning Director Girling that he thought it was referring to the Site Plan component or that also the Special Land Use component. Planning & Zoning Director Girling said correct, the Special Land Use can be decided, the waivers can be decided tonight if they choose, and then recommend approve or recommend approve with conditions, postponed whatever they choose on the Site Plan.

Chairman Reynolds said that there are a number of items for this approval, some waivers that they can grant, and the same variances that they will need to seek. He asked if they were looking for feedback on the general open items and to come back with a revised Site Plan with them or are they seeking full approval tonight with conditions? Mr. Vander Kodde replied that in the reviews that they received from the professional consultants there is nothing in there that was concerning to them. They are able to accommodate all of those requests, however, they are more than happy to bring back a revised Site Plan if that is what the Planning Commission desires.

Vice-Chairman Gross thought it was a good reuse of the property. It makes sense that a retail building going to a retail building. The requested waivers he thought were justified based upon the surrounding circumstances with the adjoining properties. He thought that the parking count was justifiable. He felt it would be a disservice to deny the plan and then have it wait another
month to have it come back to them for final approval. He said he didn’t see a formal landscape plan. Mr. Vander Kodde said that there was a landscape plan on sheet C600. He did not have the species of the trees called out but had the locations of the plantings and the number of trees and bushes called out. Mr. Vander Kodde said that they have provided the evergreen and the deciduous ornamental, shade tree, plantings beds, and shrubs locations. They just haven’t spent the time to detail out the species and calibers at this point. He added with the inquire of if they are satisfied with the layout, and if they are, then they will dive into that detail and present it to the consultants.

Chairman Reynolds stated that he agreed with Vice-Chairman Gross’s comments he thought it was a very comprehensive package, there is a handful of items that need a little additional detail or clarification he thought for the record. He didn’t think there were major items there, it was not an extensive list, he thought it was a number of detailed items that in many cases they establish in final engineering it is a very large package there is a lot of forethought here.

Chairman Reynolds asked where was the intent for the dumpster enclosure then, and if it was a standard size dumpster enclosure? Mr. Vander Kodde said that just to the east of the word Meijer there is a bump-out on the building just to the east of that bump-out area those thick strips those thick strips are heavy-duty concrete for the dumpster enclosure to run on when it gets offloaded and loaded onto the semi-truck. Chairman Reynolds asked if it was recessed or screened? Mr. Vander Kodde replied that it is recessed, it is four feet down. He added that if they look at the side elevation of the building, they will see that there is an opening there for the compactor.

Chairman Reynolds asked if there were any issues with addressing that the east drive would not be utilized for no parking signage, essentially the Fire Marshal comments. Mr. Vander Kodde replied no issue.

Chairman Reynolds asked if they had an idea of how many square feet is the building that is being removed? Mr. Vander Kodde replied approximately 86,900-sq. ft.

Chairman Reynolds asked if they are keeping a similar parking count? There are modifications to the lot, but is that a similar parking count? Mr. Vander Kodde said that they would be reducing the parking count because the entire south lot on the building was also used for parking so that south lot parking is going to be essentially reduced to the employee parking space in the area of the north front entry there will be a reduction in parking from the existing count to the proposed count. Order to increase the landscaping and allow the online order pick-up area. Chairman Reynolds asked in the general sense of the western portion of parking is that parking count give or take similar to what was provided? Meaning the primary retail parking of the previous facility was similar square footage, and they are dealing with similar numbers here. Mr. Vander Kodde replied that the main lot is going to be similar, he hasn’t done a per space count.

Secretary St. Henry asked if they know what the overflow parking is roughly? If Meijer customers did encroach into the rest of the parking area, do they have a general idea of how many spots are there in front of Planet Fitness and the smaller retail outlets? Mr. Vander Kodde replied that he didn’t have that number this evening. He said being out there onsite during rush hour, that the parking lot was less than half full.

Vice-Chairman Gross asked if they had rights for cross-parking as well as access drive? Mr. Vander Kodde replied that they do not have cross-parking rights, they only have cross-access rights.
Board Member Walker said he wanted to compliment them. He has been doing this for some
time, and theirs was one of the best presentations that he had ever seen. He added that this
was like the angels lifting Kmart out of there and putting them in there. He thought that
everything just seems to fit. He said that when he first looked at this, he thought that they
wanted a bunch of waivers, and then he began thinking, how did Kmart get this without those
waivers? Did the ordinance change? They are going in there and they are becoming Kmart as
he can see it. He stated that they didn’t tell them how wonderful it is going to be for Orion
Township, they said none of those things, he was so happy to hear that. They are here to make
some money, he gets it, it is wonderful and it is the way it is supposed to be. He congratulated
them on the presentation and couldn’t see why they wouldn’t deny any of these waivers
provided that they do everything the consultants suggest that they do.

Secretary St. Henry said that when that original Kmart went in, in the early 70s who knows what
ordinances were out here then. He said that this building has sat empty for at least 2 years, the
community has their ideas of what should go in there and what shouldn’t go in there. The fact
that a known, large state entity wants to move in there and take down the old building and put
up a brand-new building, there is a dearth of grocery shopping on this end of town, he lives
close by. He saw no reason to not grant them the waivers, and then to work with Meijer
wholeheartedly. This is the Township’s center or close to it, thousands of people drive by it
every day, and he thought it was important that they develop it in the right way and this is a
known entity with a strong plan.

Chairman Reynolds agreed, they have been in need of a use like this for quite a while. He was
familiar with some of Meijer’s boutique products that are responsive to current markets, market
trends, and needs. There is less of foot on the ground, going through the store, there is a lot of
delivery options. He looked favorably on the reduced parking. He thought as a Master Plan
component they want to avoid seas of underutilized parking, and didn’t see a major issue
with that. He thought the restrictions of the existing site are generating a lot of the requested
waivers and concerns. There are a few such as heights and things that are variance-based, in
his perspective are acceptable variances, but they are not there to grant those at this level. He
felt that there was a lot of good, and it being a right-sized development for their area. This being
a similar footprint in size to the existing Kmart maintaining similar parking, he looked favorably
on that, they are not looking to propose a 200,000-sq. ft. store. He added that he thought that
the motion needs to incorporate some re-reviews by their professional consultants to address
some of the open items and make sure that there are no new ones created by some of the
modifications and items that have been agreed to here, or in reviews.

Chairman Reynolds asked about the drive that would be the light at the turnaround, is there any
concern with that generation that would modify that light or anything, or is that strictly out of
their hands, and if view that needs to occur elsewhere? He knew that it works right now it is a
single access point, and is just making sure that they don’t need to look into that further. Engineer
Landis said that it would be an RCOC call, but given the fact that the anticipated trips are
relatively the same, he can’t see that changing, but it would be an RCOC call.

Secretary St. Henry asked so the anticipated trips from Kmart to Meijer are the same? Engineer
Landis replied approximately the same yes. The Meijer is only about 3,000-sq. ft. larger than
the existing Kmart, and the trips generated by that additional 3,000-sq. ft. is minimal. Secretary
St. Henry said that is what is on paper, but he could tell them that this Meijer will be much busier
than Kmart has been in the last 15 years, there will be a lot more traffic, they will have to
address it. He said they can’t look at what the last two years have been with Kmart closed and
Planet Fitness dealing with COVID and everything else. Engineer Landis replied understood.
He said it is not necessarily looking back at how busy or not busy Kmart has been it is based on
industry-standard criteria for a store of that proposed use, so they are comparing apples to
apples. Mr. Vander Kodde said that the results of a traffic impact study are going to tell them the mitigation measures that they will need to take to accommodate the traffic, and those measures are already established on this site. Chairman Reynolds said that that data is pretty much remaining the same that they are not going to look at whether it was a thriving or failing store to generate modifications to traffic.

Chairman Reynolds asked if there was any discussion, he knew that they were dividing the parcel, but what about maintaining the existing elevations to that existing structure? He would like there to be some sort of comment that it is going to be continued on, the structure to the north. He knew they were splitting this off and it goes back to a requirement of an adjacent parcel so it makes things complicated but it is originally an existing parcel. They get the intent of that north edge of the building or that south edge of the north building, being modified kind of getting lopped off. He asked if there was any discussion or agreement right now? Planning & Zoning Director Girling said if she is not mistaken, the parcels are already correct because there is a parcel number for the rest of the buildings, there is a parcel number for the existing Kmart including the parking that it has, that is why on the agenda it says one sandwiched, so it is technically already a tax parcel I.D.’d separate. Before it was one site that was the piece sandwiched, the Kmart building, and the remaining buildings with their parking, she asked if their sale of it was truly as the tax parcel exists right now, what was there to divide? Chairman Reynolds agreed, he said it was not so much the division as the aesthetic of that north side of the building that now will have a new south façade. He didn’t know if that has been discussed, it is not Meijer but this project is generating that. He asked if there was any discussion to addressing that façade in any way. Mr. Vander Kodde replied yes there has been. He said he wasn’t sure how much detail he was looking for but the existing wall between the two buildings is a shared wall, and that shared wall will remain.

Chairman Reynolds said his deal is that it is not just going to be just a blank unfinished façade, there is only so much they will require but he asked that it be an item that gets reviewed. It is an existing façade technically speaking they are getting into the gray area of their ordinance. He just wanted to make sure that it is maintained esthetically. Mr. Vander Kodde said in his case as an applicant it is an existing wall on someone else’s property. Chairman Reynolds agreed. Mr. Vander Kodde said that they will still a demolition permit for removing the Kmart building. The shared wall between Planet Fitness and Kmart will remain in place. Planner Fazzini said that they could review the details on what is to remain, painted cinderblock, or something like that. Chairman Reynolds stated that he didn’t review the drawings close enough to understand if the line was the middle of the party wall. Mr. Vander Kodde stated that the lot line is actually inside Planet Fitness and there is a two-ft. easement to accommodate their wall on their property. Chairman Reynolds said if they could just speak to the record of that being a concern to be addressed; he knew that there were limited ordinance items and it was existing and façade modifications are allowable without Site Plan approval too.

Moved by Vice-Chairman Gross, seconded by Commissioner Hoffman, that the Planning Commission approve PC-2021-37, Meijer-ORI, Ordinance #78, Section 30.02, the Special Land Use request for a large-scale retail establishment, located at 1025 S. Lapeer Rd. (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 (surrounded by parcel 09-14-226-008) for plans date stamped received March 24, 2021. This Special Land Use approval is based on the following findings of facts: that the proposed use is compatible with the adjacent uses which are currently existing; it is compatible with the Master Plan; which shows this as a general business area; the public services are adequate since they are currently in existence; the impact on traffic has been demonstrated as not being adverse to this request; there will be no detrimental effects due to the construction of this project on the property; this will be an enhancement of the surrounding environment, and there will be no isolation of existing land use as a result of this development.
Roll call vote was as follows: Gross, yes; St. Henry, yes; Urbanowski, yes; Walker, yes; Gingell, yes; Hoffman, yes; Reynolds, yes. **Motion carried 7-0.**

Moved by Vice-Chairman Gross, seconded by Commissioner Hoffman, that the Planning Commission approve a parking calculation waiver for PC-2021-37, Meijer-ORI Site Plan, Ord. No. 78, Section 14.03(C), located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 for plans date stamped received 3/24/2021, based on the following: that the area of the building as originally calculated was at the gross building area, the net building area would reflect a substantial reduction in the required parking; the parking study submitted by the applicant which identifies the time, days, and seasons for substantial parking has justified this waiver; the proposal does identify that there are new standards being provided in this development with the online purchases and pick-up reducing the long-term parking in the parking lot for both grocery as well as drive-up pharmacy, there is a shared access agreement for access to the adjoining properties to the north and the south.

Roll call vote was as follows: Walker, yes; St. Henry, yes; Gross, yes; Gingell, yes; Hoffman, yes; Urbanowski, yes; Reynolds, yes. **Motion carried 7-0.**

Moved by Vice-Chairman Gross, seconded by Commissioner Hoffman, that the Planning Commission approve a parking area/drive setback waiver for PC-2021-37, Meijer-ORI Site Plan, Ord. No. 78, Section 14.03(C), located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 for plans date stamped received 3/24/2021, based on the following: this does provide adequate landscaping and the parking is located as such as to provide sufficient parking on the site.

Roll call vote was as follows: St. Henry, yes; Gingell, yes; Hoffman, yes; Urbanowski, yes; Walker, yes; Gross, yes; Reynolds, yes. **Motion carried 7-0.**

Moved by Vice-Chairman Gross, seconded by Secretary St. Henry, that the Planning Commission approve a greenbelt width waiver for PC-2021-37, Meijer-ORI Site Plan, Ord. No. 78, Section 14.03(D), located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 for plans date stamped received 3/24/2021, based on the following: the landscape greenbelt waiver being provided is an excess of what currently exists on the site and an increase waiver would further reduce the amount of parking on the site.

Roll call vote was as follows: Urbanowski, yes; Hoffman, yes; St Henry, yes; Gingell, yes; Walker, yes; Gross, yes; Reynolds, yes. **Motion carried 7-0.**

Moved by Vice-Chairman Gross, seconded by Commissioner Hoffman, that the Planning Commission approve the parking lot landscape adjacent to the road width waiver for PC-2021-37, Meijer-ORI Site Plan, Ord. No. 78, Section 27.05(A)(4), located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 for plans date stamped received 3/24/2021, based on the following: the existing landscape is consistent with the landscaping adjacent to the road further to the north.

Roll call vote was as follows: Gross, yes; Urbanowski, yes; Hoffman, yes; Gingell, yes; St. Henry, yes; Walker, yes; Reynolds, yes. **Motion carried 7-0.**

Moved by Vice-Chairman Gross, seconded by Commissioner Hoffman, that the Planning Commission grant site plan **approval** for PC-2021-37, Meijer-ORI Site Plan, Ord. No. 78, Section 30.01), located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 for plans date stamped received 3/24/2021. This approval is based on
the following conditions: that the plan identified the no parking fire lane signs as required by the Fire Department; that the plan complies with all the OHM conditions #1-11 of their report of April 7, 2021; that the plans show a 6-ft. wall screen adjacent to the residential property to the east as a plan by others; that the landscape plan be completed showing the details of the plant materials; the photometric plan be submitted and complete; the dumpster profile to be shown in the detail; cut sheets submitted for the project; further, subject to waivers being obtained from the Zoning Board of Appeals for the rear, being the east, setback waiver, the rear façade being greater than 100-ft. in length, the loading dock setback of 50-ft. be revised to 40-ft.

Discussion on the motion:

Chairman Reynolds thought one thing to add was, and he felt he had addressed the setback variance of 63.9-ft in his motion. He asked if that was the intent? He said essentially all variances that are required by the site plan are to be requested by the Zoning Board of Appeals.

Chairman Reynolds said that the second one he would say he did have a comment about the dumpster being shown on the plan or indicated on the plan. He wanted to clarify it looks like the dumpster is going to be recessed but not screened. He asked if that was a requirement they would like to make? He said maybe the applicant can just clarify that the dumpster enclosure on that pad that is outside of the loading dock is to remain there 100% of the time, or to be placed inside and then brought out, will it be screened in some way? Mr. Vander Kodde said that the bottom four feet will be recessed and then on top of that retaining wall there is going to be a fence to prevent trip and fall hazards from the elevated area to the recessed area. He added that they would be happy to provide some screening in top of the wall as well if it would be helpful. Chairman Reynolds thought it would be appropriate to screen the dumpster or modify that detail to a solid instead of an opaque. Eric Fazzini said that the ordinance requirement is a masonry type wall. Chairman Reynolds said that as long enclosure meets the ordinance standards potentially. Mr. Vander Kodde said that they will provide that on top of that wall for the length of the dumpster. Vice-Chairman stated that the dumpster satisfies the ordinance requirements. Chairman Reynolds said that all of the variances be requested and received in order to receive approval, and the dumpster is to be screened per the ordinance requirement.

Vice-Chairman Gross amended his motion, Commissioner Hoffman re-supported, that all of the variances be requested and received in order to receive approval, the dumpster is to be screened per the ordinance requirement, and that the plans be re-reviewed by the professional consultants.

Roll call vote was as follows: Walker, yes; Gross, yes; Urbanowski, yes; Hoffman, yes; St. Henry, yes; Gingell, yes; Reynolds, yes. Motion carried 7-0.

B. PC-2021-39, Lake Orion Schools Rezone Request, a request to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI).

Chairman Reynolds reminded the Commissioners that this is a rezone request they are not getting into site plan approval items.

Chairman Reynolds asked if the applicant had anything that he wanted to add? Mr. Gary Quesda replied not if the commission doesn’t have any questions.
Planning Fazzini read through his review date stamped March 31, 2021.

