CHARTER TOWNSHIP OF ORION
PLANNING COMMISSION REGULAR MEETING AGENDA
WEDNESDAY, JUNE 15, 2022 - 7:00 PM
ORION TOWNSHIP MUNICIPAL COMPLEX BOARD ROOM
2323 JOSLYN ROAD
LAKE ORION, MI 48360

Public Hearing at 7:05 p.m.: PPC-2022-22, Township Initiated Text Amendment to Zoning Ordinance #78, Industrial Complex, Articles 19 and 27

1. OPEN MEETING
2. ROLL CALL
3. MINUTES
   A. 6-1-2022 Planning Commission Regular Meeting Minutes
4. AGENDA REVIEW AND APPROVAL
5. BRIEF PUBLIC COMMENT - NON-AGENDA ITEMS ONLY
6. CONSENT AGENDA
7. NEW BUSINESS
   A. PPC-22-23, BACA Systems Site Plan Modification, located at 101 Premier Dr., (Sidwell #09-35-451-001)
8. UNFINISHED BUSINESS
   A. PC-2022-10, The River Church Site Plan & Special Land Use Request for a church, located at 3900 S. Baldwin Road (parcel 09-29-301-029), 3910 S. Baldwin Road (parcel 09-29-301-034) and 3920 S. Baldwin Road (parcel 09-29-301-038)
   B. PPC-2022-22, Township Initiated Text Amendment to Zoning Ordinance #78, Industrial Complex, Articles 19 and 27
   C. PC-2021-07, 5-Year Master Plan Update
   D. Discussion on Fences
9. PUBLIC COMMENTS
10. COMMUNICATIONS
11. PLANNERS REPORT/EDUCATION
    A. Solar Farms on Closed Landfills Article
12. COMMITTEE REPORTS
13. FUTURE PUBLIC HEARINGS
    A. 07-06-22 at 7:05 p.m. PPC-22-18, 3850 Joslyn Rd., Special Land Use for a Gas Station with a Drive-Thru, located at 3850 Joslyn Rd. (parcel 09-28-376-031).
14. CHAIRMAN'S COMMENTS
15. COMMISSIONERS' COMMENTS
16. 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.
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The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, June 1, 2022, at 7:00 p.m. at the Orion Township Municipality Complex Board Room, 2323 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:
Scott Reynolds, Chairman
Don Gross, Vice Chairman
Derek Brackon, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:
Kim Urbanowski, BOT Rep to PC
Joe St. Henry, Secretary

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

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Matt Wojciechowski (Township Planner) of Giffels Webster
Mark Landis (Township Engineer) of Orchard, Hiltz, and McClinton, Inc.
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Ernest Timms  Charles Hickson
Robert Wick    Kati DeMattia
Jenny Smith    Pat Hamilton
Kathryn Kennedy Tony Dorta
David Fulkerson Heather Smiley
James Garrison

3. MINUTES
A. 5-18-22, Planning Commission Regular Meeting Minutes
Moved by Vice-Chairman Gross, seconded by Commissioner Walker to approve the minutes as presented. Motion carried

4. AGENDA REVIEW AND APPROVAL
Moved by Vice-Chairman Gross, seconded by Commissioner Gingell, 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-2018-31, Brown Road Hyatt House Site Plan Extension, located at an unaddressed parcel at the NW corner of Brown Rd. and Huston Dr. (09-32-378-075).
Chairman Reynolds asked if the applicant was present? They were not.
Chairman Reynolds stated that there is an extension request letter in their packets. This project has been extended a couple of times in the past as it is a 2018 project. Their attorney is working on their closing documents, and it got pushed back to June 15, 2022. This will mean that they are not able to pull permits or close prior to the deadline of June 2, 2022. They have asked for a short extension request of 3-6 months for their site plan approval. This was granted in September 2018, extended again in October 2019, once again in April 2020, and in June 2021. He opened it up amongst the commissioners about the extension request.

Vice-Chairman Gross thought that there had been a good faith effort to move forward with their plan, they have submitted their engineering plans and they are getting ready for their submission of their preconstruction meeting, and their fees. Based on that he felt that an extension for 6-months would be appropriate.

Chairman Reynolds stated his personal opinion was with a project that has been out there for a while he would be entertaining more on the 3-month was his opinion to keep pressure on the project. It has been extended several times.

Commissioner Walker stated in the true sense of arbitration he thought 150 days.

Chairman Reynolds said in the faith of giving an extension, but they typically don’t give their fourth and fifth extensions. If they feel 6-months, or somewhere shorter than that he was good with it.

Moved by Vice-Chairman Reynolds, seconded by Commissioner Gingell, that the Planning Commission approve the site plan extension for PC-2018-31, Brown Road Hyatt House Hotel Site Plan for a period of 6-months. This approval is based upon the fact that the applicant is proceeding with the necessary submissions and hopefully, the 6-months would not necessitate another extension.

Discussion on the motion:

Ms. Kathryn Kennedy from Lake Orion questioned why they are having three hotels built on Brown Rd. when they have so many hotels in the region. She didn’t think they even asked them what their capacity is, and their vacancy rates are. Did they? Why would they do that? She was very upset that they destroyed the entire woods in that section of the property. They are going into a recession they should not be doing new construction of anything anywhere. If anything, they need to be rehabilitating and selling the ones that have been for sale for years. They have commercial properties that have been open for a long time, in Lake Orion. Yet, they are creating blight by authorizing new construction where they don’t want it and don’t need it. She objects to any new construction and any zoning changes at this point in time in their history. They have globalists taking over our region. She didn’t know if they noticed but there is an awful lot of activity going on that should not be going on. The world economic forum is a very risky group of elitists who just finished up their fancy little retreat in Davos Switzerland to decide how they should control the rest of the world and digitize them all. Oakland County recently approved three million dollars to take up that invitation to the Automation Alley that the World Economic Forum claims to have created in 1999. She can tell them what she did in 1999, she stopped her investment business because she was going to be forced to go to electronic trading, and instead, she got hired by a global corporation because she was so good at Spanish, that she didn’t realize it at the time she was part of the big reset. All of the American manufacturing plants that used to be 100% America were moved to Mexico before she left 18 years ago.
Roll call vote was as follows Walker, yes; Brackon, yes; Gross, yes; Gingell, yes; Reynolds, yes. Motion carried 5-0 (Urbanowski & St. Henry absent)

B. PC-22-17, Conscious Senior Living Properties II dba Grace Senior Living Landscape Review, 985 N. Lapeer Rd. (09-02-126-007).

Chairman Reynolds asked if the applicant was present.

Mr. David Fulkerson 398 Wynstone Circle S., Oakland, MI.

Mr. Fulkerson said in 1926 his grandfather moved to Michigan from Appleton, WI. He and three other high school graduates all came to Michigan to work in the auto industry, and they borrowed money from a local dentist in Appleton to come. To help illustrate the type of man his grandfather was, he was the only one to pay the dentist back. Over the years all he heard from his mother was what an incredible father she had and how blessed and lucky she was. In 1984 he had a stroke that took away his ability to speak so he moved in with his mother and himself in Oxford, MI. She took care of him for five years and he was in charge of exercise and backrubs, but she did the bulk of the work. It got to the point she couldn’t handle him anymore it was too much work, so she moved him into a local place that wasn’t so great. His grandfather just stopped eating. He will never forget the last time he saw him was sitting at the end of his bed begging him to eat. He couldn’t speak so he couldn’t express how he felt verbally but he did it with his eyes, it was one of the most difficult times of his life. Because he was a great man and a great grandfather, his whole life he always wanted to build a better place. He told this Planning Commission 3 ½ years ago when they brought the development in that they were going to build a jewel in the community. They won best senior living in their first full year of operation, and he thinks they are doing it. He hoped that they all have heard of someone that has been in Grace and they do their best every day. Their mission statement is for everyone to feel loved and respected. Everything they do is to fulfill that mission and they are proud of what they are doing, it is hard work.

Mr. Fulkerson stated that when they were developing Grace their front sign was going to go on the north side of Manitou Lane which is actually in Oxford Twp., and everything south is in Orion Township. They soon found out that they would be blocking their neighbors, the apartments, and the church, with their sign. They wanted to be good neighbors because they were great to them during the development process and have had a wonderful working relationship together. They agreed to move their sign to their front wall which is parallel with Lapeer Rd. which is not ideal. When you are driving 55-60 miles an hour you have to really look over late to see something parallel with the road sitting back 100-ft. When they were trying to figure out visibility, and 9 out of 10 residents come from drive-bys so it is extremely important. The trees that were proposed in the landscape plan were going to make this very difficult. It was also going to block the signs of their neighbors, and they didn’t want to do that either, they didn’t want to disrupt them. They didn’t put them in which brings them here we are today. The trees that were not put in on the landscape plan, are 15 trees in the front, and they have some people from the church and apartments that would like to speak sometime today to give their support of not putting the trees in.

Mr. Fulkerson said with COVID, inflation, and supply chain issues, it has been very challenging to be in the senior living industry and it has been hammered because of it. Occupancy is extremely important in these times. In terms of the jewel in the community, they are also voted Best Front Curb Appeal in both the Orion Review and Oxford Leader. They feel they have brought a beautiful community to their community, on the outside and on the inside which they can’t see. They don’t think that the removal of the trees is going to be negative because the
residents voted them the favorite commercial community in both townships. They think they have done a wonderful job; they won the Best Curb Appeal last year in the Orion Review, and the Best Senior Living in their first full year of operation. So, that is the first item.

Mr. Fulkerson stated that the second item is there are 43 trees and 35 bushes that were not planted on the original landscape plan. They added 20 trees, 587 bushes, shrubs, plants, and grasses, and 13 different areas around the community. They realized this layout of the whole community, with Oxford Twp. on the north side, and Orion Twp. on the south side. When the tree calculation was made for the replacement of the landmark trees almost all of them were in the cluster up top, which was a wooded lot in Oxford Twp. exclusively. If they remember the old church, it was in Orion Twp. it was one huge legacy tree that was noted on the Orion Township side. Other than that, the trees on the Oxford side should not have been counted because Oxford has no tree ordinance. It was a mistake by the landscape designer that didn’t realize they were in two different townships. They just placed trees wherever they could put them because there wasn’t a lot of space. In front of their community are two retention ponds they also have another huge retention pond in the upper northwest corner, and they are tight around the south side of the building. They put trees wherever they could put them on without damaging the site.

Mr. Fulkerson read Jim Butler’s at PEA’s email that said attached please find a copy of the topographic survey with the trees in question denoted in blue. The specific tree tags are as follows, and he listed them. Then he said since these trees are not located in Orion Twp., they should not be required to be replaced per the requirement of Orion Twp. He had a couple of letters and would rather they speak instead of talking to their letters.

Mr. Fulkerson showed the board the back view of the building.

Mr. Fulkerson said that 10 trees were supposed to be planted along the grassy area on the south side. It is a very steep slope and would be very challenging to put trees there, and it is very challenging to mow. His son and he mow the grass and the tractor slip’s so they have to mow it by hand and putting all those trees in would make it more challenging and difficult to mow. He showed the Board a drone shot during construction, and they could see on the south side which was the left side of the picture more trees aren’t required there. There is a huge buffer zone there already and it is a forest and thought that was a reasonable request. He showed them a picture from the west side of the Lapeer Rd., and noted it is not easy to see that sign on that wall, it is small. He showed a view from in front of the church showing the nice grassy areas. He showed them the landscaping that was added that was not on the plan for their residents and they love their landscaping. They spared no expense to make it home-like. They put beautiful grasses, trees, shrubs, sod, a rose garden, a raised flower beds in because a lot of their residents love to garden. They added shrubs and bushes near the back of their community for a resident that didn’t want to look at the generator and transformer.

Mr. Fulkerson said they have done everything to make their community beautiful. They hope that they are open and understanding of their predicament were adding these additional trees would be cumbersome to their community.

Planner Wojciechowski said his review of the plans that were summited on May 11th, they had a few discussions with their landscape architect and engineers back and forth. Their rereview of this landscape was only focused on the southern portion that was in Orion Township. He read through his review date stamped June 1, 2022.

Chairman Reynolds said he would turn it over to the Planning Commissioners for additional thoughts and if they had any questions for the applicant or their professional consultant.
Commissioner Brackon said he hoped they understand, and he thought that a couple of them were going to have the opinion that the purpose of the trees is not always about aesthetics or business. Having watched The Lorax many times with his children it kind of makes you feel like you want to protect the trees when you watch things like that. He appreciated the 16 additional trees that were planted in Oxford by mistake, and he could also appreciate the problem that planting the trees along Lapeer Rd. may cause for viewing the signs. He would be open to considering if they proposed planting the number of trees just put them somewhere else. Mr. Fulkerson asked how many? He asked if he was referring to the five in the front, and then the four that weren’t planted in Orion? Chairman Reynolds said he thought that they should first have a discussion and then they can circle back. Commissioner Brackon didn’t think of an exact number but the number that they are asking for a waiver for would probably be in the ballpark. Mr. Fulkerson replied 9 and added that they have watched The Lorax with his three children as well, and it was heartbreaking. They did plant 16 trees to their point of adding trees to the site wherever they could to make it look nice, so he thinks that they have met his objective by overplanting. They only needed eight they planted double so The Lorax would love them.

Commissioner Gingell asked if they will be hearing from the other two business owners that wrote letters?

Mr. Robert Wick lives at 980 Manitou Lane directly behind Grace Living Center.

Mr. Wick said that they have lived their about 50 years. He is a member of the Orion/Oxford Assemblies of God Church and has been for nearly 50 years. He has served in various leadership capacities, he is currently a local lay elder, and was there to speak on behalf of their church board, leadership, and church members. They have some real concerns about the planting of the trees on the north side of Manitou. They have safety concerns, concerns over the blockage of their sign, and they have concerns over the additional maintenance cost that would bring upon them. He added that that is a busy intersection there where Manitou hits M24. There are many cars entering Manitou and leaving Manitou coming from the center, the church, the apartments, and from the settlement at Manitou, and from the neighborhoods directly behind the church where they happen to live. Anything that would block that open view that is presently there they feel would be a real hazard. Particularly in the morning and the afternoon during the school year when there are usually a number of cars parked right down by 24 or dropping off or picking up their children. Anything that would be an additional obstruction to vehicles either coming in or leaving Manitou would just intensify that risk factor, they feel. Another concern is the blockage of their sign. He won’t go into detail on that but a number of years ago their church invested a sizable amount of money to buy that lot in front of the church. They did that so that they could maintain good visibility from the road. The trees if they go in, particularly for northbound traffic would be a real problem they feel. The third item that he wanted to mention was the additional maintenance cost. Originally, he was thinking there were 19 trees that they were talking about on that side of Manitou and their lawn care provider has told them that that would increase their cost rather significantly because mowing around and the trimming of that many additional trees. They are a small congregation, any cost increase at any level is a real challenge for them, and that would be an additional challenge.

Mr. Wick stated that last week his understanding was that the Oxford Twp. granted the waiver, and they would respectfully urge them to do the same. It would be extremely helpful to their church.

Planner Wojciechowski said that none of the trees would be proposed north of Manitou Lane on any adjacent property it would all be on the applicant’s property. They have also asked them to
Mr. Fulkerson said that the Oxford Planning Commission last week approved the removal of those trees on the north side.

Mr. Chuck Hickson is a parishioner at the Lake Orion Oxford Seventh-day Adventist Church. He is a deacon and one of his roles is to manage the electronic sign. He has been doing it since they have gotten the sign. They are fighting all the time right now with the traffic traveling at 50-60 sometimes more MPH. To put any blockage on the north side means people are not going to even see the sign until they are even with it. If they do, it just wipes out the advantage of the sign when they do that. The sign has become one of their better methods of communicating to their parishioners and to the public, about the different programs that they have going. That would be a shame if they let it get blocked.

Mr. Tony Dorta 1191 Ridgeview Circle living in Lake Orion for 22 years.

Mr. Dorta stated that he has been attending the church since 2005. He has held various positions in the church including, deacon, treasurer, etc. The first thing he wanted to mention was he wanted to echo what Chuck Hickson and also Robert Wick mentioned. They have established and fostered a great relationship with Grace Living from the onset when they were bringing the center to fruition. His concern is also the same which is he thinks they are addressing the south side of those trees, not the north side. He has tried to drive purposely and looked going northbound and as they are driving there these trees have the potential from blocking the church sign. They had to build that church sign according to dimensions and everything that was approved by the city. One of the things Mr. Fulkerson was talking about was getting more residents and building up that center for a good cause. They are also in the business of trying to build their church through evangelistic series. A whole bunch of different efforts that to them is very meaningful. Their marketing is word of mouth, knocking on doors, and different aspects of how they evangelize in the community. The sign is one aspect of it and he felt that just like Mr. Wick and Mr. Hickson that blocking that sign as they are traveling northbound would be a real detriment to their church.

Chairman Reynolds said that seeing that they are looking at the Orion Township side of this project, not the Oxford Township portion his personal feelings was that there is an ability to plant some of those trees elsewhere on the site. To him it seems from the proposed planning knowing that back when this was approved that there was going to be that large vertical wall there and seeing its current conditions without any plantings there, he felt there was a way to compromise between clear vision even providing some access to the sign going north and southbound while still having additional plantings on the site. One of his thoughts was as compromising the trees on the east side of the detention pond and still having them in front of the wall, he understood there were other plantings on the site, but this is landscaping requirements as it relates to other people in the community visualizing this site. That is where he was looking at this request.

Commissioner Walker said unless he was missing something here, he didn’t see how the petitioner’s request is going to affect either the ingress or egress on Manitou Lane, or either of the other concerns that the parishioners are having. Couldn’t they resolve this with the petitioner and not affect these folks? Planner Wojciechowski replied that it does appear that the eight trees are required along Lapeer Rd. and the parking lot. There are three they are proposing, and they really need five more of those. Anywhere between Lapeer and the parking lot it does appear there may be room to add that in there without affecting the ability to see the sign along the road, especially considering the direction of traffic and that northbound would be
on the further side. Commissioner Walker stated even the church side as far as that goes. Planner Wojciechowski replied correct. Commissioner Walker said they can do this to make everybody happy, he thought. Planner Wojciechowski said typically the trees that would be required there would be a little bit higher up too so they would be able to see underneath them when they are mature.

Vice-Chairman Gross said that the has been on the site and he has looked at the site and he thought they have done a very good job with the development and the landscaping of the site. He thought that the landscaping that has been added has been for the benefit of the occupants of the development, and the residents of the complex. He felt there was some consideration that needs to be taken into account recognizing that there has been an upgrade of the landscape relative to the internal workings of the development. In total, they are talking about seven trees combined with what they are asking for a waiver for. He didn't think it was going to make it or break it one way or another. To satisfy the requirements of the ordinance there are probably a couple of ways that they could put five or six trees on either side of the wall fence. He thought they did a nice job, and it reflects on what is on the site.

Chairman Reynolds agreed, he thought that the landscaping on the site and the building are beautiful, he said the key here that is the struggle for him is he acknowledges the need for a clear area between signage and clear visionary when they are turning out of Lapeer Rd. The four trees that they are short and the five along M24 were if it was planted adjacent to the wall away from the sign, they have plenty of space. He was looking at the street view images that are quite stark in his opinion. He felt it could utilize the landscape requirement to provide that buffer between where they are on M24 and the proposed development. That is why he would be in favor of still requiring the trees, he was fine with a modification to pull those away as previously proposed where it was all around the detention pond but thought there was an ability to pull those closer to either side of that sign and still have the sign be visible and not affect the clear visionary of it.

Commissioner Walker asked if it was true that Oxford does not have a tree ordinance? Mr. Fulkerson replied correct. Commissioner Walker replied shame on them.

Commissioner Brackon said he would like to hear if the applicant had any response to what was said so far. Chairman Reynolds said consideration of a compromise of what they were proposing and what was previously proposed.

Mr. Fulkerson said that the 16 trees on the Oxford corner have met the requirement for the four trees, over met it. The residents of both communities voted them the best-looking place in both communities. It is not like they are taking away from anything by not putting the trees in front, so they have a clear view. Their building is what sells them, people come in because they all like to live in a nice house, and it doesn’t change just because they have to go into a senior living. He didn’t want anything blocking that beautiful mountain resort look that his wife spent countless hours trying to develop. The only place they could put them would be between the two retention ponds and the wall. That is also a pretty steep slope and difficult to mow, it is hard to tell from the picture. They would have to put them in there, that is the only place. He didn’t think it will add to it.

Moved by Vice-Chairman Gross, that the Planning Commission grants a landscaping plan approval for PPC-22-17, Conscious Center Living Landscape Review, located at 985 N. Lapeer Rd., parcel number 09-02-126-007 for plans date stamped received 5/16/22 based on the following findings of fact: that the request is to reduce the number of trees from the previously approved plan by a total of seven trees out of hyndreds that have been planted on the site; the landscaping that has been added to the site adds additional landscaping on the interior of the
site which is provided for the benefit of the residents of the development; the topography of the site both on the east and the south sides of the development provide slopes that are difficult to maintain and the additional trees in there would make it even more difficult.

**Motion failed due to lack of support.**

Moved by Chairman Reynolds, seconded by Commissioner Gingell, that the Planning Commission denies the landscape plan approval for PPC-22-17, Conscious Senior Living Landscape Review, located at 985 N. Lapeer Rd. parcel number 09-02-126-007 for plans date stamped received 6/1/22. This denial is based on the following findings of fact: there are still areas where the required landscaping can still be provided on-site while maintaining a clear vision area for Manitou Lane and the adjacent signage for the church, with the thought that additional landscaping could go between the detention basins and the landscape wall.

**Discussion on the motion:**

Commissioner Walker said that part of him feels bad about denying this, but his heart is to deny it. The petitioner sees where they are here and felt that some small concession by his thoughts of these trees putting them someplace even out of the way somewhere would solve this whole thing. He would hate to have this motion be to deny and let them leave here with nothing. It would seem to him when they sent it back to him, he came back saying that what he asked for in his request is what he wants, he didn’t know how it was going to go but it might be no, and then they would leave here just like they got here and what a waste of time that would be. For a couple of trees, and he is a tree hugger, for a couple of trees to have this thing not go forward he thought was a shame.

Mr. Fulkerson said that they have three trees on the south side by the retaining wall they could put three trees on the north side of the retaining wall between the retaining wall and Manitou Lane. That would balance that, and it is not a steep slope there. They could put three trees there hopefully they don’t have to be very tall because he didn’t want to block the view of the building as southbound traffic comes. If they look at the back of their community, it is a unique site, there are slopes all over the place. He showed them a spot where they had more room, it is a extremely severe slope down into the wetland, there is a retaining wall where the weeds are, as well, it is about 10-ft. high. They could try to plant the four trees that Commissioner Brackon wanted on that slope, and three trees in the front would be seven trees. He asked if that would be reasonable to Commissioner Walker? Commissioner Walker replied that it is not important that it is reasonable to him it is important that it is reasonable to the five of them. To him, it makes sense. Commissioner Walker asked if that would make him happy? Mr. Fulkerson replied that it would make him happy.

Commissioner Brackon said he just wanted to be clear about where they are proposing because the petitioner lost him on the south side and north side of the retaining wall. He asked the petitioner to go over that again. Mr. Fulkerson showed them the overhead view of the property. He stated that there are three birch trees right outside of the red circle. That is the south side of the retaining wall, they could put three trees there that match the existing three trees, and then they could find some space to put four trees. It is unfortunate it is not on the Orion side, there is a line right between the buildings. They might be able to get them in Orin, but does it really matter if it is 10-ft. one way or another if they put them in? If it does, then they will figure it out.

Chairman Reynolds said as a follow-up to Commissioner Walker’s concern, he echoes he is not looking to just deny a project he understood that this project spans between the two townships. What he would like to clarify would be is he understands that there has
been a significant number of trees proposed on the Oxford portion, in his opinion, the four trees short is not really where he is getting hung up on. His area where he is getting hung up on is the requirement of the right-a-way trees. He thought that divide is where he was looking to have that screening between parking, even though it is elevated, and M24. One thing he wanted to clarify with this discussion is that as proposed versus what they were provided here tonight those three trees are kind of shifted around that corner not up at the front of that. He would be willing to essentially compromise here but he would like to see those trees with the original intent of them dividing between M24 and the parking that is provided, not tucked around the corner whether be on the Oxford or Orion side it doesn’t matter. He was leaning towards this being on the Orion side on the parallel face of that wall adjoining Lapeer Rd. Mr. Fulkerson asked on the east side of the lot? Between M24 and the retaining wall? Chairman Reynolds replied correct, versus the three trees. Five more trees on this plan have a little bit of compromise between their signage, and the parking, which is similar to what they had originally proposed. They have those five or six trees as they originally proposed on the west side of the detention, east side of the parking adjacent to that wall, he thought those rows of trees. He was asking for that whole requirement to be addressed those five trees that provide that buffer between them not getting tucked behind. The intent of that ordinance piece is the division of right-of-way and parking. Mr. Fulkerson said the trees would be in the direct line of sight for their parking on southbound traffic. What if they put those three trees in there and then one on one side of their sign and one on the other side of the sign to meet the five that would block the least amount of their building as possible? Chairman Reynolds said he doesn’t want them venturing into the site he wants them to be adhering to their ordinance requirement of the right-of-way adjacent to public right-a-way which would be venturing closer to that sign not tucked around the corners.

Commissioner Brackon asked what’s the objection putting them to where Chairman Reynolds is asking? Mr. Fulkerson replied that it is a difficult slope to mow. If they go to the site, it is slopped down into the retention pond. It is going to be tuff, he mows it, his son mows it, and it is not easy. They will probably have to hand mow it, but it is what it is because you can’t drive a tractor around that and up it doesn’t work, they have to go sideways, and they have to lean and if they are not going in a straight line, it is tricky.

Chairman Reynolds said that is what he would be seeking personally is to adhere to the right-of-way frontage. Their general slopes, they typically review those not to exceed a dimension and he thought they are fighting a personal desire of not hiding the building versus to adhering their landscape requirements.

Chairman Reynolds said there is a motion on the table to deny, at this point, there has been some discussion if the applicant would be willing to address this discussion if fellow Planning Commissioner has a different thought process, he was all ears but that was his perspective is to look for those trees between those detention ponds and the wall as they are originally proposed. Mr. Fulkerson said if they could put five all across the wall, keep them away from their sign as much as they can and they will check visibility. When you are driving 55-60 MPH, they don’t have that much time to look over to a parallel sign. Chairman Reynolds said but they are talking landscaping here. When they are talking about what they are seeking it is not around the corner it is parallel to that wall not on the curve on the parallel that is parallel to M24 that would screen the bulk of those spaces between the building and M24.

Mr. Fulkerson said that the four would be right in front per their request. The wall just jogs sideways at a 35- or 40-degree angle it is still in front, and it would totally block the parking lot from southbound cars, and thought it would meet his objective.
Planner Wojciechowski said that in the existing plan, it already looks like there is a tree in that area, a parking lot tree. He didn’t know if there was room to plant it between the drive and the wall but looked like there was already a parking lot tree in that area. Mr. Fulkerson said there is room for them to put another one in there to block. If they put five in the front one is going to have to go right in front of their sign to make it look balanced which is the last thing that they would like to do. If they did four in the front and one close to the front as they can, like right on the corner, so it is meeting their needs. If they have five across the middle, one has to go right in the middle or it won’t look good.

Chairman Reynolds said he would like to withdraw his motion.

Moved by Chairman Reynolds, seconded by Commissioner Walker, that the Planning Commission approved with conditions and would expect a revised plan to be submitted to the Township with a review of their professional consultant Giffels Webster. He wanted to clarify the landscaping requirements he was not concerned with the first parameter which was outlined tonight but about the four additional trees that we were short on. What he is referencing is the right-of-way frontage trees adjacent to a public road which are five trees short along M24. In reference to the originally approved plans or currently approved plans received on May 16, 2022. He would like to see those trees as currently proposed to be provided to meet that requirement and be parallel to M24 between the west side of the detention basin and the east side of the retaining wall.

Discussion on the motion:

Commissioner Brackon asked that his motion is just for the five trees. Chairman Reynolds replied correct. To clarify his motion, he is waiving the requirement for the four adjacent trees or not requiring that as his condition but the trees that are shown to be provided to meet that requirement that is currently being missed. Where it is parallel to M24, and it is in front of that wall between the parking and the detention basin. Essentially meeting the requirement as it was currently proposed which eliminates the trees along M24 but still meets the requirement for between the detention basin and the retaining wall.

Commissioner Brackon asked if the reason it is five is that they have already planted those three? Chairman Reynolds said his motion would be if they are going to move some trees around, they are going to call those three as currently proposed. In general, that would be five plus three. However, all of these trees that are proposed now would be in that frontage.

