1. OPEN MEETING
2. ROLL CALL
3. MINUTES
   A. 09-07-2022, 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. PC-2019-06, Silverbell Pointe, PUD Amendment, amendment to the final PUD plan, located on
      4 vacant parcels south of Silverbell Rd. on the east side of Joslyn Rd. (Sidwell #s 09-33-201-001,
   B. Discussion on possible test amendment.
8. UNFINISHED BUSINESS
9. PUBLIC COMMENTS
10. COMMUNICATIONS
11. PLANNERS REPORT/EDUCATION
12. COMMITTEE REPORTS
13. FUTURE PUBLIC HEARINGS
14. CHAIRMAN 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.
1. OPEN MEETING

2. ROLL CALL

3. MINUTES
   A. 9-7-22, 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. PC-2019-06, Silverbell Pointe, amendment to the final PUD plan, located on 4 vacant parcels south of Silverbell Rd. on the east side of Joslyn Rd. (Sidwell #s 09-33-201-001, 09-33-128-001, 09-28-379-001, 09-28-451-001).

   B. Discussion on possible text amendment.

8. UNFINISHED BUSINESS

9. PUBLIC COMMENTS

10. COMMUNICATIONS

11. PLANNERS REPORT/EDUCATION

12. COMMITTEE REPORTS

13. FUTURE PUBLIC HEARINGS

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 the Township at least seventy-two hours in advance of the meeting when requesting accommodations.
The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, September 7, 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 Walker, PC Rep to ZBA
Don Gross, Vice Chairman
Joe St. Henry, Secretary
Kim Urbanowski, BOT Rep to PC
Jessica Gingell, Commissioner
Derek Brackon, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:
None.

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

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
None.

3. MINUTES
A. 8-17-22, Planning Commission Regular Meeting Minutes
B. 8-17-22, Planning Commission Public Hearing Meeting Minutes for PC-22-31, 1112-1128 Lapeer Road Rezone Meeting Minutes

Moved by Vice-Chairman Gross, seconded by Commissioner Gingell to approve both sets of minutes as presented. Motion carried

4. AGENDA REVIEW AND APPROVAL
Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, 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-22-33, Peninsula Agriculture LLC., Ord. 154 Class C Grower Application, location 210 W. Silverbell Rd., (parcel 09-26-300-012).

Chairman Reynolds said that he wanted to disclose that Peninsula Agriculture has been a client of his employer AKA Architects, but he had no involvement in this application. He asked if anyone had an issue with that. No one had any issues.

Chairman Reynolds asked if anyone had any questions regarding the #154 application. There were not.
Moved by Trustee Urbanowski, seconded by Secretary St. Henry, that the Planning Commission grants approval of the application, as required per Ord. #154, for PC-22-33, Peninsula Agriculture LLC, for a Class “C” growing facility, located at 210 W. Silverbell Rd. (parcel 09-26-300-012) based on the following findings of fact that the operation does meet the following requirements: it is located in an IP zoning district; it is located in a building that meets all the distance requirements shown in Ord. 154; the location received a waiver from the Board of Trustees to be located in a building that has an ingress/egress road with greater than 6,000 vehicles/day; is located in a building that has an ingress/egress road that does not serve as a road that also serves for residential zoning. The motion is conditioned upon the applicant meeting all applicable Township Ordinances and promulgated standards of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Marihuana Licensing Board.

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

B. PC-22-34, Peninsula Agriculture LLC., Ord. 154 Class C Grower Application, located at 210 W. Silverbell Rd. (parcel 09-26-300-012).

Chairman Reynolds said he wanted to disclose a potential conflict of interest. He asked if anyone had an issue with something different with this one, please speak up. No one had an issue.

Moved by Secretary St. Henry, seconded by Vice-Chairman Gross, that the Planning Commission grant approval of the application, as required per Ord. #154, for PC-22-34, Peninsula Agriculture LLC, for a Class “C” growing facility, located at 210 W. Silverbell Rd. (parcel #09-26-300-012) based on the findings of fact that the operation does meet the following location requirements: it is located in an IP zoning district; it is located in a building that meets all the distance requirements shown in Ord. 154; the location received a waiver from the Board of Trustees to be located in a building that has an ingress/egress road with greater than 6,000 vehicles/day; it is located in a building that has an ingress/egress road that does not serve as a road that also serves for residential zoning. This motion is based on the conditions: the applicant meets all applicable Township Ordinances and promulgated standards of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Marihuana Licensing Board.