Chairman Reynolds stated that he didn’t see any major conflict or issue with the rezone. He thought it was a minor expansion to the existing zoning, it is not creating any spot zoning conditions, and didn’t have any major issues with the proposal as long as it’s essentially in substantial completion, meets all of their criteria, and they have everything documented on record adequately.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission forwards a recommendation to the Township Board to approve PC-2021-39, Lake Orion Community Schools Rezone Request, to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1155 Joslyn Road from Suburban Farms (SF) to Limited Industrial (LI) for the application date stamped received 3/15/2021. This recommendation to approve is based on the following findings of facts: that the objectives are consistent with the Master Plan; the existing and proposed use of the property within the general area and the question is consistent with the zoning and Master Plan; the proposed rezoning is appropriate if combined with the property to the east and made it part of that general area of development; the zoning is consistent with the trend of development of the general area of the property in question; the approval is conditioned upon the approval of a boundary adjustment and new legal description being provided for the subject properties; this rezoning does not approve the site plan and a site plan would be before them at a later date, and they would review it relative to its zoning ordinance requirements at that time.

Discussion on the Motion:

Chairman Reynolds asked if the idea of it being combined with the adjacent parcel a condition or is it a finding of fact? Vice-Chairman Gross replied a finding of fact.

Roll call vote was as follows: St. Henry, yes; Walker, yes; Urbanowski, yes; Hoffman, yes; Gross, yes; Gingell, yes; Reynolds, yes. Motion carried 7-0.

8. UNFINISHED BUSINESS
None.

9. PUBLIC COMMENTS
None.

10. COMMUNICATIONS
None.

11. PLANNERS REPORTS/EDUCATION
None.

12. COMMITTEE REPORTS
None.

13. FUTURE PUBLIC HEARINGS
None.

14. CHAIRMAN’S COMMENTS
Chairman Reynolds said he was excited for some new developments rolling into town.
15. COMMISSIONERS’ COMMENTS
Trustee Urbanowski regarding the Master Plan meeting they had earlier, and thought that they do need to get the word out regarding the Master Plan. She thought that if they share it with everybody and do what they can, social media, send an email, they can get a good turnout. Chairman Reynolds stated that they don’t have to be professional, Planning Commissioner, to come out to these things, they are just normal people, and they all come from different backgrounds. Hopefully, they can present tools that help that discussion.

Commissioner Hoffman said he was excited as well. He liked the date of the 16th being further out, he has a baby coming right at the end of May.

16. ADJOURNMENT
Moved by Commissioner Hoffman, seconded by Trustee Urbanowski, to adjourn the meeting at 8:47 p.m. Motion carried.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion
Planning Commission Approval Date
The Charter Township of Orion Planning Commission held a Public Hearing on Wednesday, April 21, 2021, at 7:17pm at the Orion Township Community Center, 1335 Joslyn Road, Lake Orion, MI 48360, and simultaneously via “GoToMeeting” #599-669-285.

PLANNING COMMISSION MEMBERS PRESENT:
Don Walker, PC Rep to ZBA  Scott Reynolds, Chairman
Kim Urbanowski, BOT Rep to PC  Don Gross, Vice-Chairman
Joe St. Henry, Secretary  Jessica Gingell, Commissioner
Garrett Hoffman, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:
None.

CONSULTANTS PRESENT:
Eric Fazzini, (Township Planner) of Giffels Webster
Eric Pietsch, (Township Planner) of Giffels Webster
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Gary Quesada  Tom Boutrous
Jason Vander Kodde  Ashley Mack

PC-2021-39, Lake Orion Schools Rezone Request, a request to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI)

Mr. Gary Quesada from Royal Oak, MI and he was representing Ken Zmijewski who is the authorized representative of the school districts regarding this petition.

Mr. Quesada said back on February 18, 2021, the petitioner brought a Site Plan for 1761 Clarkston and there was a discussion of the site plan at the time but one of the things that were pending and had to be resolved was this petition which is a petition to rezone. He stated that the school district submitted an application authorized them to represent them, however, that application did not include some information, the reviewer made a staff report the other day, yesterday they submitted some additional information, he didn’t know if they had time to look at it, he was happy to walk through it, if they haven’t. He said the additional information was to address the concerns raised by the plan reviewer regarding the rezoning.

Mr. Quesada gave some background their engineer has addressed the issues to the extent that they can for the site plan as well. They can talk about that later if they wanted or in the next meeting but right now, he wanted to talk about the responses to the planner’s review.

Mr. Quesada said the first thing was the plot plan that was submitted was not in conformance and they have submitted their engineering site plan with some adjustments, some editing, that he thought conforms with the intent of the application requirements. On their original they didn’t have the applicant’s name, they had the authorized representative’s name, they have added that. The scale is on these plans, north direction, zoning classification, those things are on the plans, including the easement to the center of Clarkston Rd., and tax parcel i.d., all of those things are listed. Their site is really the issue, not the school district site. The school district is just finishing its building. The plot plan that they gave them was the plot plan for 1761 Clarkston with the strip the 40X694-ft. strip is what the actual measurement is and that is also on the plan. They have clarified all those things on the plot plan if there are any questions about that. Chairman Reynolds stated that they will get into some of those comments later on, and just wanted to
address the public comment portion at this point. They will dig into that deeper and will respond with their professional consultants later on under 7B.

Mr. Quesada said that the other aspect of this is the findings of fact that the commission has to make. They didn’t address those in their original application, this time they did. They think that this rezoning is in conformance with the Master Plan, provided as the current and future land use maps. This is a light industrial area, they are talking about a very small strip just to allow for this development which is planned to be public outdoor storage, not outdoor storage like boats, it is not conditioned space, it is for private units. That use is light industrial use, it is very low impact, some of the future land use around this is designated as medium density housing, should there be medium density housing, that would be one of the things that drive the need for public storage facilities in the first place, that is something that would be in conformance. They thought this was very much in conformance with the direction. The current development right now has been stable, the same business has been there for some time but if new housing is going to go in, this is a need and it is in the Light Industrial (LI) zone anyway. This will not be spot zoning and thought it was a very suitable purpose. He included a photo survey, if they haven’t been out to the site, one of the things about it is that there are high-voltage wires are going right over part of the site. He thought that the trend of this area was going to stay with light industrial. He added that perhaps there is some possible mixed use that could come in but generally speaking it is less attractive to put housing under high-voltage. He thought it was the right type of facility.

Mr. Quesada thought that another thing that was important is that the school district has already developed to the north end of their property, the area next to their development will be left natural. They are going to have a much-improved facility, right now it is an open-air facility, there is an old wood fence, they will put up some decorative fencing, landscaping on both sides, the buildings will not be a bright orange like some of these public storages, it will be a more subtly colored it will not be calling out attention. It will be an unintrusive appropriate use for this site, and it is just this 40-ft. strip.

Chairman Reynolds asked if there were any public comments? There were not.

Chairman Reynolds asked if there were any comments from the Commissioners? There were not.

Chairman Reynolds closed the public hearing at 7:24 p.m.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

Planning Commission Approval Date

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MOST CURRENT AERIAL IMAGE:

- Areas to be left natural
- New School Building (Being completed)
APPLICATION FOR REZONING

Case Number PC-2021-39

*PROOF OF OWNERSHIP MUST BE INCLUDED IN THE APPLICATION*
(Acceptable documentation includes: Warranty Deed, Quit Claim Deed, Land Contract, and Option to Purchase with a Copy of the Warranty Deed. If the applicant is not the property owner, then written authorization from the property owner must be included.)

NOTICE TO APPLICANT

The following application must be completed (incomplete applications will be returned to the petitioner) and filed with the Township at least four (4) weeks prior to a scheduled Planning Commission meeting in order to initiate a request for Rezoning Approval. Regular meetings of the Planning Commission are held on the first and third Wednesday of each month at 7:00 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion.

Date: February 26, 2021 Project Name: LOCS and Orion Investment Group Rezoning

Applicants Name: Lake Orion Community Schools

Applicants Address: 315 N. Lapeer Street

City: Lake Orion State: Michigan Zip Code: 48362

Phone#: 248-693-5415 Fax #: 248-693-5464 E-Mail: John.Fitzgerald@lok12.org

Property Owner Name: Lake Orion Community Schools

Property Owner Address: 315 N. Lapeer Street, Lake Orion, MI 48362

Phone#: 248-693-5415 Fax #: 248-693-5464 E-Mail: John.Fitzgerald@lok12.org

Please attach an additional sheet, if there are two or more property owners.

Name of Firm/Individual who Prepared the plan: Contact person is: Ken Zmijewski

Address: 1761 Clarkston Rd, Lake Orion, MI 48362

Phone#: 248-364-3900 Cell#: 248-425-3448 E-Mail__________________________

*Please Indicate Above The Contact Person For The Proposed Rezoning*

Property Description:
Location or Address of the Property: Portion of 1255 Joslyn Road, Lake Orion, MI 48360

Side of Street__________Nearest Cross Streets: Joslyn and Clarkston Roads
Sidwell Number(s): 09-16-200-002  Total Acreage: Est. existing 43.944 acres. 
Selling about 2/3s of one acre.

Subdivision Name (if applicable)________________________

Frontage (in feet):__________________________Depth (in feet)

*Please Attach to the Application a Complete Legal Description of the Subject Property

Current Zoning Classification:
Subject Property: Suburban Farms

Adjacent Properties:
North: Clarkston Road  South: Suburban Farms
East: Limited Industrial  West: Suburban Farms

Requested Zoning Classification:
Subject Property: Limited Industrial

Existing Use of Property: Public school campus

Proposed Use of Property: Portion to be sold is proposed to be Industrial (self-storage).

Statement of Purpose: On a separate sheet of paper attach to the application the reasons why: 1. The rezoning is necessary for the preservation and enjoyment of the rights of usage commonly associated with property ownership; 2. The existing zoning classification is no longer appropriate, and, 3. The rezoning will not be detrimental to surrounding properties.

***10 Sets Of The Plot Plan And The Rezoning Application Prepared In Accordance With The Orion Township Zoning Ordinance #78, Section 30.04 And One 8x11 Map Showing The Subject Area, Acreage, Current And Proposed Zoning Designations Are Required When Submitting For A Rezoning Request. All Applicable Fees Must Also Be Included As Part Of The Rezoning Request. Please See Ordinance #41 For The Planning Commission Review Fees***

I hereby submit this application for Rezoning, pursuant to the provisions of the Orion Township Zoning Ordinance, Ordinance #78, Section 30.04 and any other applicable Township Ordinance requirements. In support of the permit application, I hereby certify that the information provided herein is accurate and the application that has been provided is complete. As the property owner (or having been granted permission to represent the owner as to this application) and on behalf of all owners of this property, I hereby grant the Planning Commission members and Township Building Department staff permission to perform a site walk on the property, without prior notification, as is deemed necessary.

Signature of Applicant ___________________________ Date 3/12/2021

Signature of Applicant ___________________________ Date
March 31, 2021
Planning Commission
Orion Township
2525 Joslyn Road
Lake Orion, MI, 48360

Rezoning Review
Request: from SF to LI (part)

Case No: PC-2021-39
Site: Orion Oaks Elementary School (part)
Applicant: John D. Fitzgerald, LO Community Schools
Plan Date: 03/15/2021
Zoning: SF Suburban Farms
Parcel ID: 09-16-200-002

Dear Planning Commission Members:

We have completed a review of the request for rezoning referenced above and a summary of our findings is below. Items in **bold** require specific action. Items in *italics* can be addressed administratively. A summary of the requested Planning Commission action is provided on the next page.
30.04 Amendments to the Zoning Ordinance

Findings of Fact and Recommendation of the Planning Commission. Following the public hearing, the Planning Commission shall transmit a summary of comments received at the public hearing and the proposed Ordinance amendments, including any maps and recommendations make written findings of fact and transmit same, together with its recommendation, to the Township Board. The Township Board may hold additional hearings if the Township Board considers it necessary, or if requested.

Where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the Planning Commission shall make findings based on the evidence presented to it with respect to the following matters:

a. The objectives of the Township's Master Plan.

b. Existing uses of property within the general area of the property in question.

c. The zoning classification of property within the general area of the property in question.

d. The suitability of the property in question to the uses permitted under the existing zoning classification.

e. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification.

SUMMARY OF FINDINGS

Existing Conditions

1. Site. The site consists of a 40-foot wide by 700-foot deep area in the northeast corner of a large existing parcel that contains Orion Oaks Elementary School. The site has 40 feet of frontage along the south side of Clarkston Road and is included within the development area of PC-2019-04, Orion Storage, a site plan review for a mini-storage and warehousing development. This case was postponed by the Planning Commission in February due to the lack of proper zoning along the west boundary of the development. This rezoning application has been submitted to provide proper LI zoning for the west boundary of the Orion Storage development as the 40-foot by 700-foot rezoning area corresponds with the 40-foot by 694.90-foot area indicated on the Orion Storage site plan.
2. **Application.** Zoning Ordinance Section 30.04 B.2. states that a plot plan shall accompany a rezoning application and shall include the following. If any of the items listed are not applicable to a particular plot plan, the applicant shall specify on the plot plan which items do not apply, and furthermore, why the items are not applicable.

   a. Applicant's name, address, and telephone number.
   b. Scale of plot plan, north point, and dates of submission and revisions.
   c. Zoning classification of petitioner's parcel and all abutting parcels.
   d. Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on the site and within one hundred (100) feet of the site. Aerial imagery or photographs with parcel data/or property lines should be submitted.
   e. Existing use of the property.
   f. Right-of-way widths of all abutting streets and alleys.
   g. Tax parcel identification number and/or legal description with acreage calculation.
   h. Listing of all existing street addresses within the property.

The applicant has submitted a scaled Oakland County GIS parcel map as their plot plan. This GIS map includes some of the information listed in a. through h. above but does not include detailed information that would normally be indicated on a rezoning plot plan or site plan. The Planning Commission should determine if any additional information listed above should be submitted at this time. At a minimum, the submitted GIS map should be amended to specify which items in a. through h. do not apply and why as this is a requirement of the Zoning Ordinance.

The area requested for rezoning should exactly match the area needed for the Orion Storage development. The Orion Storage site plan indicates an area that is 694.90 feet deep, while the rezoning application indicates an area that is 700 feet. The rezoning applicant should work with the Orion Storage applicant to ensure there are no discrepancies between these two areas if approved.

3. **Adjacent zoning & land uses (from rezoning strip area).**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>LI</td>
<td>Industrial (multiple)</td>
</tr>
<tr>
<td>East</td>
<td>LI</td>
<td>Industrial (Orion Storage)</td>
</tr>
<tr>
<td>South</td>
<td>SF</td>
<td>Elementary School</td>
</tr>
<tr>
<td>West</td>
<td>SF</td>
<td>Elementary School</td>
</tr>
</tbody>
</table>

www.giffelswebster.com
Master Plan

4. **FLU Map.** The Future Land Use Map classifies the site as Institutional. This classification surrounds the site to the east (Orion Storage), south, and west. Across Clarkston Road to the north is classified Single Family Medium Density. The Future Land Use Classification for Institutional is as follows:

“Institutional is located where existing schools, churches, public buildings and cemeteries are currently in operation within the Township. Because such uses are permitted in a variety of zoning districts, the correlating zoning classifications are too numerous to mention. Institutional uses are permitted within nearly any zoning district within the Township.”

---

**Future Land Use Map Boundaries**

In general, and for most communities, future land use map boundaries are not typically intended to be precise related to the boundaries of individual parcels as master plans have a long-range focus. Related to this, the Orion Township Master Plan states that:

“It should be remembered that the Master Plan is just the best estimate of what would be the desirable land use configuration of the community in the future, from a point in time at the present. As time moves on, this concept of a desirable community may change, so the Plan must be flexible in order to accommodate that change.”
Planner Comments: The existing 2015 FLU Map does not account for existing industrial uses and UI zoning within the area surrounding the intersection of Clarkston Road and the Polly Ann Trail, likely due to the historic presence of the rail line now occupied by the trail. It is unclear if this lack of an industrial classification for this area was intentional to phase out industrial uses within this area over time, or if this was an oversight in accounting for established industrial uses and zoning.

As part of the Master Plan Update, we will likely encourage the Planning Commission to consider an industrial classification for the Orion Storage site and surrounding industrial sites to ensure that the new FLU Map does not conflict with existing industrial uses and zoning. If the Orion Storage site is ultimately classified as industrial, this rezoning request could then be viewed as a minor expansion of an established industrial use and zone. We have no objection to this rezoning request proceeding at this time, prior to the Master Plan Update being completed, due to the apparent conflict between the established industrial use and zoning in this area, and the FLU classification.

5. Master Plan Text. The 2015 Master Plan text, including the Objectives, also provide guidance related to this request. Below are several sections that broadly relate to this rezoning request, including highlighted goals and objectives/policies that may relate to the proposed development of the adjacent and related Orion Storage site including the strip area subject to this rezoning request.

I. Economic Development
   Goal B: To provide economically sustainable developments.
      Objective I: To provide developments that can serve multiple purposes and reuse the existing buildings within the township.
      Policy 2: Monitor a business development, retention, and expansion plan.

   Goal C: To streamline the development review process.
      Objective I: To assist with economic development, continue the development review procedure to encourage development providing it complies with the characteristics and needs of the community.
      Policy 1: Adjust zoning districts in a manner which is consistent with established development patterns.