Commissioner Brackon asked if those three trees were planted now? Mr. Fulkerson replied yes, those three trees on the southeast corner of the retaining wall are in already. They could put those five in on that plot that would be fine because their sign is in the middle, and they could do that.

The Planning & Zoning Director Girling stated that she understood the motion to reference the ones that he was requesting. He was requesting them based on a plan dated May 16, 2022, but keep in mind they had a June 1, 2022, to add the charts that were necessary. She wasn’t sure he got into that. Chairman Reynolds stated that his intent is in reference to the currently proposed plan that was resubmitted in reference here tonight, not the modified plan. These trees move between the two plans. He was trying to reference when they go to the proposed plan, as currently approved there is one location, when they go to, as proposed, these trees move around the corner. He
would like to see these along M24 and that is why he is trying to reference that other plan.

The Planning & Zoning Director Girling said for her records they are going to need a plan which contains the charts that the Planner needed which are on the ones that are in front of them that are date-stamped June 1, 2022. What they want to see on the landscaped plan is the landscape as reflected on that May 16th but only those that he had described.

Chairman Reynolds amended the motion, Commissioner Walker re-supported that the motion is in reference to what is currently approved, and the modified plans as discussed here this evening needs to include the charts as required by their Planning consultant.

Discussion on the amended motion:

The Planning & Zoning Director Girling asked if the planting type is the same as proposed? She knew that he had mentioned something maybe not as tall.

Chairman Reynolds said in his perspective as long as it meets their tree ordinance and right now it is shown as a deciduous tree, he was fine with that. Mr. Fulkerson replied that is fine.

The Planning & Zoning Director questioned whether to resubmit and be re-reviewed by the planner? Chairman Reynolds replied correct because he is making that conditional to where he is not expecting to see it but that they validate that that revision has been made.

Mr. Randy Timms from Manitou Lanes Apartments and have been there for about 28 years now and would hate to see any trees go out front to block any of the signs. The sign that they have out in front of theirs is really nice and he would hate for them to have to block that at all. That would change that whole building front.

Roll call vote was as follows Walker, yes; Brackon, yes; Gross, no; Gingell, yes; Reynolds, yes. Motion carried 4-1 (Urbanowski & St. Henry absent)

C. PC-22-19, Oakland Business Park, Buildings A & C Site Plan Amendment, 163 & 187 Premier Dr. parcels 09-35-476-001 & 09-35-476-004

Chairman Reynolds disclosed the fact that he and his company have completed plans on this project previously, and he had nothing to do with this proposed amendment. They didn’t have anything to do with the overall site plan approval except for general renderings. He didn’t think there was a conflict of interest, but he would happily step back if someone felt that there was. Vice-Chairman Gross said he didn’t see that was necessary.

Chairman Reynolds turned it over to the applicant for their presentation.

Mr. James Garrison with Shremshock Architects located at 7775 Walton Parkway, Suite 250, New Albany, OH the applicant presented.

Mr. Garrison stated to summarize what is happening with this presentation and why they are here proposing a modification to the site plan was their firm was contracted to essentially build out the existing buildings that are in Oakland Business Park. It consists of three building A at 163 Premier Dr. and building B at 180 and building C at 187. Building B is in existence it is open for business it is built out and building A & C are in development. The shell building was
existing when they bought into this project and their involvement is essentially building out the inside and then adding mechanical, electrical, and plumbing systems to those buildings for that. The submission that they sent in was to show how they were integrating mechanical electrical systems into the building. Building A was by far the most restrictive. What they found is when they went into this project on the east side of the building there is a retention pond on the north side there is a retention pond but the entire length of the building from the building face, out 45-ft. is a gas line easement for Consumers Energy. On the south side is a very tight drive aisle and restrictive to topography. If they happen to be familiar with building B there is a mechanical yard on the west side of the building, it takes up quite a bit of space. Because of the restrictions on-site and the limited ability to develop anything, the proposal was to put in the water cooling towers on the west side with a boiler room building that services those. It distributes the hydraulic piping through the building. In addition, the electrical distribution there was a pad on the east side that is frankly a little undersized for what was necessary. In order to prevent building out into the detention pond and to facilitate distribution throughout the building, they were hoping to put transformers on the west side. Essentially, concentrating everything on the west side would make everything work. Since his conversation with Consumers Energy to try to figure out how they would have green spaces facilitating their needs as well as a slight encroachment into the gas line easement, which was allowed by their easement language, they were ok with it. Essentially what they end up having on building A is some visibility of these things on the west side of the building. They have talked to several entities, the Planning Department here as well as Fire Marshal Williams, relocating a fire hydrant. Essentially, they have a screening wall the front face of these cooling towers is open so that air can pass through them. So, rather than trying to put a wall up tight to there and change the drive aisle they kind of kept the drive aisle where it was, but the cooling towers where they are now, and use that drive aisle as the free area, and then move that screening out on the other side of the drive aisle. He showed them the views going from Lapeer Rd. as well as several locations on Premier Dr. They have a screen shown at 8-ft. and then they are incorporating some natural elements, they would expect that to be evergreens, but essentially there is no real net change in the landscaping plan that was previously approved. What they are really trying to do is focus strategically that natural screening in a position that would provide less visibility from going down Premier Dr. and the Lapeer Rd. He added they also moved the boiler room specifically onto the corner of the building to provide additional screening so that adjacent buildings as well as the boiler room building would offer additional screening. To address some of the requirements of breaking up the façade in the Lapeer Overlay Design guidelines they were proposing to add pilaster elements on the outside of the building. These are things that were added to building B, and previously approved by the Planning Commission. He was unsure if that was through a waiver or if that was determined to be acceptable, but they were going with the same idea there. As far as the boiler room building it was CMU in order to facilitate construction, but they were looking for it to be compatible with the building in both shape, angle of the roof, and materials. So, it would be two tones of block one to match the higher lighter color metal on the side and darker at the base. Based on the breakup of the building in the back with every 100-ft. of green space for the Consumers gas, and a little bit of neoclassicism, he knew it wasn’t a classical building but having to pilaster four of them to break up the façade into five different sections seemed reasonable. Then on the side, two pilasters break it up into three sections.

Mr. Garrison stated switching over to building C, it took a lot of what they have learned and tried to do what they did with building A and carry it over to building C. Building C doesn’t have the gas line easement in the rear of the building so ideally, that is where they would have wanted to put everything anyway. They did not want to ignore Bald Mountain Rd. but there is a greenbelt area between the road, the building, and the proposed paving. The landscaping covers some of the infills of that and shows kind of a natural screen along the whole length of the building. They felt that that was fairly sufficient but treated the exterior the same way. They broke up the
façade into five sections essentially. They have four pilasters on the front, and two on the side. Now it is a little bit of a bigger building but in terms of looking at one versus looking at the other, that was what they were trying to capture. In the back of building C, obviously in the winter in Michigan the leaves all go away, so he thought there may be some approved landscaping plans and some evergreen elements. There was a significant density of trees and shrubs in the back of the building currently. Across the pavement over the berm is where Bald Mountain Rd. is.

Mr. Garrison said when the reviews came back in there were a couple of things that they updated slightly. During the review, Fire Marshal Williams had some questions on the distances of fire hydrants which he thought may have been in some of the material that was circulated in the reviews. They shared with him some specific plans showing distances of fire hydrants between each other and making sure that all worked out. Included in the original submittal as well as the packet in front of them which was slightly modified to address some things. The life safety plan was to kind of show where circulation is in the building where doors might be and how that integrates with parking. Originally, there was an observation that the accessibility parking was different than what was in the approved site plan. What they are trying to do is make that work a little better with the function of the interior of the building now that identification of what is going in there. One of the comments that were made was updating the elevations to show some of the equipment. He showed them the west side of building A and what it would look like. Obviously, they were very large things and that was why they are proposing natural screening as well as an 8-ft. wall. That showed them the relationship of the equipment relative to the size of the building, the building is rather short, and the equipment is rather large. Again, it is to try to focus everything into one tight spot and have to deal with some of the restrictions on the site. In the back of building C, he will elaborate a little bit more than the drive aisle that was back there which was closer to the building was pushed out to facilitate some of the requirements for the mechanical electrical systems. They have worked with Fire Marshal Williams to make sure that he was satisfied with the travel of a fire truck through the site. At one point he was told that the dumpster that was located in a previously approved site plan on the northeast corner was needing to move, and frankly, he thought the bigger issue was that all of the refuse could be contained within one location rather than putting something in a dumpster and then taking the dumpster to a compactor he thought that everything needed to be facilitated into the compactor. He thought that was brought up in one of the reviews and that was kind of where that landed.

In building C, there was a comment about kind of how the screening in the back of the building, they didn’t want to even though he keeps saying the back of the building it’s the front of the building relative to Bald Mountain Rd. They are not necessarily ignoring that but what they did in terms of the design of everything, they added the pilasters on the building front and back treated them the same with exception of where the boiler room building is, but the back of the building still has façade elements that break it up. He took a look at the way that the section could cut through the back of the building. He did not go out and measure these trees, but the trees are shown to be about 30-ft. tall, and some of the existing trees are taller. It seemed as though it was adequately screened based on what they have seen. The Civil Engineers’ site plans and the landscaping plans capture a lot of the work absent from their drawings but only because they are not trying to make conflict coordination wise. They are to look at what was previously approved on the west side of building A. They can see evergreens and deciduous trees. They are not necessarily proposing anything different quantity-wise but perhaps shifting some things strategically to get them into a better location for screening. A tree right on the corner would not be able to be done anymore and would likely be moved across the drive aisle. In building C, where there are noted absences of natural screening there are trees and shrubs added to that area. Most of everything that is there and what they are proposing in terms of amending the site plan that was previously approved was mostly born out of the fact of the
necessity of the building out the building and trying to incorporate systems and not necessarily change from anything that would have otherwise been there.

Mr. Brian Biskner from Powell Engineering 4700 Cornerstone Dr. White Lake, MI. His role was trying to impress upon the fact, especially on building C, to stay within the footprint of what was previously approved as far as the paving of the bank parking, they did, they stayed within the footprint, and they didn't affect the previously approved landscape plan on the east side of building C in any way. He thought that it could be installed just the way it was shown and as he had mentioned with building A, they might have to move a tree but mainly they kept the site plan as previously approved pretty much intact.

Planner Wojciechowski read through his review date stamped May 27, 2022.

Engineer Landis read through his review date stamped May 26, 2022.

Chairman Reynolds said that also there was a review from their Public Services Director without any concerns if there was ample service to be provided.

Chairman Reynolds stated that there was a review from their Fire Marshal, he did have comments that were addressed via email but had asked for those to be addressed in future submittals to go on record. There is a WRC review, there was a site walk completed, among a handful of other reviews.

Chairman Reynolds said he personally felt that the proposal meets the Lapeer Overlay Designs Standards as currently submitted. He didn't have an immediate concern from the additional landscaping in regard to the right-of-way along Bald Mountain Rd. at this point and time as long as previously proposed as still being met that any of those blank areas are still being provided. Overall, it seems like there are modifications to provide additional mechanical space based on the use in these buildings. He thought they looked good to him. He said to keep in mind that some of these changes that are being proposed are because the original approval was just a spec building, and this is looking to be a singular tenant so a lot of those are driven by going under one kind of ownership or operation, so he thought that was a cleaner approach.

Vice-Chairman Gross stated that these are plans that they have seen previously, These reflect some modifications to those previously approved plans. Minor modifications to the building façade and location of some of the parking because of the utility requirements for the buildings. A lot of these have already taken place relative to the relocation of the parking on the two buildings are different than what was on the approved plans. Again, they were necessitated by the requirement of utilities to service the buildings. He concurred that the architecture, design, and elevations are similar in nature to what they have previously approved, he didn't see any major changes that would require them to alter that approval.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission grant a waiver for the Lapeer Overlay Design Standards in Ord. 78, Section 35.04 B, 1 for the façade and exterior walls for the east wall of building C facing Bald Mountain Rd. for PPC-22-19, Oakland Business Park Buildings A & C Site Plan Amendment, located at 163 Premier Dr., parcel number 09-35-476-001 and 187 Premier Dr. parcel number 09-35-476-004 for plans date stamped received 5/11/2022 based on the following facts: that the existing site design including architecture, parking, driveways, etc. are placed in a manner which makes the application of the standards impractical; this represents minor modifications to the previously approved Lapeer Overlay Design Standards; and it would be one condition that a color rendering and landscape plan of the Planners review of May 25, 2022, be a condition of the waiver.
Roll call vote was as follows: Brackon, yes; Walker, yes; Gross, yes; Gingell, yes; Reynolds, yes. Motion carried 5-0 (Urbanowski & St. Henry absent)

Moved by Vice-Chairman Gross, seconded by Commissioner Gingell, that the Planning Commission grants site plan approval for PPC-22-19, Oakland Business Park Buildings A & C Site Plan Amendment, located at 163 Premier Dr., parcel number 09-35-476-001 and 187 Premier Dr., parcel number 09-35-476-004 for plans date stamped received 5/11/2022 based on the following conditions: that the revisions necessary to accommodate the relocation of utilities and the approval are based upon the following conditions: that the applicant resolves any of the issues related to the Planner’s review of May 25, 2022, and also resolves the issues related to the Township Engineer’s letter for compliance of their report of May 26, 2022.

Discussion on the motion:

Chairman Reynolds requested that they include the Fire Marshal’s comment in the revised plan. There were emails exchanged that addressed his comments that he asked to be provided in future submittals so they would go on record. It stated that during the review it was noted that the hydrant locations were missing from the submittal. After further discussion documentation that was provided via email, both missing items have been addressed and confirmed but they recommend that the applicant provide revised drawings showing this missing item as discussed in their email correspondence.

Vice-Chairman Gross amended his motion, and Commissioner Gingell re-supported, that the additional condition would be to incorporate the Fire Marshal’s review relative to the revised plans indicating fire access.

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

8. UNFINISHED BUSINESS

A. PC-21-90, Ridgewood PUD Concept, located at 625 W. Clarkston Rd., (Sidwell #09-15-226-007), the vacant parcel west of 625 W. Clarkston Rd. (Sidwell #09-15-226-006), and the vacant parcel east of 625 W. Clarkston Rd. (Sidwell #09-15-226-008).

Chairman Reynolds stated that this project has been in front of them previously and they did have a public hearing on this project, so the public comment will be able to be made once a motion is on the table.

Mr. Daniel Johnson with IN-SITE presented.

Mr. Johnson stated that they met with them at the first meeting of the year in January. The project Ridgewood and what they attempt to do. Further, in April they received their approval for an extension to allow them to get engineering details in order for resubmission.

Mr. Johnson said that Ridgewood is located on W. Clarkston Rd. Coming out of their meetings in January primarily, their objectives were to respond to the prior Planning Commission and The Board of Trustees’ input and review comments. What they talked about at the meeting was achieving the right balance between the site design, land use considerations, and the need for housing. In addition, one of their objectives was to respond to the community goals articulated in the Orion Township Master Plan. At the same time consider the pending future Master Plan implications even though it is currently going through the review process.
Mr. Johnson said in that light what they have done was really a couple of major things, one is they have changed the type of unit that is proposed for the project. It is going to a duplex unit instead of a townhouse-type unit. In that context, the duplexes were all one-story range or one-story structures as opposed to the two-story structures, which the townhouse units were reconfigured around. That would allow for reducing the building height and visual impact of the overall units and the project in general. Secondly, and probably more importantly they have reduced the density by 40% going from 50 units from the prior submittal to 30 units in the current submittal which results in an addition to a denser reduction, a reduction in traffic by 40%, and takes the unit count down to less than 3 units per acre. In terms of general things, what they want to do with the resubmittal was to maintain a clustered housing site design approach. They have also shifted the east entrance to the west to increase the side yard in that location.

Mr. Johnson said they talked a lot about the need for housing at their last meeting and sort of broader market trends. There was a recent article from April, and he thought that a lot of the spirit of this is captured in some of their Master Plan updates that they are going through, but it is the trend towards accessory dwelling units, duplexes, or triplexes, it is an attempt to achieve some sort of modest densification within the context of the current planning thought. The survey is just a reminder it is composed of three parcels, approximately 11-acres. As they discussed last time the large part of the property, the western portion is primarily open.

Mr. Johnson stated that the revised concept plan really has 15 buildings on it, they are duplexes so times two is 30 units, so 15 buildings are located around the property. The east entrance was slid slightly to the west to increase that area in terms of the natural features that occur there. They still maintain the alignment with the west entrance to the street across the way to the north which they talked about last time. The road configuration by in large remains as it was it is simply the units become one story and the number of units changes to 30. The detention area got slightly smaller given what transpired with the design revisions, but not too significantly.

Mr. Johnson said with respect to the floorplan again it is a duplex unit so what they see on the right and the left side are really a mirror image of the floor plan which is about 1,800-sq. ft., two bedrooms, a flex unit or an office, and two-car garages that are recessed 5-ft. from the front of the structure and then in addition to that is a porch element that would extend beyond that which is consistent with what their ordinance required.

Mr. Johnson showed them the elevations of what the appearance would look like.

Mr. Johnson said repeating what they talked about last time the open space, design amenities, there is a meandering walking path a third of a mile or so, and a gazebo element. So, introducing pedestrian amenities for the residents whether it is walking their dog, taking a walk, or jogging, take advantage of the open space that is on the property.

Mr. Johnson stated that in terms of the updated site plan metrics, the usable open space is 4.55-acres which is almost 44% of the property. Other open space which includes the wetlands and detention area in total would almost have 7-acres of open space over 67% of the site. This results in units per acre of about 2.64 using the gross acreage. The building envelope is about 1.31 per acre, and the walking path is about 1/3 of a mile.

Mr. Johnson said the traffic standpoint in addition, as he had mentioned earlier, the traffic from the prior proposal would be reduced by 40%. The traffic statement excerpt said that it will not contribute significantly and will not pose a negative impact. Also, if they were to go forward the Oakland County Road Commission (RCOC) wanted a lefthand turn analysis done in the future which they are willing to do, for the west entrance.
Mr. Johnson said just to summarize the Environmental Sustainability Initiatives that they are proposing using the Best Management Practices (BMPs) for stormwater design. The new Oakland County Standards which were adopted late last year provide for infiltration and rain gardens kind of technology. As indicated on the landscape plans, they are planting approximately 300 trees, and also a tree fund contribution of 120 trees. They propose a LEED certification for the duplexes, which includes water saver plumbing fixtures, high-efficiency HVAC systems, Energy Starr appliances, and providing for EV connection in each duplex unit for those who may want to purchase an electronic vehicle in the future.

Mr. Johnson stated some excerpts from their current Master Plan in terms of how that speaks to housing objectives within the community. Providing for a variety of high-quality housing types and a range of densities and lot sizes. They think that the duplex units provide for an element of range and would also fall into the category of alternative housing styles and attached single-family dwellings.

Mr. Johnson said regarding the Future Land Use draft, they recognize this isn’t fully adopted it is going through a public notice period. The subject property would fall within a single-family high-density area according to their Future Land Use draft. The site is also located about a quarter-mile east of some general commercial areas, and is very easily walkable, potentially.

Mr. Johnson stated also within their future Master Plan, residential density plan, the subject area would be an area that would indicate a 3-5-acre unit per acre density range.

Mr. Johnson said that within their draft, as well as within a lot of planning publications in the last ten years the discussion about the missing middle housing. If they read through the literature a lot of that addresses a range of sizes and types and duplexes are often indicated in that discussion just for a general reference.

Mr. Johnson stated that they did a building envelope site comparison summary. Looking at the current zoning which is R-1 the potential building envelope would be 15 in terms of the number of homes. Under the proposed PUD that they were talking about conceptually, there would also be 15 building envelopes, 30 divided by 2. In the future land use condition, which he thought was included in their submittal, if they did a lot layout they would end up with 22 units. If they look at it on a building envelope basis which he thought spoke to impact on the nature of the site and the property, they are talking about 15 structures, all be it there are in combination in the case of the duplex.

Mr. Johnson said an excerpt from their PUD Ordinance, encouraging alternative to traditional subdivisions, encouraging innovation and greater flexibility in land use, and less sprawl in terms of sprawling frontal development. These are all excerpts from their ordinance.

Mr. Johnson added that with respect to density within their ordinance there are optional provisions. It speaks to density credits, so they felt they could check the box in terms of it being a cluster development - where they exceed the 20% of open space. They have addressed the enhanced surface water quality and groundwater quality using the new Oakland County Stormwater Design guidelines, utilizing infiltration and rain garden technology for each of the units within the project. Preserving natural features, certainly a large part of the project does that in terms of preserving the wetlands and the number of landmark trees that are located along the south and east portions of the property. In addition to that planting 300 new trees and providing for a contribution to the Township Tree Fund of 120 trees. Contributing land or amenities that represent community benefit, they had proposed in earlier discussions to create a conservation easement for that wetland natural area on the SE corner. And then contribute right-of-way which of course to Clarkston Rd. as part of the project.
Mr. Johnson said regarding the consultant letters that were received this week. He thought OHM mentioned the lefthand turn warrant analysis which they have not issued an undertaking at the appropriate time. They did have a question on the Giffels Webster review letter about a 10-ft. greenbelt around off-street parking which they can clarify when they get to their comments.

Mr. Johnson said to summarize the community benefits they feel they are responsive to the Master Plan objectives, provide housing options for the Township, the project is 67% open space and land conservation, they are doing Storm Water Management System (BMPs), contributing to the Township Tree Fund to the tune of 120 trees, they would propose a proportional monetary contribution to the pathway system, dedicate for Clarkston Rd. with the right-of-way, projects like this create jobs both for the construction and suppliers standpoint, expands the community tax base, and he thought responded to the general need for housing which he thought was an issue right now in our world.

Planner Wojciechowski read through his review date stamped received May 20, 2022.

Engineer Landis read through his review date stamped received May 23, 2022.

Chairman Reynolds said that there were additional reviews from their Public Service Director agreeing with OHM’s comments specifically one of which is looping the water main. Since this is a concept for their recommendation here at the Planning Commission the Fire Marshal had no additional comments at this point and time for the concept as presented.

Vice-Chairman Gross stated that he believed this represents a major improvement over the initial submission from 50 two-story units to 30 one-story units, it was a major reduction in terms of density. He was curious how they were able to reduce the number of units by so much in such a short period of time. This is a concept and eligibility plan it does not represent any final approvals. He thought that there were a number of issues that need to be addressed if this goes beyond the concept and eligibility stage. One of the concerns he had was what they have been talking about on the Master Plan in terms of creating vistas along their major highways and Clarkston Rd. always came up as one of those areas where it would be nice to establish a vista along the highway that recognizes the current landscaping or wooded areas along the street. He didn’t think that this plan necessarily reflects that but there may be ways to improve upon that. The PUD ordinance also requires that the majority of the units have side entrance garages as opposed to front entrance garages so that the development does not appear to be one of a parking structure but a residential complex. As the engineer indicated there is also a concern about the room between the garage and the street in terms of there being a sufficient area for a car to park in the driveway and not interfere with either the sidewalks or the driveways within the complex. They were shown one form of architecture and he was curious as to whether or not each building is going to look the same or if there is going to be a variety in terms of the architecture for the complex. That was one of the considerations relative to the PUD consideration. The issue of unified control is if the applicant could identify whether or not this is going to be a rental project or a condominium for sale project which will allow them a way to address the maintenance of the open space. It is going to be under a management control system or an HOA as to how the maintenance of the open space is going to be controlled. He didn’t have a major concern with the reduction in the number of units 15-30 and a density of 2.6 units on an overall site. As the planner indicated that kind of falls right in between the range of the residential zoning requirements of 3.5 to 4.2 dwellings per acre. In terms of the density impact, he thought it was consistent with the current zoning and with the proposed Master Plan.
Chairman Reynolds said that he did appreciate the transition from 50 to 30 units. Significant decrease in density he still has a concern just with the density as proposed even their Master Plan they thoroughly went through a lot of these districts, and they are still calling out as medium-low density and considering that as a recommended density of 1.5 dwelling units per acres and 2.64 as being proposed so there is a significant amount over and above even as their currently to be adopted Master Plan is considering.

Chairman Reynolds said he goes back to the PUDs in general in a sense of why they exist, and he knew they didn’t exist for the sense of gaining density but rather as a creative zoning tool to address limitations on a site. He appreciated the parallel plan of 22 lots, he would also just like to acknowledge that that is with one access point which means those homes would be suppressed if it had two access points there would be fewer lots being proposed in that parallel density plan. Although he thought the PUD as submitted here tonight does make some valid efforts, he still thought that there is an opportunity to greater acknowledge the surrounding areas as it is currently zoned and acknowledge that large-lot single-family homes exist especially as it relates to the Master Plan even though density amounts have increased with the current Master Plan it isn’t a significant increase.

Chairman Reynolds stated that his other concerns are related to setbacks. He understood a PUD as proposed allows for 35, he would see why not 40-ft. along Clarkston Rd. to maintain those corridors that they are looking to propose. He thought that there was compaction to the site that would be further rectified if there were fewer units being proposed there.

Commissioner Brackon said they talk about the general need for housing in this area almost at every meeting. He thought that they needed to look at this as to what are the potential options available for this particular site. What he saw is probably the best option that they are going to see that takes into consideration economic reality. From what he understood the most desirable option would be single-family units anywhere from 15- to 22, a small subdivision with a single access point, which economically is probably not viable for a builder to come in and do that. Now that they are single-story and he compared this to the little community Stratford Village off of Lapeer Rd. next to Chicago Brothers, it is very similar to what is being proposed here. For over 20-25 years they have kept that up beautifully in those duplexes there. He thought that this falls within what they are looking for and is the best option for the preservation of the natural features minimizes the density issues, minimizes the number of buildings that they were going for but still allows and responds to the general need for housing. He added at this stage he loves this proposal there are some tweaks that probably need to be made to it but thought and didn’t want to say in a demeaning way say it is the best if they are going to get it because he thought it was very good and thought that should consider that.

Commissioner Gingell agreed she appreciated all the changes they made since their last presentation; this is much better. She would still like to see what it is going to look like from Clarkston Rd. what the buffer is going to look like, and what the landscape plan is, she can't visualize it with the path and everything from Clarkston Rd. so she would like to see that on a future plan if possible. Overall, much better than it was.

Chairman Reynolds said he fully supports multi-family he thought that was a modern tool that is going to be utilized that they are going to see more of. His comments are strictly rooted in the density that is being proposed. If they say that the 22 lots were kind of the viable effort, then why not 22 units versus 30 was all his original thinking process was. He agreed that there were some nice benefits to it he just still challenged when they look at PUDs and the Master Plan transitional zoning and does it fit within other zoning areas, he didn’t think the approach of, hey this is good, and they can’t ask for better.
Chairman Reynolds asked if it was rental or for sale? Are they all going to have a similar façade or there going to be a variety of colors or materials? Mr. Johnson replied that these are for-sale products, and they would be all under a unified control with the homeowner’s association, so there will be commonality of maintenance throughout the project. They felt that the architecture they felt they could deal with in a more expanded way in terms of the final PUD, but the thought process was they would have some variation throughout the project.

Mr. Johnson said that his understanding of the ordinance with respect to the side entry garages or the 5-ft. setback was either or and they could apply that to 50% of the project, so it was one or the other applied to 50% of the project they proposed to apply it to 100% of the project. That was their understanding of the ordinance.

Chairman Reynolds asked if it was their intent that there would be some garages that are going to be forward present versus being recessed as currently shown? The one plan that they do see here is that going to modify from unit to unit. Mr. Johnson said that there would be no side entries. Chairman Reynolds asked if this was the plan that would be utilized for every building that is being proposed? Mr. Johnson replied yes, that is the intent.

Commissioner Brackon said he also knew there was an issue about parking and parking in the driveway and dealing with homeowner associations from a legal standpoint in the past. He would assume that there is going to be some ordinance within the homeowner’s association that doesn’t allow them to park in their driveway and that it requires that they either be in the garage or in the designated spots. That is based on his experience but wasn’t 100% with this one.

Chairman Reynolds asked the applicant clarify if there was a concern about the Engineer’s speaking to the space between the garage and the sidewalk, is there going to be any regulation against that? Can that area be increased to provide a full parking space? Mr. Johnson said that they can look at making some adjustments with that. He did know that it was kind of tight in terms of the layout consideration but could certainly look at that from a tweaking standpoint.

Vice-Chairman Gross said he tends to echo the idea of reducing the number of units would provide more flexibility on the site in terms of opening up some of the things that they talked about in terms of access and green spaces along the roads. He would not discourage the reduction in the number of units a little bit more to make it more compatible.