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

C. PC-22-35, Township Initiated Text Amendment to Zoning Ord. #78, Article XXX, Section 30.09, Performance Guarantees.

Chairman Reynolds said if everyone recalls in their Joint Meeting last year, they formulated a handful of committees and one of which was to explore Performance Guarantees. He added that Performance Guarantees are provided on all projects and currently as the ordinance is written right now is requiring either cash or an irrevocable line of credit. Other communities surrounding them also entertain the idea of a bond. The bond can be called upon to essentially provide the same guarantee, but as another avenue for applicants to provide them the guarantee but not have either cash or a line of credit tied up. They did as a committee take a look at this and they have been working through it for the past eight months. In front of them tonight are the amendments that have been proposed by the committee. For the most part, what they will see is the idea of introducing the bond along with a handful of other amendments.
within the bigger picture that just speak to some languages that they have taken from other communities, and their lawyer has reviewed this. There is no action this evening it is more of a heads up because there will be a formal hearing on this, it does need to be advertised because they are modifying their ordinance. He asked if there were any questions. He added that if they don’t have an answer, they can bring those answers to their next meeting.

Vice-Chairman Gross asked if there were any developers involved in the committee. Chairman Reynolds replied that they did end up having himself as an architect, and Gary Roberts who does work with them with developments, so he had some input. There was a lot of discussion about what parts is this going to influence, and the bigger picture of it. Their efforts here were they looked at the surrounding neighborhoods and said what languages would be something good to pull into. He was aware and that was probably why it was brought to their attention at the joint meeting was it was a section that they were hearing applicants say that they can’t proceed with their project because they are tying up too much of their cash or credit line and if they could do a bond. Technically they did not allow what other communities do. This is a direct result of that, they still have the ability to call on the bond, they are still allowing all of that to occur, and they still have the guarantee. In so many ways they did have their input as they developed this.

Chairman Reynolds stated that there is no action needed just a heads up. He thought in their first meeting in October they would be taking a look at this so look forward to a public hearing publish date in the near future.

8. UNFINISHED BUSINESS
None.

9. PUBLIC COMMENTS
None.

10. COMMUNICATIONS
None.

11. PLANNERS REPORTS
None.

12. COMMITTEE REPORTS
None.

13. PUBLIC HEARINGS
None.

14. CHAIRMAN’S COMMENTS
Chairman Reynolds said he would not be at the next couple of meetings because he is getting married.

15. COMMISSIONERS’ COMMENTS
Trustee Urbanowski stated that the Culvers on Brown Rd. across from Costco, there will be a groundbreaking ceremony on September 13th at 11:30 a.m. and everyone is invited to come to that.
16. **ADJOURNMENT**
Moved by Trustee Urbanowski, seconded by Commissioner Gingell, to adjourn the meeting at 7:10 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, Zoning/Planning Director
DATE: September 28, 2022
RE: PC-2019-06 Silverbell Point PUD Amendment

This case received conditional Final PUD approval from the Board of Trustees in late 2020. The conditions of approval were that the applicant meet the conditions the PC placed on their recommendation of approval. The PC’s conditional approval stated that there had to be resolution to the fire suppression system and or building entrance. The applicant proposed, and the fire department, Planner, and Engineer, approved an emergency road instead of fire suppression. However, when the fire department approved the plan they stated it was with the condition that the railroad sign off on the emergency road. The applicant tried for a great deal of time to get the railroad to approve the emergency road but they to date have not. As a result, the plan was never officially signed off as approved; it remains in a “pending” status.

The applicant has now submitted amended plans to remove the emergency road, add a note about the homes being fire suppressed, and alter the entrance to the proposed development. In that the applicant had offered the off-site improvements to Joslyn Rd. as part of the PUD originally, it required the case to return to the PC to determine if the off-site improvements can be altered.

If you have any questions, please feel free to reach out to me.
TO: The Charter Township of Orion Planning Commission  
FROM: Tammy Girling, Planning & Zoning Director  
DATE: September 28, 2022  
RE: PC-2019-06, Silverbell Point PUD Final 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.