II. Community Facilities
   Goal B: To provide for adequate sanitary sewer, public water, and stormwater management service in a manner consistent with the developed policies of the township.
      Objective II: To ensure that new development will occur where adequate services are provided and proposed.

   Goal C: To provide for the maintenance of storm drainage systems along roadways and within developments.
      Objective I: To protect the quality of the existing storm drainage system which flows into abutting lakes, streams and wetlands.

III. Recreation Facilities
   Goal C: Continue to develop and maintain the township-side non-motorized transportation system.
Objective/Policy 2: Continue to coordinate with the Polly Ann Trail, Paint Creek Trail, Road Commission for Oakland County, railroad companies, adjacent communities and other stakeholders.

IV. Environmental Resources
Goal A: To preserve the natural resources of Orion Township.
   Objective II: To utilize the Township Stormwater Management and Erosion Control Ordinance to ensure that development will not adversely impact natural resources and surrounding property.

VI. Transportation and Thoroughfares
Goal A: To provide a traffic circulation system that safely and efficiently services residents and businesses located within the township.
   Objective I: To obtain needed right-of-way dedications and traffic safety improvements.
   Objective IV: To encourage improved roadway aesthetics.
   Policy 1: Roadways should be visually pleasing to motorists, pedestrians, and persons who view the roads from adjoining land.
   Objective V: To discourage development within future road rights-of-way as depicted on the Right-of-Way Plan.

Goal B: To Develop a system of pedestrian/bicycle safety paths to link residential areas with schools, recreation areas, commercial districts and other destinations.
   Objective III: To support development and maintenance of the proposed Polly Ann Trail and Paint Creek Trailway.

XI. Industrial Areas
Goal A: To provide for industrial development in a manner that increases the community’s tax base, results in proper land use relationships, and does not negatively impact the environment.
   Objective II: To minimize the negative impacts of industrial areas on non-industrial areas and on the environment.
      Policy 1: Concentrate industrial uses in suitable locations to protect residential uses.
      Policy 2: Other land uses should be physically and visually protected from the intrusion of industrial land use.

Objective III: to provide a balanced industrial development strategy to achieve environmental compatibility and maintain the semi-rural character of the township
   Policy 6: Future industrial development should be permitted only in accordance with the ability to provide required utilities and public services, including public water and sanitary sewer services, adequate road construction and maintenance, police and fire protection and a tax base to allow for adequate general municipal administrative and regulatory services.

Goal B: To strive for high standards of design for industrial development in the township.
   Objective I: To create industrial areas which are well served by infrastructure, are efficiently served by transportation facilities and are as attractive as can be attained in an industrial district.
CONCLUSION

1. **Application.**
   a. The Planning Commission should determine if any additional information listed in Section 30.04 B.2. a. through h. should be submitted at this time.
   b. At a minimum, the submitted GIS map should be amended to specify which items in a. through h. do not apply and why as this is a requirement of the Zoning Ordinance.
   c. The rezoning applicant should work with the Orion Storage applicant to ensure there are no discrepancies between these two site plan and rezoning map areas if approved.

2. **FLU Map.** As part of the Master Plan Update, we will likely encourage the Planning Commission to consider an industrial classification for the Orion Storage site and surrounding industrial sites to ensure that the new FLU Map does not conflict with existing industrial uses and zoning.

3. **Master Plan Text.** Review item #5 contains several sections that broadly relate to this rezoning request, including highlighted goals and objectives/policies that may relate to the proposed development of the adjacent and related Orion Storage site including the strip area subject to this rezoning request.

Respectfully,

Giffels Webster

Eric Fazzini, AICP & CNU-A
Senior Planner

[Map Diagram]
April 20, 2021

Ms. Tammy Girling
Planning & Zoning Director
Orion Township
tgirling@oriontownship.org
(248) 391-0304, ext. 5000

RE: PC-2021-39
Lake Orion Community School, Rezone Request
Responses to Rezoning Review, dated March 31, 2021

Our clients: Ken Zmijewski

Dear Ms. Girling-

We are respectfully requesting the Department accept this correspondence and attachments as additional information, in response to the questions raised in the Rezoning Review dated March 31, 2021.

Attachments:

Please find attached a site plan sealed by Sujak Engineering as our Plot Plan in conformance with the application requirements, along with a landscape plan and photometric map.

Also find attached the most current available aerial photo, current zoning map, future land use map and a photo survey of the adjacent properties.

Plot Plan Information:

The reviewer noted missing information on the submitted plot plan.

a. Applicant's name, address & phone – shown on plan, along with applicant's authorized representative.

b. Scale, north point, dates of submission & revisions – shown on plan, latest revision is entitled "Layout Updates" and dated 1/20/2021.
c. Zoning classification of petitioner’s parcel and all abutting parcels – shown on plans or in other attachments.

d. Existing lot lines, building lines, structures, parking areas, driveways etc. – The applicant’s property is not being improved. The plan depicts the planned improvements to the property at 1761 Clarkston Road, which will be acquiring the subject strip of land being re-zoned. Therefore, the plan does not show the entire property owned by the School District.

The most Current Aerial image is attached, which shows the surrounding parcels, and notes the areas on the District’s property to remain natural.

e. The existing use of the property is shown in the photo survey attached.

f. Right of way widths of all abutting street and alleys – shown on plan (33 ft from centerline of Clarkston Road).

g. Tax Parcel Identification Number and/or legal description with acreage calculation – 1761 Clarkston Tax ID #, legal description and acreage calculation shown on plan.

The School District’s parcel ID # is 09-16-200-02. The strip being re-zoned is measured at 694.90 feet x 40 feet which is 27,796 sq ft, or .64 acres.

h. Listing of all existing street addresses within the property – Not applicable.

Finding of Facts for Recommendation to Township Board:

a. Objectives of the Master Plan – The area to be rezoned would be a minor adjustment to the future land use map, simply enlarging an existing, permitted use by .64 of an acre.

The future land use map maintains a Limited Industrial Zone at the 1761 Clarkston Road property. As noted by the reviewer, the FLU Map does not reflect the current limited industrial uses of the properties to the north and east, but designates these as “Single Family Medium Density.” However, there are practical restraints on residential developments in either direction. The high-voltage wires that cross over the properties and run along the Poly Ann trail reduce the attractiveness for development of homes. It is more likely the Limited Industrial uses now present will continue into the future.

If there are medium density developments in the area in the future, these developments are naturally the types of developments that drive demand for public storage facilities. Either way, maintaining 1761 Clarkston for this planned Limited Industrial use is in conformance with the goals of the Master Plan.
b. Existing uses of Property within the general area — See above and attachments. The requested re-zoning will be similar and compatible to adjacent uses.

c. Zoning Classification of property within the general area - See above and attachments. The requested re-zoning matches the existing adjacent zones, and will not create a "spot-zone."

d. The suitability of the property to the uses permitted, under the existing zoning classification - The property at 1761 is currently used as a storage facility in conformance with low-impact uses permitted in a Limited Industrial Zone. The re-zoning would allow an upgrade to enclosed self-storage units, and would remain low-impact.

e. The trend of development in the general area of the property – The trend in the immediate vicinity has been stable, maintaining current uses. The Township’s Master Plan and FLU Map indicate the desire to respond to demand for medium-density housing. As noted above, medium and high-density housing drives demand for public storage.

f. Any additional findings of fact – The improvements contemplated to 1761 Clarkston will be an improvement to the area and serve a market need. The facility will benefit the neighboring property owners. The new Orion Storage facility will be built with quality materials and color selection will be subtle, not bright orange or other color that will attract inappropriate attention. The grounds will be well-landscaped, maintained with an irrigation system and lighting will be studied and directed only on site (See photometric map attached).

The School District property to the west that abuts the planned new facility will be left natural, so the planned improvements will have no detrimental impact whatsoever.

The Poly Ann Trail to the east will view shrubs and landscaping which will be an improvement over the current standard wood privacy fence.

We hope the foregoing is fully responsive to the Planning Commission, Department and Reviewer's questions. We will be prepared to answer any additional questions at the hearing on April 21, 2021 at 7:00 PM. We thank you for your consideration.

Sincerely,

Gary D. Quesada

cc: Client
TO: Charter Township of Orion Board of Trustees  
FROM: Tammy Girling, Planning & Zoning Director  
DATE: April 28, 2021  
RE: PC-2021-39, Lake Orion Community Schools Rezone

Lake Orion Community Schools (specifically Orion Oaks Elementary) is requesting to rezone a 40-foot wide by 694.90 feet long area in the north east corner of their parcel. The intent is to rezone the parcel from Suburban Farms (SF) to Limited Industrial (LI) in order to do a boundary adjustment and sell the 40-foot strip to the adjacent property owner who is zoned LI. Lake Orion Community Schools has given written permission for the adjacent property owner to appear on their behalf for the re-zone application.

The Planning Commission held a Public Hearing on April 21, 2021 and later that evening at the regularly scheduled Planning Commission meeting, the following motion was passed:

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission forwards a recommendation to the Township Board to approve PC-2021-39, Lake Orion Community Schools Rezone Request, to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1155 Joslyn Road from Suburban Farms (SF) to Limited Industrial (LI) for the application date stamped received 3/15/2021. This recommendation to approve is based on the following findings of facts: that the objectives are consistent with the Master Plan; the existing and proposed use of the property within the general area and the question is consistent with the zoning and Master Plan; the proposed rezoning is appropriate if combined with the property to the east and made it part of that general area of development; the zoning is consistent with the trend of development of the general area of the property in question; the approval is conditioned upon the approval of a boundary adjustment and new legal description being provided for the subject properties; this rezoning does not approve the site plan and a site plan would be before them at a later date, and they would review it relative to its zoning ordinance requirements at that time.

Discussion on the Motion:

Chairman Reynolds asked if the idea of it being combined with the adjacent parcel a condition or is it a finding of fact? Vice-Chairman Gross replied a finding of fact.

Roll call vote was as follows: St. Henry, yes; Walker, yes; Urbanowski, yes; Hoffman, yes; Gross, yes; Gingell, yes; Reynolds, yes. Motion carried 7-0.

Included in your packet is the Rezoning Application, the planning consultant’s review, the Public Hearing Minutes and the Planning Commission minutes from April 21, 2021, and supplemental application documents received. If you have any questions, please feel free to contact me at (248) 391-0304 x 5000.
CURRENT ZONING MAP:

Legend

- Suburban Farms
- Suburban Estates
- Suburban Ranch
- Single-Family Residential (14,000 sq. ft.)
- Single-Family Residential (10,800 sq. ft.)
- Single-Family Residential (8,400 sq. ft.)
- Multiple Family Residential
- Mobile Home Park
- Office & Professional
- Restricted Business
- General Business
- Limited Industrial
- Industrial Park
- Industrial Complex
- Railroad Freight Yard
- Special Purpose 1
- Special Purpose 2
- Planned Unit Development
- Recreation 1
FUTURE LAND USE MAP:

- Single Family Low Density
- Single Family Medium Low Density
- Single Family Medium Density
- Village Center
- Industrial/Commercial/Residential Mixed Use
- Research/Light Industrial
1761 Clarkston Road – Current use is Outdoor Storage; Zoned LIMITED INDUSTRIAL:

East property line abuts the Poly Ann Trail and is partially beneath high voltage electric wires:
Property to the east is also Zoned LIMITED INDUSTRIAL and engaged in Outdoor Storage:
Property to the north across Clarkston Road is also Zoned and currently used LIMITED INDUSTRIAL
(Company designs, manufactures and installs automated paint circulation systems):

High voltage wires continue north
over the Complete Company property
and along Poly Ann Trail:
Property to the west is Zoned Suburban Farms and is a public school. The District is currently completing a new school building:

The area to the east of the new asphalt road will be left NATURAL:
NOTE
WALL PACK TYPE L2 SMALL BE MOUNTED 7'-4" A.F.G. AS MEASURED FROM BOTTOM OF LUMINAIRE
AREA POLE HEIGHT AT 15'-0" A.F.G.
Agenda Item Summary

To: Board of Trustees
From: Chris Barnett, Township Supervisor
Meeting Date: June 7, 2021
Memo Date: June 3, 2021
Subject: First Reading - Moratorium on Ordinance 99

REQUEST
The request is to approve the first reading of the proposed amendment to Township Ordinance 99, placing a temporary moratorium on the issuance of permits for any new or existing mining operations.

REASON
The Michigan legislature is currently debating three bills that would move the permitting process for mining companies from the local municipality to the State Department of Environment, Great Lakes, and Energy, among other significant changes (SB 429, SB 430, and SB 431). On June 2, 2021, the State Senate approved this bill package by a 19-17 vote. It is anticipated that this bill package will be brought before the State House next week. Due to the potential ramifications that might result from the passage of these bills, a temporary moratorium on Township Ordinance 99 is being requested to allow for time for the Township to study the need for changes to criteria for permitting, if any, and make appropriate amendments to support the health, welfare, and safety of Township residents. The proposed amendment places a temporary moratorium on the issuance of permits for any new or existing mining operations for a period of six-months.

PROCESS
An ordinance can only be amended/suspended by another ordinance, meaning a moratorium on an existing ordinance, or provisions of an ordinance, can only be enacted through adoption of another ordinance. In the interim, the Board may consider a moratorium on the granting of any Township approval of permits for mining and excavation in the current version of Ordinance 99. An amended Ordinance, which narrowly limits the existing provisions of Ordinance 99 for a temporary time, specific to discontinuation of the issuance of permits for mining and excavation within the Township, is attached for Board consideration. The proposed moratorium is temporary and would impose a six-month moratorium with regards to mining and excavation within the Township, specific to the issuance of permits for new and existing mining operations.

RECOMMENDATION (MOTION)
“I move to approve the first reading of the amendments to the Orion Township Earth Balancing and Excavation Ordinance (Ordinance No. 99) and establish a six-month moratorium on the review and approval of all permits or other approvals of permits issued for mining and excavation within the township and direct the Township Clerk to publish said Ordinance in accordance with state law and hereby set the second reading of said Ordinance Amendment for June 21, 2021.”
Charter Township of Orion

Ordinance No. 99

Earth Balancing & Excavation

Adopted December 16, 1991

AMENDED
August 15, 1994
December 20, 1999 - Fees (Ord. 41)
April 20, 2015 (99-2)
AN ORDINANCE TO REGULATE THE REMOVAL OF TOPSOIL, SUBSOIL, SAND, GRAVEL, AND OTHER MATERIALS, AND THE MOVING AND FILLING OF LAND; TO AUTHORIZE THE ISSUANCE OF PERMITS FOR EARTH EXCAVATING AND/OR FILLING; TO PROVIDE PERFORMANCE STANDARDS; TO PROVIDE FOR ENFORCEMENT AND FOR PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AND TO REPEAL ORDINANCE NO. 40 AND ALL PORTIONS OF OTHER ORDINANCES THAT ARE INCONSISTENT WITH THIS ORDINANCE.

Section 1 – Title

This Ordinance shall be known and may be cited as the Orion Charter Township "Earth Balancing and Excavation" Ordinance, and it shall be deemed sufficient in any action for the enforcement of the provisions hereof to define the same by such short title and by reference to the number hereof.

Section 2 – Purpose

The purpose of this Ordinance shall be:

A. to further secure and protect the general welfare and safety of the citizens and other persons within the Charter Township of Orion;

B. to regulate the removal of topsoil, subsoil, sand, gravel, and other materials, and the moving and filling of land;

C. to authorize the issuance of permits for earth excavation and/or filling; to provide performance standards;

D. to provide for enforcement and for penalties for the violation of its provisions;

E. to repeal Ordinance No. 40 and all portions of other ordinances that are inconsistent with this Ordinance.

Section 3 – Definitions

A. BOARD OF APPEALS means the Orion Township Zoning Board of Appeals.

B. EARTH BALANCING means the moving, grading, or leveling of earth or rock materials.

C. FILLING means the depositing of sand, gravel or earth and/or construction debris, or other material, not originating on the property upon which it is be deposited for the purpose of raising the elevation of the property or any part thereof or filling depressions, holes, swales or sloughs. (added 04.20.15)

D. GROUNDWATER means any water found under the surface of the earth.

E. PERSON means any individual, partnership, corporation, or association.

F. PROCESSING shall mean any alteration in any manner of gravel, clay, sand, soil, earth, fill, or similar materials.

G. SOIL EXCAVATION means the excavation or removal of any kind or nature from a site of gravel, clay, sand, soil, or similar materials.

H. SUITABLE FILL MATERIAL means clean, natural earth materials (compactible), containing no more than five percent (5%) broken concrete. With the exception of the broken concrete, the fill shall be free of foreign matter such as brick, crockery, and other inert solid wastes, as well as other refuse or rubbish. All fill materials shall be free of chemical contamination.