Chairman Reynolds said his comments are rooted in the fact that they have all single-family homes around that area. Acknowledging that future developments may not be all single-family doesn’t mean that they can’t meet the density. He was cautious in proposing a density that isn’t double but is in some ways of how they currently Master Plan it is double. They are proposing an RM use that doesn’t exist along that portion of Clarkston Rd. and as Master Planned south of Clarkston Rd. north of Waldon Rd. east of Baldwin are all medium low-density Master Plan zoning. Even though that density credit has increased they don’t have a whole lot of that venturing into that area as they are looked at as a Township. He thought that yes if it is a duplex product, he was in full support of that that meets some of their efforts as a Master Plan to say where our missing middle housing is. It doesn’t mean that they have to come in and still be double. Is it better than 50 absolutely but if they said a reasonable zoning on this site is 22 with suppression give or take but why not closer to 20? That to him then acknowledges the transition between the homes to the east, and north, which are all single-family that exists and have existed.

Chairman Reynolds said that this is a PUD that is being proposed here tonight, so the Planning Commission is making a recommendation to the Board of Trustees for the concept that is
presented here this evening. The BOT is involved in the process, there are multi-steps it would come back to the Planning Commission if the BOT agreed.

Chairman Reynold said there was one other comment that he wasn’t too keen on he would rather have trees be addressed on the site versus a contribution of 120 trees to their tree fund. He thought that was one more thing towards the density concept that there needs to be some more push or pull on the site.

Commissioner Brackon asked what is that making up for? Why the 120-tree contribution? Mr. Johnson replied that it was their landscape architect’s opinion that there really wasn’t a lot more space to add trees to their site.

Chairman Reynolds stated that their ordinance does allow a replacement, in the ordinance, there is an area that says they can consider the contribution to the tree fund.

Commissioner Brackon asked if the amount that they were deficient 120 trees? Mr. Johnson didn’t think they were deficient they just couldn’t find the space on the site to locate the 120-trees understanding the growth and maturity of the trees.

Chairman Reynolds asked if there were any tree calculations provided on the concept plans? Planner Wojciechowski replied he did not believe so.

Chairman Reynolds stated that typically they are based on legacy tree replacement. There could be the factor that an applicant such as this chooses to contribute greater than the required replacement but in general, his feeling is for those things to be resolved within the site especially something like this.

Planning & Zoning Director Girling said to keep in mind that there have been many people that have read this section of the ordinance in many ways. She was curious how the applicant read the ordinance whether this was every tree being removed or landmark versus protected and are they protected within the building envelope and infrastructure to the point that there truly are 120 trees that meet that criterion of being a landmark tree. Commissioner Brackon said or being generous in overcontributing. Planning & Zoning Director Girling said or were they in a community benefit from the monetary value of 120-trees into their tree fund.

Chairman Reynolds asked if there was a clarification on what they are required to replace on the site? Mr. Johnson said on sheet L.1 there was a landscape summary that went through a whole series of calculations he believed that addressed their questions.

Planner Wojciechowski said he believed that there was information that they had indicated in their previous letter that they may wish to show how many trees are being removed or saved versus in R-1 or R-3 development. He thought that was their comment but didn’t get into the actual deep dive of the landscaping review, they kept it more conceptual.

Chairman Reynolds said it appears under their calculations they are saying the total replacement required would be 164 trees at 2-inch caliber or 6-ft. evergreen and 161 trees at a 3-inch caliber or 8-ft. evergreen. There are 44-trees at 2-inches provided and 161 trees at 3-inches provided. It does appear that the trees paid into the tree fund, from his understanding of this, would be as making up for the gap of the 120 trees that are not necessarily provided under their replacement for 2-inch deciduous or 6-ft. evergreen. Those are directly from the plan as submitted by the applicant on page L.1.
Planning & Zoning Director Girling stated at this point it is concept and with the multiple ways that this ordinance is read the applicant might have to go back and look at whether those are landmark trees or protected.

Planner Wojciechowski added that on page four of their review under the recognizable benefit 1.a Preservation of natural features, they did note- that the eastern half of the site contains six significant natural features including woodlands and wetlands, are proposed to be preserved. A tree survey for the entire site indicates that the site contains 69 landmark trees, with 12 proposed to be removed with replacement. It is unclear how this removal rate compares to a permitted development.

Moved by Vice-Chairman Gross, seconded by Commissioner Brackon, since this is a PUD and it represents a development concept and eligibility he would move that the Planning Commission forward a recommendation to the Township Board to approve PC-2021-90, Ridgewood Planned Unit Development Concept and Eligibility plan, located 625 W. Clarkston Rd. (Sidwell #09-15-226-007), the vacant parcel west of 625 W. Clarkston Rd. (Sidwell #09-15-226-006), and the vacant parcel east of 625 W. Clarkston Rd. (Sidwell #09-15-226-008) for plans date stamped received May 9, 2022. This recommendation represents a concept plan consisting of a missing element in their housing market, the caveat that density remains an issue on this parcel, and the further reduction of the number of units would improve the flexibility and meet certain ordinance requirements. Specifically, reviewing the density requirements of the residential zoning; the underlying single-family zoning district; setback requirements of the current zoning residential; a landscape border on Clarkston Rd. providing a vista of landscaping for the character of Clarkston Rd.; the review of the design of the units reflecting all front and no side entrance garages, and that the architecture of the units be provided to provide a mixture of design of materials and colors so they are not all of the same mixture; identification of the project be it under unified control and is the project to be rental or ownership of the maintenance development company for the open space; and other factors that were raised in the Planner’s latest report.

Discussion on the motion:

Chairman Reynolds stated he was a little reluctant in the sense of recommending approval with these items. He wondered if it is counter-framed like a conditional motion to deny or approve if the type of things, based on these factors, and then that gives them some findings of fact for the applicant to address and the Board of Trustees to realize what they are going after. He just wanted to be careful that if they make a motion to approve that those are just considerations versus things that are a direct finding.

Commissioner Walker said maybe a postponement rather than trying to cobble together it at either an approval or denial of it because there are a lot of moving parts still here, he thought. Can they commit the Township or the applicant to these things by what they say here?

Chairman Reynolds said they have a right to make a motion to postpone. He thought that based on they are a recommending body he would look to kind of have that discussion with the Board of Trustees similar to what they had with other PUDs. He thought they have seen some good movement here with what is proposed so he would like to keep it moving along. If anything, he would want to include the other party within which this conversation exists within. He thought he was ok with making a recommendation and liked the idea of having some items to consider. He thought there were very good facts here, and thought if those were addressed, he could see this being a valuable PUD in the Township. The big piece for him was the density as it relates to those chain-reaction effects so if they were to
proceed with all the units as they are proposed now, he felt that might be a slippery slope in perspective.

Vice-Chairman Gross wanted to clarify his motion, if he said approve, he meant favorable recommendation as opposed to approving. Chairman Reynolds didn’t think they wanted to get into that because they have attorney thoughts, he thought it was to approve or deny.

Planning & Zoning Director Girling said they have three options, recommend approval, recommend denial, or postpone.

Commissioner Brackon said they are not approving the final PUD plan by any means.

Chairman Reynolds said to keep in mind that concept addresses density, general layout, and approach. He thought that when they are saying recommending approval, they are assuming that there are going to be future details that come forth to them. He wasn’t worried about some of those items he thought they could work through them. They are looking strictly here at the idea of setbacks, density, and the style of PUD that is being brought forth to them. He thought that was something to keep in mind at this stage.

Commissioner Brackon asked isn’t it possible to recommend approval to the BOT with those concerns in mind knowing that those issues may still have to be addressed as opposed to denying it which could blow up the whole project.

Planning & Zoning Director Girling to clarify the recommendation to approve can have conditions on it. I know they were talking about considerations maybe there is a way to formulate it that there are conditions. Their recommendation is to approve with these conditions so it is moving forward and then the BOT would entertain their conditions that are contained within their recommendation.

Chairman Reynolds said that is one way to propose it. If they are formally written into the record as a condition, he would support that list.

Commissioner Brackon questioned what the BOT sees? If they approve this with conditions, they will see the conditions? Planning & Zoning Director Girling said they will get the formal motion.

Chairman Reynolds thought that it should be reworded as conditions rather than considerations.

Vice-Chairman Gross amended his motion, Commissioner Brackon re-supported that the to reword as conditions rather than considerations.

Chairman Reynolds said they have a motion to recommend the concept as presented on May 9, 2022, plans, recommend approval with condition that density is still an issue and by reducing it would fix the underlying zoning issues and better address the residential zoning including the landscape buffer, border, vista, along Clarkston Rd., and that there was a condition about the review of design as it relates to side garages are proposed rather than all front, that architecture ends of having a mix of design, color, and style so they are not all the same, and that unified control be addressed rather than be under rental or ownership for both the units themselves and the open space, and addressing the Planner’s comments in their report is the current motion on the table.

Chairman Reynolds asked if there was any public comment on the motion?
Ms. Heather Smiley 959 Hemmingway has been a resident for the last 22 years. The main concern she has, the company, INSITE, LLC, has only been in good business standings for three of the last 12 years per LARA. She lives where she can see this property, and she is familiar with this property, she did believe that there are some swap/wetlands that are actually not accounted for, maybe it is in the gray area where there is no building, which is fine she was new to plan drawings. She was concerned about the EV ports and the garages; their electricity went out three times last week. They are on an older service on their side, she didn’t think that the transformers can handle what they are proposing. They are also on septic and sewer on their side of the street. What chemicals are they going to use for the plantings, for the grass, for the machinery, things like that goes right into their water table? Since the widening of Lapeer Rd. their water table has actually dropped, how that all happen she wasn’t really sure if it is linked to that, she was kind of looking into that. She knows now that Lapeer Rd. now floods because they took away from wetlands. She feels they have a large drainage ditch that goes right on Clarkston Rd. that if they really mess with mother nature too much it is just going to take its land back. She has been in conservancy her whole life, her uncle actually founded a conservancy, so this is something that she knows about. As far as a duplex that is here or there, their community in that area they don’t have any. They do have a minimum of probably an acre, she is on a smaller parcel, and she is an acre, a lot of her neighbors have 2.5-acre plus. She thought that the amount of thirty is not going to be conducive for their traffic. Again, she lives right there so she sees traffic from Clarkston backed up all the way to Hemmingway Rd., which is a good half-mile of backup before and after school, traffic accidents, anything like that it is a one-lane road on each side. Building and widening the road to accommodate that isn’t even necessarily possible. Again, with the drainage ditch that they have on the side, the houses on the one side might be fine, if they were to have to expand. These are all things that they have to take into consideration directly in their neighborhood, the congestion, traffic, construction, the wildlife. Her dogs have gotten out quite a few times, she runs that property, they have sandhill cranes, deer, they have a whole bunch of stuff, and why she did totally appreciate the downsizing of what she thought originally was 52 townhomes to what they have now she still agreed that she didn’t think it was conducive for the space. There are some other properties down on Lapeer Rd. there was one that was for a convalescent center it has been posted up for years and years that might be more conducive to their planning because it is right off of Lapeer Rd. It has access, it has the setting for electric, gas, and things like that so they wouldn’t have to bring in as much and tear up as much of the land. In regard to the trees that stand, as the way the parcel is downsizing the amount of houses or duplexes that they have would actually accommodate the size that already has cleared land to where they wouldn’t have to take down 12 of the trees. Personal opinion, they have pileated woodpeckers and things like that. She was not against adding more homes but thought that they had to keep into consideration what they can handle in that area.

Ms. Katheryn Kennedy, lives in Rochester off of Clarkston as well but not as close to the parcel but was very familiar with it. She actually would be interested to know who Daniel Johnson is? He did a nice interview, but the owner of the property is INSITE, LLC. Why are they not having somebody from INSITE, LLC responsible? The fact that they were behind on their annual reports for so many years she didn’t even know they were allowed to do 6 years at a time to do a catch-up to reinstate their company. In fact, she had a client long ago that missed filing two years and wasn’t allowed by Lansing to reinstate it being good standing with their company. She wasn’t sure how that even works but did know that there would be a huge amount of infrastructure required, they would need sewer that doesn’t exist and there is nowhere to put it. If they have driven in the section of Clarkston Rd. between Hemmingway and Pine Tree, and Pine Tree and Joslyn, there is no place to
put a road, it is not viable, they have multiple lakes on each side with the wetland surrounding the lakes there is no place to properly put any type of infrastructure to increase the road capacity, to increase sewers which would cause a lot of other problems like Ms. Smiley mentioned. There are so many issues that have not been considered she actually believes the only thing that would be an appropriate use for it unless they can condense down to where it is the part that is already cleared because a good portion of the property is literally rolling woods, acres of rolling property. The topography is not flat they would be wiping out every animal in that area, and the entire community benefits from the wildlife. To obliterate all of that would be so counterproductive to Orion Township where living is a vacation not- was. She actually did try to send an email before she wasn’t sure she got through but will try to get one to them in the morning. She did also have concerns that they are using the theoretical Master Plan that the residents object to. They do not want urbanization in Lake Orion. Nobody asked them how many citizens actually participated in the Master Plan that he apparently relied upon for information that they absolutely oppose. There is an awful lot going on that is outside influences and they are not taking into consideration the people that actually pay the taxes that have lived here for decades. They moved here because they want rural, they are not an urban community and they do not want urban expenses.

Ms. Patricia Hamilton at 719 Fairledge and has lived there for 50-years because this is the area that she wanted, she wanted, houses. She didn’t want to live with condos or apartments or anything else, they wanted to live there and raise their children there, and grandchildren to play there. Traffic is a problem on Clarkston Rd., and Fairledge is the road that everybody is going to come out on that is where the driveway comes out. They already have people that race through there now. That is the cut-through for all the semis, they even had people on their Board last time that said that they use it for a cut-through. Everybody does, Fairledge is the first road that goes through. It is not safe for the kids. She had a kid that got hit and ran right into a car because it was going down the road. They went there because it was residential and when they wanted to build, they had a lot of issues, so why aren’t the rules the same for somebody else as it is for the residents that already live there? After 50-years there she likes the area, it is quiet, and she is not against homes there, but she is not for duplexes. It is better than what was proposed the first time, but she was still not impressed, and she didn’t plan on leaving the area anytime soon. She plans on being around for a while. She agreed if they had the 22 lots then do homes on 22, it is not her concern whether they can make an extra buck that is not what Orion is about they are not here to make someone else an extra buck, they are here for their residents for their people so they can live like it’s a vacation, but it is not getting to be that way.

Chairman Reynolds said there was a motion to recommend approval to the Board of Trustees for the concept as presented here for the May 9th plans as submitted, with a number of conditions as previously spoken.

Roll call vote was as follows: Gross, yes; Walker, yes; Gingell, yes; Brackon, yes, Reynolds, yes.

Motion carried 5-0 (Urbanowski & St. Henry absent)

B. PPC-2022-22, Township Initiated Text Amendment to Zoning Ordinance #78, Articles 19 (Industrial Complex-IC) and 27 (General Provisions)

Chairman Reynolds said he didn’t believe that was printed out for them, but they did have a number of discussion items last meeting in regard to this section.
Planning & Zoning Director Girling stated that they did have this scheduled for the public hearing at the next meeting so she wanted to get this information in front of them at this meeting so they could look it over. They had advertised that the text amendment would affect both article 19 which is (IC) and 27 which is (General Provisions). They did end up with no changes to 27 but because they had advertised it that way, they listed it, but the proposed changes are only in the Industrial Complex (IC) section of the ordinance. This is all related to the expansion of General Motors. They only have one parcel within the Township that is zoned (IC) and that is General Motors. This was written many years ago when General Motors first came to the Township. With the expansion they are proposing in preparation for that they have had multiple conversations and looked at an ordinance that was many years old and out of date. These changes reflect conversations with them and an ordinance section that was out of date.

Chairman Reynolds said if there are any comments obviously at this point and time this is the overview that is being provided, the amendment will be advertised and will be discussed at their future public meeting on June 15th.

Supervisor Barnett stated that he was here for this item tonight. He thought this might be the first time that he had ever addressed the Planning Commission like this but thought it was important to give a brief update on what has been happening with the General Motors investment in their community. They have been working on this for over a year and the official announcement started leaking in December and was made really official in January. He wanted to give them an update that if they look at this ordinance it is pretty clear that this zoning district was written for GM when it was originally instituted for this purpose. If they look even deeper into the history of the Township, they will know that this was a site that was potentially going to be a prison at one time, and an airport a long time ago. It is GM and GM planting their flag very soundly in their community and he wanted to tell them that they are meeting daily on this project. There are bringing the Fire Marshal along, the Building Official, Planning & Zoning Director Girling, and all of their consultants. Some of the things that would normally cause concern like heights, which is one of the proposed changes. GM has a very specific use the CEO is on record stating that this is going to be one of the most sophisticated auto manufacturing facilities on plant earth. A lot of the concerns about the heights of buildings from fire and things like that have been addressed in their meetings. They are really confident that they are not looking to cut any corners they are going to be building a showpiece. As far as life safety, circulation, and parts coming and going they are talking about restarting the rail which has been dormant for many years a few sections of rail has been paved over but are looking to moving goods and materials in and out of the facility using the rail. He wanted to be there to share this with them this is a little bit of a different text amendment and different zoning case probably that they might look at. He is certainly not trying to tell them what to do but the horse is way out of the barn on this one. They are looking to break ground in the next couple of months. They are planning on having 80 construction trailers with 2,200 tradesmen and women on two ten-hour shifts for a solid year of construction, so it is going to be a small city onto itself during construction. If there are ever any questions, he just wanted to give them an update that since the announcement on January 27th it was quiet for about 45 days and the last 30 days have been insane. There is literally not a day that goes by, including today, they had a large-scale meeting with a bunch of stakeholders on the paint shop. It is going to come to them, and Planning & Zoning Director Girling might mention this but this will come to them differently than other PC cases because they are looking to add about 4 million square feet and they are really scrambling, they have a deadline because they have a model year vehicle that they have already taken reservations on. They might not see an entire site plan come in at once because there is a team of 100 people designing and working on the plan for the paint shop. There is a team of another 100 people working on these towers that are the tall part that is going to stack parts. The best way he could describe them is like the Carvana thing where they load all these parts, and the robots go up and down and pull them, pick them, and put them on the line. He
just wanted to give them an overview that maybe gives this a little bit of a different look as they are going through. The one thing that he can tell them that he has seen so far, and he will let Planning & Zoning Director Girling, and the other consultants speak on this if they want to, but they are not looking to cut corners, they just need to move quickly, and they are looking for their assistance. The message that they have given Mary Barra the CEO all the way down to the people that have been meeting with them, is they will not let them down, they are going to partner with them, and they are going to be bringing on lots of third-party consultants because they don’t have the capability. He told them that they are going to be bringing 80 trailers out there for their trailer city for all their tradespeople, they are actually going to move a construction office out there, they are going to have a satellite office so that the people that are working on the site don’t have to drive back and forth here multiple times a day, they are going to be there right with them. This entire project is going to look a lot different than anything that they have done in a long time. He wanted to be there to give them that little update, he thanked them for their consideration on this item. The good news is because it is the only parcel in the Township that is zoned this way some of the things that they looked at in this pre-discussion were they setting themselves up for someone to come in and say I want to be rezoned to (IC), conditionally rezoned. One of the first requirements is they have to be at least 2 million square feet. There is no facility even remotely close, or site left in the Township that would accommodate a 2 million square foot building. They won’t be putting themselves in a corner to have three people at the next meeting saying they want to fit this zoning because it is really one user and one user probably in all of southeast Michigan.

Chairman Reynolds stated that the bigger picture, just to point out since it is alluding to the bigger discussion prior to their future public hearing. He asked PC to look at the amended text, he thought a lot of the amendment is acknowledging where manufacturing is specifically (IC) as it exists in the Township right now with the Orion Plant. Some of these modified amendments are providing some flexibility not provisions to go around to but just maybe some forward-thinking tools, that aren’t actually present in some of their other zoning districts, some other landscaping tools and things like that. All good things and it is not just a magical overhaul that doesn’t adhere to their requirements for projects either.

Chairman Reynolds said that on June 15th there will be a public hearing for the Township initiated text amendment to Zoning Ordinance #78, for (IC) and the (General Provisions).

C. PC-21-07, 5-Year Master Plan Update

Chairman Reynolds said there was some elongated discussion last meeting in regard to their action strategies that would go into the Master Plan. He asked them to take a look at it, they were picked up as discussed. If there are any discrepancies or issues with those discussions as they are published in this section, let them know.

9. PUBLIC COMMENTS
Ms. Katheryn Kennedy stated that she would like to address the Master Plan. She is actually very concerned with the way it was put together. There was not enough citizen participation and she understood it was started back in 2020 but she saw it for the very first time on May 18th at the Open House for Lake Orion to review the Master Plan, and that was not that long ago. It was a little disconcerting because there wasn’t anything really available before. They said yeah it has been online all this time, well she was with a whole room of people that had no idea there was anything available anywhere to look at before. In looking through it she thought they had a lot of concepts that are not what the community wants that are actually being driven by the World Economic Forum, and the Oakland County Board of Commission what they say they want for the community which the community objects to frankly. She didn’t even think they totally understand what the implications are to turn everyone into digitization. This is a big
concern for her because it affects their entire world in reality. They have seen right in front of their eyes things that should not be going on. As citizens, they need to at least be kept aware and allowed to have a say in these matters. She understood the Waterford group when they did their Master Plan it was a 10-year plan, it wasn’t 5-years, they invited 70 citizens to participate to provide input prior to creating the plan. They didn’t farm it out to consultants and that is actually what appears to her, that all these important things are being farmed out to professional consultants that don’t have to do it and aren’t elected by the people of the community anyway. What is going on here? Why are they changing their plans so quickly, she thought it was only 5-years ago, it wasn’t that long ago. Why are they not involving the communities and the residents that have been living here for decades? They appreciate the green spaces, and wildlife and the proposals that are being brought here are basically low-income housing initiatives that it is rather frustrating to see twice now she has seen people that didn’t even apply under their actual legal entity name. Why is that ok? She thought they needed to actually apply under the actual entity that owns the property and that is actually going to be responsible for infrastructure development and have to rely on to actually do what they are saying they are going to do. She had a real concern about all of those things. She would hope that they take a serious second look. Why didn’t they ask the citizens because the citizens don’t know what is going on, they are ticked? Every time they find out these things they are quite upset. She thought it was very important to ask the citizens first.

10. COMMUNICATIONS
None.

11. PLANNERS REPORTS
None.

12. COMMITTEE REPORTS
None.

13. PUBLIC HEARINGS
05-15-22 at 7:05 pm. PPC-2022-22, Township Initiated Text Amendment to Zoning Ordinance #78, Articles 19 (Industrial Complex-IC) and 27 (General Provisions).

14. CHAIRMAN’S COMMENTS
Chairman Reynolds always appreciate people coming out to their meeting. He wanted to clarify a couple of things; they are all appointed officials up here. They have been working on the Master Plan for over a year. They on multiple cases have invited the public in many ways to participate and have had many people partake in the Master Plan process, they have online, in person, and by email. Themselves as Planning Commissioner have gone out into the public to invite, their meetings have always been publicized, they are online, they are on public television. They have always welcome public input; they want that to be very clear. They are currently in the review period in which surrounding communities and our citizens, themselves are all welcoming additional public comment and that is why they have this process not only for themselves but also to legally abide by the Master Plan process. The fact of why they are updating 5-years, 10-years, that is their effort to continue to stay on top of their Master Plan and not let it go stale and have frequent discussions as it relates to that. So, he welcomes people to get involved and to apply for this Board. This was not his first choice to be here at 10 o’clock on a Wednesday night. To be honest with them they have many meetings with zero people that show up to both PUDs, the Master Plan updates, to all of those things. Please come out and partake in our meetings but do not have feelings that they haven’t welcomed that input from the very beginning when they have and they have been present, and they welcome that.

15. COMMISSIONERS’ COMMENTS
None.

16. ADJOURNMENT
Moved by Chairman Reynolds, seconded by Commissioner Gingell, to adjourn the meeting at 10:07 p.m. Motion carried.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

Planning Commission Approval Date
TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: June 8, 2022
RE: PPC-22-23, BACA Systems Site Plan Amendment

As requested, I am providing suggested motions for the abovementioned project. Please feel free to modify the language. The verbiage below could substantially change based upon the Planning Commissions’ findings of facts for the project. Any additional findings of facts should be added to the motion below.

Site Plan (Ord. No. 78, Section 30.01)
Motion 1: I move that the Planning Commission grants site plan approval for PPC-22-23, BACA Systems Site Plan Amendment, located at 101 Premier Dr., parcel number 09-35-451-001 for plans date stamped received 05/20/2022 based on the following findings of facts (motion make to insert findings of facts).

This approval is based on the following conditions:

   a. (Motion maker to list any unresolved issues related to the Township Planner’s review letter).
   b. (Motion maker to list any unresolved issues related to the Township Engineer’s review letter).
   c. (Motion maker to list any unresolved issues related to the Fire Marshall’s review letter).
   d. (Motion maker to list any additional conditions).

Or
I move that the Planning Commission denies site plan approval for PPC-22-23, BACA Systems Site Plan Amendment, located at 101 Premier Dr., parcel number 09-35-451-001 for plans date stamped received 05/20/2022. This denial is based on the following reasons (insert findings of facts).

Or
I move that the Planning Commission postpones site plan approval for PPC-22-23, BACA Systems Site Plan Amendment, located at 101 Premier Dr., parcel number 09-35-451-001 for plans date stamped received 05/20/2022 for the following reasons (motion maker to indicate outstanding items to be addressed from the Planner’s, Fire Marshall’s, or Engineer’s review letter(s)).
Site Plan Modification
BACA Systems

Case Number: PPC-2022-23  Plan Date: 05/18/2022
Address: 101 Premier Drive  Zoning: Industrial Park (IP)
Parcel ID: 09-35-451-001  Reviewer: Matt Wojciechowski
Area: 3.70 AC  Rod Arroyo
Applicant: BACA Systems

Dear Planning Commission Members:

We have reviewed the above application and site plan; a summary of our findings is below.

Source: Oakland County Property Gateway
Project Summary
The applicant is proposing site plan modifications to the existing building that include screening of existing roll off dumpster and compactor that are adjacent to the east side of the building. A 400-sf screened outdoor storage area is also proposed on the east side of the building approximately 27' from the dumpster and compactor area.

Revisions & Additional Information
1. The proposed location of the outdoor storage is within the side yard and is not permitted unless a variance is obtained from the ZBA; Storage is permitted in this area if within an enclosed building
2. The area shown for proposed storage appears to eliminate parking spaces. The plans should be updated to indicate the number proposed to be removed
3. Applicant shall provide details for “PR. PRIVACY GATE (TYP)”
4. Applicant shall add the lot coverage calculation to the site plan

IP District Standards. Accessory storage areas.