**PUD Minor Amendment/Amendment to conditionally approved plans – (Ord. No. 78, Section 30.03)**

I move that the Planning Commission **approves/denies** the amendment to the previously presented and conditionally approved final PUD plan for PC-2019-06, Silverbell Point located on 4 vacant parcels south of Silverbell Rd. on the east side of Joslyn Rd. (Sidwell #s 09-33-201-001, 09-33-128-001, 09-28-379-001, 09-28-451-001) for plans date stamped received September 14, 2022. This approval/denial is based on the following findings of fact:

a. How will the revisions be a benefit to the future users of the project and community (insert findings of facts),
b. How will the revisions result in a material increase in the use of public services, facilities and utilities as compared to the existing PUD (insert findings of facts),
c. Will the revisions place an unreasonable burden upon the existing PUD or the surrounding property owners and/or the natural environment (insert findings of facts),
d. Will the revisions keep the existing PUD within the intent and spirit of the Master Plan (insert findings of facts),
e. Will the revisions result in an unreasonable negative economic impact upon the surrounding properties (insert findings of facts),
f. Does the revisions maintain the existing approved open space requirement for the PUD (insert findings of facts),
g. Does the revisions require any waivers from the design standards of this PUD (insert findings of facts),
h. Will the revisions allow the PUD to continue to promote the preservation of any natural resources and features that were in the original PUD (insert findings of facts).

If motion is to approve:
*Motion maker to add any additional conditions.
**Motion 2:** I move that the Planning Commission **postpones** action on PC-2019-06, Silverbell Point, an amendment to the previously presented and conditionally approved final PUD plan, located on 4 vacant parcels south of Silverbell Rd. on the east side of Joslyn Rd. (Sidwell #s 09-33-201-001, 09-33-128-001, 09-28-379-001, 09-28-451-001) for plans date stamped received September 14, 2022 for the following reasons (insert findings of facts).
September 28, 2022

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

RE: Silverbell Pointe, PC-2019-06
    Final PUD Review #3

Received: September 14, 2022, by Orion Township

Dear Mr. Reynolds:

We have completed our review of Silverbell Pointe Final PUD plan set. The plans were prepared by PEA, 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 east of Joslyn Rd., south of W. Silver Bell Rd. within Sections 28 and 33 of the Charter Township of Orion. The site is zoned Suburban Estates (SE), and bound to the west by CN North America Railroad and Restricted Business (RB) with Single Family Residential (R-1) to the south, and Suburban Estates (SE) to the north and east.

The proposed site is approximately 74 acres with 28 acres of developable uplands. The site is currently heavily wooded with trees and wetlands. The applicant is proposing a single-family community with 46 single family home sites with many of them steeply sloping toward wetlands. A proposed lake access route, for the interior lots, is provided between Lots 12 & 13. Additionally, the site plan includes a four (4) acre park at the northeast corner of Silverbell Rd. and Joslyn to be donated to the Township. The elevations on site range from 1024 at the crest of a hill at the sites southwest side, to 994 in the wetland areas.

WATER MAIN AND SANITARY SEWER:
There is an existing 16-inch water main along the east side of Joslyn Road. The applicant is proposing to extend 8-inch ductile iron water main into the site from two locations, looping along Panorama Circle. The northern connection is located between Units 26 and 27. The southern connection is north of the boulevard approach at Joslyn Rd. A gate valve is proposed at the tee at the southern connection, and on the extension into the site at the northern connection. Gate valve and hydrant spacing throughout the rest of the site appears acceptable. A Landscape Plan has been provided and it appears that several proposed trees will need to be relocated outside the influence of the proposed water main. A 12-foot-wide easement is proposed around the water main in areas outside of ROW.

8-inch sanitary sewer is proposed to be extended from existing 18-inch sanitary sewer along the east side of Joslyn Road into the site. It appears that the existing sanitary sewer along Joslyn has adequate depth and capacity to service the site. The Basis of Design was included for the sanitary sewer and appears acceptable. The sanitary sewer is shown
within an exclusive 20 foot wide public easement for all locations not within public right-of-way. A 10-foot minimum horizontal separation is required between sanitary sewer and other utilities where feasible.

A note has been added to the plans stating all units will be fire suppressed and provided with automatic sprinkler systems.

**STORMWATER MANAGEMENT:**
Currently, the site’s stormwater generally drains toward the wetlands and southeasterly toward Mud Lake. Stormwater in the proposed development will be collected and transported via onsite swales or underground storm pipe network and generally match the existing drainage patterns. A rough drainage district area map has been included for the site.