I. SURFACE WATERS means water occurring generally on the surface of the earth.

J. LEGITIMATE COMPLAINT as determined by the Building Official or his designee, a legitimate complaint is a complaint supported by competent evidence which can be verified by the Building Department under the circumstances. (added 04.20.15)
K. **BUILDING OFFICIAL DESIGNEE** shall include all Code Enforcement Officers and Township Engineers. *(added 04.20.15)*

**Section 4 – Permits, Procedures**

A. **Permit Required** - From and after the effective date of this Ordinance, no person shall operate a soil excavation site, or perform earth balancing or filling operations on any property in Orion Township, except in accordance with a permit issued by the Board of Appeals, pursuant to the authority of this Ordinance. No permit shall be required for *(amended 04.20.15)*:

1. Excavations for the construction of buildings and structures for which a building permit has been issued;

2. The moving, grading, or leveling of earth or rock materials by a property owner solely upon his property where the allowable balancing shall be fifty (50) cubic yards per half acre and not to exceed one hundred (100) cubic yards. This fill should be placed so it will not exceed a minimum slope ratio of four (4) feet horizontal to one (1) foot vertical from any adjacent property owner and not block any natural drainage course;

3. The filling of land for purposes of construction or land balancing where the land is low and in need of fill, so long as the fill does not contain any refuse, is not a commercial operation, and not more than one hundred (100) cubic yards of fill are deposited in any calendar year;

4. The removal of soil when no more than twenty (20) cubic yards are removed in any calendar year.

B. **Authority of Board of Appeals** - The Board of Appeals shall receive applications, hold public hearings, grant or deny permits, and do all other acts authorized herein.

C. **Referral to Planning Commission** - Before granting a new permit under this Ordinance, the Board of Appeals shall refer the application to the Township Planning Commission for findings and recommendations, except that a permit for earth balancing by a property owner solely upon his property need not be referred to the Planning Commission.

D. **Public Hearing and Granting of Permits** - After receiving the report of the Planning Commission, the Board of Appeals shall hold a public hearing, and after considering all available facts and details, the Board of Appeals may issue a permit to expire on May 15 of the following year, which is renewable annually by the Board of Appeals without further public hearing. The Board of Appeals shall authorize the issuance of a permit, only if it finds that the granting of said permit will:

1. Not be injurious to the public health, safety, and welfare of the Township and its residents;

2. Be in compliance with all the requirements and standards of this Ordinance, and the other applicable Township Ordinances, standards, and regulations;

3. Not create an unreasonable hazard, annoyance, or inconvenience to the owners or occupants of nearby property;

4. Not create any significant obstacle to the implementation of the plan for Township development as evidenced by the Zoning Ordinance and the Master Plan of the Township.

The Board of Appeals may attach such conditions to the granting of the permit as it finds necessary to ensure that the intent and purpose of this Ordinance is fulfilled. Any violation of a condition(s) included in the permit shall be construed as a violation of this Ordinance and shall be grounds for revoking the permit.

Where a permit is required due to the volume of cubic yards to be disturbed, yet a minimum impact is apparent, an administrative review performed by the Building Official will be allowed to prevent unnecessary and costly information from being submitted. A minimum administrative review fee of One Hundred Twenty-Five Dollars ($125) will be charged to the applicant.

E. **Moratorium** - In light of the Township’s plan to study the health and safety factors associated with mining and excavation operations for the benefit and welfare of Township residents in revising its Zoning and Permitting Ordinances to reasonably regulate the issuance of mining and excavation permits, effective as of July 1, 2021, a moratorium shall be imposed and remain in effect for a period of 180 days or until a subsequent amendment to this Ordinance and the Zoning Ordinance is adopted, whichever occurs first. Prior to expiration of the Moratorium, the Township may, by resolution, extend the Moratorium as appropriate to allow sufficient time to complete amendments to its Ordinances. If an extension is adopted, the Township shall publish notice of same.
Section 5 – Applications

An applicant for an excavation or filling permit shall pay such fees and/or costs as are required by resolution of the Township Board and shall submit to the Board of Appeals an application containing the following information, except an applicant for a permit for earth balancing by a property owner solely upon his property need only comply with Subsections A, B, C, I and J of this section. (amended 04.20.15)

A. A legal description of the premises wherein the operations are proposed.

B. Names and addresses of all parties having an interest in said premises setting forth their legal interest. Proof of legal interest shall be provided. Any person with any ownership interest in the property, when differing from the applicant, must also sign the application as a co-applicant to ensure their responsibility for activity upon their property.

C. Topographical survey map at a scale of 1 inch to 100 feet or 1 inch to 50 feet, as may be required by the Board of Appeals, showing existing and proposed final grades on a two-foot contour interval. Grades shall be prepared and sealed by a civil engineer registered as a professional engineer in the State of Michigan or land surveyor registered as a professional surveyor in the State of Michigan.

The required topographical map shall be complemented with a one hundred (100) foot minimum grid which is consecutively numbered. The applicant shall identify the grids intended for various activities such as excavation and restoration. If it is deemed by the Board of Appeals that a one hundred (100) foot grid is unnecessary, the requirements may be waived. (amended 04.20.15)

If the applicant is re-applying on a yearly basis to continue an on-going excavation project, the applicant may use the same topographical survey map up to a maximum of eight (8) years with any additional topographical survey to be submitted at the discretion of the Board of Appeals. Unless the final proposed grades and site use changes, the applicant need only submit one (1) final grading plan for the duration of their operation. (amended 04.20.15)

D. An estimate by a civil engineer registered as a professional engineer in the State of Michigan or land surveyor registered as a professional surveyor in the State of Michigan as to the cubic yards of material to be removed and/or placed, and a detailed statement as to how the filling and/or removal is to be accomplished.

E. A statement as to all types of materials to be removed and/or placed, and indication of specific places on the property where each of the materials or fill are to be removed or placed, a detailed statement as to the methods of operation, the type of machinery or equipment to be used, and the estimated period of time that such operations shall cover.

F. Details of similar operations carried on by the applicant, if any.

G. The type and daily number of vehicles to be used in the proposed operations.

H. Identification of access roads; on-site roads; grades for proper drainage and any special draining devices, if necessary; fencing; any structures on site, existing or proposed; existing and proposed utilities; and an explanation of any on-site testing or other survey data, including soil surveys, water tables, and sub-surface characteristics.

I. A statement which specifies in detail the proposed use of the land after the excavation or filling. The final grades presented shall be consistent with the purposes for use of the property after completion of operation.

J. A specific acknowledgement, after the applicant and property owners have granted a license to Township officials and employees to enter onto the licensed property for the purpose of inspections and to bring the property into compliance with the provisions of the Ordinance, if necessary. Unless covered by the permit application fee, any inspection or additional inspection, testing or investigation, will be completed at the expense of the permittee/applicant; including any and all expenses or costs of the Township and/or Township Engineers. The permittee shall reimburse the Township for all inspection costs within seven (7) days of receiving a detailed invoice from the Township. (amended 04.20.15)

K. Such other information and material as the Board of Appeals may require.
Section 6 – Bonds and Insurance

A. **Bonds** - The applicant shall post a surety bond or some other security satisfactory to the Board of Appeals, naming the Township of Orion as the Beneficiary thereof, in an amount determined by the Board of Appeals to be reasonably necessary to ensure compliance hereunder. In no case will the sum of the surety bond be less than Five Hundred Dollars ($500) for each acre or fraction thereof of land to be covered by the permit. Every applicant for a filling operation permit must also post an escrow in the amount of Two Thousand Five Hundred Dollars ($2,500.00) to cover any costs of inspections or tests conducted in accordance with this Ordinance. Every bond shall guarantee compliance with this Ordinance, the permit requirements and conditions, and that the operation will be carried out according to the approved plans and specifications.

Upon failure of a licensee to fulfill any of the conditions of the bond, the Township may use the proceeds of the bond to go upon the licensee's premises and perform any acts necessary to produce compliance. By filling out an application, every applicant shall be deemed to have granted a license to the Township officials and employees to enter onto the licensed property for the purpose of inspections and bringing such property into compliance with the provisions of the Ordinance.

In fixing the amount of such surety bond, the Board of Appeals shall take into account the size and scope of the proposed operation, current prevailing costs of rehabilitating the premises, and other conditions and factors as might be relevant. The applicant shall notify the bonding company and provide proof thereof that the Township be notified in the event of any lapse in the effectiveness of the bond.

For each acre restored and reclaimed in accordance herewith, or otherwise, a bond may be proportionately reduced as determined by the Board of Appeals.

B. **Insurance** - The applicant shall secure and file with the Township Clerk certificates of insurance, insuring the applicant, his employees and/or agents or representatives, and the Township for general comprehensive liability in an amount of at least One Million Dollars ($1,000,000) per person per occurrence. The certifications or renewals thereof shall provide that the Township shall be notified upon discontinuance or alteration of any such insurance coverage for any reason.

Section 7 – Performance Standards

No soil excavation or removal, and no filling of land, is permitted within the Township unless the following standards are complied with:

A. **Sound** - The pressure level of sounds shall not exceed the following decibel levels when adjacent to the following types of uses:

<table>
<thead>
<tr>
<th>Sound Level</th>
<th>Adjacent Use</th>
<th>Where Measured</th>
</tr>
</thead>
<tbody>
<tr>
<td>75dBA</td>
<td>Residential</td>
<td>Common Property Line</td>
</tr>
<tr>
<td>85dBA</td>
<td>Commercial</td>
<td>Common Property Line</td>
</tr>
<tr>
<td>90dBA</td>
<td>Industrial &amp; Other</td>
<td>Common Property Line</td>
</tr>
</tbody>
</table>

The sound levels shall be measured using A-weighted decibel measurements (reference to 20 micropascals) and with a type of audio output meter approved by the U.S. Bureau of Standards. Objectionable noises due to intermittence, beat, frequency, or shrillness, shall be muffled so as not to become a nuisance to adjacent uses.

B. **Vibrations** - All machinery shall be so mounted and operated as to prevent transmission of ground vibration exceeding a displacement of .003 of one inch measured at any lot line of its source.

C. **Odors** - The emission of noxious, odorous matter in such quantities as to be readily detectable at any point along property lines, when diluted in the ratio of one (1) volume of odorous air to four (4) or more volumes of clean air, or as to produce a public nuisance or hazard beyond property lines, is prohibited.
D. **Gases** - The escape of, or emission of, any gas in concentration so as to be injurious, destructive, or explosive shall not be allowed.

E. **Glare or Heat** - Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure and shield such operation from direct view from any point along the property line, except during the period of construction of the facilities to be used and occupied.

F. **Light** - All lighting used to illuminate buildings, signs, and/or parking areas shall conform to the BOCA Code. Such lighting shall be arranged or shielded so as to direct light away from adjoining properties. The lighting source shall not be directly visible from the adjoining property.

G. **Smoke, Dust, Dirt and Ash Fly** - There shall be no discharge into the atmosphere from any single source of emission or any air contaminate for a period or periods aggregating more than four (4) minutes in any one-half (1/2) hour which is:

1. As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart as published by the United States Bureau of Mines. The Umbrascope readings of smoke densities may be used when correlated with the Ringelmann Chart. A Ringelmann Chart shall be on file in the office of the Building Department.

2. Of such opacity as to obscure an observer's view to a degree equal to or greater than the smoke described in (1) above, except when the emission consists only of water vapor. The quantity of gas borne or air borne solids shall not exceed 0.20 grains per cubic foot of the carrying medium at a temperature of 500 degrees Fahrenheit.

H. **Drifted and Blown Material** - There shall be no drifting or airborne transmission beyond the property line of dust, particles, or debris from any open stockpile.

I. **Radioactive Materials** - Radioactive materials shall not be emitted to exceed safe quantities.

J. **Hours of Operation** - Hours of operation shall be 7:00 a.m. to 5:00 p.m. unless otherwise specified by the Board of Appeals. No operation shall be permitted on Sundays and legal holidays. In emergency situations, this time period may be modified by the Township Building Department, provided such emergency shall not be effective for more than 72 hours.

K. **Drainage** - Natural drainage shall not be blocked or diverted in such a manner as to cause the natural water flow to back up onto adjacent property, or to flow in a different course upon leaving the property upon which the blocking or diversion occurs, unless an application is made and a permit is issued by the Building Department, pursuant to plans which provide for a drainage flow which will not be detrimental to surrounding properties.

L. **Mud, Dirt, Clay on Public Roads** - The permit holder shall take whatever steps are necessary to prevent any motor vehicle from carrying onto any public right-of-way any mud, dirt, clay, or refuse. If mud, dirt, clay, or refuse is carried or tracked onto a public right-of-way, the permit holder shall clean the right-of-way when and as often as is necessary. In any case, a permit holder shall not leave any such debris on a public right-of-way after the end of a working day. If notified during a working day by the Township that cleaning is required, it shall be accomplished within one (1) hour, weather permitting, of the giving of such notice.

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**Section 8 – Requirements: Soil Excavation and Removal**

A. **Setbacks** - No cut or excavation shall be closer than one hundred (100) feet from the nearest street, highway, or alley right-of-way line, nor from the nearest perimeter property line; provided, however, that the Board of Appeals may prescribe greater setbacks if it determines it necessary in order to give sub-lateral support to surrounding property; provided further that the Board of Appeals may prescribe lesser setbacks near a property line, if it is determined that sub-lateral support to surrounding property is not necessary.

B. **Standing Water** - No soil, sand, gravel or other similar material shall be removed in such a manner as to cause water to stand or accumulate, or to result in a place of danger or a menace to the public health or safety. The premises shall at all times be graded so that surface water drainage is not interfered with. Where removal or grading operations result in a body of water forming, the permit holder shall erect "KEEP OUT - DANGER" signs on the required fence around the excavation not more than two hundred (200) feet apart, or as otherwise required by the Board of Appeals.

*Revised 04/23/15*
C. **Fence** - A fence, or some other suitable substitute, as shall be approved by the Board of Appeals, not to exceed six (6) feet in height, may be required to enclose the excavation, results in a place of danger or a menace to the public health or safety, and to prevent access by unauthorized persons.

D. **Roads** - All private roads used for ingress or egress located within four hundred (400) feet of occupied residences shall be kept dust free by oiling or chemical treatment or by hard-topping with cement or bituminous substance. The first seventy-five (75) feet of the property entrance shall be paved in asphalt or cement and a mud mat shall be installed and maintained at the exit of the property. *(amended 04.20.15)*

E. **Topsoil Replacement** - Whenever topsoil exists, suitable for growing turf or for other land use, at the time the operations begin, a sufficient quantity of the existing topsoil shall be stockpiled on said site so that the entire site, when stripping or removal operations are completed, may be re-covered with a minimum of four (4) inches of topsoil. The replacement of such topsoil shall be made immediately following the termination of the stripping or removal operation. In the event that such stripping or removal operations continue over a period of time greater than thirty (30) days, the operator shall replace the stored topsoil over the stripped area as he progresses. The replacement of the topsoil shall be in a manner suitable for growing turf or other vegetation.

F. **Processing** - Processing of materials mined from any property shall be permitted only in an LI-2 (Limited Industrial 2) zoned district.

G. **Slopes** - The slopes of the banks of any excavation shall not exceed a minimum ratio of three (3) feet horizontal to one (1) foot vertical except in the immediate area of excavation and this area shall be paralleled by approved construction fencing as required in Paragraph C. In addition, where ponded water results from the operation, the slope must be maintained and extended into the water to a depth of five (5) feet. Vegetation sufficient to prevent erosion shall be placed on all finished slopes.

H. **Ordinance Applicability** - Upon the adoption of the 2015 amendments to this Ordinance the amendments will take effect immediately and apply to all pending applications and/or permits being considered by the Board of Appeals. All of the requirements of this Ordinance and its amendments shall apply to and be in effect immediately as to new mining operations, or for new areas of existing mining operations, for which there are no plans approved by the Township. For other mining operations which are operating under an existing permit and have approved plans, there shall be compliance with all of the requirements of this Ordinance and the amendments, unless, based on good cause shown by the applicant/permittee, the Board of Appeals specifically grants a delay of one or more of the 2015 amendments, but in no event shall the implementation be delayed more than three (3) months from the effective date of this Ordinance or the issuance of a 2015 permit, whichever occurs later. *(amended 04.20.15)*

I. **Soil Erosion Control** - Approved temporary and permanent soil erosion control measures shall be placed and maintained to protect all drainage courses, wetlands, and adjacent properties from soil erosion and runoff.

J. **Phasing** - The Board of Appeals may require that soil excavation operations or earth balancing operations be conducted on property in phases, with all activity, including restoration and reclamation, being completed on one (1) phase before any activities commence on another phase.

### Section 9 – Restoration and Inspection

A. All areas within any soil excavation site operating under a single permit shall be restored progressively. Restoration shall be in accordance with the plan as approved by the Board of Appeals at the time the permit is secured.

1. Upon completion of the restoration, or upon completion of a part thereof, the permit holder may make application for refund or reduction of the bond. Upon determination by the Board of Appeals that said restoration is in keeping with the approved plan therefore, the Board of Appeals may refund or reduce the bond pro rata.