<table>
<thead>
<tr>
<th>Section</th>
<th>Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>18.01 Use Matrix</td>
<td>Outdoor storage as an accessory use, in accordance with Section 27.19</td>
<td>Not Compliant; see 27.19.A.2 (pg. 3)</td>
</tr>
<tr>
<td>18.02 Footnotes to Use Matrix</td>
<td>The area shown for proposed storage appears to eliminate parking spaces. The plans should be updated to indicate the number proposed to be removed</td>
<td></td>
</tr>
<tr>
<td>18.03 Required Conditions</td>
<td>3. One [accessory] storage building for materials or equipment related to the principal use. However, building material outlets may be permitted, subject to Planning Commission approval.</td>
<td>Storage is permitted in this area if within an enclosed building</td>
</tr>
<tr>
<td>18.04 Area and Bulk Requirements</td>
<td>Standard</td>
<td>Required</td>
</tr>
<tr>
<td>Min front yard</td>
<td>50’</td>
<td>50’</td>
</tr>
<tr>
<td>Min side yard</td>
<td>20’</td>
<td>20’</td>
</tr>
<tr>
<td>Min rear yard</td>
<td>20’</td>
<td>49.90’ (North)</td>
</tr>
<tr>
<td>Max lot coverage</td>
<td>35%</td>
<td>Not shown</td>
</tr>
<tr>
<td>Max height</td>
<td>40’</td>
<td>6’ (addition)</td>
</tr>
<tr>
<td>Clear space</td>
<td>15’</td>
<td>27’</td>
</tr>
</tbody>
</table>
### General Provisions (Article 27)

<table>
<thead>
<tr>
<th>Condition</th>
<th>Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>A 2.</td>
<td>An incidental storage area located outside of the principal building which does not exceed ten (10%) of the principal percent building area, one thousand (1,000) square feet, or eight thousand (8,000) cubic feet, whichever is less shall be permitted. The outdoor storage shall be incidental to the existing principal building. The accessory storage area shall be located in the rear yard and screened from view of any public right of way.</td>
<td>The proposed location of the outdoor storage is within the side yard and is not permitted without a variance from the ZBA.</td>
</tr>
<tr>
<td>B 1.</td>
<td>Outdoor storage shall not exceed eight (8) feet in height.</td>
<td>Outdoors storage either as a Principal Use or Accessory Use shall be subject to the following regulations in additional to any specific regulations listed within each district’s use matrix.</td>
</tr>
<tr>
<td>B 2.</td>
<td>Outdoor storage shall be limited to the rear yard area or as otherwise permitted.</td>
<td>The proposed screening is 6’ high; no height limits are listed on the plan to ensure materials are not stacked higher.</td>
</tr>
<tr>
<td>B 3.</td>
<td>Outdoor storage areas shall be completely fenced with a chain link fence at least eight (8) feet high</td>
<td>Side yard outdoor storage is not permitted.</td>
</tr>
<tr>
<td>B 4.</td>
<td>Outdoor storage areas shall be screened from view from all roadways. This screening shall be either opaque screening or evergreen landscape screening in accordance with the provisions set forth in Section 27.05. The Planning Commission may waive or modify these requirements for fencing and screening upon determining that:</td>
<td>Block enclosure is proposed.</td>
</tr>
<tr>
<td></td>
<td>a. Outdoor storage will be adequately screened from view by existing or proposed buildings, trees or shrubs, or other physical features.</td>
<td>6’ block wall is proposed.</td>
</tr>
<tr>
<td></td>
<td>b. Screening would serve no useful purpose due to similar uses located on adjacent land.</td>
<td>-</td>
</tr>
<tr>
<td>B 5.</td>
<td>The outdoor storage is allowed only when such storage is specifically shown on the site plan as approved by the Planning Commission. The site plan shall illustrate or specify the following information, at minimum:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. The exact boundaries of proposed outdoor storage</td>
<td>Shown as 10’ x 40’ (400 sf)</td>
</tr>
<tr>
<td></td>
<td>b. Surfacing and drainage details.</td>
<td>Not shown</td>
</tr>
<tr>
<td></td>
<td>c. Screening details</td>
<td>Offset Block Panel Design proposed</td>
</tr>
</tbody>
</table>
Layout of outdoor storage areas, including access and maneuvering areas. Storage areas shall be marked (with striping, staking, or another method), and maneuvering lanes shall have a minimum width of twenty (20) feet, unless the applicant can demonstrate on the site plan how clear access throughout the storage area will be maintained for emergency vehicles. For public safety purposes, at least one (1) means of direct access for emergency vehicles shall be provided that does not require entry into a building.

The area is adjacent to a 27.3’ wide maneuvering lane; the fire department should confirm this is acceptable [if converted to permitted accessory building in this location]

<table>
<thead>
<tr>
<th>Lapeer Road Overlay District  Article XXXV</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Section</strong></td>
</tr>
<tr>
<td>35.04 Development Standards</td>
</tr>
</tbody>
</table>

*This standard does not apply as the storage is not proposed adjacent to the Lapeer Road ROW; the standards of 27.19 do not permit outdoor storage in the proposed area*

Staff will be available to discuss this review at the next Planning Commission meeting.

Respectfully,

Giffels Webster

Rodney L. Arroyo, AICP
Partner

Matt Wojciechowski, AICP
Senior Planner

www.GiffelsWebster.com
June 6, 2022

Scott Reynolds, Planning Commission Chairperson
CHARTER TOWNSHIP OF ORION
2323 Joslyn Road
Lake Orion, MI 48360

RE: BACA Systems, PC-2022-23
Site Plan Review #1

Received: May 23, 2022 by Orion Township

Dear Mr. Reynolds:

We have completed our review of BACA Systems plan set. The plans were prepared by Nowak and Fraus and were reviewed with respect to the Township’s Zoning Ordinance, No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance, No. 139, and the Township’s Engineering Standards.

EXISTING SITE CONDITIONS:
The site is located at the northeast corner of the intersection of M-24 and Premier Dr. within the southeast quadrant of Section 35 of the Charter Township of Orion. The site is zoned Industrial Park (IP) and bound by parcels to the north, east, and south of the property zoned Industrial Park (IP), and parcels to the west of the property zoned Limited Industrial (LI).

The existing site contains a two-story industrial building with a 41,860 sq.-ft. building footprint. The site has existing water main, sanitary sewer, parking lot, and storm sewer which is tied into the existing storm sewer network along Premier Dr. All existing easements appear to be accurately represented on the Topographic Survey.

The applicant is proposing to add masonry screen walls to the northeast corner of the existing parking lot. The screen walls would enclose portions of the parking lot which are currently being used for miscellaneous storage or as dumpster locations. There do not appear to be any proposed changes to the site circulation or utilities on site.

While the addition of the screen walls does not affect the existing water main on site, it does slightly affect the access to the existing FDC for the Fire Department. The applicant is proposing to stripe a large area east of the building as “Fire Lane” as well. We defer further on comment FDC access and fire lane striping to the Orion Township Fire Department.

The proposed screening on the east side of the parking lot appears to take up approximately five spaces, and the fire lane striping appears to impact an additional five spaces. We defer comment on the number of required parking spaces to the Township Planner.

At engineering, design calculations, signed and sealed by a professional engineer licensed in the state of Michigan shall be provided for all of the screen walls proposed on site. A pavement section shall be provided for any
pavement that needs to be replaced as a result of placing the screen walls. General grades or a ‘Match Existing’ note should be provided for the area of the proposed work.

CONCLUSION:
In our opinion, the site plan as submitted is in substantial compliance with the Township’s ordinances and engineering standards. We ask that any approval include the following:

1. The engineering plan, designed in accordance with Zoning Ordinance No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance No. 139, and the Township’s Engineering Standards shall be submitted to the Township for review and approval prior to construction. A detailed cost estimate for the improvements shall be submitted with the plans signed and sealed by the design engineer.

The applicant should note the Township may require performance bonds, fees, and/or escrows for a preconstruction meeting and necessary inspections. Please feel free to contact us with any questions at (248) 751-3100 or mark.landis@ohm-advisors.com.

Sincerely,

**OHM Advisors**

Joe Lehman  
Project Engineer

Mark Landis, P.É.  
Project Manager

cc: Chris Barnett, Township Supervisor  
David Goodloe, Building Official  
Jeff Stout, Director of Public Services  
Tammy Guling, Director of Planning and Zoning  
Lynn Harrison, Planning and Zoning Coordinator  
Jeff Williams, Township Fire Marshal  
Bill Basigkow, Water and Sewer Superintendent  
Andrew Russo, BACA Systems  
Brad Bricket, Nowak and Fears  
File
To: Planning Commission/Planning & Zoning Director
From: Jeff Williams, Fire Marshal
Re: PPC-2022-23, BACA Systems, Site Plan Modification
Date: 06/07/2022

The Orion Township Fire Department has completed its review of Application PPC-2022-23 for the limited purpose of compliance with Charter Township of Orion Ordinance’s, Michigan Building Code, and all applicable Fire Codes.

Based upon the application and documentation provided, the Fire Department has the following recommendation:

X Approved
Approved with Comments (See below)
Not approved

Comments: None

This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information at time of building permit application that includes data or documents, confirming full compliance with all applicable building codes, fire codes and Township Ordinances.

If there are any questions, the Fire Department may be reached at 248-391-0304 ext. 2004.

Sincerely,

Jeffrey Williams
Jeff Williams, Fire Marshal
Orion Township Fire Department
Dear Tammy,

The Department of Public Services has reviewed the above-mentioned project. We have ample capacity to meet the needs of this expansion.

If you have any questions, please contact me.

Respectfully Submitted,

Jeffery T. Stout
Director
Department of Public Services
May 27, 2022

Lynn Harrison
Orion Township
Planning & Zoning
2323 Joslyn Road
Lake Orion, MI 48360

Reference: Baca Systems – CAMS #202200420
Part of the SE ¼ of Section 35, Orion Township

Dear Ms. Harrison,

This office has received one set of plans for the Baca Systems Project to be developed in the Southeast ¼ of Section 35, Orion Township.

Our stormwater system review indicates that the proposed project has no direct involvement with any legally established County Drain under the jurisdiction of this office. Therefore, a storm drainage permit will not be required from this office.

The water system is operated and maintained by Orion Township and plans must be submitted to Orion Township for review.

The sanitary sewer is within the Clinton-Oakland Sewage Disposal System. Any proposed sewers of 8” or larger may require a permit through this office.

Please note that all applicable permits and approvals from federal, state or local authorities, public utilities and private property owners must be obtained.

Any related earth disruption must conform to applicable requirements of Part 91, Soil Erosion and Sedimentation Control of the Natural Resource and Environmental Protection Act, Act 451 of the Public Acts of 1994. An application should be made to Orion Township for the required soil erosion permit.

If there are any questions regarding this matter, please contact Dan Butkus at 248-897-2744.

Sincerely,

[Signature]
Brian Bennett, P.E.
Civil Engineer III
A site walk was completed Friday June 10th 2022 at approximately 5:00pm at BACA Systems located at 101 Premier Drive.

The existing two-story industrial building is located at the corner of M-24 (Lapeer Rd.) and Premier Drive. The building is highly visible from M-24. The existing building is comprised of split-face CMU, metal panel and glass. The existing site has a mix of well-established trees and the property appears to be in well-maintained condition.

The proposed scope of work was unclear at the time of the site walk.

The building is adjacent to similar industrial style uses.

Scott Reynolds, Planning Commissioner
Charter Township of Orion
sreynolds@oriontownship.org
30.1 A. Intent: The site plan review procedures and standards are intended to provide an opportunity for consultation and cooperation between the applicant and the Planning Commission so as to achieve maximum utilization of land with minimum adverse effects on adjoining property. Furthermore, it is the intent of these procedures and standards to allow for review of site plans by the Planning Commission, to provide a consistent and uniform method of review, and to ensure full compliance with the standards contained within Zoning Ordinance 78, and other applicable local ordinances and State and Federal laws.

**Project Name:** BACA Systems Site Plan

<table>
<thead>
<tr>
<th>Name of Development if applicable:</th>
<th>BACA Systems</th>
</tr>
</thead>
</table>

| Applicant
| Name: BACA Systems
| Address: 101 premier drive City: Orion Township State: mi Zip: 48359
| Phone: 2487913060 Cell: 2488814344 Fax: |
| Email: arusso@bacasystems.com |

| Property Owner(s)
| Name: 
| Address: 
| City: 
| State: 
| Zip: |
| Phone: 
| Cell: 
| Fax: |
| Email: |

* If the name on the deed does not match the name of the property owner on this application, documentation showing the individual is the same as the company name must be provided.

| Plan Preparer Firm/Person
| Name: Brad Brickel, PE
| Address: 46777 Woodward Ave City: Pontiac State: MI Zip: 48342
| Phone: (248) 332-7931 Cell: Fax: |
| Email: bbrickel@nfe- engr.com |

| Project Contact Person
| Name: Andrew Russo
| Address: 101 premier drive City: Orion Township State: mi Zip: 48359
| Phone: 2488814344 Cell: 2488814344 Fax: 2488814344 |
| Email: arusso@bacasystems.com |
Sidewell Number(s): 09-35-451-001

Location or Address of Property: 101 Premier Drive

Side of Street: N Nearest Intersection: Premier Dr. & S. Lapeer Rd.

Acreage: 3.70 Current Use of Property: Industrial

Is the complete legal description printed on the site plan? ☐ Yes ☐ No (if no please attach to the application)

Subject Property Zoning: Industrial Park Adjacent Zoning: N. IP S. IP E. IP W. LI

List any known variances needed (subject to change based on Township consultant’s review)

Dummpster in side yard

Give a detailed description of the proposed development, including the number and size of the buildings or units being proposed

Screen Wall to be added around Dumpster Enclosure

Pursuant to Zoning Ordinance 78, Section 30.01 C. a copy of this application and two copies of the site plan must be submitted to the each of the following agencies. Please provide the Township with a copy of each transmittal as proof of delivery.

<table>
<thead>
<tr>
<th>AT&amp;T</th>
<th>Consumers Power Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>54 Mill St.</td>
<td>530 W. Willow St.</td>
</tr>
<tr>
<td>Pontiac, MI 48342</td>
<td>Lansing, MI 48906</td>
</tr>
<tr>
<td>DTE Energy Co.</td>
<td>Oakland County Health Department</td>
</tr>
<tr>
<td>ATTENTION: NW Planning &amp; Design</td>
<td>Building 34 East</td>
</tr>
<tr>
<td>1970 Orchard Lake Rd.</td>
<td>1200 N. Telegraph Rd.</td>
</tr>
<tr>
<td>Sylvan Lake, MI 48320</td>
<td>Pontiac, MI 48341</td>
</tr>
<tr>
<td>Michigan Department of Transportation (if applicable)</td>
<td>Road Commission of Oakland County (if applicable)</td>
</tr>
<tr>
<td>800 Vanguard Dr.</td>
<td><a href="mailto:ssintkowski@rcoc.org">ssintkowski@rcoc.org</a></td>
</tr>
<tr>
<td>Pontiac, MI 48341</td>
<td>(electronic submittal only)</td>
</tr>
<tr>
<td>Oakland County Water Resources</td>
<td>To Be Submitted by the Township</td>
</tr>
</tbody>
</table>

I/We, the undersigned, do hereby submit this application for Site Plan Approval, pursuant to the provisions of the Charter Township of Orion Zoning Ordinance; No. 78, Section 30.01, and applicable ordinance requirements. In support of this request the above facts are provided. I hereby certify that the information provided is accurate and the application that has been provided is complete.

Signature of Applicant: [Signature] Date: 5/13/2022

Print Name: Andrew Russo

I, the property owner, hereby give permission to the applicant listed above to act as my agent in submitting applications, correspondence and to represent me at all meetings. I also grant permission to the Planning Commission members to visit the property, without prior notification, as is deemed necessary.

Signature of Owner (if the deed of ownership does not show an individual, ie is a corporation, partnership, etc., documentation must be provided showing the individual signing this application has signing rights for the entity): [Signature] Date: 5/14/2022

Print Name: Movy K. Fram
Charter Township of Orion
Planning & Zoning Department
2323 Joslyn Rd., Lake Orion MI 48360
P: (248) 391-0304 ext. 5002

Project Name

PC# Parcel#(s)

Please select an option below:

☐ Permission to Post on Web Site
   By signing below as applicant and on behalf of my consultants, we agree to allow the plans for the above-named project, in which approval is being sought by the Planning Commission and/or Township Board, to be posted on the Township website.

   Signature of Applicant

   Date

   Printed Name of Applicant

☑ Do not want plans posted on Web Site
TO: The Charter Township of Orion Planning Commission

FROM: Tammy Girling, Planning & Zoning Director

DATE: June 8, 2022

RE: PC-2022-10, The River Church SLU & Site Plan Amendment

As requested, I am providing suggested motions for the abovementioned project. Please feel free to modify the language. The verbiage below could substantially change based upon the Planning Commissions' findings of facts for the project. Any additional findings of facts should be added to the motion below.

**Special Land Use (Ord. No. 78, Section 30.02)**

**Motion 1:** I move that the Planning Commission approve/deny PC-2022-10, The River Church Special Land Use request for a church, located at 3900 S. Baldwin Rd (parcel 09-29-301-029), 3910 S. Baldwin Rd. (parcel 09-29-301-034) and 3920 S. Baldwin Rd. (parcel 09-29-301-038) for plans date stamped received May 24, 2022. This approval/denial is based on the following finding of facts:

a. Compatibility with Adjacent Uses (Insert any findings of facts),
b. Compatibility with Master Plan (Insert findings of facts),
c. Adequate Public Services (Insert findings of facts),
d. Impact on Traffic (Insert findings of facts),
e. Detrimental Effects (Insert findings of facts),
f. Enhancement of Surrounding Environment (Insert findings of facts),
g. Isolation of Existing Land Use (Insert findings of facts).

If Approved:
This approval is subject to the following conditions (insert any additional conditions such as hours of operation, times of year, etc.)

**Gingellville Village Center Overlay Standards Waivers (Ord. No. 78, Section 33.03)**

**Motion 2:** I move that the Planning Commission approve/deny waivers from the following Gingellville Village Center overlay standards because the applicant did/did not demonstrate that:

1. The standards would prevent reasonable use of the site.
2. Existing site design including architecture, parking, driveways, etc. are placed in a manner which makes application of standards impractical.
3. Limited lot area and the arrangement of existing features provide inadequate space to accommodate design requirements.
4. Other design constraints and considerations

**Waivers:**
- Roof pitch (insert findings of fact)
- Site public amenities including not contributing in lieu of (insert findings of fact)
- Site lighting (insert findings of fact)
- Parking lot screening (insert findings of fact)

**Parking Lot Landscape Adjacent to Roads Waivers (Ord. No. 78, Section 27.05A 4)**

**Motion 3:** I move that the Planning Commission **approve/deny** waivers from the landscape required adjacent to roads based on: limited parcel depth, existing vegetation or other site factors (insert factors) which limit the practical application of landscaping standards.

**Site Plan (Ord. No. 78, Section 30.01)**

**Motion 4:** I move that the Planning Commission grants site plan **approval** for PC-2022-10, The River Church located at 3900 S. Baldwin Rd (parcel 09-29-301-029), 3910 S. Baldwin Rd. (parcel 09-29-301-034) and 3920 S. Baldwin Rd. (parcel 09-29-301-038) for plans date stamped received May 24, 2022 based on the following findings of facts (motion make to insert findings of facts).

This approval is based on the following conditions:

- The River Church obtaining an easement for emergency vehicles across the property to the south
- (Motion maker to list any unresolved issues related to the Township Planner’s review letter).
- (Motion maker to list any unresolved issues related to the Township Engineer’s review letter).
- (Motion maker to list any unresolved issues related to the Fire Marshall’s review letter)
- (Motion maker to list any additional conditions)

Or

I move that the Planning Commission **denies** site plan approval for PC-2022-10, The River Church located at 3900 S. Baldwin Rd (parcel 09-29-301-029), 3910 S. Baldwin Rd. (parcel 09-29-301-034) and 3920 S. Baldwin Rd. (parcel 09-29-301-038) for plans date stamped received May 24, 2022. This denial is based on the following reasons (insert findings of facts).

Or

I move that the Planning Commission **postpones** site plan approval for PC-2022-10, The River Church located at 3900 S. Baldwin Rd (parcel 09-29-301-029), 3910 S. Baldwin Rd. (parcel 09-29-301-034) and 3920 S. Baldwin Rd. ( parcel 09-29-301-038) for plans date stamped received May 24, 2022 for the following reasons (motion maker to indicate outstanding items to be addressed from the Planner’s, Fire Marshall’s, or Engineer’s review letter(s))
June 6, 2022

Orion Township Planning Commission
2525 Joslyn Road
Lake Orion, MI, 48360

Site Plan and Special Land Use Review no. 2
The River Church

Case Number: PC-2022-10
Address: 3920 S. Baldwin Road
Parcel ID: 09-29-301-038, 09-29-301-034, & 09-29-301-029
Area: 5.57 AC

Applicant: Alan Hall
Plan Date: 03/08/2022
Zoning: R-3 Gingellville Overlay
Reviewer: Matt Wojciechowski
Rod Arroyo

Dear Planning Commission Members:

We have reviewed the above application and site plan, landscape plan, and tree survey and a summary of our findings is below. Items in bold require specific action by the Planning Commission. Items in italics can be addressed administratively.
Project Summary
The applicant is requesting permission to add a two-story addition to the rear portion of the existing building. The addition would serve as the primary entrance to the building and provide greater access to for disabled persons. The area would also replace the existing non-compliant restrooms with ADA compliant ones, in addition to extra storage.

The applicant received administrative approval for the façade changes to the existing structure, as observed in the rendering provided by the applicant. The addition is designed to match the new design.

SUMMARY OF REVIEW

Revisions & Additional Information (italics)

1. The applicant should add a sight triangle to their site plan to demonstrate the areas affected near the Baldwin Road ROW (if landscaping is required by PC; see 7 below).

Planning Commission Waivers (Bold)

This is an existing site that is being modified to expand the building entrance and related improvements. As such, the Planning Commission should determine the extent to which existing ordinance deficiencies should be addressed. It may find that some, many or all of these can be granted a waiver given the nature of the proposed site improvement.

2. A waiver is required to permit a flat (non-pitched) roof
3. The PC should determine if public enhancements (33.02.B.03) or money in lieu of (33.02.B.04-.05) are required given the existing nature of the site
4. PC should determine if additional pedestrian lighting is required (33.02.F.) (Sidewalk avg. = 4.43 fc)
5. PC should determine if parking lot screening adjacent to Baldwin Road is required (33.02.G)
6. PC shall confirm the design standards of 33.02.H. and I. are met (roof and materials)
7. The existing driveway and landscape area would require two trees in the landscape island, in addition to a hedge or wall, unless waived by the PC.
8. Where non-residential uses abut residential uses or where multi-family uses abut single family uses, the Planning Commission may require a greenbelt buffer, berm or obscuring wall or combination of the aforementioned methods of screening. This applies to the south and west.
9. The PC shall review the SLU standards (30.02) and include their findings in a motion.
### Zoning Ordinance Compliance Tables

#### R-3 Single Family Residential (Article VI)

<table>
<thead>
<tr>
<th>Section</th>
<th>Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.01 Use Matrix</td>
<td>Places of Worship are permitted as Special Land Uses within single family residential district (R-1, R-2, R-3)</td>
<td>Expansion of existing use required Special Land Use Approval</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>6.02 Footnotes to Use Matrix</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>E. Due to the inherent presence of single-family homes within the district, and in the interest of reducing any potential nuisance to neighboring property owners, places of worship within the district shall be subject to the following:</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Minimum site size of two (2) acres and a maximum of five (5) acres for a church site; a minimum of five (5) acres if proposed use includes a church school.</td>
</tr>
<tr>
<td>2</td>
<td>All ingress to and egress from the site shall be directly onto a major thoroughfare, having an existing or planned right-of-way width of at least eighty-six (86) feet as indicated on the Township Master Plan.</td>
</tr>
<tr>
<td>3</td>
<td>No building shall be closer than forty (40) feet to any property line</td>
</tr>
<tr>
<td>4</td>
<td>Off-street parking shall be provided on the site in a ratio of one space for every three (3) persons as designated in the maximum occupancy load of the building. The Planning Commission may, at their discretion, modify the numerical requirements for off-street parking, based on evidence provided by the applicant that indicates that another standard would be more reasonable, because of the level of current and future expected traffic.</td>
</tr>
</tbody>
</table>

#### 6.04 Area and Bulk requirements

<table>
<thead>
<tr>
<th>Standard</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min lot Area</td>
<td>8,400 sq. ft.</td>
<td>5.57 AC</td>
</tr>
<tr>
<td>Min Lot Width</td>
<td>70’</td>
<td>396’</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>30’</td>
<td>~64’ (to CL)</td>
</tr>
<tr>
<td>Side (N</td>
<td>S)</td>
<td>40’ (per 6.02.E.3.)</td>
</tr>
<tr>
<td>Rear</td>
<td>35’</td>
<td>Over 100’</td>
</tr>
<tr>
<td>Max Lot Coverage</td>
<td>25%</td>
<td>Not shown</td>
</tr>
<tr>
<td>Max Accessory Floor Area</td>
<td>See 27.02, A, 8</td>
<td>Not shown</td>
</tr>
<tr>
<td>Max Height</td>
<td>30’</td>
<td>26’ 8’ I complaint</td>
</tr>
</tbody>
</table>
### Gingelville Overlay District Standards (Article XXXIII)

<table>
<thead>
<tr>
<th>Section</th>
<th>Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>33.01 Principal Permitted Uses</td>
<td>All uses within the Gingelville Village Center Overlay District shall be restricted to those listed as either permitted principal uses and/or special uses in the underlying zoning district</td>
<td>Places of Worship are Special Land Uses in the underlying R-3 zoning</td>
</tr>
<tr>
<td>33.02 Design Standards</td>
<td>3. Each non-residential establishment shall contribute to the establishment or enhancement of community and public spaces by providing at least two (2) of the following: patio/seating area, pedestrian plaza with benches, window shopping walkway, outdoor playground area, outdoor sculpture, kiosk area, water feature, clock tower or other such deliberately shaped area and/or a focal feature or amenity that, in the sole discretion of the Township, is determined to adequately enhance such community and public spaces.</td>
<td>The PC should determine if these are required given the existing nature of the site</td>
</tr>
<tr>
<td></td>
<td>4. Money in Lieu of Construction. In lieu of establishment of public space amenities, such as pedestrian plazas, window shopping walkways, outdoor play area, outdoor sculpture, kiosks, water features, clock tower, etc., the Township Planning Commission and/or Township Board may accept a sum of money equivalent to the actual cost of construction for the public space amenities. Money in lieu of construction shall only be allowed for sites where there are practical difficulties, spatial limitations or other factors which prevent on-site construction of public amenities. The amount shall be placed in escrow or other named accounts as established by the Township Board for ongoing or future construction of public space amenities within the Gingelville Village Center Overlay District.</td>
<td>The PC should determine if this is required given the existing nature of the site</td>
</tr>
<tr>
<td></td>
<td>5. Compliance with Gingelville Village Design Plan and Guidelines. Money in lieu of construction for public space amenities shall be directed to projects in accordance with the Gingelville Village Design Plan and Guidelines. Funds shall be designated for projects approved by the Planning Commission and Township Board which implement components of the Concept Plan for the Village of Gingelville (see Map 3 at end of Article) or other public space amenities within the Gingelville Village Center Overlay District.</td>
<td>The PC should determine if this is required given the existing nature of the site</td>
</tr>
<tr>
<td>C.</td>
<td>Site Access, Parking and Loading. Site access, parking and loading shall be controlled in the interest of public safety</td>
<td>No changes proposed</td>
</tr>
<tr>
<td>D.</td>
<td>Pedestrian Pathways and Sidewalks. Vehicular access and circulation shall be planned to ensure safe pedestrian movement within the development. Pedestrian systems shall provide safe, all-weather, efficient, and aesthetically pleasing means of on-site movement and shall be an integral part of the overall site design concept. Pedestrian pathway connections to parking areas, buildings, other</td>
<td>The applicant has provided a 5' wide sidewalk on both sides of the building to connect the entrances/exits to the existing safety pathway along Baldwin Road</td>
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</tr>
<tr>
<td><strong>E.</strong></td>
<td>Signage will be reviewed under a separate permit (A303 note 3)</td>
<td></td>
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<tr>
<td><strong>F.</strong></td>
<td>Lighting. All lighting shall conform to the requirements of Section 27.11, in order to maintain vehicle and pedestrian safety, site security, and accentuate architectural details.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>See general provisions table</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. All street and parking lot lighting shall be installed in accordance with the Gingellville Village Design Plan and Guidelines or approved equivalents.</td>
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</tr>
<tr>
<td></td>
<td>The sidewalks average 4.46 footcandles according to AS102; PC shall confirm this is met</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Pedestrian lighting shall be provided for pedestrian walkways, building entries and other areas where illumination is needed to permit safe pedestrian travel</td>
<td></td>
</tr>
<tr>
<td><strong>G.</strong></td>
<td>1. Parking Lot Screening Along Baldwin Road. The screening of parking lots along Baldwin Road shall conform with the Gingellville Village Design Plan and Guidelines and the pillar and fence details provided herein. The plantings to occur along the screening fence will also be in accordance with the Gingellville Village Design Plan and Guidelines (consisting of perennials and compact shrubs along the fence).</td>
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<tr>
<td></td>
<td>The PC should determine if this is required given the existing nature of the site</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. All buildings shall have a roof pitch of no less than four (4) feet of rise (vertical) over twelve (12) feet of run (horizontal).</td>
<td></td>
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<tr>
<td></td>
<td>b. The exterior of the building shall appear to have an abundance of individual uses through the inclusion of windows and varying architectural treatments, while the interior may consist of one individual use. Large expanses of blank walls are to be avoided.</td>
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<tr>
<td></td>
<td>c. Architectural interest shall be provided through the use of repetitious patterns of color, texture and material modules, at least one of which shall repeat horizontally. Each module should repeat at intervals of no more than fifty (50) feet.</td>
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</tr>
<tr>
<td></td>
<td>e. Primary building entrances shall be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico in order to provide shelter from the summer sun and winter weather.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Flat roof proposed on order to conform to height (waiver required)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. &amp; c. Exterior improvements have been approved administratively</td>
<td></td>
</tr>
<tr>
<td><strong>H.</strong></td>
<td>e. This appears to be met with the proposed addition</td>
<td></td>
</tr>
<tr>
<td><strong>I.</strong></td>
<td>Building Materials.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Materials shall blend with those existing on adjacent properties.</td>
<td></td>
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<tr>
<td></td>
<td>2. One dominant material shall be selected, with a preference towards masonry and stone</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Exterior improvements have been approved administratively</td>
<td></td>
</tr>
<tr>
<td>L.</td>
<td>Building Roofs.</td>
<td></td>
</tr>
<tr>
<td>----</td>
<td>----------------</td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>In instances where roof vents, roof-mounted mechanical equipment, pipes, etc., can be viewed from ground level, they shall be grouped together, painted to match roof color to reduce their appearance, and screened from view.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>There shall be variations in roof lines to reduce the massive scale of the structure and add visual interest. Single roof planes covering more than three thousand (3,000) square feet must be broken up by dormers, cross-ridges, minor roofs, chimneys or similar features.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>M.</th>
<th>Screening of Exterior Electrical Equipment and Transformers.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Transformers that may be visible from any primary visual exposure area shall be screened with either plantings or a durable noncombustible enclosure which are unified and harmonious with the overall architectural theme.</td>
</tr>
<tr>
<td>2.</td>
<td>Exterior-mounted electrical equipment shall be mounted on the interior of a building wherever possible or shall be located where it is substantially screened from public view. Such equipment shall never be located on the street side or primary exposure side of any building.</td>
</tr>
</tbody>
</table>

| Screen | 1. Rooftop equipment will be screened with parapets from public view |
|--------|===================================================================|
| M.     | 2. This does not apply to the proposed addition                   |

<table>
<thead>
<tr>
<th>A. The Planning Commission shall have the authority to waive or modify the standards of Section 33.01 or 33.02 upon consideration of the following:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The standards of this section would prevent reasonable use of the site.</td>
</tr>
<tr>
<td>2. Existing site design including architecture, parking, driveways, etc. are placed in a manner which makes application of standards impractical.</td>
</tr>
<tr>
<td>3. Limited lot area and the arrangement of existing features provide inadequate space to accommodate design requirements.</td>
</tr>
<tr>
<td>4. Other design constraints and considerations as defined by the Planning Commission.</td>
</tr>
<tr>
<td>5. The requirements of Sections 33.01 and 33.02 may be modified by way of a Planned Unit Development approved in accordance with Section 30.03.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Screen</th>
<th>Any of the standards listed in this table may be waived or modified by the PC after finding any of the standards apply</th>
</tr>
</thead>
</table>
**General Provisions.**

The standards in the table below are a summary of the applicable Zoning Ordinance standards in Article XXVI; please refer to the individual sections referenced herein for the full Zoning Ordinance text.