The proposed system will include two detention basins with forebays. The site is within the Brown Drain drainage district, which restricts stormwater discharges to pre-development rate of 0.1 cfs/acre. Preliminary detention calculations were provided in the plan set and appear acceptable. Further review will be required at engineering.

**CIRCULATION & PAVING:**
A single boulevard entrance is proposed as the site access point to Joslyn Road. It should be noted the applicant has made changes to the PUD plans. Those changes include the removal of the emergency vehicle access at the north end of the site since the units will be suppressed. In addition, the changes include the removal of the proposed center left turn lane in Joslyn Road, and the addition of a restrictive island in the boulevard entrance to prohibit left turns into the site. By eliminating the center left turn lane, it is our understanding that RCOC has informed the applicant that left turns into the site will be prohibited. As such, the applicant has added a restrictive island to the boulevard entrance in an effort to prohibit those turns. We have concerns that this scenario will be difficult to enforce leading to traffic and safety concerns, extreme inconvenience to residents and deliveries will lead to non-compliance and additional traffic in neighboring subdivisions, and will severely impair emergency services. Since this is a PUD, it is our recommendation the applicant prepare the necessary modifications for full access into the site.

The applicant is proposing private roads which will be subject to the geometric requirements of the Road Commission for Oakland County (RCOC). It appears that throughout the development a 60 foot wide public right-of-way with 27 feet wide public streets are proposed with 5-foot wide concrete sidewalks both sides of the street. Road slopes are provided with contours and road profile and appear to be between 1%-6% which is acceptable. An 8-foot wide safety path is shown south of the CN Railway right-of-way along the site’s frontage along Joslyn Road. The approach and right-of-way work will be subject to review and approval from RCOC.

Pavement sections were included for the asphalt safety path, the concrete sidewalk, the RCOC approach, and the private roads which appear acceptable.

An emergency vehicle route has been provided in the plan set. Should a train be crossing Joslyn Rd, emergency vehicles will be able to gain access to the site by heading north on Jammin Road, left onto Hopefield Dr, right onto Joslyn Rd to the main entrance.

**NATURAL FEATURES:**
**WETLANDS:**
Based on the National Wetlands Inventory Maps, there are approximately 49 acres of wetlands on site that are tributary to Mud Lake and Judah Lake within the Brown Drain watershed. The applicant is proposing minor disruption to the wetlands. A wetland permit has already been obtained by the applicant for these impacts. The applicant has also obtained a permit from the EGLE for the proposed wetland impacts.
WOODLANDS:
A substantial portion of the site is covered with mature vegetation, which is native to the site and exists near the wetland area. A tree survey has been provided and appears to include the sum of Landmark Trees removed. Approximately 899 trees are proposed for removal.

GRADING:
Existing contours are provided to indicate the on-site slopes within the upland buildable area. Proposed grades are provided via contours, spot grades, and structure rim grades. It appears, the applicant is proposing to generally follow the site’s existing drainage patterns. Finished floor and walk-out grades were provided for each unit, along with an anticipated driveway slope. More grading detail will be required at engineering for the safety path and sidewalks. Proposed slopes inferior to the site appear to meet the recommended 1-foot vertical to 4-foot horizontal abutting the existing the wetland. Side yard slopes between the homes are proposed to be 1:3. Minor disturbances to the twenty-five (25) foot wetland buffer are shown on the site plan and appear acceptable.

MASTER DEED DOCUMENT REVIEW:
MASTER DEED & BY-LAWS:
Draft Master deed and Bylaw documents were provided for our initial review. The documents indicate a majority of site related responsibilities.

EXHIBIT ‘B’:
The necessary Exhibit ‘B’ plan sheets were provided. It appears the Exhibit reflects the current site plan. Changes during engineering plan preparation will need to be reflected prior to recording.

We defer further comment on the Master Deed, By-Laws, and Exhibit B documents to the Township Attorney.

CONCLUSION:
In our opinion, the Final PUD, is not in substantial compliance with the Township’s ordinances and engineering standards. We ask that the following items be addressed:

1. Revise the plans to provide an unrestricted full access entrance into the site, as approved by RCOC

Please feel free to contact us with any questions at (248) 751-3108 or joseph.lehman@ohm-advisors.com.