2. In the event that the restoration does not comply with the approved plan therefore, in the event said restoration is not complete within sixty (60) days after expiration of all permits issued pursuant to this Ordinance, the Township may utilize the bond proceeds to restore the site and affected areas to comply with the approved plan and perform whatever work needs to be done to avoid harmful movement of gases or contamination to the ground or surface.
water and/or environment for five (5) years after completion or expiration of permits. Should the cost of said restoration exceed the amount of the bond, the permittee shall pay the Township the amount of such excess.

3. An inspector from the Building Department, or other persons as may be appointed by the Township Board, shall conduct inspections and shall notify the owner and/or operator, by certified (return receipt) mail, of any portions of the site that it deems abandoned and/or ready for restoration. Upon receipt of such notification, the owner and/or operator shall have said areas restored within thirty (30) days, or within such additional time as may be allowed by the Board of Appeals. Any and all inspections will be completed at the permittee’s expenses and may include any necessary engineering or other necessary third party expenses and costs. Within thirty (30) days of completion of any inspection or investigation, the Township will supply the permittee with a detailed invoice of all inspection related expenses, and the permittee must remit payment to the Township within seven (7) days thereafter. Failure of a permittee to pay within seven (7) days will allow the Township to withdraw full payment from the permittee’s escrow and the permittee will have seven (7) days to replenish the escrow to the required amount. In the event the escrow does not cover the Township’s expenses, the permittee is required to pay the difference within seven (7) days of notice of same. (amended 04.20.15)

Section 10 – Requirements: Filling Operations (added 04.20.15)

A. All filling operation permittees must comply with the following:

1. All fill shall comply with Section 3(H). No fill material shall contain pieces of asphalt, steel, hazardous materials, rubbish or other waste material. As set forth in Section 3(H), no more than five percent (5%) concrete shall be allowed.

2. No soil, sand, clay, gravel or similar materials shall be deposited in such a manner as to cause water to collect or to result in a place of danger or a menace to the public health.

3. No fill material deposited on any lot or parcel of land within the Township shall be allowed to remain in an ungraded condition for a period of longer than seven (7) days.

4. In addition to the requirements set forth in Section 5, at the cost to the permittee, all permittees must:

   a. maintain a log of each fill material and one photograph of each truckload which shall depict the contents of the fill material, and, including the date and time of the delivery and the contents of the truckload.

      i. The permittee will forward to the Township Building Department copies of all logs and photographs on a monthly basis or earlier if requested by the Building Official or his designee.

   b. submit the following information annually to the Board of Appeals:

      i. Updated proposed grades and site use changes,

      ii. Anticipated areas of operation for the permit year,

      iii. Anticipated amounts of fill to be deposited, and

      iv. Any elevation changes.

   c. submit any impacts the fill material may have on storm water.

   d. submit any other information or documents deemed by the Board of Appeals as necessary to enforce this Ordinance.

5. Within sixty (60) days following final completion of the filling, the parcel of land must be graded in such a manner as to prevent the collection of water, to provide proper drainage and to leave the ground surface fit for the growing of turf and other land uses permitted in the Zoning District.

6. If required by the Board of Appeals as a condition for the issuance of a filling permit, a fill may be required to be
compacted; including to a standard of ninety-five percent (95%) of the maximum density as determined by the AASHTO T method. Compliance with this Section shall be verified in writing by a testing laboratory approved by the Township planner or engineer. Any costs incurred to obtain written verification of compliance with the compaction standard shall be borne by the permit applicant.

7. The natural drainage characteristics of adjacent properties shall not be blocked, diverted or altered by the filling operation.

8. Inspections: The Township reserves the right to complete an inspection of the permittee’s filling operations in accordance with the following:

   a. At the discretion of the Township’s Building Official or his designee and upon receipt of a legitimate complaint regarding a permittee’s filling operations or as allowed herein, the Township Building Official or Township’s Engineer may conduct an inspection, investigation or testing of the operation at the permittee’s expense.

   b. At the discretion of the Township’s Building Official or his designee, the Township may complete random inspections or investigations of a permittee’s filling operation.

   c. Any inspections or investigations will be completed at the permittee’s expenses and may include any necessary engineering or third party expenses and costs. Within thirty (30) days of completion of any inspection or investigation, the Township will supply the permittee with a detailed invoice of all related expenses, and the permittee must remit payment to the Township within seven (7) days thereafter. Failure of a permittee to pay within seven (7) days will allow the Township to withdraw full payment from the permittee’s escrow and the permittee will have seven (7) days to replenish the escrow to the required amount. In the event the escrow does not cover the Township’s expenses, the permittee is required to pay the difference within seven (7) days of notice of same.

   d. Upon the Township Building Official or his designee providing notice of an intent to inspect the premises or any fill material, the permittee shall stop filling and continue to set aside and collect all fill materials for purposes of the inspection. The permittee will not be required to grade the fill material as set forth in Section 10A(3) until seven (7) days after the inspection. The Township must conduct the inspection within fourteen (14) days, after which the grading and filling may resume. Nothing herein will affect the Township’s right to inspect or test as otherwise allowed herein.

Section 11 – Enforcement

This Ordinance shall be enforced by the Building Department for the Township of Orion and by any Ordinance Enforcement Officer appointed by the Township Board. The Township Building Official and his designee, and Enforcement Officers, shall have the authority to issue Appearance Tickets for a violation hereof, pursuant to Act 175 of Public Acts of 1927, as amended, of the State of Michigan. By accepting a permit issued under this Ordinance, and/or the Township Zoning Ordinance, the owner and/or operator of any operation shall be presumed to have consented to regular and routine inspections of the property. Said consent shall be authority to go on to any property under permit for purposes of any inspection. Any and all inspections and investigations shall be completed at the expense of the permittee and may include any necessary engineering or third party expenses and costs. The permittee shall reimburse the Township for all inspection costs within seven (7) days of receiving a detailed invoice from the Township. (amended 04.20.15)

Section 12 – Violation and Penalties

A. Municipal Civil Infraction / Payment of Fine.

Any person, firm, or corporation violating a provision of this Ordinance, upon an admission or a finding of responsibility for such violation, shall be deemed responsible for a municipal civil infraction as that term is defined and used in MCL 600.101, et seq.; MSA 27A.101, et seq., as amended, and shall pay a civil fine as prescribed by ordinance or as determined by the district court, district court judge, or district court magistrate. Each day in which a violation of this Ordinance exists shall be deemed to constitute a separate offense and may be prosecuted as such at the discretion of the Township’s Building Official or his designee. (amended 04.20.15)
B. Costs.

A person, firm, or corporation ordered to pay a fine under Subsection A shall be ordered by the district court judge or magistrate to pay costs of not less than Nine Dollars ($9) or more than Five Hundred Dollars ($500), which costs may include all expenses, direct or indirect, to which the Township of Orion has been put in connection with the violation of the Ordinance up to the entry of the court’s judgment or order to pay fines and costs.

C. Additional Writs and Orders.

A person who admits or is found responsible for violation of this Ordinance shall comply with any order, writ, or judgment issued by the district court to enforce this Ordinance pursuant to Chapter 83 and Chapter 87, of the Revised Judicature Act, MCL 600.101, et seq.; MSA 27A.101, et seq., as amended.

D. Default on Payment of Fines and Costs.

A default in payment of a civil fine, costs, or damages, or expenses ordered under Subsection A or B or an installment of the fine, costs, or damages or expenses as allowed by the court, may be collected by the Township of Orion by a means authorized for the enforcement of a judgment under Chapters 40 or 60 of the Revised Judicature Act, MCL 600.101, et seq.; MSA 27A.101, et seq., as amended.

E. Failure to Comply with Judgment or Order.

If a defendant fails to comply with an order or judgment issued pursuant to this section within the time prescribed by the court, the court may proceed under Subsection G.

F. Failure to Appear in Court.

A defendant who fails to answer a citation or notice to appear in court for a violation of this Ordinance is guilty of a misdemeanor, punishable by a fine of not more than Five Hundred Dollars ($500) plus costs and/or imprisonment not to exceed ninety (90) days.

G. Civil Contempt.

1. If a defendant defaults in the payment of a civil fine, costs, or other damages or expenses, or installment as ordered by the district court, upon motion of the Township of Orion or upon its own motion, the court may require the defendant to show cause why the defendant should not be held in civil contempt and may issue a summons, order to show cause, or bench warrant of arrest for the defendant’s appearance.

2. If a corporation or an association is ordered to pay a civil fine, costs, or damages or expenses, the individuals authorized to make disbursements shall pay the fine, costs, or damages or expenses, and their failure to do so shall be civil contempt unless they make the showing required in this subsection.

3. Unless the defendant shows that the default was not attributable to an intentional refusal to obey the order of the court or to a failure on his or her part to make a good faith effort to obtain the funds required for payment, the court shall find that the default constitutes a civil contempt and may order the defendant committed until all or a specified part of the amount due is paid.

4. If it appears that the default in the payment of a fine, costs, or damages or expenses does not constitute civil contempt, the court may enter an order allowing the defendant additional time for payment, reducing the amount of payment or of each installment or revoking the fine, costs, or damages or expenses.

5. The term of imprisonment on civil contempt for non-payment of a civil fine, costs, or damages or expenses shall be specified in the order of commitment and shall not exceed one (1) day for each Thirty Dollars ($30) due. A person committed for non-payment of a civil fine, costs, or damages or expenses shall be given credit toward payment for each day of imprisonment and each day of detention in default of recognizance before judgment at the rate of Thirty Dollars ($30) per day.
6. A defendant committed to imprisonment for civil contempt for non-payment of a civil fine, costs, or damages or expenses shall not be discharged from custody until one of the following occurs:

a. Defendant is credited with an amount due pursuant to Subsection G(5).
b. The amount due is collected through execution of process or otherwise.
c. The amount due is satisfied pursuant to a combination of Subdivisions G(6)(a) and (b).

7. The civil contempt shall be purged upon discharge of the defendant pursuant to Subsection G(6).

H. Lien Against Land, Building, or Structure.

If a defendant does not pay a civil fine or costs or installment ordered under Subsection A or B within thirty (30) days after the date upon which the payment is due for a violation of this Ordinance involving the use or occupation of land or a building or other structure, the Township of Orion may obtain a lien against the land, building, or structure involved in the violation by recording a copy of the court order requiring payment of the fine and costs with the Register of Deeds for Oakland County. The court order shall not be recorded unless a legal description of the property is incorporated in or attached to the court order.

1. The lien is effective immediately upon recording of the court order with the Register of Deeds.

2. The court order recorded with the Register of Deeds shall constitute the pendency of the lien. In addition, a written notice of the lien shall be sent by Orion Township by first class mail to the owner of record of the land, building, or structure at the owner’s last known address.

3. The lien may be enforced and discharged by Orion Township in the manner prescribed by its Charter, by the General Property Tax Act, Act No. 206 of the Public Acts of 1893, being Sections 211.1, et seq., of the Michigan Compiled Laws, or by an ordinance duly passed by the Township. However, property is not subject to sale under Section 60 of Act No. 206 of the Public Acts of 1893, being Section 211.60 of the Michigan Compiled Laws, for non-payment of a civil fine or costs or an installment ordered under Subsections A or B unless the property is also subject to sale under Act No. 206 of the Public Acts of 1893 for delinquent property taxes.

4. A lien created under this section has priority over any other lien unless one or more of the following apply:

a. The other lien is a lien for taxes or special assessments.
b. The other lien is created before the effective date of the amended ordinance that added this section.
c. Federal law provides the other lien has priority.
d. The other lien is recorded before the lien under this section is recorded.

5. The Township may institute an action in a court of competent jurisdiction for the collection of the fines and costs imposed by a court order for a violation of this Ordinance. However, an attempt by the Township to collect the fines or costs does not invalidate or waive the lien upon the land, building, or structure.

6. A lien provided for by this subsection shall not continue for a period longer than five (5) years after a copy of the court order imposing a fine or cost is recorded, unless within that time an action to enforce the lien is commenced.

I. In addition to the remedies provided in Subsections A through H, the Board of Appeals may notify the owner and/or operator of any violation of a permit and/or this Ordinance, and upon failure of the owner and/or operator to abate said violation within five (5) days after mailing of said notice, said operation site may be closed, and the permit, therefore, suspended or revoked, and the Township may resort to the bond for restoration. Any owner and/or operator aggrieved by any notice sent pursuant to this section may file a written request for hearing before the Board of Appeals. The request should set forth why the operation site should not be summarily closed, the permit suspended or revoked, and the resort had to the bond. If a request for hearing is received, the Board of Appeals may summarily close the site and suspend or revoke the permit, pending the hearing, if it is determined the health and safety of persons and/or property requires it.

J. Violations of this Ordinance shall be deemed a nuisance per se, and the Township shall be authorized to abate such nuisance by seeking injunctive relief in the appropriate court, in addition to the other remedies available pursuant to the Ordinance or otherwise provided by law.
Section 13 – Repeal

All Ordinances and parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed, and specifically, Ordinance No. 40 is repealed in its entirety.

Section 14 – Severability

This Ordinance and the various parts, sections and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid, it is hereby provided the remainder of the Ordinance shall not be affected thereby.

Section 15 – Effective Date

The Orion Township Clerk shall certify to the adoption of this Ordinance and cause the same to be published in The Lake Orion Review a newspaper of general circulation in the Township of Orion, as required by law. This Ordinance shall take effect upon publication, as so certified.
REQUEST
The request is to convene the Township Board of Trustees, Planning Commission, Zoning Board of Appeals, Corridor Improvement Authority, and Township consultants for a joint meeting.

REASON
To allow for communication and coordination amongst the Township Board of Trustees and Advisory Boards joint meetings are scheduled on a bi-annual basis.

PROCESS
A doodle poll was sent out to all board members on June 2, 2021. Based on the poll results, a date and time for the meeting will be scheduled at the June 7 Township Board of Trustees meeting. The joint meeting will be held in person at the Orion Center, located at 1335 Joslyn Road.

RECOMMENDATION (MOTION)
Schedule a joint Township Board of Trustees, Planning Commission, Zoning Board of Appeals, Corridor Improvement Authority, and Township consultant meeting based on the poll results in the Orion Center banquet rooms, and authorize the Clerk to post as an open meeting.
Orion Township Substation

Weekly “Calls for Service” Summary

Time period: 05-10-2021 to 05-16-2021

<table>
<thead>
<tr>
<th>Calls for service: 343</th>
</tr>
</thead>
<tbody>
<tr>
<td>Felony arrests: 0</td>
</tr>
<tr>
<td>Misdemeanor arrests: 4</td>
</tr>
<tr>
<td>Accidents: 13</td>
</tr>
</tbody>
</table>

21-91951  5:13PM  5/10/2021  911 Call / Mental Health Assistance

Deputies responded to a 911 call in the 100 block of Eagen Drive for a female screaming for neighbors to call the police while standing near the mailboxes. Deputies located the 37-year-old resident due to other similar calls from neighbors and calmed and cared for the resident. An investigation revealed that the female was in a manic state and was unable to take care of herself. Deputies transported the female to common ground for a health exam. Deputies notified social services APS of the need for further assistance and attempted to contact family members in a group effort to render care.

21-91774  05/10/2021  1:27 PM – School Threat Investigation

Deputies responded to the Lake Orion High School to assist the School Resource Deputy (SRO) on an initial report of a subject having a weapon inside the school. School officials and the Oakland County Sheriff’s Office SLO learned of a video on Snap Chat of a student with a handgun. Although the picture did not specifically make a threat, it was reported initially that the background in the picture did resemble rooms in the High School. This information led officials to believe a handgun could possibly be inside the high school. Following prudent safety protocols, the High School was placed
into a lock down while authorities obtained more conclusive information regarding the possible threat and the location of the picture. During the investigation it was ascertained that the picture was not taken within the school. The investigation did identify the student in the video, and it was determined that the shared video did not involve the school as initially reported.

21-93532       8:23PM       05/12/2021       Unattended Death Investigation

Deputies were dispatched to a Welfare Check in the 2000 Block of Cline Ct. The caller advised that he has not heard from his friend in a week. Deputies arrived and heard a loud television coming from the apartment. Deputies were able to look into the window and observed a male subject lying on the floor unresponsive. Orion deputies entered the apartment through an unlocked door, assessed the patient and determined the man was obviously deceased. Detectives and an Investigator from the Oakland County Medical Examiner’s Office responded to the scene and began their respective investigations. The Medical Examiner’s Office took custody of the deceased and an autopsy had been scheduled. The investigation revealed the man died of natural causes.

21-93942       11:28AM       05/13/2021       Malicious Destruction of Property

Deputies responded to the 400 S. Conklin Dr on a suspicious broken window. A neighbor stated that as he was cutting his neighbors grass today, when he noticed the basement window was broken out. Deputies investigated and determined the window had broken intentionally, however; nothing was missing from the residence. Suspects unknown. All information was collected, investigation continue.