<table>
<thead>
<tr>
<th>Condition</th>
<th>Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>27.04 Parking</td>
<td>Off street parking chart</td>
<td>One space is provided for every three (3) persons as designated in the maximum occupancy load of the building (300 occupancy; 101 spaces proposed) Compliant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In cases where the use of an existing building changes or an existing building is changed or otherwise altered, all of the standards set forth herein shall be met</td>
</tr>
<tr>
<td></td>
<td>3.a.ii. A mixture of evergreen and deciduous trees shall be planted at the rate of one (1) tree for each three thousand (3,000) square feet, or portion thereof, of landscaped open-space area</td>
<td>Two trees are required (5,103 SF); five are proposed This standard is met</td>
</tr>
<tr>
<td></td>
<td>4.a. One (1) tree for each thirty (30) lineal feet, or fraction thereof, of required greenbelt separation area (including driveways). Such trees shall be located between the abutting right-of-way and the off-street parking area or vehicular use area</td>
<td>The existing driveway and landscape area would require two trees in a landscape island, in addition to a hedge or wall. None is proposed in the existing area. (Unless waived by the PC)</td>
</tr>
<tr>
<td></td>
<td>4.b. In addition, a hedge, wall, decorative metal fence, or berm, or other landscape elements with a vertical rise of at least thirty (30) inches shall be developed within said separation zone.</td>
<td></td>
</tr>
<tr>
<td>27.05 Landscaping</td>
<td>4.f. Regulations Pertaining to Landscaping Areas Used for Sight Distance.</td>
<td>25' visions zone listed but not shown</td>
</tr>
<tr>
<td></td>
<td>5. Where non-residential uses abut residential uses or where multi-family uses abut single family uses, the Planning Commission may require a greenbelt buffer, berm or obscuring wall or combination of the aforementioned methods of screening.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6. Interior parking lot landscaping is typically required for new parking lots at a rate of 20 sq-ft per parking space.</td>
<td>The redesigned parking area features one tree within a parking lot island and appears to meet this standard for the modified parking area</td>
</tr>
</tbody>
</table>
In consideration of the overall design and impact of the landscape plan, the Planning Commission may reduce or waive the requirements outlined herein for General Landscaping, or for landscaping in greenbelt areas, on berms, or as part of a screen, provided that any such adjustment is in keeping with the intent of the Ordinance.

30.02 – Special Land Use Procedures and Standards

8. Planning Commission Determination. The Planning Commission shall make the final determination on the application for special land use approval. Such determination shall be based on the requirements and standards of this Ordinance. In making the final determination, the Planning Commission shall consider the reports and recommendations from the Enforcement Officer, Water and Sewer Department, Township Planner, Township Engineer, Township Fire Chief, the Road Commission for Oakland County, the Oakland County Health Department, the Oakland County Drain Commission, appropriate utility companies, and the Michigan Department of Transportation, where applicable.

13. Standards for Granting Special Land Use Approval. The Planning Commission shall approve special land uses upon determination that the proposed use will comply with all applicable requirements of the Ordinance, applicable standards for specific uses, and the following general standards. The applicant has addressed items a. through g. in detail in their SLU application letter dated March 09, 2022.

a. Compatibility with Adjacent Uses. The proposed special land use shall be designed, constructed, operated and maintained so as to be compatible with uses of adjacent land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:

1) The location and screening of vehicular circulation and parking areas in relation to surrounding development.
2) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment, in relation to surrounding development.
3) The hours of operation of the proposed use. Approval of a special land use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.
4) The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses.

b. Compatibility with Master Plan. The proposed special land use shall be compatible with and in accordance with the general principles and objectives of the Orion Township Master Plan and shall promote the intent and purpose of this Ordinance.

c. Public Services. The proposed special land use shall be located so as to be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools.

d. Impact of Traffic. The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use on surrounding uses. In determining whether this requirement has been met, consideration shall be given to:

1) Proximity and access to major thoroughfares.
2) Estimated traffic generated by the proposed use.
3) Proximity and relation to intersections.
4) Adequacy of sight distances.
5) Location of and access to off-street parking.
6) Required vehicular turning movements.
7) Provision for pedestrian traffic.

e. Detrimental Effects. The proposed special land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be so located or designed, as to be detrimental to public health, safety, and welfare. In determining whether this requirement has been met, consideration shall be given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.

f. Enhancement of Surrounding Environment. The proposed special land use shall provide the maximum feasible enhancement of the surrounding environment and shall not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. In determining whether this requirement has been met, consideration shall be given to:

1) The provision of landscaping and other site amenities. Provision of additional landscaping over and above the requirements of this Ordinance may be required as a condition of approval of a special land use.
2) The bulk, placement, and materials of construction of proposed structures in relation to surrounding uses.

f. Enhancement of Surrounding Environment. The proposed special land use shall provide the maximum feasible enhancement of the surrounding environment, and shall not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. In determining whether this requirement has been met, consideration shall be given to:

1) The provision of landscaping and other site amenities. Provision of additional landscaping over and above the requirements of this Ordinance may be required as a condition of approval of a special land use.
2) The bulk, placement, and materials of construction of proposed structures in relation to surrounding uses.

g. Isolation of Existing Land Use. The location of the proposed special land use shall not result in a small residential area being substantially surrounded by non-residential development, and further, the location of the proposed special land use shall not result in a small non-residential area being substantially surrounded by incompatible uses.

We recommend the planning commission review the standards above and include a statement regarding their findings in the motion.

Staff will be available to discuss this review at the next Planning Commission meeting.

Respectfully,
Giffels Webster

[Signatures]
Rodney L. Arroyo, AICP
Partner

Matt Wojciechowski, AICP
Senior Planner

www.GiffelsWebster.com
June 8, 2022

Scott Reynolds, Planning Commission Chairperson
CHARTER TOWNSHIP OF ORION
2323 Joslyn Road
Lake Orion, MI 48360

RE: The River Church Entry Addition, PC-2022-10
   Site Plan Review #2

Received: May 25, 2022, by Orion Township

Dear Mr. Reynolds:

We have completed our review of The River Church Entry Addition plan set. The plans were prepared by Alpine Engineering, Inc. and were reviewed with respect to the Township’s Zoning Ordinance, No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance, No. 139, and the Township’s Engineering Standards.

EXISTING SITE CONDITIONS:
The site is located on the west side of Baldwin Rd. north of Gregory Rd. within the southeast quarter of Section 29 of the Charter Township of Orion. The site is in the Gingellville Village Center Overlay District and bound by parcels to the west of the property zoned Gingellville Village Center Overlay District, parcels to the north of the property zoned General Business, parcels to the east of the property zoned General Business (GB) and Special Circumstances (SC), and parcels to the south of the property zoned Restricted Business (RB).

The River Church property consists of 3 separate parcels. Two contain the church building (approximately 10,300 square-feet), and a small garage. The third parcel contains a house. Parking lot extends around the church building to the garage west of the church. The applicant is proposing a building addition along with changes to the parking lot layout and storm sewer and the addition of fire suppression.

WATER MAIN AND SANITARY SEWER:
Existing 12-inch water main runs along the west side of Baldwin Rd. There is also an existing water well on site. The existing water main lead extends into the building from the main in Baldwin Rd. The well is proposed for abandonment per the plans. There is an existing hydrant located southeast of the building and appears sufficient for building coverage. The revised plans include the addition of an FDC and fire suppression line on the east side of the building. Applicant shall coordinate necessary improvements for fire safety with the Building Department and the Fire Department.

There is existing 15-inch sanitary sewer located along the east side of Baldwin Rd from which the existing lead extends. The previously proposed restrooms have been removed from the plans. No changes to the sanitary sewer are proposed at this time.
STORMWATER MANAGEMENT:
The existing site stormwater management system is primarily comprised of sheet flow over the parking lot as well as runoff from the roof of the building. There is a single existing catch basin on the east side of the building which appears to be tied into the storm sewer network along Baldwin Rd. There is also a 12-inch end-section in the green space just north of the building which appears to collect water and convey it to the Baldwin Rd. storm sewer as well.

The applicant is proposing to add two drywells, five-yard drains, and multiple roof conductors and connect them all via storm sewer that surrounds the building and outlets into the green space at the north end of the building. The ultimate outlet is the end-section north of the building. New rip rap appears to be proposed in this area upstream of the ultimate site outlet.

An impervious area calculation was included on the plans. The calculation indicates the proposed impervious area is slightly less than the existing. Based on this information, no additional detention will be required.

PAVING/GRADING:
The existing site has one entrance and exit on to Baldwin Rd. located north of the existing building. On the south side of the building, there appears to be asphalt pavement that wraps around the back of the building and connects to the sidewalk along Baldwin Rd. The applicant is proposing to remove the asphalt connection on the south side of the building and replace it with concrete sidewalk that connects to the sidewalk on Brown Rd. The applicant is also proposing a turnaround/drop-off at the front of the building addition. Proposed sidewalk on the northwest side of the building appears to be proposed flush with the pavement. This will allow easy access into the building from any of the handicap spaces.

Pavement removals are indicated in the plans to provide for additional parking and new landscape islands. The applicant has indicated the limits of saw cutting the existing pavement further from the edge to remove any deformed edges and provide a clean-cut edge to pave against.

Pavement slopes are mostly existing and appear to be acceptable. Pavement slopes are to remain between 1% and 6% for drive areas, and between 1% and 4% for parking areas. Pavement sections are now included in the plans and appear acceptable.

It is typically recommended to connect internal sidewalk to public pathway with ADA accessibility included. However, after reviewing the grades at the stepped locations, and their surrounding features, it appears unfeasible to request ADA connections at these locations. Overall, the proposed improvements still increase the accessibility of the site.

Existing grades are shown via 1-foot contours. Proposed grades are shown via spot grades and appear acceptable. The applicant appears to be matching existing grades at the extent of the areas of work.

There are two proposed retaining walls on site. Both appear to be under 3 feet and will not require calculations or computations at engineering.

TRAFFIC & CIRCULATION:
The revised plans include a Fire Truck Circulation Plan indicating sufficient space for the OTFD aerial apparatus to circulate through the site. The applicant has provided copies of a 15-foot-wide ingress/egress easement 09-29-301-030 and 09-29-301-031 in an effort to satisfy the request for a secondary access point. In reviewing these non-exclusive easement documents, it appears they were granted from the Road Commission for Oakland County (RCOC) to the business west of these located at 09-29-301-040 (3350 Gregory – Michigan Greenskeeper). It is our understanding the applicant will need to petition RCOC to be made party to the ingress/egress easements for
Emergency Vehicle Access. RCOC’s legal department will then review and make a determination.

**LANDSCAPING:**
Landscaping items were included in the Proposed Architectural Site Plan sheet

**NATURAL FEATURES:**
**Wetlands:**
There are no wetlands on site that could be impacted by the proposed work.

**Woodlands:**
No tree survey was included in the plans; however, the site is already developed and no tree removals are proposed as part of the project.

**CONCLUSION:**
In our opinion, the site plan as submitted is in substantial compliance with the Township’s ordinances and engineering standards. We ask that any approval include the following:

1. Provide updated easements allowing the church to use the 15’ wide ingress/egress easements granted from RCOC to 3350 Gregory for emergency vehicle access.
2. The engineering plan, designed in accordance with Zoning Ordinance No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance No. 139, and the Township’s Engineering Standards shall be submitted to the Township for review and approval prior to construction. A detailed cost estimate for the improvements shall be submitted with the plans signed and sealed by the design engineer.

The applicant should note the Township may require performance bonds, fees, and/or escrows for a preconstruction meeting and necessary inspections. Please feel free to contact us with any questions at (248) 751-3100 or mark.landis@ohm-advisors.com.

Sincerely,

**OHM Advisors**

Joe Lehman  
Project Engineer

Mark Landis, P.E.  
Project Manager

**cc:**  
Chris Barnett, Township Supervisor  
David Goodloe, Building Official  
Jeff Stout, Director of Public Services  
Tammy Giring, Director of Planning and Zoning  
Lynn Harrison, Planning and Zoning Coordinator  
Jeff Williams, Township Fire Marshal  
Bill Basiglow, Water and Sewer Superintendent  
Patrick Rowland, Faith Baptist Church (D.B.A. The River Church)  
Tom Gizoni, Alpine Engineering, Inc.
To: Planning Commission/Planning & Zoning Director
From: Jeff Williams, Fire Marshal
Re: PC-2022-10, The River Church Site Plan & Special Land Use – 2nd Submittal
Date: 06/08/2022

The Orion Township Fire Department has completed its review of Application PC-2022-10 for the limited purpose of compliance with Charter Township of Orion Ordinance’s, Michigan Building Code, and all applicable Fire Codes.

Based upon the application and documentation provided, the Fire Department has the following recommendation:

X Approved with Conditions (See below)
Not approved

Conditions:

- Buildings or facilities exceeding 30 feet or three stories in height shall have not fewer than two means of fire department access for each structure. It has been shown that the second access point is noted as a “Existing Ally” on the proposed site plan. It shall be understood that this second access point is a required access point to the proposed site. Without it, the site plan cannot be approved.
- Fire department access roads 20 to 26 feet wide shall be posted with NO PARKING FIRE LANE signage on both sides of the fire apparatus access road. Fire department access roads greater than 26 feet shall only require posting on one side of the roadway.
- The Fire Department Connection shall be located on the Southwest corner of the existing structure near the secondary access drive that leads into the site. The parking spot in front of the FDC location shall be removed with road striping that indicates a “No Parking” area.
- The OT-Pumper Truck Turning Template overlay shall be shown on the revised plan. The Fire Department would like to ensure apparatus circulation is possible around the front entrance / canopy area.

This approval is limited to the application and materials reviewed which at this time do not raise a specific concern regarding the location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information at time of building permit application that includes data or documents, confirming full compliance with all applicable building codes, fire codes and Township Ordinances.

If there are any questions, the Fire Department may be reached at 248-391-0304 ext. 2004.

Sincerely,

Jeff Williams
Jeff Williams, Fire Marshal
Orion Township Fire Department
To: Tammy Girling  
Planning & Zoning Director

From: Jeffery T. Stout  
Director, Department of Public Services

Date: June 8, 2022

Re: PC-2022-10, The River Church Site Plan and Special Land Use-2nd Submittal

____________________________

Dear Tammy,

The Department of Public Services has reviewed the above-mentioned project. We have ample capacity to meet the needs of this expansion.

If you have any questions, please contact me.

Respectfully Submitted,


Jeffery T. Stout  
Director  
Department of Public Services
Charter Township of Orion Planning Commission

Site Plan Approval Application

30.01, A. Intent: The site plan review procedures and standards are intended to provide an opportunity for consultation and cooperation between the applicant and the Planning Commission so as to achieve maximum utilization of land with minimum adverse effects on adjoining property. Furthermore, it is the intent of these procedures and standards to allow for review of site plans by the Planning Commission, to provide a consistent and uniform method of review, and to ensure full compliance with the standards contained within Zoning Ordinance 78, and other applicable local ordinances and State and Federal laws.

Project Name: The River Church (Entry Addition)

<table>
<thead>
<tr>
<th>Name of Development if applicable:</th>
<th>The River Church (located at 3920 S. Baldwin Road, Orion Twp., Michigan)</th>
</tr>
</thead>
</table>

<table>
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<tr>
<th>Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: (API) Architectural Planners Inc. - Alan Hall, RA</td>
</tr>
<tr>
<td>Address: 5101 Williams Lake Road City: Waterford State: MI Zip: 48329</td>
</tr>
<tr>
<td>Phone: (248) 674-1340 Cell: (248) 762-8427 Fax: (248) 461-6461</td>
</tr>
<tr>
<td>Email: <a href="mailto:alan@api-mi.com">alan@api-mi.com</a></td>
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<tr>
<td>Name: Faith Baptist Church (D.B.A. The River Church) - Patrick Rowland</td>
</tr>
<tr>
<td>Address: 8393 E. Holly Road City: Holly State: MI Zip: 48442</td>
</tr>
<tr>
<td>Phone: (248) 328-0490 Cell: (260) 750-9614 Fax:</td>
</tr>
<tr>
<td>Email: <a href="mailto:prowland@theriverchurch.cc">prowland@theriverchurch.cc</a></td>
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* If the name on the deed does not match the name of the property owner on this application, documentation showing the individual is the same as the company name must be provided.

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<th>Plan Preparer Firm/Person</th>
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<td>Name: Alpine Engineering, Inc. - Tom Gizoni, PE</td>
</tr>
<tr>
<td>Address: 46892 West Road, Suite 109 City: Novi State: MI Zip: 48377</td>
</tr>
<tr>
<td>Phone: (248) 926-3701 Cell: (248) 770-2609 Fax:</td>
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<tbody>
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<td>Name: Same as applicant</td>
</tr>
</tbody>
</table>
| Address: 
| City: 
| State: 
| Zip: |
| Phone: 
| Cell: 
| Fax: |
| Email: 

Version 12/1/21
Signature of Applicant: 
(must be original ink signature) Alan Hall

Print Name: Alan Hall

I, the property owner, hereby give permission to the applicant listed above to act as my agent in submitting applications, correspondence and to represent me at all meetings. I also grant permission to the Planning Commission members to visit the property, without prior notification, as is deemed necessary.

Signature of Owner (if the deed of ownership does not show an individual, ie a corporation, partnership, etc., documentation must be provided showing the individual signing this application has signing rights for the entity):
(must be original ink signature) Patrick Rowland

Print Name: Patrick Rowland

Date: 03/09/2022

Signature of Applicant: 
(must be original ink signature) Alan Hall

Print Name: Alan Hall

Date: 03/09/2022
**Charter Township of Orion Planning Commission**

**Special Land Use Approval Application**

30.02, A. Intent: Special land use procedures and standards are instituted to provide consistent and uniform guidelines for the Planning Commission to follow in arriving at any special land use decision over which it has jurisdiction. Special land uses are uses that may be permitted in a district, but only if certain specified conditions are met, and only after review and approval by the Planning Commission. The review procedures which are conditions for approval are intended to provide protection for adjacent uses and ensure full compliance with the standards contained within Zoning Ordinance 78 and other applicable local ordinances and State and Federal laws.

**Project Name:** The River Church (Entry Addition)

**Name of Development/Business if applicable:** The River Church (located at 3920 S. Baldwin Road, Orion Twp., Michigan)

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<td>Phone:</td>
<td>Cell:</td>
</tr>
<tr>
<td>Email:</td>
<td></td>
</tr>
<tr>
<td>Sidwell Number(s):</td>
<td>09-29-301-038, 09-29-301-034 AND 09-29-301-029</td>
</tr>
<tr>
<td>-------------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>Location or Address of Property:</td>
<td>3920 S. Baldwin Road</td>
</tr>
<tr>
<td>Side of Street:</td>
<td>Nearest Intersection: Gregory Road &amp; Baldwin Road</td>
</tr>
<tr>
<td>Acreage:</td>
<td>5-1/2</td>
</tr>
<tr>
<td>Current Use of Property:</td>
<td>Existing Church</td>
</tr>
<tr>
<td>Is the complete legal description printed on the site plan?</td>
<td>Yes</td>
</tr>
<tr>
<td>Subject Property Zoning:</td>
<td>R-3</td>
</tr>
<tr>
<td>Give a detailed description of the proposed use:</td>
<td>2-Story entry addition to an existing church structure</td>
</tr>
<tr>
<td>Entry Addition: First Floor = 1,545 SF, Second Floor = 1,023 SF</td>
<td></td>
</tr>
<tr>
<td>No additional people are planned - the addition serves to address a place of entry and handicap access to the existing facility. To replace the existing non-compliant restrooms to meet ADA requirements, the new addition will add (4) toilets, (4) sinks and a mop sink which will result in a reduced overall fixture count.</td>
<td></td>
</tr>
<tr>
<td>Pursuant to Zoning Ordinance 78, Section 30.02(B), a copy of this application must be submitted to the each of the following agencies:</td>
<td>Please provide the Township with a copy of each transmittal and proof of delivery.</td>
</tr>
<tr>
<td>AT&amp;T</td>
<td>Consumers Power Company</td>
</tr>
<tr>
<td>54 Mill St.</td>
<td>530 W. Willow Rd.</td>
</tr>
<tr>
<td>Pontiac, MI 48342</td>
<td>Lansing, MI 48906</td>
</tr>
<tr>
<td>DTE Energy Co.</td>
<td>Oakland County Health Department</td>
</tr>
<tr>
<td>ATTENTION: NW Planning &amp; Design</td>
<td>Building 34 East</td>
</tr>
<tr>
<td>1970 Orchard Lake Rd.</td>
<td>1200 N. Telegraph Rd.</td>
</tr>
<tr>
<td>Sylvan Lake, MI 48320</td>
<td>Pontiac, MI 48341</td>
</tr>
<tr>
<td>Oakland County Water Resources Commission</td>
<td>Road Commission of Oakland County (if applicable)</td>
</tr>
<tr>
<td>(To be submitted by the Township)</td>
<td><a href="mailto:ssinkowski@rcoc.org">ssinkowski@rcoc.org</a></td>
</tr>
<tr>
<td></td>
<td>(Electronic submittal only)</td>
</tr>
<tr>
<td>Michigan Department of Transportation (if applicable)</td>
<td>800 Vanguard Dr.</td>
</tr>
<tr>
<td>Pontiac, MI 48341</td>
<td></td>
</tr>
</tbody>
</table>
The proposed special land use shall be designed, constructed, operated, and maintained so as to be compatible with uses of adjacent land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, please describe the consideration given to the following:

Location and screening of vehicular circulation and parking areas in relation to surrounding development.

The existing church facility has an existing parking lot and an existing curb-cut entry already established. The existing parking lot is located at the rear of the building and is to be re-surfaced and re-stripped.

Location and screening of outdoor storage, outdoor activity or work areas and mechanical equipment, in relation to surrounding development.

If new ground mounted HVAC equipment is utilized in the future, then it will be located behind screen fencing and not visible to site traffic.

The hours of operation of the proposed use:

Monday – Friday 8:30 AM – 4:30 PM
Sunday 9:00 AM – 1:00 PM

The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses.

There is currently a fenced area at the South of the building containing a pod and a shipping container.

Describe how the proposed special land use is compatible with and in accordance with the general principles and objectives of the Orion Township Master Plan and how it promotes the intent and purpose of Zoning Ordinance 78.

Places of worship are allowed via special use approval.

The property is an existing church use and the site borders will not be modified.

The property has an existing curbed entrance to Baldwin Road.

The new addition is not closer than 40’ from any property line and parking spaces have a ratio of 3:1.

Describe how the proposed special land use is located so as to be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools.

The new addition will not bring more people to the site than what has already been approved in the past.

The existing access road to the South of the property is planned to remain as a second point of egress.

The proposed impervious area for the site will be less than the existing and in-turn have less storm runoff.
The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by
the proposed use on surrounding uses. Describe the consideration given to the following:
Proximity and access to major thoroughfares
The new addition does not add any additional people than what has already been approved in the past.

Estimated traffic generated by the proposed use
The existing traffic generation will remain “as-is”. The new addition will not add more people to the site.

Proximity and relation to intersections Existing conditions.

Adequacy of sight distances Existing conditions.

Location of and access to off-street parking Existing conditions.

Required vehicular turning movements Existing conditions.

Provision for pedestrian traffic The site sidewalks will connect to the Baldwin Road sidewalk system at
(2) locations; one at the North of the existing building and one at the South of the existing building.

The proposed special land use shall not involve any activities, processes, materials, equipment or conditions of operation,
and shall not be so located or designed, as to be detrimental to public health, safety, and welfare. Describe the
consideration given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.
The addition is providing ADA restrooms and an elevator to allow handicap & elderly to access the second
floor of the church. The proposed structure does not increase any of the items listed above.

The proposed special land use shall provide the maximum feasible enhancement of the surrounding environment and shall
not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings or
unreasonably affect their value. Describe how consideration was given to:
Landscaping & other amenities This plan increases the overall green pervious areas and provides some
additional parking lot landscaping.

The bulk placement and materials of construction of proposed structures in relation to surrounding uses
The proposed new construction is placed tightly to the existing structure and is harmonious with the
existing massing and site contours of the site.
Explain how the location of the proposed special land use does not result in a small residential area being substantially surrounded by non-residential development, and further, the location of the proposed special land use does not result in a small non-residential area being substantially surrounded by incompatible uses:

The existing church has a long history with the community. The planned addition is located at the back of the existing building and will not cause any isolation land issues.

Pursuant to Zoning Ordinance 78, Section 30.02(D) a sign indicating the requested special land use shall be installed on the parcel(s) no less than 15 days prior to the scheduled public hearing. Please check one:

☐ I will install the sign(s) as required (see below for specifications).
☑ I would like to lease signage from the Township (including installation).

(please complete attached Sign Request Form)

I/We, the undersigned, do hereby submit this application for Special Land Use, pursuant to the provisions of the Charter Township of Orion Zoning Ordinance No. 78, Section 30.02 and applicable ordinance requirements. In support of this request the above facts are provided. I hereby certify that the information provided is accurate and the application that has been provided is complete.

Signature of Applicant:  
Alan Hall  
Date: 03 / 09 / 2022

Print Name:  

I, the property owner, hereby give permission to the applicant listed above to act as my agent in submitting applications, correspondence and to represent me at all meetings. I also grant permission to the Planning Commission members to visit the property, without prior notification, as is deemed necessary.

Signature of Owner*:  
Patrick Rowland  
Date: 03 / 09 / 2022

Print Name:  

*If the deed of ownership does not show an individual, it is a corporation, partnership, etc., documentation must be provided showing the individual signing this application has signing rights for the entity.

As per Ordinance 78, Section 30.02(D), Special Land Procedures and Standards, a sign shall be installed 15 days prior to the required public hearing. Please see the Ordinance for additional specifications.