Sincerely,

OHM Advisors

Joe Lehman
Project Engineer

cc: Chris Barnett, Township Supervisor
    David Goodloe, Building Official
    Bill Basigkow, Director of Public Services
    Tammy Girling, Director of Planning and Zoning
    Lynn Harrison, Planning and Zoning Coordinator
    Jeff Williams, Township Fire Marshal
    David Steuer, Franklin Ridge Homes, LLC
    John Thompson, PEA, Inc.

Mark Landis, P.E.
Project Manager
To: Planning Commission/Planning & Zoning Director
From: Jeff Williams, Fire Marshal
Date: 09/20/2022

The Orion Township Fire Department has completed its review of Application PC-2019-06 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:

Approved
Approved with Comments (See below)
X Not approved

Requirements:

- When approaching the site from Joslyn Road the fire department will require entry access from both the North and South drive isles per IFC 503.1.2. A South only drive isle access approach would cause a significant delay in our response in the event of an emergency.
- The proposed Jamm Road access drive shall be constructed and maintained to meet the requirements of IFC Section 503.

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
September 13, 2022
PEA Project No. 2018-150

Ms. Tammy Girling
Planning & Zoning Director
Charter Township of Orion
2525 Joslyn Road
Lake Orion, MI 48360

RE: Silverbell Pointe, PC-2019-06
Final PUD [Amended]

Dear Ms. Girling,

Please accept our updated Final PUD plans dated September 13, 2022. The attached plans incorporate the following changes:

- The EVA by the detention pond has been removed.
- The center left turn lane in Joslyn Road has been removed.
- A "pork chop" was added to the entrance boulevard to restricted left turns into the site.
- A note was added that all units will be Fire Suppressed.

Respectfully request administrative site plan approval on these plans.

Sincerely,

PEA Group

John B. Thompson, PE
Senior Project Manager
**Evidence Title:** Final Planned Unit Development (PUD) Plans for Silverbell Pointe

**Location:** Part of SE and SW 1/4 of Section 28 Together with Part of the NE and NW 1/4 of Section 33, T. 4N., R. 10E.

**Orion Township, Oakland County, Michigan**

**Caption:** Location map

**Index of Drawings:**
- C-0.0 Cover Sheet
- C-1.1 Notes
- C-1.2 Topographic Survey - West
- C-1.3 Topographic Survey - North
- C-1.4 Topographic Survey - South
- C-1.5 ROW Survey and SDG Plan
- C-1.6 On-Site Plan
- C-1.7 Overall Site Plan
- C-1.8 Grading Plan - North
- C-1.9 Grading Plan - South
- C-1.10 Grading Plan - West
- C-1.11 Grading Plan - East
- C-1.12 Soil Erosion Control Plan
- C-1.13 Overall Utility Plan
- C-1.14 R.O.W. Utility Plan
- C-1.15 Sanitary sewer and water main plan - North
- C-1.16 Sanitary sewer and water main plan - South
- C-1.17 Storm sewer plan - North
- C-1.18 Storm sewer plan - South
- C-1.19 Retention pond calculations
- C-1.20 Storm sewer calculations
- C-1.21 Drainage Area Plan
- C-1.22 Water and Wastewater
- L-1.0 Landscape Plan
- L-1.1 Landscape Plan
- L-1.2 Landscape Details

**Scale:** N.T.S.

**Drawing Number:** PEA-JBT-01

**Original Issue Date:**

**Revisions:**
- PC Meeting 08-31-20
- Nov 13, 2020 Twp review 12-15-20
- Amended Final PUD 09-13-22

**Construction Contractor Agreement:**
- Will be required to assume sole and complete responsibility for job site conditions during the course of construction, including safety of all persons and property.
- Will be continuously required and not limited to normal working hours.
- Will agree to defend, indemnify and hold design professional harmless from any and all liability, real or alleged, in connection with the performance of work on this project excepting liability arising from the sole negligence of the design professional.

**Notes on Existing Utilities:**
- Locations and elevations shown are approximate. No guarantee is either expressed or implied as to the completeness or accuracy thereof. The contractor shall be exclusively responsible for determining the exact utility locations and elevations prior to the start of construction.