21-95317       2:52 AM       05/15/2021       911 Reckless Vehicle/Operating While Intoxicated Arrest

Deputies were dispatched 911 to the area of Joslyn Road and Greenshield Road for a vehicle driving recklessly. Deputies located the vehicle and observed it drifting in and out of lanes. The suspect vehicle then proceeded to run a red light. Deputies safely stopped the vehicle and spoke with the driver, a 23-year-old male, resident of Clarkston. The driver displayed indicators he was intoxicated, and Deputies administered field sobriety tests. The driver failed the sobriety tests and blew a .232 in a breathalyzer. The driver was taken to a nearby hospital for a blood draw and then to the Oakland County Jail where he was released in the morning. Charges are pending lab results.

21-95952       5/16/2020       1:05AM       Property Damage Crash-OWI-Arrest

Deputies were dispatched to a ve on Parakeet Hill Dr. Deputies located the vehicles and the driver. Deputy spoke to the responsible driver and detected the driver had been drinking. The
investigation revealed the driver had been drinking and the 47-year-old Hazel Park resident submitted to a PBT with the results being .283%. The driver was placed under arrest for Operating while Intoxicated and transported to the hospital for a blood draw. The driver was safely transported to the Oakland County Jail without incident.

21-96415 5/16/2021 8:15 PM Continued Loud Music Complaints

Deputies were dispatched to the 2400 block of Holland St. for loud music inside the neighbor’s home coming his next-door neighbors’ speakers out by his pool. Deputies arrived on-scene and recorded the loud music and witnessed the unreasonable loud sound level on the complainant’s property. Deputies went to the neighbor to ask if he would turn the music down and they were ordered off the property. After the first deputy left the scene, the neighbor turned the music up again and another deputy arrived on scene and attempted to discuss mutual neighborly respect regarding loud music. Due to the lack of reasonable response from the loud neighbor, the investigation and case is being reviewed for the courts.

Everyone with information or crime tips regarding these incidents are encouraged to contact the Orion Township Sheriff’s Office Substation at 248 393-0090 for tips, or our Dispatch Center at 248 858-4911 for crimes in-progress. Tipsters can remain anonymous.
Orion Township Substation

Weekly “Calls for Service” Summary

Time period: 05-24-2021 to 05-30-2021

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<th>Calls for service: 355</th>
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<td>Misdemeanor arrests: 3</td>
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<td>Accidents: 11</td>
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21-106228  5/29/2021  3:36PM MDOP to a Vehicle – Tire Slashed

Deputies were dispatched to 4846 Baldwin Rd at the Party City store for a reported MDOP. The complainant, a 30-year-old resident of Burton, stated the tires to her 2019 GMC Terrain had been slashed. She had parked her vehicle 5am upon arriving at work. When she left at 3:15 pm, she discovered both the right front tire and right rear tire had been slashed. Pictures were taken and attached. Deputies canvassed the area for video surveillance or evidence, but none was located. Detectives are continuing the investigation.

21-106322  5/30/2021  5:46PM Suspicious Person/ Police Impersonator

Deputies took a report at the Orion Substation on a Police Impersonator report. The complainant, a 30-year-old resident of Orion, stated she was traveling eastbound on Waldon Road from Baldwin when she pulled over to respond to a text. An unknown white male pulled up behind her in a blue Ford Crown Victoria police style car. The male subject approached the complaint and identified himself as an undercover police officer. He produced a gold colored badge in the shape of a shield. He told her he stopped because of her “suspicious behavior”.
He then told her to get out of her vehicle and get into the back seat of his vehicle. She told him “No” rolled up the window and drove away. The suspect followed her until she pulled into the Sheriff’s Orion Substation.

The Suspect is described as: 6 foot tall, White, Male in his 30's with blonde hair (crew cut) and a trimmed beard. He was wearing a very worn black Adidas track suit.

The Vehicle is described as: late model Ford Crown Victoria, with a push bumper and spotlights. The vehicle was described as blue in color, specifically the blue used on Michigan State Police vehicles.

**21-106548  5/30/2021  12:33AM  Fatal Pedestrian Accident /OCSO Crash Investigation Unit Assist**

Deputies and the OTFD responded to the area of Lapeer Road near Greenshield Road on the report of a personal injury accident involving a vehicle and a pedestrian.

Upon arrival, Deputies observed two subjects rendering aid to the victim. OTFD arrived on the scene and performed life saving measures. Paramedics transported the victim to McLaren Oakland Hospital, where he was pronounced deceased by a physician.

The investigation revealed that the pedestrian had been wearing all dark clothing and had been walking his bicycle across Lapeer Road in a non-cross walk area. The pedestrian was struck by a vehicle which had been travelling southbound on Lapeer Road. Alcohol use on behalf of the driver was not a factor in this incident and the driver was not injured.

An OCSO Crash Investigator responded to the scene and began his investigation. The Medical Examiner’s Office took custody of the deceased and an autopsy has been scheduled.

**21-106669  5/30/2021  6:59AM  Domestic Violence - Arrest**

Deputies responded to the 100 block of Canary Hill on the report of a Domestic Violence. Upon arrival, deputies separated the individuals and began an investigation. The investigation revealed the two subjects had been engaged in a verbal altercation when it escalated to physical violence. The female, 21-year-old resident of Orion, reported she had been physically assaulted by her boyfriend by choaking and punching her numerous times.

The male, a 21-year-old resident of Orion, reported that he had been injured by his girlfriend when she broke down the bedroom door and came after him with a knife. He sustained an injury to his finger trying to disarm her. The subject declined medical treatment.
The female was arrested for Domestic Violence and lodged at the Oakland County Jail.

The Oakland County Prosecutor’s Office declined to issue charges on this matter. The subject was released from custody.

21-106716     5/30/2021     9:36AM     Stolen Automobile

Deputies responded to the 1200 block of Kern Road on a stolen automobile report. The complainant, a 55-year-old resident of Oakland Township, had parked his 2019, black, Jeep Cherokee in his driveway at 7 pm on 05/29/2021 7 PM. When he woke up this morning, he discovered the vehicle missing. He believes he may have left the vehicle unlocked with the key fob inside. Deputies checked the area for any evidence or video surveillance with negative results. The vehicle was entered in LEIN as stolen. The Oakland County Sheriff’s Auto Theft Investigations Unit will continue the investigation.

21-106954     5/30/2021     5:27M     Disorderly Persons (Fighting) / MDOP Vehicle

Deputies responded to the DNR boat launch located at 341 Indianwood Rd for a large group fighting. Upon arrival, Deputies separated all parties and began their investigation. The two groups had been involved in a verbal altercation over who was next to utilize the launch to recover their boat. The argument escalated when two subjects physically assaulted members of the other group. A bystander had the mirror of his vehicle broken by one of the suspects. There were no reported injuries and the parties involved declined to press charges for the assault. One suspect, a 24-year-old resident of Oxford, was issued citations for Disorderly Person (fighting) and Malicious Destruction to Property (mirror). The other suspect, a 28-year-old resident of Pennsylvania, was issued a citation for Disorderly Person (fighting).

Everyone with information or crime tips regarding these incidents are encouraged to contact the Orion Township Sheriff’s Office Substation at 248 393-0090 for tips, or our Dispatch Center at 248 858-4911 for crimes in-progress. Tipsters can remain anonymous.
Date: May 26, 2021

To: Orion Township Board of Trustees

From: John Pender
Assistant Fire Chief

Subject: Fire Department Call Volume/Significant Incidents

Orion Township Call Volume
May 11, 2021-May 26, 2021

Medical Calls- 87
Non-Medical Calls- 22
Total Call Volume- 109

Year to Date- 1188

Fire Department Significant Incidents

- Car fire in a detached garage. Fire was extinguished with no damage to the structure.
- Residential structure fire. Crews were dispatched to a home on fire. Upon arrival found heavy smoke from the structure. Crews made entry and found bedroom fully involved in fire. A second crew was sent into the structure and were able to rescue the homeowner’s dog and cat. Both pets were unharmed. Crews remained on scene to perform overhaul and ventilation. No firefighter injuries. One resident was treated at the scene for smoke inhalation but refused transport to the hospital. Cause of fire is still under investigation.
- Residential structure fire. Crews were dispatched to a report of a fire inside of a home. Crews arrived and found a batterie that was on fire in the home. Homeowner had put water on the fire to control it prior to FD arrival. Crews made entry and competed extinguishing the fire. Batteries were removed from the home and home was ventilated.
- Vehicle fire. Vehicle was reported on fire at the land fill. Crews found vehicle on fire and extinguished
Agenda Item Summary

To: Board of Trustees

From: Trustee Mike Flood, Building Dept. Liaison

Meeting Date: June 7, 2021

Memo Date: May 28, 2021

Subject: Building Dept. April 2021 Reports

REQUEST: Please placed on June 7, 2021 BOT agenda under REPORTS

REASON: Transparency Board and public record

PROCESS: Two PDF’s: (1) All building permits. (2) Enforcement List

BUDGET - Financial Item? Yes  X No If yes, fill out information below:

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<th>Budget Amount</th>
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RECOMMENDATION (Motion)

Motion to receive and file Building Department April 2021 Reports.
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<td>1239 LARK ST</td>
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<td>New 10' x 16' deck - height 2.6'. Composite decking and railings, Ledger board affixed to structure.</td>
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<td>751 PINERY BLVD</td>
<td>RES. POOLS</td>
<td>Inground Swimming Pool</td>
<td>PB21-065</td>
<td>04/12/2021</td>
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<tr>
<td>O-09-05-400-012</td>
<td>310 PINE LAKE LN</td>
<td>RES. POOLS</td>
<td>Inground Swimming Pool</td>
<td>PB21-067</td>
<td>04/12/2021</td>
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<tr>
<td>O-09-03-178-008</td>
<td>1314 INDIANWOOD RD</td>
<td>RES. POOLS</td>
<td>Inground Swimming Pool</td>
<td>PB21-069</td>
<td>04/12/2021</td>
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<tr>
<td>O-09-23-102-035</td>
<td>2118 ORWELL ST</td>
<td>RES DECK</td>
<td>New Deck</td>
<td>PB21-080</td>
<td>04/12/2021</td>
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<tr>
<td>O-09-07-101-006</td>
<td>4190 KLAIS DR</td>
<td>RES. ALTER</td>
<td>Finish Basement - Adding Bedroom, Bathroom &amp; Kitchen.</td>
<td>PB21-105</td>
<td>04/14/2021</td>
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<tr>
<td>O-09-32-351-020</td>
<td>4872 S BALDWIN RD</td>
<td>COMMERCIAL ALTERATION</td>
<td>Remodel 2500 Sq.Ft within the center core of sales floor. Demo floor and ceiling.</td>
<td>PB21-115</td>
<td>04/23/2021</td>
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<tr>
<td>O-09-28-151-029</td>
<td>3295 HICKORY DR</td>
<td>RES. ALTER</td>
<td>Remove existing door &amp; window. Widen opening and install header, king and Jack studs for 72&quot; patio door. Install new flanged patio door with necessary sill pan, flashing and trim.</td>
<td>PB21-117</td>
<td>04/06/2021</td>
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</table>
O -09-08-151-049 3146 PARK MEADOW DR  RES. POOLS  in ground one piece fiberglass swimming pool with fence  PB21-120  04/12/2021
O -09-08-151-015 3521 PARK MEADOW DR  RES. POOLS  in ground one piece fiberglass pool with fence  PB21-121  04/12/2021
O -09-07-226-018 3651 PARK MEADOW DR  RES. POOLS  in ground one piece fiberglass swimming pool with fence  PB21-122  04/12/2021
O -09-04-301-040 425 GREENAN LN  RES. NEW HOUSE GARAGE 2 Story - Single Family Home with attached garage and covered porch. House/Garage: 3210/648  PB21-123  04/30/2021
O -09-36-202-119 4713 TANGLEWOOD LN  RES. ALTER  Basement bath with existing rough-in.  PB21-124  04/19/2021
O -09-14-201-025 1188 S LAPEER RD  COMMERCIAL ALTERATION New Restaurant - interior alteration, New Kitchen Equipment.  PB21-130  04/22/2021
O -09-29-126-001 3003 S BALDWIN RD  SIGNS 1 56.32-sq. ft. wall sign 
Pro Health Urgent Care  PB21-131  04/28/2021
O -09-36-403-056 4870 E STONEGATE CIR  RES DECK Trex Deck on rear of home  PB21-134  04/19/2021
O -09-10-402-017 796 HEMINGWAY RD  RES DECK 10' x 14' Deck  PB21-135  04/12/2021
O -09-03-451-002 171 CHAMBERLAIN ST  RES. REPAIR Fire Repair  PB21-138  04/05/2021
O -09-25-401-049 3458 FALCON WAY  RES. ALTER 1,360 sqft of finished basement to include a full bath, bedroom with existing egress window, gym, and living area with an electric fireplace and wet bar. Total project cost comes to $113,184.  PB21-140  04/12/2021
O -09-20-453-019 2866 SATURN DR  RES DECK Demo existing deck and replace with new deck and 3-Season Room constructed on new deck  PB21-141  04/23/2021
O -09-28-126-015 3427 JOSLYN RD  RES DECK 2 Decks & Pergola  PB21-145  04/21/2021
O -09-17-104-009 3001 YOSEMITE DR  RES. POOLS 16 x 32 Steel wall vinyl lined pool  PB21-146  04/09/2021
O -09-25-401-008 1344 ADDINGTON CT  RES. ALTER Finish Basement  PB21-148  04/12/2021
3967 SPRING HOLLOW CT  RES. MISC.  20ft Interior Waterproofing, 448ft Crawlspace encapsulation & 1 Sump pump for crawlspace  PB21-149  04/22/2021

171 CHAMBERLAIN ST  RES. ADDITION  Remove interior walls, Relocate kitchen & laundry room, Exterior wall framing & 2nd level porch  PB21-151  04/15/2021

3537 GREGORY RD  RES. DEMO  Demo & Removal of Home  PB21-153  04/19/2021

3643 S BALDWIN RD  SIGNS  Wall sign - Sushi Yeoubi 27 sq. ft.  PB21-154  04/21/2021

171 CHAMBERLAIN ST  RES. MISC.  Foundation Only  PB21-158  04/16/2021

970 PINE AVE  RES. MISC.  adding an attached 16 x 12 Pergola to our house, lake side.  PB21-160  04/19/2021

3812 RED ROOT RD  RES DECK  Trex Deck  PB21-163  04/21/2021

3398 HUNTSMAN BLVD  RES DECK  New Deck  PB21-167  04/20/2021


4862 BROOMFIELD WAY  RES. NEW HOUSE GARAGE  New Single Family  *MODEL: ASHTON*  House/Garage: 2054/372  PB21-175  04/29/2021


4848 BROOMFIELD WAY  RES. NEW HOUSE GARAGE  New Single Family  *MODEL: ASHTON*  House/Garage: 2054/372  PB21-177  04/29/2021


4842 BROOMFIELD WAY  RES. NEW HOUSE GARAGE  SHELL ONLY  PB21-179  04/29/2021

1214 RIDGEVIEW CIR  RES. MISC.  Tear Off & Reroof - Redeck upper Roof  PB21-181  04/29/2021

| NUMBER OF PERMITS | 49 |
| Total Const. Value | 3,929,389.00 |
### BUILDING VILLAGE

<table>
<thead>
<tr>
<th>Permit No.</th>
<th>Address</th>
<th>Description</th>
<th>PBV/PE No.</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>OL-09-02-482-002</td>
<td>102 S BROADWAY ST</td>
<td>COMMERCIAL INTERIOR F Bicycle Shop &amp; Warehouse Plan</td>
<td>PBV21-001</td>
<td>04/26/2021</td>
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<tr>
<td>OL-09-12-104-006</td>
<td>553 BAGLEY DR</td>
<td>RES. ALTER  Remove walls in lower level &amp; add 2 bathroom rooms, Change bedroom walls to add master bathroom, New mechanical system, Connect small space at back of the house between kitchen &amp; laundry room.</td>
<td>PBV21-011</td>
<td>04/01/2021</td>
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<tr>
<td>OL-09-12-154-009</td>
<td>407 NEWTON DR</td>
<td>RES. DEMO  Demo house &amp; garage backfill with on-site soils.</td>
<td>PBV21-012</td>
<td>04/12/2021</td>
</tr>
<tr>
<td>OL-09-12-151-048</td>
<td>380 NEWTON CT</td>
<td>RES. ALTER  Finishing Basement with 1 full bath</td>
<td>PBV21-015</td>
<td>04/28/2021</td>
</tr>
<tr>
<td>OL-09-12-151-048</td>
<td>380 NEWTON CT</td>
<td>RES. ALTER  Finishing Basement with 1 full bath</td>
<td>PBV21-015</td>
<td>04/28/2021</td>
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<tr>
<td>OL-09-02-482-002</td>
<td>102 S BROADWAY ST</td>
<td>SIGNS  3 Wall Signs - Main Street Bicycles Location of signs 1. Front sign 31.9 sq.ft. 2. Broadway sign 34.6 sq. ft. 3. Lapeer Rd. sign 31.98 sq. ft.</td>
<td>PBV21-013</td>
<td>04/21/2021</td>
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### NUMBER OF PERMITS 5  
Total Const. Value  147,500.00