The sign shall have the following wording:

SPECIAL LAND USE PROPOSED  
For more information call:  
Charter Township of Orion  
Planning and Zoning Department  
248-391-0304 ext. 5002

- (min 8" high letters)  
- (min 3" high letters)  
- (min 4" high letters)  
- (min 4" high letters)

*Please note, the Township does offer the ability to rent the required signage (see attached form). Please contact the Planning and Zoning Department with any questions.
Debra Walton

From: Donald Gross
Sent: Saturday, March 19, 2022 1:04 PM
To: Debra Walton; Joe St. Henry; j.sthenry@comcast.net; Scott Reynolds
Subject: Re: Site Walk Needed for The River Church PC-2022-10

A site walk was conducted on March 19, 2022. The site is an existing church on Baldwin Road south of Waldon. It is in the process of some major exterior renovations. The recent road improvements on Baldwin have resulted in the road being within feet of the existing building. Parking is located in the rear of the property and the proposed site improvements are proposing some traffic realignments. Access to the building is from the rear with no doors on the east (road side) of the building. There is a large open area west of the existing parking with a couple of large trees that will not be impacted by site improvements.

Respectfully submitted,

Donald Gross, Planning Commissioner

--------------------------------------------------------
Donald Gross, Planning Commissioner
Charter Township of Orion
2525 Joslyn Rd., Lake Orion MI 48360
dgross@oriontownship.org
http://www.oriontownship.org

From: Debra Walton <dwalton@oriontownship.org>
Sent: Thursday, March 17, 2022 12:11 PM
To: Joe St. Henry <jsthenry@oriontownship.org>; j.sthenry@comcast.net <j.sthenry@comcast.net>; Scott Reynolds <sreymonds@oriontownship.org>; Donald Gross <dgross@oriontownship.org>
Subject: Site Walk Needed for The River Church PC-2022-10

Hi Site Walk Committee,

We need a site walk done for The River Church addition (SLU) for PC-2022-10 before the April 6, 2022 Planning Commission meeting.

I have attached one sheet of the site plan.

Please let me know who will be doing the Site Walk Committee report.

Thanks!

Debra Walton
Clerk
Planning & Zoning
2323 Joslyn Road, Lake Orion, MI 48360
O: 248.391.0304, ext. 5002
W: www.oriontownship.org
THE RIVER CHURCH
SITE PLAN
ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN

LOCATION MAP:

LEGEND:

NOTE:

ARCHITECTURAL PLANS (PREPARED BY APD):

ARCHITECTURAL PLANS:
1001 LANDING PLAN
1002 SITE PHOTOMONIC PLAN
A001 FIRST FLOOR PLAN (LOWER LEVEL)
A002 SECOND FLOOR PLAN (MAIN LEVEL)
A003 BUILDING ELEVATIONS AND SECTIONS

RECEIVED

May 24, 2022
Orion Township
Planning & Zoning

APPLICATION/ARCHITECT:

SURVEYOR/ENGINEER:

ALPINE TECHNOLOGICAL, INC.

ADDRESS:

PHONE:

FAX:

NOTE:

FOR THE PREVENTION OF CONTROLLED UNDERGROUND SYSTEMS ARE SHOWN ON AN APPROPRIATE PLAN OR AS REQUESTED BY THE APPLICANT. THE CONTRACTOR IS RESPONSIBLE FOR SAFETY OF ANY WORK OR ATTACHMENTS TO THE STRUCTURES, OR OF ANY OTHER PERSONS.

RECEIVED

May 24, 2022
Orion Township
Planning & Zoning

APPLICATION/ARCHITECT:

SURVEYOR/ENGINEER:

ALPINE TECHNOLOGICAL, INC.

ADDRESS:

PHONE:

FAX:
SITE DATA:

AREA: 4.65 ACRES [SPREAD]
DEPTH: 300'-0" x 250'-0" x 250'-0"

NOTES: R-6. (SHADYDALE HEIGHT)

EXISTING CONDITIONS:

1. All work to comply with CA Building and Safety Code
2. The contractor shall comply with the 2008 California Building Code
3. Contractor to place existing power pole on south north in accordance with the following:

LEGEND:

[Legend with various symbols and annotations]

NOTES:

1. All work to comply with CA Building and Safety Code
2. The contractor shall comply with the 2008 California Building Code
3. Contractor to place existing power pole on south north in accordance with the following:

[Site data and details with annotations]
Know what's below. Call before you dig.
### Photometric Luminaires Schedule

<table>
<thead>
<tr>
<th>No.</th>
<th>Quantity</th>
<th>Luminaire Type</th>
<th>Model</th>
<th>Watt</th>
<th>Color</th>
<th>Unit</th>
<th>Location</th>
<th>Quantity</th>
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<td>5000</td>
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<td>300</td>
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### Photometric Statistics Schedule

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</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>parking lot</td>
<td>0.3</td>
<td>0.7</td>
<td>0.5</td>
<td>0.3</td>
<td>0.7</td>
<td>0.5</td>
<td>0.3</td>
<td>0.7</td>
<td>0.5</td>
<td>0.3</td>
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<td>0.5</td>
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<td>0.7</td>
<td>0.5</td>
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<td>0.7</td>
<td>0.5</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>interior</td>
<td>0.3</td>
<td>0.7</td>
<td>0.5</td>
<td>0.3</td>
<td>0.7</td>
<td>0.5</td>
<td>0.3</td>
<td>0.7</td>
<td>0.5</td>
<td>0.3</td>
<td>0.7</td>
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<td>0.3</td>
<td>0.7</td>
<td>0.5</td>
<td>0.3</td>
<td>0.7</td>
<td>0.5</td>
<td></td>
</tr>
</tbody>
</table>

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PRODUCT DESCRIPTION

The Quasar / Quasar G2 LED shoebox floodlight lighting fixture is applicable for both commercial and residential illumination at the places where need a large amount light such as parking lots, driveways, outdoor courts (basketball, tennis, volleyball, etc.). With the dusk to dawn function (when using the optional twist lock photocell), the light would be on automatically at dusk and off when the dawn comes, which saves the trouble to switch manually for you.

FEATURES

- Wattage / Lumens:
  - 100W / 12500
  - 150W / 19400

- CCT:
  - Bronze: 4000K or 5000K
  - White: 5000K

- CRI: >70
- Lifespan: minimum 50,000 hours
- Manufacturer warranty: 5 Years
- Aluminum housing
- Dusk to Dawn with optional photocell
- Ambient operating range: -4°F to 115°F
- Finish: Bronze or White
<table>
<thead>
<tr>
<th>SKU</th>
<th>Wattage</th>
<th>CCT</th>
<th>Light Distribution</th>
<th>Finish Color</th>
<th>Mounting Option</th>
<th>Voltage</th>
<th>Sensor</th>
</tr>
</thead>
<tbody>
<tr>
<td>WL-PLF-100W-40K-T3-B-ASF-MV-G2</td>
<td>100W</td>
<td>4000K or 5000K</td>
<td>Type 3 or Type 5</td>
<td>Bronze</td>
<td>Adjustable slip fitter, Adjustable square/round pole mount, Adjustable yoke mount</td>
<td>120-277V</td>
<td>Twist Lock Photocell</td>
</tr>
<tr>
<td>WL-PLF-100W-50K-T3-B-ASF-MV-G2</td>
<td>100W</td>
<td></td>
<td></td>
<td>White</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WL-PLF-150W-40K-T3-B-ASF-MV-G2</td>
<td>150W</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WL-PLF-150W-50K-T3-B-ASF-MV-G2</td>
<td>150W</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WL-PLF-100W-50K-T3-W-ASF-MV</td>
<td>100W</td>
<td></td>
<td></td>
<td>White</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WL-PLF-150W-50K-T3-W-ASF-MV</td>
<td>150W</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Type 5 Distribution

Type 3 Distribution
Luminaire Property

Luminaire Manufacturer:
Voltage: 119.8 V
Power: 148.69 W

Current: 1.2428 A
Power Factor: 0.997

Photometric Results

IES Classification: Type III
Total Rated Lamp Lumens: 19051.6 lm
Efficiency: 100%
Upward Ratio: 0%
Central Intensity: 5026.23 cd
Pos of Max. Intensity: H157.5 V73

Luminous Intensity Distribution Curve

Longitudinal Classification: Medium
Measurement Flux: 19051.6 lm
Downward Ratio: 100%
Luminaire Efficacy Rating (LER): 128.13
Max. Intensity: 6027.6 cd

The Average Illuminance Effective Figure

Average Diffuse Angle (50%): 123.9°

Warehouse-Lighting.com
2750 South 163rd St
New Berlin, WI 53151

info@warehouse-lighting.com
The Charter Township of Orion Planning Commission held a Public Hearing on Wednesday, April 6, 2022, at 7:05 p.m. at the Orion Township Municipal Complex Board Room 2323 Joslyn Road, Lake Orion, MI 48360.

PLANNING COMMISSION MEMBERS PRESENT:
Scott Reynolds, Chairman
Don Gross, Vice-Chairman
Joe St. Henry, Secretary
Jessica Gingell, Commissioner
Dereck Brackon, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:
Kim Urbanowski, BOT Rep to PC
Don Walker, PC Rep to ZBA

CONSULTANTS PRESENT:
Matt Wojciechowski, (Township Planner) of Giffels Webster
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Alan Hall            Josh Yates
Bard Robinson        Jason Gault

PC-2022-10, The River Church, Special Land Use Request for a church, located at 3900 S. Baldwin Road (parcel 09-29-301-029), 3910 S. Baldwin Road (parcel 09-29-301-034), and 3920 S. Baldwin Road (parcel 09-29-301-038).

Chairman Reynolds asked the applicant to make a brief presentation.

Mr. Alan Hall stated he was the architect for The River Church. He said that the church has been there under the Gingellville Community Church for over 70 years. He added that they were open to questions if they had any.

Chairman Reynolds asked if there were any citizens that would like to make any comments or questions in relation to the Special Land Use request? There was not.

Chairman Reynolds asked if any of the Commissioners had any comments or questions? There was not.

Chairman Reynolds closed the public hearing at 7:07 p.m.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

May 4, 2022

Planning Commission Approval Date
TO: The Charter Township of Orion Planning Commission
FROM: Tammy Giriing, Planning & Zoning Director
DATE: June 8, 2022
RE: PC-2022-22, Township Initiated Text Amendment to Zoning Ordinance #78, Industrial Complex (IC)

As requested, I am providing a suggested motion for the matter mentioned above. Please feel free to modify the language. The verbiage below could change based upon the Planning Commissions findings of facts.

**Amendments to Zoning Ordinance No. 78 (Zoning Ordinance 78, Article XIX)**

**Motion 1:** I move that the Planning Commission forwards a recommendation to the Township Board to **approve and adopt** PC-2022-22, Township Initiated Text Amendment to Zoning Ordinance No.78, Industrial Complex (IC), Article XIX, for the following reasons: (insert any findings of facts).
Article XIX

Industrial Complex (IC)

Section 19.00 – Preamble

The Industrial Complex (IC) District is intended to provide a location for a large-scale manufacturing or assembly use. It is intended that uses in this District shall have these general requirements:

A. The need for an extensive amount of contiguous land area.
B. Direct service by railroad lines and a network of major thoroughfares.
C. Its own power generating plant and industrial waste treatment system.
D. Employment exceeding two thousand (2,000) people on one work shift.

Section 19.01 – Use Matrix (amended 07.16.18)

Uses Permitted by Right shall be permitted subject to the standards and requirements set forth herein. Special Uses shall be permitted subject to the standards and requirements set forth herein and subject to the standards and approval requirements as provided for in Section 30.02. Accessory Uses shall be permitted subject to the standards and requirements set forth herein and in Section 27.02. The Planning Commission may allow uses of a similar nature to those listed below, in accordance with Section 27.02E, provided that such uses will not create adverse impacts to surrounding uses.

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>Zoning District</th>
<th>Footnotes</th>
</tr>
</thead>
<tbody>
<tr>
<td>P = Permitted by Right</td>
<td>S = Special Use</td>
<td></td>
</tr>
<tr>
<td>Industrial, Research, and Technology Uses</td>
<td>IC</td>
<td></td>
</tr>
<tr>
<td>Manufacturing, Assembly</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A manufacturing or assembly plant of at least two million (2,000,000) square feet under one roof, maximum four million (4,000,000) square feet.</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>A series of interconnected manufacturing and/or assembly plants on one site and under one ownership and having at least two million (2,000,000) square feet of total floor space, maximum four million (4,000,000) square feet.</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Indoor Recreation Use</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Entertainment, Amusement and Recreational Uses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facilities (such as batting cages, dance studios, cheerleading, gymnastics, indoor courts and fields [football, soccer, tennis, basketball], driving ranges, archery, skating rinks, hockey, and other indoor recreation facilities)</td>
<td>S A</td>
<td></td>
</tr>
<tr>
<td>Accessory Special Land Use</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shipping and receiving buildings</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Power generating plant</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Industrial waste treatment facility</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Storage areas for equipment, vehicles, and materials used by the permitted principal use</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Offices for the use of and related to the permitted principal use</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Outdoor storage per Section 27.19</td>
<td>S</td>
<td></td>
</tr>
</tbody>
</table>

Section 19.02 – Footnotes to the Use Matrix (amended 07.16.18)

A. Indoor recreation establishments are subject to a review of parking by the Planning Commission and subject to the submittal of parking studies based upon Institute of Transportation Engineers (ITE) standards, if required. The Planning Commission may allow a maximum building height of forty (40) feet, subject to the review of adjoining land use and a determination that additional building height for recreation uses will not adversely impact neighboring uses.
Section 19.03 – Required Conditions *(amended 07.16.18)*

All activities and uses in this District shall comply with the following required conditions, except where an existing building is legally in nonconformance with certain conditions, or where a variance from the conditions has been legally granted by the Zoning Board of Appeals. *(amended 01.30.86)*

A. Site Plan Approval. The proprietor shall submit a site plan for approval pursuant to the requirements set forth in Section 30.01 of the Zoning Ordinance.

B. Minimum and Maximum Parcel Size.

1. The minimum parcel size shall be four hundred (400) acres. The maximum parcel size shall be five hundred (500) acres.

C. Off-Street Parking.

1. Parking requirements shall be based upon the following schedule *(amended 08.06.07):*
   
   a. One (1) parking space per one thousand (1000) square feet of gross floor area or one (1) space per employee whichever is greater for uses within the IC zoning district. One (1) additional parking space shall be added for every four (4) required spaces for facilities which operate more than one employee shift.

   b. Fifty (50) visitor parking spaces shall also be provided for parcels larger than twenty-five (25) acres.

2. The Planning Commission may, at their discretion, modify the numerical requirements for off-street parking, based on evidence provided by the applicant that indicates that another standard would be more reasonable, because of the level of current or future employment and or the level of current or future customer traffic. *(amended 01.30.86)*

3. Driveways and parking areas may be curbed and shall consist of hard-surfaced concrete, blacktop, crushed concrete or gravel, as approved by the Planning Commission.

4. All off-street parking shall conform to the standards set forth in Section 27.04A1,2,3,a and b of this Ordinance.

5. No parking area or driveway shall be closer than thirty (30) feet to the adjacent property lines when the parcel abuts residentially zoned or used property. However, when the parcel abuts commercial/office or industrially zoned property, no parking area or driveway shall be closer than ten (10) feet to the adjacent property lines. *(added 07.16.18)*

6. The required setback for parking may be reduced in width or waived by the Planning Commission when the parcel abuts commercial/office, or industrial zoned property, and when existing off-street parking, drives, and/or structures are located within the setback area. *(amended 09.16.93)*

D. Landscaping.

1. A landscape plan shall be submitted to the Planning Commission for approval. The landscape plan shall specify plant materials and landscape treatment, based on the requirements of Section 27.05 of this Ordinance for such items. This landscape plan shall be part of, or accompany, the site plan.

2. A landscaped screen, at least fifty (50) feet in width, shall be provided along the entire perimeter of an IC District use, except where ingress and egress drives are located. Internal roads are permitted to be located within the landscape screen buffer.
3. Such screening shall consist of earth berms or evergreen landscaping subject to approval of the Planning Commission.

4. All landscaping and screening shall be maintained in an attractive, litter-free, safe, and healthy condition. Maintenance of all landscaping shall be of sufficient frequency to prevent overgrowth and deterioration from the original condition.

5. The landscaped greenbelt required along with the perimeter of the parcel may be reduced in width or waived by the Planning Commission when the parcel abuts commercial/office or industrially zoned property and when existing off-street parking, drives and/or structures are located within the setback area. The Planning Commission may, at their discretion, modify or waive certain landscaping requirements if provided evidence that the proposed landscape plans meet the intent of the landscaping provision as described in the considerations outlined in Section 27.05. (amended 01.30.86, 09.16.93)

6. Properties in the IC District are not required to obtain a Tree Removal Permit and not subject to the requirements of Sec 27.12.

7. Parking areas should contain landscape areas to provide opportunities for rain gardens and stormwater runoff detention. The Planning Commission may, at their discretion, waive the requirements for landscaped islands based on evidence provided by the applicant that such landscaping would not provide significant stormwater detention benefits.

E. Sign Regulation. All signs shall comply with the standards set forth in Orion Township Sign Ordinance No. 153. (amended 10.08.98, 02.21.06)

F. Lighting Regulations. (amended 04.27.00)

1. A lighting plan shall be submitted with all site plans as set forth in Section 27.11 of this Ordinance. All other Zoning Ordinance regulations shall apply unless otherwise noted in this Ordinance.

2. Exterior site lighting shall be fully shielded and directed downward to prevent off-site glare.

3. Site illumination on properties adjacent to residential properties shall not exceed 0.3 foot-candle along property lines, or 1.0 foot-candle along non-residential property lines. Parking lot lighting shall be governed by Section 27.11.

G. Public Road Access. Any use developed or proposed within this district shall have direct access to more than one existing or proposed major thoroughfare having a minimum right-of-way of at least one hundred twenty (120) feet.

H. Utilities. If possible, all utilities servicing the business structure shall be buried underground.

I. Covered Trash Areas.

1. Covered trash receptacles, surrounded on three (3) sides by masonry brick-type walls one (1) foot higher than the receptacle shall be provided in the rear yard.

2. The fourth side of the enclosed trash receptacle area shall be equipped with an opaque lockable gate that is the same height as the masonry brick wall.

3. The Planning Commission may, at their discretion, waive the requirements for a covered trash receptacle as described herein, if, after considering the nature of the operation being proposed, the Commission determines that the amount of trash generated can be adequately disposed of without use of an outside trash receptacle. (amended 01.30.86)

J. Loading and Unloading.
1. Loading and unloading areas shall be located in the rear or side yard of a non-residential structure.

2. Loading and unloading areas shall not be located where they will interfere with parking or obstruct ingress or egress.

3. All loading and unloading areas shall be in conformance with the requirements set forth in Section 27.04.

4. The Planning Commission may, at their discretion, modify or waive certain loading requirements if provided evidence that the loading requirements in Section 27.04 do not reflect industry requirements and needs.

K. Performance Guarantee Requirement. The Planning Commission shall require a performance guarantee to be deposited with the Township Clerk in accordance with the provisions set forth in Section 30.09, to ensure that necessary and required improvements proposed on the site plan will be completed. (amended 05.15.16)

L. General. All activities and uses within this District shall conform to the following:

1. Smoke. A person or industry shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three (3) minutes in any one hour which is:
   
a. As dark or darker in shade as that designated as No. 1/2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or

b. Of such capacity as to obscure an observer's view to a degree equal to or greater than does smoke described in Subsection (a) of this Section.

c. At no time may smoke emissions be darker than Ringelmann No. 1.

2. Open Fires. A person or industry shall not burn any combustible refuse in any open outdoor fire within the District.

3. Noxious Gases. No noxious or malodorous gases shall be allowed to escape into the atmosphere in concentrations which are offensive, which produce a public nuisance or hazard on any adjoining lot or property, or which could be detrimental to human, plant or animal life.

4. Air Contaminants. A person or industry shall not discharge from any source whatsoever such quantities of air contaminants or other material, including fly-ash, dust, vapor, or other air pollutants, which could cause injury or harm to health, animals, vegetation, or other property, or which can cause excessive soiling. Dust, dirt, smoke, or fly-ash shall not be in excess of 0.3 grams per cubic foot of flue gas at stack temperature of 500 degrees Fahrenheit and not to exceed fifty percent (50%) excess air.

5. Glare and Heat. Any operation or activity producing glare shall be so conducted that direct and indirect illumination from the source of light shall not cause illumination in excess of one-half (0.5) of one (1) foot-candle when measured at any adjoining residence or business district boundary line. Flickering or intense source of light shall be so controlled as not to cause a nuisance across any lot lines.

If heat is a result of an industrial operation, it shall be so insulated as to not raise the temperature at any property line at any time.

6. Noise. The measurable noise emanating from the premises and as measured at the street or property line, may not exceed sixty (60) decibels as measured on the "C" scale of a sound level meter constructed and calibrated in conformance to the requirements of the American Standards Association. Objectionable noises, due to intermittence, beat frequency or shrillness, shall be muffled so as not to become a nuisance to adjacent uses. Sirens and related apparatus used solely for safety and other public purposes are exempt from this standard.

7. Vibration. Vibrations from industrial operations and vehicular traffic in this district must be controlled to the extent that they cannot be felt past any property line.
8. Radio Transmission. For electronic equipment required in an industrial operation, the equipment shall be so shielded that its operation will not interfere with radio, television or other electronic equipment.

9. Storage of Flammable Materials. Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire suppression equipment and such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.

10. Radioactive Materials. No activity shall emit dangerous radioactivity at any point, or unreasonable electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

11. Water Pollution. Pollution of water shall be subject to such requirements and regulations as are established by the Michigan State Department of Health, the Michigan Water Resources Commission, the Oakland County Health Department, and the U.S. Environmental Protection Agency. Such requirements and regulations shall apply in all cases except when they are less stringent than the following standards in which case the following standards shall apply:

   a. No wastes shall be discharged into the public sewer system which are dangerous to the public health and safety.

   b. Acidity or alkalinity shall be neutralized to a pH of 7.0 as a daily average on a volumetric basis, with a maximum temporary variation of pH 5.0 to 10.0.

   c. Wastes shall contain no cyanides and no halogens and shall contain not more than 10 p.p.m. of the following gases: hydrogen sulphite, sulphur dioxide and nitrous oxide.

   d. Wastes shall not contain any insoluble substance in excess of 10,000 p.p.m. or exceeding a daily average of 500 p.p.m. or fail to pass a No. 8 Standard Sieve, or have a dimension greater than one-half (1/2) inch.

   e. Wastes shall not have chlorine demand greater than 15 p.p.m.

   f. Wastes shall not contain phenols in excess of .005 p.p.m.

   g. Wastes shall not contain any grease or oil or any oil substance in excess of 100 p.p.m. or exceed a daily average of 25 p.p.m.

M. Safety Paths. Construction of safety paths for pedestrian use and use by non-motorized vehicles shall be required in conjunction with the development of all parcels in this zoning district. The safety paths shall conform to the specifications outlined in Section 27.06 and Ordinance No. 97. The Planning Commission may, at their discretion, modify or waive the requirements for safety paths, based on evidence provided by the applicant that indicates that another standard would be more reasonable. (amended 01.05.87, 02.03.03)

N. Tree Preservation Regulations. The tree permit requirements do not apply to developments in this District, according to the terms of Section 27.12. (amended 08.05.00)

O. Wetland Setbacks. The wetland setback requirements apply to all developments in this District, according to the terms of Section 27.17. (added 09.17.07)
### Section 19.04 – Area and Bulk Requirements (Applies to Principal and Accessory Uses) (amended 07.16.18)

Please see the Matrix Chart in Section 19.01 for variations to these requirements by use.

<table>
<thead>
<tr>
<th></th>
<th>IC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard Setback</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>100 ft. on each side</td>
</tr>
<tr>
<td>Minimum Parcel Area</td>
<td>400 acres</td>
</tr>
<tr>
<td>Maximum Parcel Area</td>
<td>500 acres</td>
</tr>
<tr>
<td>Maximum Heights of All Structures</td>
<td>40 ft. 120 ft. subject to additional state and/or federal permits</td>
</tr>
<tr>
<td>Minimum Clear Space Around Structures</td>
<td>100 ft. 50 ft. subject to review and approval by the Fire Marshall</td>
</tr>
</tbody>
</table>
Article XIX  Industrial Complex (IC)

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TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Zoning/Planning Director
DATE: June 8, 2022
RE: PC-2021-07 Master Plan Update

If you will recall, at the last Planning Commission meeting I provided the populated Action Strategies Chart based on discussions at a prior meeting. The last PC meeting was a full agenda and it was quite late before we reached this item. I am asking that the Commission please look over the populated chart one more time and bring and changes, questions, or concerns to this meeting so we can determine if this chart appears as we want it in the Master Plan.

If you have any questions, please feel free to reach out to me.
Action Strategies

The thoughtful preparation and adoption of any plan would be of diminished value without a program of implementation strategies. The implementation strategies of this chapter will assist the Township in putting the key recommendations of the Master Plan to work. The implementation program is based on the goals and objectives discussed earlier. A specific Zoning Plan outlines steps that can be taken toward implementation through amendments to the Zoning Ordinance.

The best plans are those that are implemented in a consistent, incremental, and logical manner. The implementation matrix that follows is designed to show how the goals of the Master Plan are fulfilled by action strategies. All boards, commissions, and authorities are encouraged to read through all of the strategies to understand how they all work together to create a better community to live, work, and play.

Implementation Matrices

In order to illustrate the connection between goals, objectives and action strategies, each of the implementation matrices that follow align with the goals, which are noted at the top of each matrix. Within each matrix, the action items are broken into subcategories intended to assist with identification and prioritization. Not all goals contain action items within each subcategory and some goals are repeated as they can advance more than one goal. The matrix subcategories include:

<table>
<thead>
<tr>
<th>Action Strategy</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning</td>
<td>These are items requiring zoning amendments and will generally be led by staff and the Planning Commission.</td>
</tr>
<tr>
<td>Advocacy</td>
<td>These will be items involving education of the community, including residents, business owners, property owners, developers and design professionals. They will be led by a combination of staff, boards and commissions. This may also involve Township staff and officials working with county and state officials to coordinate plans and funding, as appropriate.</td>
</tr>
<tr>
<td>Capital Improvement</td>
<td>These involve large capital investments, such as equipment, projects or studies, that require inclusion into the Township’s Capital improvement plans in order to determine the most efficient time and method of completion and may involve multiple municipal departments.</td>
</tr>
<tr>
<td>Other</td>
<td>Other items may involve research, study and further evaluation by staff and/or other boards and commissions.</td>
</tr>
</tbody>
</table>

After adoption, the Planning Commission will assign time frames or priorities to the action items. These time frames are intended as guides and may be adjusted as resources allow or as other issues arise. Generally, short time frames are intended as three years or less; medium-to-long time frames are more than three years.
The tables that follow assign actions to the goals and objectives, leaving room to establish priority levels for short-term, mid-term, and long-term items as the next step following adoption of this plan. This chapter should be reviewed periodically and at least annually to assess progress and adequately budget for specific strategies. Each action should have a "lead," a board, commission, group, or individual who is responsible for project initiation and coordination.

<table>
<thead>
<tr>
<th>Matrix Categories</th>
<th>Definitions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Action Strategy</td>
<td>The actions necessary to carry out goals and objectives</td>
</tr>
<tr>
<td>Lead Body</td>
<td>Identifies the primary party responsible for accomplishing the action strategy</td>
</tr>
<tr>
<td>Time frame</td>
<td>Identifies and prioritizes the time frame for the action strategy to be implemented.</td>
</tr>
<tr>
<td>Supporting Partners</td>
<td>Identifies other parties involved in the accomplishment of the action strategy</td>
</tr>
</tbody>
</table>

**Abbreviations**
- Admin - Planning Department
- PC - Planning Commission
- TB - Township Board
- NA - Not Applicable
High-Quality and Diverse Housing (Residential Areas)

Orion Township will provide and support high-quality housing for residents of all ages through new residential developments and ongoing maintenance and upkeep of existing neighborhoods. A variety of new, high-quality missing middle housing types at various densities will be accommodated to welcome younger residents and families as well as allow older residents to age in the community. The quality of life for residents will be enhanced by protecting the natural features and rural suburban atmosphere of the Township while encouraging the development of neighborhood parks and open spaces.