**Construction Schedule:**
- Full working days before you dig call 811 (TOLL FREE) www.missdig.net 1-800-482-7171

**Location:**
- Franklin Ridge Homes, LLC
- 30180 Orchard Lake Road, Suite 150
- Farmington Hills, MI 48334

**Plan Details:**
- TMK DN. TMK SUR. KTR PM. JBT
- 3 FULL WORKING DAYS BEFORE YOU DIG CALL 811 (TOLL FREE) www.missdig.net 1-800-482-7171

**Design and Copyright:**
- PEI, Inc.
- 2430 Rochester Ct, Ste 100
- Troy, MI  48083-1872
- T: 248.689.9090
- F: 248.689.1044
- www.peainc.com

**Note:** PEI reserves the right to change any and all parts of this plan. Owner/Applicant/Developer is responsible for obtaining all necessary permits, licenses, and land use approvals before starting construction.

**Site Description - Proposed Plans:**
- Part of the southwest and southwest 1/4 of Section 28, together with part of the northwest and northwest 1/4 of Section 33, T. 4N., R. 10E.
- Orion Township, Oakland County, Michigan

**Certification:**
- PEI Job No. 2018-150

**SILVERBELL POINTE**

**Property Description:**
- Part of the southwest and southwest 1/4 of Section 28, together with part of the northwest and northwest 1/4 of Section 33, T. 4N., R. 10E.
- Orion Township, Oakland County, Michigan

**Location Map:**
- Drawing shows the proposed boundaries of Silverbell Pointe as described above.

**Take Care:**
- The locations and elevations of existing underground utilities as shown on this drawing are only approximate. No guarantee is either expressed or implied as to the completeness or accuracy thereof. The contractor shall be exclusively responsible for determining the exact utility locations and elevations prior to the start of construction.

**Certificate of Completion:**
- September 14, 2022

**Survey:**
- Franklin Ridge Homes, LLC
- 30180 Orchard Lake Road, Suite 150
- Farmington Hills, MI 48334
- Contact: John B. Thompson, PE
- Phone: (248) 689-8090
- Fax: (248) 689-0544
- Email: jthompson@franklinridge.com

**CIVIL ENGINEER:**
- PEL, Inc.
- 2430 Rochester Ct, Suite 100
- Troy, MI  48083
- Contact: John B. Thompson, PE
- Phone: (248) 689-8090 Ext. 1109
- Fax: (248) 689-0544
- Email: jthompson@franklinridge.com

**ARCHITECT:**
- PEL, Inc.
- 2430 Rochester Ct, Suite 100
- Troy, MI  48083
- Contact: John B. Thompson, PE
- Phone: (248) 689-8090 Ext. 1109
- Fax: (248) 689-0544
- Email: jthompson@franklinridge.com

**PEA, Inc.**

**Contractor Agreement:**
- Will be required to assume sole and complete responsibility for job site conditions during the course of construction, including safety of all persons and property.
- Will be continuously required and not limited to normal working hours.
- Will agree to defend, indemnify and hold design professional harmless from any and all liability, real or alleged, in connection with the performance of work on this project excepting liability arising from the sole negligence of the design professional.

**Drawings:**
- PEI Job No. 2018-150
- Part of the southwest and southwest 1/4 of Section 28, together with part of the northwest and northwest 1/4 of Section 33, T. 4N., R. 10E.
- Orion Township, Oakland County, Michigan

**Certification:**
- September 14, 2022

**Survey:**
- Franklin Ridge Homes, LLC
- 30180 Orchard Lake Road, Suite 150
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- Contact: John B. Thompson, PE
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- Contact: John B. Thompson, PE
- Phone: (248) 689-8090 Ext. 1109
- Fax: (248) 689-0544
- Email: jthompson@franklinridge.com

**ARCHITECT:**
- PEL, Inc.
- 2430 Rochester Ct, Suite 100
- Troy, MI  48083
- Contact: John B. Thompson, PE
- Phone: (248) 689-8090 Ext. 1109
- Fax: (248) 689-0544
- Email: jthompson@franklinridge.com
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

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REVISIONS FOR ADDED EVA
10-05-20
TMK
JBT
2

AMENDED FINAL PUD
09-13-22
KP

TOPOGRAPHIC SURVEY - WEST
C-1.2

SCALE: 1" = 50'
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12-15-20
JBT
3
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09-13-22
JBT
4
KP

ROAD PROFILES - STA. - 11+00 TO 21+00
C-3.2

SCALE: 1" = 50'

SEE SHEET C-3.3 FOR CONTINUATION
SEE SHEET C-3.1 FOR CONTINUATION
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PANORAMA CIRCLE BOULEVARD AND INTERSECTION DETAIL