#### Detached Accessory Structure

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<tr>
<th>Permit No.</th>
<th>Address</th>
<th>Description</th>
<th>PBV/PE No.</th>
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</thead>
<tbody>
<tr>
<td>O-09-05-226-012</td>
<td>844 PINERY BLVD</td>
<td>RES. GARAGE  We wish to construct a detached accessory storage structure on our current lot. Site layout and details of the new detached accessory structure are included in the attachments.</td>
<td>PB20-396</td>
<td>04/08/2021</td>
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### NUMBER OF PERMITS 1  
Total Const. Value  80,000.00

#### Electrical

<table>
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<tr>
<th>Permit No.</th>
<th>Address</th>
<th>Description</th>
<th>PBV/PE No.</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>O-09-07-101-006</td>
<td>4190 KLAIS DR</td>
<td>RES. ALTER  Sub Panel, Branch Circuit, Light Fixt/Smoke Det (1), Fixed Appliances (2), Exhaust Fans (2)</td>
<td>PE21-092</td>
<td>04/01/2021</td>
</tr>
<tr>
<td>O-09-12-104-006</td>
<td>553 BAGLEY DR</td>
<td>RES. ALTER  Remove walls in lower level &amp; add 2 bathroom rooms, Change bedroom walls to add master bathroom, New mechanical system, Connect small space at back of the house between kitchen &amp; laundry room.</td>
<td>PBV21-011</td>
<td>04/01/2021</td>
</tr>
<tr>
<td>O-09-12-154-009</td>
<td>407 NEWTON DR</td>
<td>RES. DEMO  Demo house &amp; garage backfill with on-site soils.</td>
<td>PBV21-012</td>
<td>04/12/2021</td>
</tr>
<tr>
<td>OL-09-02-482-002</td>
<td>102 S BROADWAY ST</td>
<td>SIGNS  3 Wall Signs - Main Street Bicycles Location of signs 1. Front sign 31.9 sq.ft. 2. Broadway sign 34.6 sq. ft. 3. Lapeer Rd. sign 31.98 sq. ft.</td>
<td>PBV21-013</td>
<td>04/21/2021</td>
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<tr>
<td>OL-09-12-151-048</td>
<td>380 NEWTON CT</td>
<td>RES. ALTER  Finishing Basement with 1 full bath</td>
<td>PBV21-015</td>
<td>04/28/2021</td>
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### Number of Permits 5  
Total Const. Value  147,500.00

#### Detached Accessory Structure

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<th>Permit No.</th>
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<th>Description</th>
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<tr>
<td>O-09-05-226-012</td>
<td>844 PINERY BLVD</td>
<td>RES. GARAGE  We wish to construct a detached accessory storage structure on our current lot. Site layout and details of the new detached accessory structure are included in the attachments.</td>
<td>PB20-396</td>
<td>04/08/2021</td>
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### Number of Permits 1  
Total Const. Value  80,000.00

#### Electrical

<table>
<thead>
<tr>
<th>Permit No.</th>
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<tbody>
<tr>
<td>O-09-07-101-006</td>
<td>4190 KLAIS DR</td>
<td>RES. ALTER  Sub Panel, Branch Circuit, Light Fixt/Smoke Det (1), Fixed Appliances (2), Exhaust Fans (2)</td>
<td>PE21-092</td>
<td>04/01/2021</td>
</tr>
<tr>
<td>O-09-12-104-006</td>
<td>553 BAGLEY DR</td>
<td>RES. ALTER  Remove walls in lower level &amp; add 2 bathroom rooms, Change bedroom walls to add master bathroom, New mechanical system, Connect small space at back of the house between kitchen &amp; laundry room.</td>
<td>PBV21-011</td>
<td>04/01/2021</td>
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<tr>
<td>OL-09-02-482-002</td>
<td>102 S BROADWAY ST</td>
<td>SIGNS  3 Wall Signs - Main Street Bicycles Location of signs 1. Front sign 31.9 sq.ft. 2. Broadway sign 34.6 sq. ft. 3. Lapeer Rd. sign 31.98 sq. ft.</td>
<td>PBV21-013</td>
<td>04/21/2021</td>
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<tr>
<td>OL-09-12-154-009</td>
<td>407 NEWTON DR</td>
<td>RES. DEMO  Demo house &amp; garage backfill with on-site soils.</td>
<td>PBV21-012</td>
<td>04/12/2021</td>
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<tr>
<td>OL-09-02-482-002</td>
<td>102 S BROADWAY ST</td>
<td>SIGNS  3 Wall Signs - Main Street Bicycles Location of signs 1. Front sign 31.9 sq.ft. 2. Broadway sign 34.6 sq. ft. 3. Lapeer Rd. sign 31.98 sq. ft.</td>
<td>PBV21-013</td>
<td>04/21/2021</td>
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<tr>
<td>Permit Number</td>
<td>Address</td>
<td>Type</td>
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<tr>
<td>O-09-31-201-006</td>
<td>4152 WALCOTT DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>Whole House Electrical: 4459 Sq.Ft</td>
<td>04/02/2021</td>
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<tr>
<td>O-09-31-201-007</td>
<td>4156 WALCOTT DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>Whole House Electrical: 4161 Sq.Ft</td>
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<td>O-09-31-201-010</td>
<td>4168 WALCOTT DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>Whole House Electrical: 4249 Sq.Ft</td>
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<td>O-09-31-201-012</td>
<td>4176 WALCOTT DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>Whole House Electrical: 3941 Sq.Ft</td>
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<td>O-09-31-201-064</td>
<td>4177 NEWGARD DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>Whole House Electrical: 4459 Sq.Ft</td>
<td>04/02/2021</td>
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<td>O-09-31-201-069</td>
<td>4174 NEWGARD DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>Whole House Electrical: 4161 Sq.Ft</td>
<td>04/02/2021</td>
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<td>O-09-03-451-002</td>
<td>171 CHAMBERLAIN ST</td>
<td>RES. REPAIR</td>
<td>Branch Circuits (3), Light Fixt/Smoke Det (25)</td>
<td>04/05/2021</td>
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<td>O-09-25-453-001</td>
<td>3813 RED ROOT RD</td>
<td>RES. MISC.</td>
<td>Spa and registration</td>
<td>04/05/2021</td>
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<td>O-09-31-201-098</td>
<td>4127 NEWGARD DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>Low voltage (5 Devices)</td>
<td>04/06/2021</td>
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<tr>
<td>O-09-01-152-014</td>
<td>405 FRANKLIN WRIGHT BLVD</td>
<td>RES. ALTER</td>
<td>Service 0-100, sub-panel, fixtures (0-50) Building permit PB21-096</td>
<td>04/07/2021</td>
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<tr>
<td>O-09-29-301-024</td>
<td>3384 GREGORY RD</td>
<td>RES. GARAGE</td>
<td>100 Ampere Service, Sub Panel, Branch Circuits (18), Light Fixt/Smoke Det (10), Feeders (100ft), Underground feeder (100ft) Building Permit # PB20-410</td>
<td>04/08/2021</td>
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<tr>
<td>O-09-25-401-071</td>
<td>3451 MALLARD LN</td>
<td>RES. ALTER</td>
<td>Sub Panel, Branch Circuits (7), Light Fixt/Smoke Det (50), Low Voltage (7 Devices)</td>
<td>PE21-128</td>
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<td>O-09-26-102-018</td>
<td>3081 WALDON MEADOWS</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>Whole House Electrical: 2816 Sq.Ft. Building Permit # PB20-573</td>
<td>PE21-129</td>
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<tr>
<td>O-09-31-201-073</td>
<td>4157 WALCOTT DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>Low voltage (5 Devices) Building Permit # PB20-567</td>
<td>PE21-130</td>
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<tr>
<td>O-09-01-101-004</td>
<td>484 INDIAN LAKE RD</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>Temp Service (100 Ampere), Contractor Registration Building Permit # PB21-090</td>
<td>PE21-131</td>
</tr>
<tr>
<td>O-09-32-401-080</td>
<td>4805 BROOMFIELD WAY</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>NEW CONSTRUCTION: 2317 sq.ft - Whole House Electrical Building Permit #: PB21-109</td>
<td>PE21-133</td>
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<tr>
<td>O-09-32-401-081</td>
<td>4811 BROOMFIELD WAY</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>NEW CONSTRUCTION: 2426 Sq.Ft - Whole House Electrical Building Permit #: PB21-110</td>
<td>PE21-134</td>
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<tr>
<td>O-09-32-401-082</td>
<td>4817 BROOMFIELD WAY</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>NEW CONSTRUCTION: 2426 Sq.ft - Whole House Electrical Building Permit #: PB21-111</td>
<td>PE21-135</td>
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<tr>
<td>O-09-32-401-083</td>
<td>4823 BROOMFIELD WAY</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>NEW CONSTRUCTION: 2426 sq.ft - Whole House Electrical Building Permit #: PB21-112</td>
<td>PE21-136</td>
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<tr>
<td>O-09-32-401-084</td>
<td>4829 BROOMFIELD WAY</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>NEW CONSTRUCTION: 2426 sq.ft - Whole House Electrical Building Permit #: PB21-113</td>
<td>PE21-137</td>
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<td>O-09-14-327-051</td>
<td>299 STRATFORD LN</td>
<td>RES. MISC.</td>
<td>A/C Replacement, Furnace</td>
<td>PE21-138</td>
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<tr>
<td>O-09-11-326-009</td>
<td>344 HEIGHTS RD</td>
<td>RES. MISC.</td>
<td>Run 220VAC power from cottage to junction box in back yard to allow installation of a sprinkler pump to pull water from Lake Orion.</td>
<td>PE21-139</td>
</tr>
<tr>
<td>O-09-12-452-026</td>
<td>1443 RIDGEVIEW CIR</td>
<td>RES. POOLS</td>
<td>Pool (Inground), Contractor Registration Building Permit #: PB21-084</td>
<td>PE21-140</td>
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<tr>
<td>O-09-30-376-021</td>
<td>3967 SPRING HOLLOW CT</td>
<td>RES. MISC.</td>
<td>Branch Circuit (1) Building Permit #: PB21-149</td>
<td>PE21-141</td>
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<td>O-09-26-478-003</td>
<td>3827 HI-CREST DR</td>
<td>RES. MISC.</td>
<td>Generator</td>
<td>PE21-143</td>
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<td>Type</td>
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<td>O-09-14-100-023</td>
<td>314 CASEMER RD</td>
<td>RES. ALTER</td>
<td>Service 0-100, branch circuits 8, fixtures 0-25, fixed appliances 4, a/c and furnace</td>
<td>PE21-145</td>
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<td>O-09-11-304-005</td>
<td>454 ARMADA IS</td>
<td>RES. MISC.</td>
<td>FEEDERS: Underground (200 ft)</td>
<td>PE21-146</td>
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<tr>
<td>O-09-25-401-008</td>
<td>1344 ADDINGTON CT</td>
<td>RES. ALTER</td>
<td>Branch Circuits (6), Light Fixt/Smoke Det (1), Fixed Appliances (2), Contractor Registration</td>
<td>PE21-147</td>
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<td>O-09-36-202-119</td>
<td>4713 TANGLEWOOD LN</td>
<td>RES. ALTER</td>
<td>Basement bath electrical Branch circuits (2), Fixtures</td>
<td>PE21-149</td>
</tr>
<tr>
<td>O-09-29-126-001</td>
<td>3003 S BALDWIN RD</td>
<td>SIGNS</td>
<td>1 56.32-sq. ft. wall sign Pro Health Urgent Care</td>
<td>PE21-150</td>
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<tr>
<td>O-09-06-100-052</td>
<td>322 N BALDWIN RD</td>
<td>RES. GARAGE</td>
<td>PB21-017: RES GARAGE</td>
<td>PE21-151</td>
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<td>O-09-22-476-020</td>
<td>2940 WALDON PARK DR</td>
<td>RES. MISC.</td>
<td>Furnace, Contractor Registration</td>
<td>PE21-152</td>
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<tr>
<td>O-09-08-151-015</td>
<td>3521 PARK MEADOW DR</td>
<td>RES. POOLS</td>
<td>PB21-121: RES POOL</td>
<td>PE21-154</td>
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<td>O-09-04-426-049</td>
<td>162 KIRKSWAY LN</td>
<td>RES. MISC.</td>
<td>Sub Panel, Branch Circuits (5), Light Fixt/Smoke Det (1), Fixed Appliances (2), Contractor Registration</td>
<td>PE21-156</td>
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<td>O-09-04-226-012</td>
<td>551 NAKOMIS TRL</td>
<td>RES. MISC.</td>
<td>A/C Replacement, Furnace</td>
<td>PE21-157</td>
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<td>O-09-12-201-042</td>
<td>350 S CONKLIN DR</td>
<td>RES. POOLS</td>
<td>PB21-114: RES POOLS</td>
<td>PE21-158</td>
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<td>O-09-33-251-015</td>
<td>1934 KINMOUNT DR</td>
<td>RES. MISC.</td>
<td>Generator</td>
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<td>O-09-19-327-025</td>
<td>2696 AUBREY DR</td>
<td>RES. ADDITION</td>
<td>PB21-083: RES ADDITION</td>
<td>PE21-161</td>
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5-7-2021: ADDING TO PERMIT... Additional Inspection.
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<th>Permit Number</th>
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<th>Date</th>
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<tr>
<td>O-09-02-126-006</td>
<td>805 N LAPEER RD</td>
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<td>PE21-163</td>
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<td>O-09-29-301-050</td>
<td>3510 GREGORY RD</td>
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<td>O-09-31-201-009</td>
<td>4164 WALTZOT DR</td>
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<td>PE21-166</td>
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<td>O-09-25-402-029</td>
<td>1106 LARK ST</td>
<td>RES. MISC.</td>
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<td>O-09-13-126-020</td>
<td>650 E CLARKSTON RD</td>
<td>RES. ALTER</td>
<td>PE21-168</td>
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**Number of Permits: 45**

**Total Const. Value: 0.00**

### ELECTRICAL VILLAGE

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<tr>
<td>OL-09-02-482-002</td>
<td>102 S BROADWAY ST</td>
<td>SIGNS</td>
<td>PEV21-009</td>
<td>04/09/21</td>
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<td>OL-09-01-352-009</td>
<td>433 E SHADBOLT ST</td>
<td>RES. ADDITION</td>
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**Number of Permits: 2**

**Total Const. Value: 0.00**

### FIRE ALARM

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<td>O-09-07-477-034</td>
<td>3676 W CLARKSTON RD</td>
<td>FIRE ALARM INSPECTION</td>
<td>PFA21-017</td>
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<td>O-09-07-477-034</td>
<td>3694 W CLARKSTON RD</td>
<td>FIRE ALARM</td>
<td>Fire Alarm Inspection - Please contact the building department to schedule your inspection for this permit.</td>
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<td>OL-09-02-482-002</td>
<td>102 S BROADWAY ST</td>
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<td>102 S BROADWAY ST</td>
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<td>O-09-21-201-002</td>
<td>2323 JOSLYN RD</td>
<td>FIRE SUPPRESSION</td>
<td>New Township Hall Fire Suppression - Heads (413) Please contact Jeff Williams to schedule your inspection.</td>
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<td>O-09-21-201-002</td>
<td>2323 JOSLYN RD</td>
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<td>New Sheriff's Office Fire Suppression - Heads (95) Please contact Jeff Williams to schedule your inspection.</td>
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<td>O-09-31-201-084</td>
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<td>O-09-31-201-003</td>
<td>4140 WALCOTT DR</td>
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**FIRE ALARM - VILLAGE**