Objectives

- Support healthy communities by improving connectivity and access to green space in new and existing neighborhoods.
- Ensure adequate housing styles and densities are available to provide options for first time homebuyers or those looking to downsize and “age in community.”
- Develop programs to maintain and enhance existing neighborhood character, especially within older neighborhoods.
- Encourage land use in accordance with the existing character and Township Future Land Use Plan.
- Promote adaptability through the use of innovative planning and zoning techniques that will result in a full range of housing types.
### Goal 1 | HIGH-QUALITY AND DIVERSE HOUSING

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<tr>
<th>Action Strategy</th>
<th>Lead Body</th>
<th>Time Frame</th>
<th>Supporting Partners</th>
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<tbody>
<tr>
<td><strong>Zoning Action Items</strong></td>
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<tr>
<td>1a</td>
<td>Develop zoning standards for “missing middle” housing, including but not limited to duplex, triplex, quadplex and cottage court bungalow dwellings in multiple family districts. This will require updating existing zoning districts (see the Zoning Plan)</td>
<td>Admin / PC</td>
<td>S</td>
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<tr>
<td>1b</td>
<td>Enable residents to age in place by creating zoning standards that encourage the development of active adult housing in a variety of styles, including detached and attached single-family homes and mixed-use development. Complement these developments with entertainment and community recreation opportunities</td>
<td>Admin / PC</td>
<td>S</td>
</tr>
<tr>
<td>1c</td>
<td>Assess and amend the ordinance as needed to ensure open space required within developments offers adequate public amenities</td>
<td>Admin / PC</td>
<td>S</td>
</tr>
<tr>
<td>1d</td>
<td>Review and, if necessary, update standards for buffering of non-residential uses from residential uses.</td>
<td>Admin / PC</td>
<td>S</td>
</tr>
<tr>
<td>1e</td>
<td>Apply standards for street and subdivision design that require connections between neighborhoods that improve residential access, promote public safety access and minimize traffic congestion. Require new developments to provide connections to adjacent pedestrian and non-motorized facilities as practical</td>
<td>Admin / PC</td>
<td>S</td>
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<tr>
<td><strong>Advocacy Action Items</strong></td>
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<tr>
<td>1f</td>
<td>Promote residential retrofits for accessibility in order to help seniors remain in their homes</td>
<td>Admin</td>
<td>S</td>
</tr>
<tr>
<td>1g</td>
<td>Pursue strategies to make Orion Township an age-in-place friendly community</td>
<td>ALL</td>
<td>S</td>
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<tr>
<td><strong>Capital Improvement Action Items</strong></td>
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<tr>
<td>1h</td>
<td>Continue public investment in new and existing pathways, sidewalks, parks, roads, and street trees to improve the quality of life in existing neighborhoods and along thoroughfares.</td>
<td>TB</td>
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<tr>
<td><strong>Other Action Items</strong></td>
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<td></td>
<td>Facilitate rehabilitation or removal of blighted residential structures.</td>
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</tbody>
</table>
Natural and Historic Resources
(Environmental Resources and Historic Preservation)

Orion Township will preserve and maintain natural resources and open spaces through growth management techniques that encourage development in specific areas of the community while preserving and protecting natural features of the community. Future development will incorporate innovative storm water management, low-impact design features, and site and landscape design that protect natural resources, preserve high-quality open spaces, minimize stormwater runoff, and reflect the natural character of the Township. The Township will maintain and preserve structures of significant historical and architectural value which are key elements in the unique identity and community character of the Township.

Objectives

- Protect and enhance the Township’s woodlands, wetlands, water features, habitats, and open space by enforcing the regulations that preserve natural features and the functions that they provide to the community.
- Improve storm water management using best management practices; establish appropriate standards for the community in coordination with the Oakland County Water Resources Commissioner.
- Adopt and enforce policies that minimize pollution and preserve the lakes and watershed areas of the Township.
- Promote and communicate sustainability concepts and incentivize residents and businesses to implement relevant strategies.
- Encourage energy-efficient and environmentally sustainable development through raising awareness and creating standards that support best practices.
- Provide resources and guidelines for the development and application of solar, wind, and other alternative energies.
- Preserve the inherent architectural character of individual historical architecture resources throughout the Township.
- Promote sustainable practices that craft solutions to today’s challenges that are cognizant of and sensitive to impacts on future generations.
- Require street tree planting as part of all residential and non-residential development and promote and encourage preservation and, where appropriate, creation of woodland areas in order to foster environmental benefits, enhance property values, and act in support of the Township’s recognition in the Tree City USA program.
## Goal 2 | NATURAL AND HISTORIC RESOURCES

### Zoning Action Items

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<tr>
<th>Action Strategy</th>
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<tbody>
<tr>
<td>Adopt a Corridor Open Space Preservation Overlay District or similar zoning mechanism that the Township can use to protect important corridor vegetation and rural character, as well as environmentally sensitive areas, but without requirement for 50% open space that is currently in the Open Space Preservation regulations.</td>
<td>Admin / PC</td>
<td>S</td>
<td>TB</td>
</tr>
<tr>
<td>Assess the Zoning Ordinance and amend as needed to promote green development that are consistent with Leadership in Energy and Environmental Design (LEED) Standards or the equivalent</td>
<td>Admin / PC</td>
<td>L</td>
<td>TB</td>
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<tr>
<td>Amend the Zoning Ordinance to allow alternative energy systems</td>
<td>Admin / PC</td>
<td>L</td>
<td>TB</td>
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<tr>
<td>Explore the addition of a historic overlay zone to recognize and preserve the recognized historic assets within the Township</td>
<td>Admin / PC</td>
<td>L</td>
<td>TB</td>
</tr>
<tr>
<td>Review and amend the Zoning Ordinance as needed to update lighting standards to lower energy demand and light pollution.</td>
<td>Admin / PC</td>
<td>S</td>
<td>TB</td>
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<tr>
<td>Update the Zoning Ordinance standards to ensure they align with the county’s best practice standards for stormwater management and low impact design</td>
<td>Admin / PC</td>
<td>S</td>
<td>TB</td>
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<tr>
<td>Require electric vehicle charging station conduits in both public and private parking lots so that charging stations can be added as demand increase without the need to tear up surface lots</td>
<td>Admin / PC</td>
<td>S</td>
<td>TB</td>
</tr>
<tr>
<td>Amend landscaping provisions to encourage more natural stormwater management practices, increase tree canopy, and reduce overall impervious surface on developed sites.</td>
<td>Admin / PC</td>
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### Advocacy Action Items

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<thead>
<tr>
<th>Action</th>
<th>Description</th>
<th>Lead Body</th>
<th>Time Frame</th>
<th>Supporting Partners</th>
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<tbody>
<tr>
<td>2i</td>
<td>Educate the development community about the benefits of LEED certifications for both residential and non-residential buildings</td>
<td>Admin</td>
<td>S</td>
<td>PC</td>
</tr>
<tr>
<td>2j</td>
<td>Continue to promote and publicize the Township’s participation in the Tree City USA program by exploring additional opportunities for recognition, such as the Growth Award for communities that demonstrate increased levels of tree care and community engagement.</td>
<td>Admin / TB</td>
<td>S</td>
<td>PC</td>
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### Capital Improvement Action Items

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<tr>
<th>Action</th>
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<tbody>
<tr>
<td>2k</td>
<td>Identify and budget for grant and funding opportunities to acquire and enhance parcels adjacent to the environmentally sensitive areas</td>
<td>Admin / TB</td>
<td>L</td>
<td>PC</td>
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</table>

### Other Action Items

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<thead>
<tr>
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<th>Supporting Partners</th>
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<tr>
<td>2l</td>
<td>Explore the creation of a “Friends of Orion Parks” volunteer group to assist with identification and removal of invasive species and identification and protection strategies for wildlife habitats.</td>
<td>Admin / TB</td>
<td>S</td>
<td>PC</td>
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<tr>
<td>2m</td>
<td>Partner with Orion Schools and local environmental professionals to understand important environmental issues in the Township and region and make recommendations for educating parks and recreation users.</td>
<td>TB</td>
<td>L</td>
<td>Admin / PC</td>
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</tbody>
</table>
Economic Development
(Economic Development, Commercial, Office and Industrial areas)

Orion Township will support a strong local workforce by maintaining and promoting the proper distribution of commercial, office, industrial and research development in a manner that results in desired economically sustainable developments, land use relationships, high-quality design, and an increase in the community’s tax base. The Township will promote and encourage the concept of 15-minute neighborhoods in desired areas that foster walkable, mixed-use places supported by both non-motorized and motorized transportation infrastructure choices.

Objectives

• Achieve a balanced variety of neighborhood-, community-, and regionally-oriented facilities that will meet the shopping and service needs of the community and nearby metropolitan area populations without unnecessary duplication.

• Promote the physical clustering of commercial establishments by encouraging mixed use, shared parking facilities, non-motorized access, consolidated driveways, pleasant pedestrian spaces, and contextual extensions of utilities.

• Regulate the physical clustering of industrial businesses in planned industrial parks, such as those within the southern half of the Township along the Brown Road and Lapeer Road corridors, rather than in stand-alone development, thereby providing for minimal extensions and impacts on utilities and nearby residential uses.

• Support residents of all ages in the local workforce by serving as an information clearinghouse on local and regional training, education, and business needs.

• Expand the Township’s economy and tax base by supporting existing local businesses, encouraging entrepreneurship, and attracting new businesses.

• Implement incentive programs available through Oakland County and the State of Michigan regarding emerging employment sectors.

• Continue participation in the Michigan Economic Development Corporation’s Redevelopment Ready Communities Program.

• Continue and refine the practice of identifying and improving key corridors and districts for growth and economic development.

• Promote the redevelopment of obsolete sites so that they can once again make meaningful contributions to Orion Township.
### Goal 3 | ECONOMIC DEVELOPMENT

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<tbody>
<tr>
<td><strong>Zoning Action Items</strong></td>
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<tr>
<td>3a Amend the Zoning Ordinance to add mixed use designations that align with the</td>
<td>PC / Admin</td>
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<tr>
<td>goals of the Hamlet, Village Center and mixed-use designations</td>
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<td>3b Update industrial zoning to accommodate a modern mix of tech, research, and</td>
<td>PC / Admin</td>
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<td>light industrial uses</td>
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<tr>
<td>3c Review and amend the Zoning Ordinance as needed to ensure the development</td>
<td>PC / Admin</td>
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<tr>
<td>review process is as efficient and effective as possible</td>
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<td>3d Develop flexibility in parking standards and other site standards for</td>
<td>PC / Admin</td>
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<td>redevelopment sites to enable new uses on physically constricted sites. Lower</td>
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<td>barriers to positive redevelopment.</td>
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<td>3e Use frontage landscaping standards to improve the appearance of commercial</td>
<td>PC / Admin</td>
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<td>and industrial areas.</td>
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<tr>
<td>3f Consider permitting additional height and or density in the RM-2 district.</td>
<td>PC / Admin</td>
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<td>Review and consider appropriate buffering of taller structures.</td>
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<td>3g Implement corridor-specific landscape and streetscape design concepts.</td>
<td>PC / Admin</td>
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<td><strong>Advocacy Action Items</strong></td>
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<tr>
<td>3h Explore public/private partnership opportunities for corridor</td>
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<td>Admin / PC</td>
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<td>improvements</td>
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<td>3i Develop a guidebook showing placemaking ideas for private development sites</td>
<td>Admin</td>
<td>L</td>
<td>PC / TB</td>
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<tr>
<td>3j Develop annual survey to better understand the needs of the business</td>
<td>TB / Admin</td>
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<td>PC / Chamber of</td>
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<td>community and ways in which the Township can provide support</td>
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<td>Commerce</td>
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<td>3k Work with MDOT to encourage provisions that allow context-appropriate</td>
<td>TB / Admin</td>
<td>S</td>
<td>PC / MDOT</td>
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<td>landscaping within state-controlled rights-of-way, like those along Lapeer Road.</td>
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<td>3l Strive to target development to corridors with recent public investments</td>
<td>PC / Admin</td>
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<td>including, but not limited to, Brown Road and Baldwin Road.</td>
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<td>3m Work with property owners and the development community to explore</td>
<td>PC / Admin</td>
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<td>PC / TB</td>
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<td>implementation of identified redevelopment site concept plans.</td>
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<td>3n Work towards development of a plan to promote Orion Township's leisure</td>
<td>Admin / TB</td>
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<td>recreation amenities by highlighting natural beauty with important Township,</td>
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<td>County and State Parks and Recreation Areas, non-motorized pathways, and access</td>
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<td>to shopping and entertainment. Monitor the success of these efforts to ensure that</td>
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<td>the priority is on local residents having access and reasonable use of these</td>
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<td>facilities, striking an important balance so that natural amenities are not</td>
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<td>overburdened by too many visitors.</td>
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<td><strong>Capital Improvement Action Items</strong></td>
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<tr>
<td>30 Annually review and update the CIP to target capital spending to priority</td>
<td>TB / Admin</td>
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<td>areas.</td>
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<td><strong>Other Action Items</strong></td>
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<td>3p Establish a beautification award program, with categories for individual</td>
<td>TB / Admin</td>
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<td>PC</td>
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<td>residential and commercial/mixed use properties, as well as collective</td>
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<td>neighborhood efforts.</td>
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</table>
Community Facilities (Community, Recreation, and Complete Streets)

Orion Township will support and foster motorized and non-motorized transportation facilities, community recreation facilities, and other supportive community facilities and services desired by residents and businesses in a financially responsible manner that reflects the Township’s role and position in the region. These systems will minimize the impact on the Township’s natural features and open space while supporting a high quality of life for residents of all ages, as well as targeted land use recommendations. The Township will, when desirable, partner with neighboring communities, other public agencies, and the private sector to maintain, link, and expand infrastructure in an effective, efficient, and economical manner.

Objectives

- Facilitate multi-modal connections that provide access to residential areas, economic destinations and parks & recreation facilities throughout the Township in a safe, efficient and effective manner.
- Ensure civic spaces, utilities and other infrastructure are well-maintained while providing sustainable strategies for growth in a practical manner.
- Provide community support to ensure Orion Township police, fire and first responders can continue to operate efficiently in a manner that best serves all residents within the community.
- Pursue new facilities that enhance the quality of life for Township residents and businesses, including a new Township Hall, improved parks, and non-motorized facilities that connect these assets with residential and non-residential areas.
- Actively promote and, where appropriate, require the installation of non-motorized facilities in accordance with the Township’s Safety Path Plan and establishment of the core 15-minute neighborhoods.
- Deliver outstanding parks and recreation facilities and programs.
- Encourage Township staff to promote ways in which all Township-owned facilities can conserve energy and serve as a model for energy efficiency in the Township.
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<tr>
<td><strong>Zoning Action Items</strong></td>
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<tr>
<td>4a Review and amend the Zoning Ordinance as needed to accommodate autonomous vehicles, ride-sharing and other forms of transportation.</td>
<td>PC / Admin</td>
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<tr>
<td><strong>Advocacy Action Items</strong></td>
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<tr>
<td>4b Adopt a Complete Streets policy that establishes non-motorized transportation as a policy priority, reflecting that the Township will consider opportunities for improvements to non-motorized connections and facilities whenever new construction projects take place.</td>
<td>TB</td>
<td>S</td>
<td>PC / Admin</td>
</tr>
<tr>
<td>4c Explore the creation of an ad hoc committee tasked with evaluation of sharing facilities and services between adjacent communities, schools, the county and private businesses with a goal of providing effective and efficient community amenities and services.</td>
<td>TB / Admin</td>
<td>L</td>
<td>PC</td>
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<tr>
<td><strong>Capital Improvement Action Items</strong></td>
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<tr>
<td>4d Consider the priority installation of non-motorized facilities in accordance with the Township’s Safety Path Plan and establishment of the core 15-minute neighborhoods</td>
<td>TB / Admin</td>
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<td>PC</td>
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<tr>
<td><strong>Other Action Items</strong></td>
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<td>4e Minimize required street pavement width, where possible, based on need to support travel lanes, street parking and emergency maintenance service vehicle access.</td>
<td>PC / Admin</td>
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<td>TB</td>
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<tr>
<td>4f Continue to update the Township’s recreation Master Plan every five years to ensure the adopted plan is recognized by the DNR and the Township remains eligible for grant and assistance</td>
<td>TB / Admin</td>
<td>L</td>
<td>PC</td>
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</tbody>
</table>
Community Character and Aesthetics

Orion Township's tagline, Where Living is a Vacation, encompasses a wide variety of community qualities and features that make the Township unique and cherished by those that live here. In addition to the goals and objectives noted above, the Township will continue to support retaining community character elements and aesthetic qualities that are consistent with the vision of the Township and promotion of health, safety, and general welfare.

Objectives

- Enforce Township regulations that reduce glare and preserve the dark sky.
- Promote the preservation of natural vegetation along rural corridors of the Township through creative zoning regulations and coordination with the Road Commission for Oakland County.
- Seek out preservation of important viewsheds that permit Township residents to view lakes, streams and other natural resources.
- Require high quality and durable finishing materials and furnishings, consistent with recommendations and policies in this Master Plan, and recognize that certain districts and corridors require unique and harmonious elements.
- Support the advancement of the four identified 15-minute neighborhoods and develop regulations that support hamlet and village style development.
- Encourage the incorporation of design elements into new development that reflect the historic character of the Township.
- Continue to update and enforce sign regulations to ensure that signage in the Township is an aesthetic asset that affects communication and quality appearance over blight, clutter and over-saturation of messaging.
Goal 5 | COMMUNITY CHARACTER & AESTHETICS

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<td><strong>Zoning Action Items</strong></td>
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<tr>
<td>5a Review and amend the Zoning Ordinance as needed to require high quality building materials and design standards for all new development.</td>
<td>PC / Admin</td>
<td>S</td>
<td>Orion Historical Society / TB</td>
</tr>
<tr>
<td>5b Review and amend the Zoning Ordinance as needed to encourage preservation and reuse of historic structures.</td>
<td>PC / Admin</td>
<td>S</td>
<td>TB</td>
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<tr>
<td>5c Review and update the lighting ordinance to meet the Michigan Dark Skies regulations; consider lighting zones to accommodate all uses</td>
<td>PC / Admin</td>
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<tr>
<td><strong>Advocacy Action Items</strong></td>
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<tr>
<td>5d Establish architectural design, signage, and landscaping of key entryway features at the Township’s borders.</td>
<td>TB</td>
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<td>Admin / PC</td>
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<tr>
<td>5e When property is developed or redeveloped, explore opportunities to link the front and back of the building by pedestrian passages that are open to the public</td>
<td>PC / TB</td>
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<td>Admin</td>
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<tr>
<td><strong>Capital Improvement Action Items</strong></td>
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<tr>
<td>5f Update the Township’s CIP plan annually</td>
<td>PC / TB</td>
<td>S</td>
<td>Admin</td>
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<td><strong>Other Action Items</strong></td>
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TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Zoning/Planning Director
DATE: June 9, 2022
RE: Fences

At the Joint meeting with the Board of Trustees, PC, and ZBA last year a committee was formed to look at fences within the ordinance at the request of the ZBA based on the number of cases there were being heard. The committee met a few times but were unable to come up with an actual recommendation as of yet.

Notes from of the committee members are being provided in order for the PC to discuss their comments and forward back to the committee any comments the PC has related to them. Please review the attached documents and we will briefly discuss at the meeting.
Orion Township Fence Ad Hoc Committee
Formed July 29, 2021

April 6, 2022

Committee Members:
JoAnn Van Tassel – Chair
Tammy Girling – Planning & Zoning Director
Dave Goodloe – Building Dept. Director
Kirk Larson – Code/Ordinance Enforcement Officer
Al Daisley – Code/Ordinance Enforcement Officer
Mike Flood – Trustee/ZBA Rep.

RE: Ord. #78, Article XXVII, Section 27.05(H)(1)(2)(3)(7)
Residential Fence and Wall Regulation

Synopsis of the committee’s consensus, to date:

(H)(1) – NO CHANGE: Lot Enclosures:....shall be no higher than four (4) feet in height and shall be located on lot line. (4’ fences still allowed on lot lines, no variance required)

(H)(2) – NO CHANGE: Privacy or Decorative Fences and Walls: ....shall not be located within any required yard setback area and shall not exceed six (6) feet in height. (Shall require setback variance(s)

(H)(3) – NO CHANGE Corner Clearance

(H)(7) - AMEND: Fence Specifications: Fences constructed of chain link, wood, vinyl, or other similar materials are permitted. Posts shall be sunk into the ground at least three (3) feet. **Fences that consist of having only one good side with exposed posts shall be required to have the good side facing outward and the exposed post facing inward.**
Orion Township Fence Ad Hoc Committee  
Formed July 29, 2021

ZBA requesting committee to consider adding more “depth, meat, administrative procedures” to the ordinance, such as, additional ordinance requirements for the applicant to provide unto the Planning and Zoning department before coming before the ZBA requesting a variance.

The following are three (3) great examples of ordinances that the Board of Trustees, Planning and Zoning department and the township attorney have assisted the ZBA with reoccurring (vague) variances over the past several years:

1. Ord. #78 – Zoning: Temporary Use Permit for Open Air Business, selling consumer fireworks from a tent.
2. Ord. #99 – Earth Balancing & Excavation: Brown Road and Judah Road annual permitting, additional ordinance requirements of the applicant, additional administrative and engineering requirements.
4. Ground Signs – EMC (Electronic Messaging Center) the ZBA was having to “legislate” language due to the lack of language in the ordinance. Problem solved.

Additional Comments – Talking Points

- No six (6) foot fence shall extend past the front of house foundation.
- If the yard is fully enclosed, cannot extend past or enclose utility meters to the house, e.g., gas, electric, water.
- If the yard is fully enclosed, shall require a gate (size? - Recommendation of the Fire Marshall) to allow emergency access.
- No fence shall be attached or placed adjacent to an existing fence on the lot line.
- If an existing fence is on the lot line, the existing fence shall be removed prior to the installation of the new fence.
- To be placed on the lot line the applicant shall obtain notarized written permission from adjacent property owner(s) with an additional approval agreement to whom owns and maintains the fence and permission to enter unto the adjacent property owner(s) property to perform either/or installation, maintenance, upkeep.
   - (Check with the twp. attorney for an opinion)
Orion Township Fence Ad Hoc Committee
Formed July 29, 2021

- It shall be required of both property owners to file with the Oakland County Clerk’s Office- Register of Deeds, the above documents to be placed on their respective property Sidwell number (property tax ID) Ref. NOTE.
  ➢ (Check with the twp. attorney for an opinion)

- NOTE: Reason for the above requests. Numerous cases that come before the ZBA, either the applicant and/or both the adjacent property owner(s), do not know who owns the existing four (4) fence located on the property line(s) This situation is quite common due to the current property owner(s) are not the property owner(s) who originally installed the fence. No recorded info.

Regarding no existing fence(s) located on property line(s) with adjacent property owner(s). Same criteria, notarized permission with additional agreement, recorded on both deeds.
  ➢ (Check with the twp. attorney for an opinion)

Lastly, in our first meeting the consensus among the committee is not to require an applicant the expense of having a survey done.

Respectfully submitted,
Mike Flood
Trustee/ZBA Rep.
Current Zoning Ordinance Definitions:

Fence: Any permanent partition, structure or gate of definite height and location created as a dividing marker or barrier.

Fence: Obscuring (Walls): A structure constructed of a permanent, durable material and of definite height and location to serve as an obscuring screen in carrying out the requirements of this Ordinance a structure serving as

Dictionary Definition:

Fence – a structure serving as an enclosure, a barrier or a boundary.

Wall: - an upright structure serving to enclose, divide or protect an area

Proposed Definitions:

Fence – Natural – a structure serving as an enclosure, a barrier or a boundary consisting entirely of living vegetative material usually located in a residential area

Fence – Man-Made – a structure serving as an enclosure, a barrier or a boundary consisting of created materials such as masonry, metal, wood or plastic or any combination thereof.
H. Residential Fence and Wall Regulations.

Where permitted or required in this Ordinance, fences and walls in residential districts shall be subject to the provisions set forth in this section:

1. Lot Enclosures. Fences and walls used to enclose a lot shall be no higher than four (4) feet in height and shall be located on the lot line.

2. Privacy or Decorative Fences and Walls. Fences and walls erected primarily for privacy or decoration shall not be located within any required yard setback area and shall not exceed six (6) feet in height.

3. Corner Clearance. No fences or walls shall be erected, established or maintained on any corner lot so as to obscure the view of drivers in vehicles approaching the intersection. All specifications concerning corner clearance as set forth in Section 27.03 shall be complied with.

4. Large Lots Excluded. Fences and walls shall be excluded from the provisions of this section if such lots have an area of more than two (2) acres, have frontage of at least two hundred (200) feet, and are not part of a recorded plat.

5. Fences Enclosing Public Areas. Fences, walls or other protective barriers that enclose parks, playgrounds, or other public landscaped areas shall not exceed ten (10) feet in height. The Planning Commission may authorize a fence, wall, or protective barrier of additional height, with or without barbed wire, where necessary, to protect public utility or municipal installations in a residential district.

6. Wall Specifications. Walls shall be erected on a concrete foundation which shall have a minimum depth of forty-two (42) inches below grade. The foundation shall be at least four (4) inches wider than the wall to be erected.

7. Fence Specifications. Fences constructed of chain link, wood, vinyl or other similar materials are permitted. Posts shall be sunk into the ground at least three (3) feet.

8. Barbed Wire Prohibited. Barbed wire, spikes, nails, or any other sharp-pointed intrusions shall be prohibited on top or on the sides of any fence, wall, or protective barrier, except that barbed wire cradles consisting of no more than three (3) strands of wire may be placed on top of fences enclosing public utility buildings.
1. **Lot Enclosures.** Fences and walls used to enclose a lot shall be no higher than four (4) feet, shall be located on the property line, and **shall extend no further toward the fronting street than the rear edge of the house.** Also, if the fence is extended from the side property line to the house, then a gate large enough to allow entry by emergency responders and utility workers shall be provided. If said fence or wall is constructed of wood, then the good side shall face outward toward the street and/or the neighboring properties.

2. **Privacy or Decorative Fences and Walls.** Fences or walls erected primarily for privacy or decoration **around a patio or deck area shall not exceed four (4) feet in height if constructed out of man-made materials.**

3. **Corner Clearance** – leave as is

4. **Large Lots Excluded** – leave as is

5. **Fences Enclosing Public Areas** – leave as is

6. **Wall Specifications** – leave as is

7. **Fence Specifications** – Fences constructed of chain link, wood, vinyl or similar materials **man-made materials** are permitted. Posts shall be sunk into the ground at least three (3) feet.