**FIRE SUPPRESSION**

**Mechanical**
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<td>4152 WALCOTT DR</td>
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<td>O-09-31-201-070</td>
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Gas Line & Pressure Test
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<td>O-09-31-201-071</td>
<td>4165 WALCOTT DR</td>
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<td>O-09-26-102-006</td>
<td>412 WALDON MEADOWS Ct</td>
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<td>O-09-26-102-005</td>
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<td>O-09-12-452-026</td>
<td>1443 RIDGEVIEW CIR</td>
<td>RES. POOLS</td>
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<td>O-09-31-201-073</td>
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<td>O-09-04-301-047</td>
<td>270 GREENAN LN</td>
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<td>RES. ALTER Gas Line (200ft), Contractor Registration</td>
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<td>O-09-34-300-016</td>
<td>4601 LIBERTY S DR</td>
<td>COMMERCIAL, NEW BUILD Air Ducts 24 Hydronic Heat 23 Cooling 2 Dry Coolers AC 495 Tons Air Curtains 20 Ex Fans 4 Humidifier 27 2 Energy Recovery ventilator Unit Heaters 4</td>
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<td>O-09-26-102-016</td>
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<tr>
<td>O-09-04-226-012</td>
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<tr>
<td>O-09-25-401-008</td>
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<td>O-09-26-102-016</td>
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<td>145 CROSBIE CT</td>
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<td>O-09-29-303-007</td>
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<td>O-09-04-301-047</td>
<td>270 GREENAN LN</td>
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<td>O-09-31-201-070</td>
<td>4178 NEWGARD DR</td>
<td>RES. NEW HOUSE GARAGE PB21-0258: RES NEW HOUSE GARAGE prefab fireplace PM21-0258 04/23/2021</td>
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<td>O-09-33-251-015</td>
<td>1934 KINMOUNT DR</td>
<td>RES. MISC. Generator, Pressure Test PM21-0259 04/23/2021</td>
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<tr>
<td>O-09-07-452-003</td>
<td>719 SHREWSBURY DR</td>
<td>RES. MISC. Furnace, Humidifier PM21-0260 04/27/2021</td>
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<tr>
<td>O-09-26-102-019</td>
<td>3085 WALDON MEADOWS</td>
<td>RES. NEW HOUSE GARAGE Install prefab fireplace Building Permit #: PB21-012 PM21-0262 04/29/2021</td>
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<tr>
<td>O-09-26-102-005</td>
<td>418 WALDON MEADOWS C</td>
<td>RES. NEW HOUSE GARAGE Install prefab fireplace Building Permit #: PB21-033 PM21-0263 04/29/2021</td>
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<tr>
<td>O-09-25-402-029</td>
<td>1106 LARK ST</td>
<td>RES. MISC. Gas line and pressure test PM21-0265 04/28/2021</td>
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<tr>
<td>O-09-04-301-035</td>
<td>378 CRAIGEND CT</td>
<td>RES. NEW HOUSE GARAGE PB21-028: RES NEW HOUSE GARAGE Installing prefab fireplace PM21-0268 04/29/2021</td>
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<td>Project</td>
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<tr>
<td>O-09-29-126-052</td>
<td>3273 S BALDWIN RD</td>
<td>RES. ALTER</td>
<td>PB021867: RES ALTER Furnace (2), Air Ducts (2), Clothes Dryer, Cook Tops, Water Heater, A/C (5.5 tons), Ex Fan (3), Kitchen Hood, Wood Stove (2)</td>
<td>PM21-0270</td>
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<tr>
<td>O-09-26-102-019</td>
<td>3085 WALDON MEADOWS</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>PB21-012: RES NEW HOUSE GARAGE Furnace, Air Ducts, A/C, Ex Fan (6), Humidifier</td>
<td>PM21-0271</td>
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<td>O-09-26-102-005</td>
<td>418 WALDON MEADOWS C</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>Install 4 fireplaces Furnace, Air Ducts, A/C, Ex Fan (6), Humidifier</td>
<td>PM21-0272</td>
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**NUMBER OF PERMITS** 65

**Total Const. Value** 0.00

**MECHANICAL VILLAGE**

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<tbody>
<tr>
<td>OL-09-02-305-030</td>
<td>550 N SHORE CT</td>
<td>RES. MISC.</td>
<td>Install 3 prefab fireplaces</td>
<td>PMV21-017</td>
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<td>OL-09-02-328-016</td>
<td>445 N CHANNEL ST</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>Install 4 fireplaces Furnace, Air Ducts, A/C, Ex Fan (6), Humidifier</td>
<td>PMV21-019</td>
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**NUMBER OF PERMITS** 2

**Total Const. Value** 0.00

**OUTDOOR DISPLAY & SALES**

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<tr>
<td>O-09-23-301-014</td>
<td>2600 S LAPEER RD</td>
<td>OUTDOOR SALES</td>
<td>Install 3 prefab fireplaces</td>
<td>POS-21-02</td>
<td>04/20/2021</td>
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**NUMBER OF PERMITS** 1

**Total Const. Value** 0.00

**PLANNING COMMISSION**

**NUMBER OF PERMITS** 0

**Total Const. Value**

**Plumbing**

<table>
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<tr>
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<tr>
<td>O-09-31-201-084</td>
<td>3606 CLARENDON DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>PB21-015: RES NEW HOUSE GARAGE Whole House Plumbing: 2806 Sq.Ft.</td>
<td>PP21-050</td>
<td>04/09/2021</td>
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<tr>
<td>O-09-07-101-006</td>
<td>4190 KLAIS DR</td>
<td>RES. ALTER</td>
<td>Bath, Dishwasher, Disposal, Shower Pan, Sink</td>
<td>PP21-059</td>
<td>04/01/2021</td>
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<td>Property Address</td>
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<tr>
<td>858 ESTHER DR</td>
<td>RES. MISC.</td>
<td>Lavatory (2), Shower Trap, Water Closet</td>
<td>PP21-069</td>
<td>04/08/21</td>
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<td>4140 WALCOTT DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>PB21-068: RES NEW HOUSE GARAGE</td>
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<td>4152 WALCOTT DR</td>
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<td>PB21-070: RES NEW HOUSE GARAGE</td>
<td>PP21-071</td>
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<td>4156 WALCOTT DR</td>
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<td>PB21-066: RES NEW HOUSE GARAGE</td>
<td>PP21-072</td>
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<td>4164 WALCOTT DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>PB21-060: RES NEW HOUSE GARAGE</td>
<td>PP21-073</td>
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<td>4168 WALCOTT DR</td>
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<td>PP21-074</td>
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<td>4176 WALCOTT DR</td>
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<td>PB21-075: RES NEW HOUSE GARAGE</td>
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<td>4177 NEWGARD DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>PB21-086: RES NEW HOUSE GARAGE</td>
<td>PP21-076</td>
<td>04/02/21</td>
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<td>O-09-31-201-011</td>
<td>4172 W alcott Dr</td>
<td>Res. New House Garage</td>
<td>PB21-062</td>
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<tr>
<td>O-09-31-201-065</td>
<td>4173 Newgard Dr</td>
<td>Res. New House Garage</td>
<td>PB21-097</td>
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<td>O-09-31-201-069</td>
<td>4174 Newgard Dr</td>
<td>Res. New House Garage</td>
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<td>O-09-31-201-070</td>
<td>4178 Newgard Dr</td>
<td>Res. New House Garage</td>
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<td>O-09-31-201-071</td>
<td>4165 W alcott Dr</td>
<td>Res. New House Garage</td>
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<tr>
<td>O-09-31-201-072</td>
<td>4161 W alcott Dr</td>
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<td>PB21-057</td>
<td>04/05/2021</td>
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<tr>
<td>O-09-31-201-074</td>
<td>4153 W alcott Dr</td>
<td>Res. New House Garage</td>
<td>PB21-039</td>
<td>04/05/2021</td>
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</table>
Whole House Plumbing: 2410 Sq.Ft.

Whole House Plumbing: 2205 Sq.Ft.

Whole House Plumbing: 2205 Sq.Ft.

Lavatory, Stack (2), Shower Pan, Shower Trap, Sink, Water Closet, Water Heater, Water Distribution: 3/4" to 1 1/2" res., Contractor Registration

Lavatory, Stack (2), Sink, Water Closet, Water Distribution: 3/4" to 1 1/2" res.

Shower trap, sink, water closet, lavatory, urinal

Whole House Plumbing: 2005 Sq.Ft.

Building permit PB21-081

Lavatory, Shower Pan, Shower Trap, Sink, Water Closet, Additional Inspections (2), Contractor Registration

Building Permit #: PB21-148

Whole House Plumbing: 1704 Sq.Ft.

Building Permit #: PB21-071

Whole House Plumbing: 2199 Sq.Ft.

Building Permit #: 2199 Sq.Ft.
<table>
<thead>
<tr>
<th>Permit Number</th>
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<th>Description</th>
<th>Plumbing Details</th>
<th>Inspection Date</th>
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<tbody>
<tr>
<td>O-09-26-452-017</td>
<td>3901 S LAPEER RD</td>
<td>COMMERCIAL, NEW BUILDING</td>
<td>Floor Drain (13), Lavatory (3), Sink (5), Water Closet (3), Water Distribution: 3/4&quot; to 1 1/2&quot; corn, Underground inspection</td>
<td>04/15/2021</td>
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<tr>
<td>O-09-31-201-100</td>
<td>4119 NEWGARD DR</td>
<td>RES. NEW HOUSE GARAGE, NEW CONSTRUCTION: 2806 Sq.Ft,</td>
<td>Additional Inspection</td>
<td>04/19/2021</td>
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<td>O-09-31-201-101</td>
<td>4115 NEWGARD DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>PLUMBING: 3501 Sq.Ft., Additional Inspection</td>
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<td>O-09-31-201-102</td>
<td>4111 NEWGARD DR</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>PLUMBING: 3184 Sq.Ft., Addition Inspection</td>
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<td>O-09-32-401-079</td>
<td>4799 BROOMFIELD WAY</td>
<td>RES. NEW HOUSE GARAGE</td>
<td>PLUMBING: 1945 Sq.Ft., Additional Inspection</td>
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<td>O-09-32-401-080</td>
<td>4805 BROOMFIELD WAY</td>
<td>RES. NEW HOUSE GARAGE</td>
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<td>O-09-32-401-081</td>
<td>4811 BROOMFIELD WAY</td>
<td>RES. NEW HOUSE GARAGE</td>
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<td>O-09-32-401-082</td>
<td>4817 BROOMFIELD WAY</td>
<td>RES. NEW HOUSE GARAGE</td>
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O -09-32-401-083  4823 BROOMFIELD WAY  RES. NEW HOUSE GARAGE  PB21-112: RES NEW HOUSE GARAGE  NEW CONSTRUCTION PLUMBING: 2054 SQ.Ft. & Additional Inspection

O -09-32-401-084  4829 BROOMFIELD WAY  RES. NEW HOUSE GARAGE  PB21-113: RES NEW HOUSE GARAGE  NEW CONSTRUCTION PLUMBING: 2054 Sq.Ft & additional inspection

O -09-36-202-119  4713 TANGLEWOOD LN  RES. ALTER  Plumbing for new basement bath with builder provided rough in Baths, sink (2), water closeet, urinal

O -09-07-426-002  3380 W CLARKSTON RD  COMMERCIAL, MISC.  New plumbing for concession stand at ball park.

O -09-04-301-076  145 CROSBIE CT  RES. NEW HOUSE GARAGE  PB20-497: RES NEW HOUSE GARAGE  Whole House Plumbing: 2805 Sq.Ft., Underground Inspection

O -09-23-201-030  1032 PARKLAND RD  RES. MISC.  Shower pan, Shower Trap and stack

O -09-28-354-025  3972 QUEENSBURY RD  RES. NEW HOUSE GARAGE  New residential home 1,896 sq. ft.

O -09-09-430-017  1297 LAKEVIEW DR  RES. NEW HOUSE GARAGE  Single Family Home: 2300 Sq.Ft.

O -09-02-177-013  25 INDIANWOOD RD  COMMERCIAL, NEW BUILT  Firestone Complete Auto Care backflow, drinking fountain, floor drain (5), hose bibb (2), laundry tub, lavatory (2), stack/auto vent (4), sink (2), watercloset (2), water heater, water distribution 3/4", additional and registration

O -09-03-178-008  1314 INDIANWOOD RD  SOIL EROSION  class 4

O -09-05-200-032  751 PINERY BLVD  SOIL EROSION  Class 3

NUMBER OF PERMITS  44  Total Const. Value  0.00
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<td>O-09-05-400-012</td>
<td>310 PINE LAKE LN</td>
<td>PSE21-023</td>
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<td>O-09-04-301-040</td>
<td>425 GREENAN LN</td>
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<td>O-09-26-102-012</td>
<td>3057 WALDON MEADOWS</td>
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<td>O-09-04-301-022</td>
<td>235 GREENAN LN</td>
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<td>O-09-17-104-009</td>
<td>3001 YOSEMITE DR</td>
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<td>O-09-10-208-008</td>
<td>839 PINE TREE W RD</td>
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**NUMBER OF PERMITS** 8

**Total Const. Value** 0.00

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**SOIL EROSION - COMMERCIAL**

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<td>O-09-34-300-018</td>
<td>3001 YOSEMITE DR</td>
<td>PSR21-004</td>
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**NUMBER OF PERMITS** 1

**Total Const. Value** 0.00

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**SPECIAL PERMIT**

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<tr>
<td>O-09-21-176-011</td>
<td>2325 JOSLYN CT</td>
<td>PSP21-002</td>
<td>SPECIAL INSPECTION</td>
<td>04/12/2021</td>
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<td></td>
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<td></td>
<td>Small Retail Shopping Event</td>
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<td>EVENT DATES: 4.17.2021 to</td>
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<td></td>
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<td>4.18.2021</td>
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<td>TIME: 11-5pm</td>
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<tr>
<td>O-09-21-176-011</td>
<td>2325 JOSLYN CT</td>
<td>PSP21-004</td>
<td>SPECIAL INSPECTION</td>
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<td></td>
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<td>A Walk for Warmth (Fundraiser)</td>
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<td>Date of Event: 5-1-2021</td>
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<td>Time of Event: 9am - 12pm</td>
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Details: 10x10 Tent, Flat Top Grill on c
-pub patio
300 People Expected
Date of Event:

Details:
Small outdoor retail shopping event.
No security needed.
10x10 tent located Flat top Grill on C-Pub patio
500-1000 People Expected

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<td>O -09-29-301-086</td>
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<td>Dates: 3 -1-2021 to 3-30-2021</td>
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Population: All Records
Permit.DateIssued Between 4/1/2021 12:00:00 AM AND 4/30/2021 11:59:59 PM $0.00
REQUEST

The Southeast Michigan Council of Governments (SEMCOG) and the Southeast Michigan Partners for Clean Water are joining with Governor Whitmer and the Michigan Department of Environment, Great Lakes, and Energy in encouraging the community to participate in Great Lakes and Fresh Water Week from June 5-13, 2021 by celebrating Southeast Michigan's abundant water resources through recreation, education, and stewardship activities.

Our abundant waters are essential to Michigan's environmental health, economic vitality and unique freshwater heritage. Everyone can enjoy them, and everyone has a role to play in keeping them healthy. The community is encouraged to paddle along a water trail, join an Adopt-a-Beach team for a local cleanup, collect plastics along the waterways, or clear neighborhood storm catch basins of litter. There are many things everyone can do as part of their daily routines that will benefit Michigan's water resources.

Attached is Governor Whitmer's Great Lakes and Fresh Water Week Proclamation. SEMCOG also provided the Township with a set of promotional materials that will be distributed to residents to encourage the healthy maintenance of our freshwater systems.

RECOMMENDATION (MOTION)

Receive and file.
May 7, 2021

Thank you for your support of Southeast Michigan’s One Water initiative and Great Lakes and Fresh Water Week (June 5-13, 2021). With your help and the assistance of the enclosed materials, the residents of Southeast Michigan will be better informed and prepared to be stewards of our water resources.

Please keep an eye on your email inbox, as we are excited to share digital materials and activities in the coming days to celebrate Great Lakes and Fresh Water Week.

Questions? Contact: Katherine Grantham (Grantham@semco.org), SEMCOG Environment and Infrastructure or Trevor Layton (Layton@semco.org), SEMCOG Communications.
June 5-13, 2021: Great Lakes and Fresh Water Week

WHEREAS, Michigan is home to more than 11,000 inland lakes, tens of thousands of miles of rivers and streams, 6.5 million acres of wetlands, 3,200 miles of shoreline along the Great Lakes, 230,000 acres of coastal dunes, and vast groundwater resources; and,

WHEREAS, fresh water is our state's most significant resource, supplying critical drinking water and supporting state industries such as recreation, tourism, fishing, manufacturing, transportation, and agriculture; and,

WHEREAS, Michigan waterways serve as the great connectors, linking the wetlands, dunes, and coastal and aquatic ecosystems of the Great Lakes and beyond; and,

WHEREAS, Michigan's water serves as a way to connect Michiganders to the world through commerce, industry, and recreation; and,

WHEREAS, water links our communities to places and environments beyond our borders, and Michigan must be a leader in protecting this complex and unique ecosystem and resource; and,

WHEREAS, creating resilient Michigan communities is essential to address issues such as climate change, extreme weather events, and economic challenges; and,

WHEREAS, equitable access to affordable, clean water is critical to the health of all Michiganders, and the Office of the Clean Water Public Advocate serves as a conduit to connect resources at the state and local level; and,

WHEREAS, the infrastructure to effectively manage our water resources is key to a healthy community and strong economy, and we recognize the need to maintain and invest in our water infrastructure, including municipal upgrades to drinking water and wastewater infrastructure under the MI Clean Water Plan; and,

WHEREAS, Michigan seeks to manage our surface water, groundwater, and the Great Lakes in a collaborative and environmentally just manner with local, state, regional, federal, tribal, and provincial partners; and,

WHEREAS, the Great Lakes system is the largest freshwater system in the world and requires stewardship, education on water literacy, and community awareness of the value of our water resources, each of which aid in the wise use and management of this resource; and,

WHEREAS, during this week, we encourage Michiganders to learn more about the unique wonders of our Great Lakes and freshwater resources vital for Michigan's future;

NOW, THEREFORE, I, Gretchen Whitmer, governor of Michigan, do hereby proclaim June 5-13, 2021 as Great Lakes and Fresh Water Week in Michigan.