8. **Barbed Wire Prohibited** – leave as is

9. **Swimming Pool Fences** – fences enclosing a swimming pool shall comply with all Building Code requirements.
### 2021 ZBA Cases with Fence Variances

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Name of Petitioner</th>
<th>Address</th>
<th>Parcel Number</th>
<th>Internal or Main Road</th>
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<tr>
<td>AB-2021-04</td>
<td>Charles DePalma</td>
<td>2698 Wareing</td>
<td>09-20-376-008</td>
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<td>AB-2021-06</td>
<td>Francis Guillermo</td>
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<td>Kenneth Houck</td>
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<td>AB-2021-09</td>
<td>Ronald Peshl</td>
<td>2734 Wareing</td>
<td>09-20-376-020</td>
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<td>AB-2021-10</td>
<td>Gary McHalpine</td>
<td>2710 Wareing</td>
<td>09-20-376-010</td>
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<td>AB-2021-22</td>
<td>Robert Ralko</td>
<td>2809 Walmsley Circle</td>
<td>09-20-376-017</td>
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<td>AB-2021-23</td>
<td>Timothy Hollis</td>
<td>2815 Walmsley Circle</td>
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<td>AB-2021-24</td>
<td>Catherine Jolly</td>
<td>780 Joslyn Rd.</td>
<td>09-09-401-008</td>
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<td>William Avery</td>
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<td>AB-2021-33</td>
<td>Eric J. Kaiser</td>
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<tr>
<td>AB-2021-02</td>
<td>Kristin Berry</td>
<td>537 Shady Oaks</td>
<td>09-10-254-027</td>
<td>Internal</td>
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<tr>
<td>AB-2021-11</td>
<td>David McCaffrey</td>
<td>252 Shady Oaks</td>
<td>09-10-209-001</td>
<td>Internal</td>
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<td>AB-2021-20</td>
<td>Michael Schwarzenberger</td>
<td>400 Gan Eden Dr.</td>
<td>09-02-226-013</td>
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<td>AB-2021-30</td>
<td>Gerald McCabe</td>
<td>3001 Yosemite</td>
<td>09-17-104-009</td>
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<tr>
<td>AB-2021-32</td>
<td>Frank Cobb</td>
<td>662 Porteous Dr.</td>
<td>09-01-136-021</td>
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<tr>
<td>AB-2021-38</td>
<td>Kyle Loveday</td>
<td>820 Merritt Ave.</td>
<td>09-10-429-037</td>
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<td>AB-2021-39</td>
<td>Julia Klee</td>
<td>890 Buckhorn</td>
<td>09-11-454-007</td>
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<tr>
<td>AB-2021-42</td>
<td>Wendy Hope</td>
<td>796 Harry Paul</td>
<td>09-11-379-091</td>
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<td>AB-2021-46</td>
<td>Diane &amp; James Zawal</td>
<td>733 Buckhorn</td>
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<td>AB-2021-52</td>
<td>Daryl &amp; Amy Mulonas</td>
<td>732 Lawson</td>
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<td>AB-2021-54</td>
<td>Bruce Albert</td>
<td>900 Walnut</td>
<td>09-10-380-014</td>
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<td>AB-2021-61</td>
<td>Tyler Downie</td>
<td>4745 Jamm</td>
<td>09-33-426-017</td>
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# Maximum Floor Area of All Accessory Buildings Varies

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<tr>
<th>ZBA #</th>
<th>Name of Petitioner</th>
<th>Address of Property</th>
<th>Sidewall</th>
<th>Date</th>
<th>Results</th>
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<tbody>
<tr>
<td>AB-2021-02</td>
<td>Kristan Berry</td>
<td>537 Shady Oaks</td>
<td>09-10-254-017</td>
<td>11/22/2021 Granted: 1) A 576-sq. ft. variance above the allowed 1,500-sq. ft. maximum floor area of all accessory buildings to build a 1,440-sq. ft. detached garage in addition to an existing 576-sq. ft. attached garage.</td>
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<tr>
<td>AB-2021-11</td>
<td>David McCaffrey</td>
<td>252 Shady Oaks</td>
<td>09-10-209-001</td>
<td>09/26/2021 Granted: 1) A 1274-sq. ft. variance above the allowed 25% for a total lot coverage of 96.26%.</td>
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<tr>
<td>AB-2021-42</td>
<td>Orion Self Storage</td>
<td>1761 W. Clarkston Rd.</td>
<td>06-16-226-002</td>
<td>09/27/2021 Granted</td>
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<tr>
<td>AB-2021-51</td>
<td>Gloria Sosa</td>
<td>461 Heights Road</td>
<td>09-11-307-015</td>
<td>09/23/2021 Granted: 1) A 7.34% lot coverage variance above the allowed 25% for a total lot coverage of 74.34% (parcel section north of Heights Road).</td>
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</tr>
<tr>
<td>AB-2021-56</td>
<td>Steven Oka</td>
<td>Vacant Parcel</td>
<td>06-03-278-026</td>
<td>09/27/2021 Granted</td>
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<tr>
<td>AB-2021-67</td>
<td>Anton Rashansky</td>
<td>592 Cushng St.</td>
<td>09-03-278-006</td>
<td>11/13/2021 Granted: 1) A 12.36% lot coverage variance above the allowed 25% for a total lot coverage of 87.36%.</td>
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# Maximum Lot Coverage Varies

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<tr>
<th>ZBA #</th>
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<td>AB-2021-02</td>
<td>Kristan Berry</td>
<td>537 Shady Oaks</td>
<td>09-10-254-017</td>
<td>09/22/2021 Granted: 1) A 11.26% lot coverage variance above the allowed 25% for a total lot coverage of 96.26%.</td>
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<tr>
<td>AB-2021-11</td>
<td>David McCaffrey</td>
<td>252 Shady Oaks</td>
<td>09-10-209-001</td>
<td>09/26/2021 Granted: 1) A 12.74% lot coverage variance above the allowed 25% for a total lot coverage of 97.40%.</td>
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<tr>
<td>AB-2021-42</td>
<td>Orion Self Storage</td>
<td>1761 W. Clarkston Rd.</td>
<td>06-16-226-002</td>
<td>09/27/2021 Granted</td>
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<tr>
<td>AB-2021-51</td>
<td>Gloria Sosa</td>
<td>461 Heights Road</td>
<td>09-11-307-015</td>
<td>09/23/2021 Granted: 1) A 7.34% lot coverage variance above the allowed 25% for a total lot coverage of 73.34% (parcel section south of Heights Road).</td>
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<tr>
<td>AB-2021-56</td>
<td>Steven Oka</td>
<td>Vacant Parcel</td>
<td>06-03-278-026</td>
<td>09/27/2021 Granted</td>
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<tr>
<td>AB-2021-67</td>
<td>Anton Rashansky</td>
<td>592 Cushng St.</td>
<td>09-03-278-006</td>
<td>11/13/2021 Granted: 1) A 12.36% lot coverage variance above the allowed 25% for a total lot coverage of 87.36%.</td>
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# Porch, Deck & Fence Setback Varies

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<tr>
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<th>Date</th>
<th>Results</th>
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<tbody>
<tr>
<td>AB-2021-02</td>
<td>Kristan Berry</td>
<td>537 Shady Oaks</td>
<td>09-10-254-017</td>
<td>09/22/2021 Granted: 1) A 13-ft. front yard setback variance from the required 10-ft. to build an entrance addition to an existing house 37-ft. from the front property line (Shady Oaks). 2) A 2.6-ft. side yard setback variance from the required 10-ft. to build an entrance addition to an existing house 7.4-ft. from the side property line (south). 3) A 175-ft. side yard setback variance from the required 10-ft. to build a deck with stairs 8.25-ft. from the side property line (north).</td>
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<tr>
<td>AB-2021-04</td>
<td>Charles DePalma</td>
<td>2609 Waring</td>
<td>09-20-376-08</td>
<td>04/12/2021 Granted: 1) A 35-ft. front yard setback variance from the required 35-ft. to erect a 6-ft. privacy fence 0-ft. from the property line along Baldwin Rd. 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0-ft. from the side property line to the north. 3) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0-ft. from the side property line to the south.</td>
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<tr>
<td>AB-2021-06</td>
<td>Francis Guiterre</td>
<td>2686 Waring</td>
<td>09-20-376-006</td>
<td>04/12/2021 Granted: 1) A 35-ft. front yard setback variance from the required 35-ft. to erect a 6-ft. privacy fence 0-ft. from the property line along Baldwin Rd. 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0-ft. from the side property line to the north. 3) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0-ft. from the side property line to the south.</td>
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<td>Case No.</td>
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<td>AB-2021-07</td>
<td>Kenneth Henck</td>
<td>2192 Wareng</td>
<td></td>
<td>09-20-376-007</td>
<td>04/12/2021 Granted: 1) A 35-ft. front yard setback variance from the required 35-ft. to erect a 6-ft. privacy fence O-F, from the property line along Baldwin Rd. 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the side property line to the north. 3) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the side property line to the south.</td>
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<tr>
<td>AB-2021-08</td>
<td>Robert Sprague</td>
<td>2734 Wareng</td>
<td></td>
<td>09-20-376-020</td>
<td>04/12/2021 Granted: 1) A 35-ft. front yard setback variance from the required 35-ft. to erect a 6-ft. privacy fence O-F, from the property line along Baldwin Rd. 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the side property line to the north. 3) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the side property line to the south.</td>
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<tr>
<td>AB-2021-09</td>
<td>Ronald Pekó</td>
<td>2734 Wareng</td>
<td></td>
<td>09-20-376-020</td>
<td>04/12/2021 Granted: 1) A 35-ft. front yard setback variance from the required 35-ft. to erect a 6-ft. privacy fence O-F, from the property line along Baldwin Rd. 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the side property line to the north. 3) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the side property line to the south.</td>
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<tr>
<td>AB-2021-10</td>
<td>Gary McIntyre</td>
<td>2710 Wareng</td>
<td></td>
<td>07-20-376-010</td>
<td>04/12/2021 Postponed: 1) A 35-ft. front yard setback variance from the required 35-ft. to erect a 6-ft. privacy fence O-F, from the property line along Baldwin Rd. 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the side property line to the north. 3) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the side property line to the south.</td>
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<td>AB-2021-13</td>
<td>Claud McCaffrey</td>
<td>252 Shady Oaks</td>
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<td>09-10-289-001</td>
<td>04/22/2021 Granted: 1) A 2.5-ft. side yard setback variance from the required 3-ft. to add a future deck 4.4-ft. from the side property line (east).</td>
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<td>AB-2021-20</td>
<td>Michael Schwarzenberger</td>
<td>400 Glen Eden Dr.</td>
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<td>02-14-001-013</td>
<td>05/10/2021 Granted: 1) A 1-ft. side yard setback variance from the required 10-ft. for an existing deck to be 7-ft. from the property line to the east.</td>
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<td>AB-2021-22</td>
<td>Robert Kalko</td>
<td>2819 Walmsley Cirke</td>
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<td>05-20-375-017</td>
<td>05/24/2021 Granted: 1) A 35-ft. front yard setback variance from the required 35-ft. to erect a 6-ft. privacy fence O-F, from the property line along Baldwin Rd. 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the side property line to the north. 3) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the side property line to the south.</td>
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<td>AB-2021-23</td>
<td>Timothy Halka</td>
<td>2815 Walmsley Cirke</td>
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<td>09-20-376-015</td>
<td>05/24/2021 Granted: 1) A 35-ft. front yard setback variance from the required 35-ft. to erect a 6-ft. privacy fence O-F, from the property line along Baldwin Rd. 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the side property line to the north. 3) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the side property line to the south.</td>
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<td>AB-2021-24</td>
<td>Catherine Jolly</td>
<td>718 Joslyn Rd.</td>
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<td>07-03-401-005</td>
<td>05/24/2021 Granted: 1) A 10-ft. rear yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the rear property line. 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-F, from the side property line to the north.</td>
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<tr>
<td>AB-2021-25</td>
<td>Albert Erskine</td>
<td>2805 Waddley Circle</td>
<td>09-20-376-058</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AB-2021-28</td>
<td>William Avery</td>
<td>2722 Wearing</td>
<td>09-20-376-012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AB-2021-30</td>
<td>Gerald McCabe</td>
<td>3001 Yosemite</td>
<td>09-17-104-009</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AB-2021-32</td>
<td>Frank Cobbo</td>
<td>662 Porteous Dr.</td>
<td>09-01-136-021</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AB-2021-33</td>
<td>Eric J. Krister</td>
<td>2325 Walsley Circe</td>
<td>09-20-452-010</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AB-2021-38</td>
<td>Kyle Leveday</td>
<td>820 Meritt Ave.</td>
<td>09-10-429-017</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AB-2021-39</td>
<td>Julia Klee</td>
<td>890 Buckhorn</td>
<td>09-11-454-007</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AB-2021-42</td>
<td>Wendy Hope</td>
<td>796 Harry Paul</td>
<td>09-11-379-091</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AB-2021-40</td>
<td>Diane &amp; James Zawal</td>
<td>733 Buckhorn Dr.</td>
<td>09-11-456-019</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**PORCH, DECK & FENCE SETBACK VARIANCES**

05/24/2021 Granted: 1) A 35-ft. front yard setback variance from the required 35-ft. to erect a 6-ft. privacy fence O-ff, from the property line along Baldwin Rd. 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the side property line to the south.

06/28/2021 Granted: 1) A 35-ft. front yard setback variance from the required 35-ft. to erect a 6-ft. privacy fence O-ff, from the property line along Baldwin Rd. 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the side property line to the north. 3) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the side property line to the south.

06/28/2021 Granted: 1) A 10-ft. rear yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the rear property line. 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the side property line to the north. 3) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the side property line to the south.

06/28/2021 Granted: 1) A 5-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the property line to the north. 2) A 10-ft. rear yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the rear property line.

07/12/2021 Denied: 1) A 35-ft. front yard setback variance from the required 35-ft. to erect a 6-ft. privacy fence O-ff, from the property line along Watson Rd. 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the side property line to the east. 3) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the side property line to the west.

08/09/2021 Denied: 1) A 20-ft. rear yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the rear property line. 2) A 1-ft. side yard setback variance from the required 6-ft. to erect a 6-ft. privacy fence O-ff, from the side property line (south). 3) An 8-ft. side yard setback variance from the required 6-ft. to erect a 6-ft. privacy fence O-ff, from the side property line (north).

08/09/2021 Denied: 1) An 18-ft. front yard setback variance from the required 30-ft. to erect a 6-ft. privacy fence 12-ft from the front property line (Buckhorn Dr.). 2) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the side property line (south).

07/26/2021 Denied: 1) A 10-ft. rear yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the rear property line. 2) An 8-ft. side yard setback variance from the required 8-ft. to erect a 6-ft. privacy fence O-ff, from the side property line (south).

08/08/2021 Denied: 1) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence O-ff, from the side property line (north).
## PORCH, DECK & FENCE SETBACK VARIANCES

<table>
<thead>
<tr>
<th>ZBA #</th>
<th>Name of Petitioner</th>
<th>Address of Property</th>
<th>Sidwell</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>09-09-275-023</td>
<td>Daryl B. Amy McVanas</td>
<td>793 Lawson</td>
<td></td>
<td>09/13/2021 Postponed until 10/25/2021: 1) A 20-ft. front yard variance from the required 10-ft. to erect a 6-ft. privacy fence to be 10-ft. from the front property line. 2) A 10-ft. side yard setback variance from the required 10-ft. for a 6-ft. privacy fence to be 0-ft. from the side property line (north). 3) 09/25/2021 Withdrawn request.</td>
</tr>
<tr>
<td>00-10-320-034</td>
<td>Bruce Albert</td>
<td>900 Walnut</td>
<td></td>
<td>05/27/2021 Withdrawn; 1) A 20-ft. front yard setback variance from the required 30-ft. to erect a 6-ft. fence 10-ft. from the front property line on the southeast side (road side). 2) A 20-ft. front yard setback variance from the required 30-ft. to erect a 5-ft. fence 10-ft. from the front property line on the northwest side (road side). 3) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. fence 0-ft. from the side property line (southeast). 4) A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. fence 0-ft. from the side property line (northwest).</td>
</tr>
<tr>
<td>09-39-426-017</td>
<td>Tyler Drawiso</td>
<td>4745 Jomm</td>
<td></td>
<td>11/22/2021 Denied; 1) A 10-ft. side yard setback variance from the required 10-ft. for a 6-ft. privacy fence to be 0-ft. from the side property line (south). 2) A 10-ft. rear yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0-ft. from the rear property line.</td>
</tr>
</tbody>
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## HEIGHT VARIANCES

<table>
<thead>
<tr>
<th>ZBA #</th>
<th>Name of Petitioner</th>
<th>Address of Property</th>
<th>Sidwell</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>09-14-328-008</td>
<td>Meijer</td>
<td>5025 S. Lapeer Rd.</td>
<td></td>
<td>04/26/2021 Granted; 1) A 11.17-fl. height variance above the allowed 25-fl. Maximum height of all structures for a building to be 30.17-fl. tall.</td>
</tr>
</tbody>
</table>

## TEMPORARY USE PERMITS

<table>
<thead>
<tr>
<th>ZBA #</th>
<th>Name of Petitioner</th>
<th>Address of Property</th>
<th>Sidwell</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>05-21-01</td>
<td>Kreger</td>
<td>3097 S. Baldwin</td>
<td></td>
<td>Granted permit for seasonal sales</td>
</tr>
<tr>
<td>05-21-02</td>
<td>Home Depot</td>
<td>2600 S. Lapeer Rd.</td>
<td></td>
<td>Granted permit for seasonal sales</td>
</tr>
<tr>
<td>05-21-03</td>
<td>Kreger</td>
<td>460 S. Lapeer</td>
<td></td>
<td>Granted permit for seasonal sales</td>
</tr>
<tr>
<td>05-21-04</td>
<td>Stones Ace Hardware</td>
<td>3015 S. Baldwin</td>
<td></td>
<td>Granted permit for seasonal sales</td>
</tr>
<tr>
<td>05-21-05</td>
<td>Wever's Hardware</td>
<td>516 N. Lapeer Rd.</td>
<td></td>
<td>Granted permit for seasonal sales</td>
</tr>
</tbody>
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## INTERPRETATIONS

<table>
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<tr>
<th>ZBA #</th>
<th>Name of Petitioner</th>
<th>Address of Property</th>
<th>Sidwell</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>09-32-176-002</td>
<td>Sedier Abro</td>
<td>4763 S. Baldwin</td>
<td></td>
<td>06/26/2021 Granted; Interpretation of a bundromat is similar to a permitted use listed under Use Group B in BMZ Zoning District.</td>
</tr>
</tbody>
</table>

## MISCELLANEOUS ITEMS

<table>
<thead>
<tr>
<th>ZBA #</th>
<th>Name of Petitioner</th>
<th>Address of Property</th>
<th>Sidwell</th>
<th>Results</th>
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</thead>
<tbody>
<tr>
<td>120-254-027</td>
<td>Kristin Barry</td>
<td>537 Shady Oaks</td>
<td></td>
<td>03/22/2021 Granted; 1) A 10-ft. lot width variance from the required minimum 50-ft. lot width</td>
</tr>
</tbody>
</table>
Building solar farms on closed landfills in Massachusetts

Posted on June 3, 2022 by problogic

As the list directly below demonstrates, over the past decade more than 80 communities in the Commonwealth of Massachusetts have successfully turned their closed brownfield landfills into green energy producing “bright fields.”

- Acton Landfill = 1.59 megawatt solar array on 17.5 acres (2013)
- Adams Landfill = 1.1 megawatt solar array on 5 acres (2013)
- Agawam: Grasso Landfill = 1.98 megawatt solar array on 9.5 acres (2013)
- Amesbury: Hunt Road Landfill = 5.96 megawatt solar array on 28.3 acres (2017)
- Amesbury: Titcomb Pit Landfill = 4.6 megawatt solar array on 14.5 acres (2020)
- Aquinnah Landfill = 0.048 megawatt solar array on 0.3 acres (2012)
- Ashland Landfill = 0.907 megawatt solar array on 3.1 acres (2018)
- Ayer Sanitary Landfill = 0.92 megawatt solar array on 4.9 acres (2020)
- Barnstable Municipal Landfill = 4.0 megawatt solar array on 52 acres (2014)
- Bellingham Sanitary Landfill = 4.2 megawatt solar array on 13.5 acres (2016)
- Berkley Landfill = 3.66 megawatt solar array on 12 acres (2017)
- Beverly Landfill = 5 megawatt solar array on 12 acres (2020) – see photo below
- Billerica: Shaffer Landfill = 5.99 megawatt solar array on 63 acres (2014)
- Boxford Landfill = 0.912 megawatt solar array on 3.2 acres (2017)
- Braintree Landfill = 1.263 megawatt solar array on 22 acres (2015)
- Brewster Landfill = 1.2 megawatt solar array on 16 acres (2014)
- Bridgewater: Chuckran Corp. Landfill = 1.8 megawatt solar array on 12 acres (2017)
- Brockton Landfill = 4.4 megawatt solar array on 11 acres (2017)
- Brookfield Landfill = 0.575 megawatt solar array on 15.7 acres (2013)
- Canton Landfill = 5.6 megawatt solar array on 15 acres (2012)
- Carver: Ravenbrook Fams Landfill = 6.0 megawatt solar array on 14 acres (2013)
- Chatham Landfill = 1.9 megawatt solar array on 16.5 acres (2014)
- Chelmsford Landfill = 1.56 megawatt solar array on 6.8 acres (2020)
- Chicopee Elks Landfill = 2.3 megawatt solar array on 9.6 acres (2015)
- Chilmark Landfill = 0.099 megawatt solar array on 6 acres (2014)
- Cohasset: Cedar Street Landfill = 0.56 megawatt solar array on 1.7 acres (2017)
- Concord Landfill = 1.75 megawatt solar array on 4.1 acres (2014)
- Dartmouth: Russells Mills Landfill = 1.4 megawatt solar array on 6.3 acres (2013)
- Dennis Landfill = 6.0 megawatt solar array on 25 acres (2014)
- Dover Landfill = 1.6 megawatt solar array on 6.5 acres (2017)
- Duxbury Landfill = 0.5 megawatt solar array on 12 acres (2014)
- East Bridgewater Landfill = 3.2 megawatt solar array on 50 acre site (2013)
- Eastham Landfill = 0.63 megawatt solar array on 10.4 acres (2014)
- Easthampton: Oliver Street Landfill = 2.3 megawatt solar array on 11 acres (2012)
- Easton Landfill = 1.86 megawatt solar array on 20 acres (2014)
- Fairhaven Sanitary Landfill = 0.578 megawatt solar array on site of less than 3 acres (2013)
- Falmouth Landfill = 4.5 megawatt solar array on 24.8 acres (2017)
- Groton Landfill = 2.93 megawatt solar array on 8 acres (2016)
- Hamilton Landfill = 0.93 megawatt solar array on 3.1 acres (2020)
- Harwich Municipal Landfill = 4.0 megawatt solar array on 28 acres (2014)
- Haverhill Old Groveland Landfill = 3.4 megawatt solar array on 7.8 acres (2020)
- Hudson: Hudson-Stow Landfill = 5.0 megawatt solar array on 29 acres (2017) – see photo above
- Lancaster Landfill = 0.5 megawatt solar array on 2.78 acre gravel pit next to landfill (2013)
- Lee: Schweitzer-Mauduit Capped Landfill = 2.7 megawatt solar array on 7 acres (2017)
- Lenox: Willow Creek Road Landfill = 0.7488 megawatt solar array on 3 acres (2017)
- Lowell: Westford Street Landfill = 1.5 megawatt solar array on 42 acres (2014)
- Ludlow Landfill = 2.6 megawatt solar array on 10 acres (2013)
- Mashpee Landfill = 1.83 megawatt solar array on 22 acres (2014)
- Maynard Landfill = 1.2 megawatt solar array on 4.8 acres (2014)
- Methuen Landfill = 1.287 megawatt solar array on 4.7 acres (2013)
- Montague: Sandy Lane Landfill = 5.92 megawatt solar array on 19.5 acres (2018)
- Needham Sanitary Landfill = 3.7 megawatt solar array on 75.4 acres (2016)
- Newton: Rumford Avenue Landfill = 2.137 megawatt solar array on 9 acres (2017)
- Norfolk Landfill (Phase 1) = 0.55 megawatt solar array on 1.58 acres (2012)
- Norfolk Landfill (Phase 2) = 1.05 megawatt solar array on 3.5 acres (2012)
- Northampton Landfill = 3.12 megawatt solar array on 23.3 acres (2017)
- Norton Landfill = 1.9 megawatt solar array on 8.5 acres (2016)
- Orleans Sanitary Landfill = 0.574 megawatt solar array on 3.4 acres (2015)
- Palmer: Emery Street Landfill = 5.0 megawatt solar array on 27 acres (2016)
- Pembroke Landfill = 2.7 megawatt solar array on 9 acres (2017)
- Pittsfield Municipal Landfill = 2.91 megawatt solar array on 12 acres (2017)
- Plainville Landfill = 6.0 megawatt solar array on 30 acres (2017)
- Randolph: BFI Landfill = 4.8 megawatt solar array on 30 acres (2017)
- Raynham Municipal Landfill = 3.0 megawatt solar array on 24.5 acres (2018)
- Rehoboth Landfill = 2.49 megawatt solar array on 9 acres (2015)
- Rockland: Beech Street Landfill = 2.6 megawatt solar array on 7.5 acres (2013)
- Saugus: Main Street Landfill = 1.66 megawatt solar array on 4 acres (2017)
- Scituate Landfill = 3.0 megawatt solar array on 29 acre site (2013)- see photo below
- Shirley Landfill = 1.4 megawatt solar array on 3 acres (2017)
- Shrewsbury Landfill = 3.0 megawatt solar array on 11.5 acres (2018)
- Springfield: Cottage Street Landfill = 3.9 megawatt solar array on 53 acres (2014)
- Springfield: Delta Hills Landfill = 2.6 megawatt solar array on 8 acres (2015)
- Stockbridge Landfill = 0.9 megawatt solar array on 2.6 acres (2018)
- Stoughton Landfill = 1.2 megawatt solar array on a 3.25 acres (2021)
- Sudbury: Sand Hill Landfill = 1.512 megawatt solar array on 7 acres (2013)
- Tewksbury: Rocco Landfill = 3.0 megawatt solar array on an 11 acres = (2022)
- Tisbury Landfill = 1.2 megawatt solar array on 15 acres (2014)
- Walpole: Bird Inc. Landfill = 2.4 megawatt solar array on 8.5 acres (2017)
- Warren: South Street Landfill = 1.34 megawatt solar array on 4.9 acres (2017)
- Webster Landfill = 1.8 megawatt solar array on 15 acres (2016)
- Wellfleet Landfill = 0.905 megawatt solar array on a 7.4 acres = (2021)
- Westfield: Twiss Street Landfill = 2.3 megawatt solar array on 8.5 acres (2015)
- Weston Landfill = 2.27 megawatt solar array on 9.9 acres (2016)
- Westport Landfill = 0.62 megawatt solar array on 2 acres (2019)
- West Tisbury Landfill = 0.884 megawatt solar array on 9 acres (2014)
- Wilbraham Landfill = 0.927 megawatt solar array on 3.7 acres (2016)
- Williamstown Phase I Landfill = 1.902 megawatt solar array on 18.8 acres (2017)
- Winchenden Landfill = 2.725 megawatt solar array on a site abutting the landfill (2018)
- Woburn Landfill = 3.4 megawatt solar array on 11 acre site (2017)
- Worcester: Greenwood Street Landfill = 5.6 megawatt solar array on 26 acres (2017)
Also approved for other closed landfills in Dalton, Foxboro, Greenfield, Haverhill, Newbury, Newburyport, Provincetown, Somerset, Springfield, and Ware.

The following map depicts the statewide distribution of this tremendous adaptive reuse effort taking place in The Bay State. As can be seen, solar farms have predominantly been installed at closed landfills in suburban Boston, as well as the Springfield, Pittsfield, New Bedford, Lowell-Lawrence, Martha’s Vineyard, Cape Cod regions. Areas where adaptive reuse of closed landfills into solar farms are less common include Worcester, Fall River, Amherst, Fitchburg-Leominster, and on Nantucket.
The numerous benefits of such an effort include, but are not limited to:

- Productive reuse brownfield sites
- Income stream to the community from the solar farm lease
- Reduce reliance on fossil fuels
- Chance to contribute towards lowering CO2 levels in the atmosphere
- Green energy option available for residents
- Demonstration of successful adaptive reuse project
- Reduce pressure of locating solar farms on productive agricultural land
- Improve the visual aesthetics of the closed landfill

Congratulations to the Commonwealth of Massachusetts and the 80+ communities involved in this successful green energy program. Other states and communities should take note of the Bay State’s success and consider similar efforts on their closed landfill spaces. Peace!

SOURCES:

- https://www.selco.shrewsburyma.gov/communitysolar
- https://kleimaneande.com/east-bridgewater-solar-project/
- https://www.csenergy.com/project/brakton-4-4-mw-landfill-solar-array/
- https://beverlyma.gov/736/Community-Solar-on-former-landfill
- google.maps.com

This entry was posted in adaptive reuse, Advocacy, Astronomy, business, cities, civics, climate, climate change, economic development, economics, ecosystems, energy, engineering, environment, geography, history, infrastructure, land use, Maps, nature, pictures, planning, politics, product design, Renewable Energy, Science, solar, spatial design, States, Statistics, sustainability, technology, urban planning, zoning and tagged adaptive reuse, bright fields, brownfield, green, green energy, landfills, Massachusetts, renewable energy, reuse, solar, solar arrays, solar farms, sun. Bookmark the permalink.

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Panethos

Create a free website or blog at WordPress.com.
The Charter Township of Orion Planning Commission will hold a public hearing on Wednesday, July 6, 2022 at 7:05 p.m., at the Orion Township Municipal Complex Board Room, 2323 Joslyn Rd, Lake Orion, MI 48360 on the following matter:

PPC-22-18, 3850 Joslyn Rd., Special Land Use for a Gas Station with a Drive-Thru, located at 3850 Joslyn Rd. 09-28-376-031.

If you are not able to attend, send correspondence to Orion Township Hall, 2323 Joslyn Rd. addressed to the Planning Commission to express your concerns and comments. A copy of the proposed Special Land Use is on file in the Planning & Zoning Department office and the Township Clerk’s office and may be examined during normal business hours, 8:30 a.m. to 4:30 p.m., Monday through Friday until the date of the public hearing.

Orion Township will provide necessary and reasonable auxiliary aids, and services for individuals with disabilities at the public hearing upon advance notice by writing or calling Penny S. Shults, Township Clerk, 2323 Joslyn Road, Lake Orion, Michigan 48360; 248-391-0304, ext. 4001. Please contact the Clerk’s office at least 72 hours in advance of the public hearing.

Scott Reynolds
Planning Commission

Penny S. Shults
Township Clerk