SCALE: 1"=20'

PANORAMA CIRCLE EYEBROW DETAIL

SCALE: 1"=20'
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REVISIONS

PER MAY 6, 2020 PC MEETING
08-31-20
JBT
1
TMK
DOCUMENT NUMBER C-4.5
**SANITARY SEWER LEADS**

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**SCALE: 1" = 40'**

**REVISIONS**

- **08-31-20**
  - Revisions for added EVAC
- **10-05-20**
  - Revisions per November 13, 2020 Twp Review
- **09-13-22**
  - Amended Final PUD

**SANITARY AND WATER MAIN PLAN - NORTH**

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**NOTES**

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C-8.6
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REVISIONS PER MAY 6, 2020 PC MEETING
08-31-20
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10-05-20
JBT
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TMK

REVISIONS PER NOVEMBER 13, 2020 TWP REVIEW
12-15-20
JBT
3
TMK

AMENDED FINAL PUD
09-13-22
JBT
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KP

LANDSCAPE DETAILS
L-1.2

SCALE: 1" = 60'
JLE
KAD
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LEGAL DESCRIPTION – PROPOSED PARK
(Staked parcel or serviced by PEA Inc.)

LEGAL DESCRIPTION – OVERALL CONDO
(Staked parcel as serviced by PEA Inc.)
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R.O.W. TOPO SURVEY AND DEMO PLAN

SCALE: 1" = 50'
SITE DATA

LEGAL DESCRIPTION:
REFER TO COVER SHEET
TOTAL AREA = 74.42 ACRES
PARCEL DONATION AREA = 4.00 ACRES
NET PROPERTY AREA = 69.42 ACRES

AREA:
DEVELOPABLE AREA TOTAL = 28 AC
PRESEVATION AREA = 49 AC

EXISTING ZONING:
SE SUBURBAN ESTATES

PROPOSED ZONING:
PUD PLANNED UNIT DEVELOPMENT

DESCRIPTION OF PROPOSED USE:
THE SILVERBELL POINTE PLANNED UNIT DEVELOPMENT IS PROPOSED AS A SINGLE FAMILY RESIDENTIAL PROJECT. THE PROPOSED USE WILL BE 48 DETACHED SINGLE-FAMILY, FOR SALE HOMES, ON PRIVATE STREETS.

THE PROPOSED DEVELOPMENT WILL BE COMPLETED BY THE APPLICANT, A MICHIGAN BASED HOME BUILDER. THE APPLICANT HAS COMPLETED AND IS UNDER CONSTRUCTION WITH SEVERAL HIGH QUALITY RESIDENTIAL DEVELOPMENTS IN AND AROUND ORION TOWNSHIP.

HOMES TO BE A BLEND OF RANCH, 1-1/2 STORY AND COLONIAL HOMES RANGING FROM 2000-2500 SF TO 4000-5000 SF. BUILDING MATERIALS SHALL BE A MIX OF BRICK, SHALE, STONE, PLANK, WOOD, WITH VARIOUS COLORS, PATTERNS AND DURABLE LOW MAINTENANCE FREE MATERIALS. AT LEAST 50% OF GARAGES WILL BE SIDE ENTRY GARAGES.

NATURAL FEATURES:

TOPOGRAPHY: THE SITE EXHIBITS ROLLING TOPOGRAPHIC RELIEF WITH A STEEP DROP OFF TO THE WETLAND AREA ASSOCIATED WITH HODGELLAKE. GRADING WILL BE REQUIRED. EXISTING SLOPES SHOULD NOT BE SIGNIFICANT OBSTACLES FOR THE PROPOSED DEVELOPMENT.

WOODLANDS: SIGNIFICANT VEGETATION LIES WITHIN THE CENTRAL PORTIONS OF THE SITE. A WOODLANDS TREE SURVEY IN ACCORDANCE WITH SECTION 27-12 WILL BE SUBMITTED AS REQUIRED. THE APPLICANT WILL COMPLY WITH THE WOODLANDS PRESERVATION REGULATIONS CONTAINED WITHIN THE ZONING ORGANIZATION.

WETLANDS: A LARGE WETLAND AREA LIES AROUND THE DEVELOPABLE PROPERTY. WETLAND PERMITS APPLICATIONS WILL BE SUBMITTED TO OBTAIN THE TOWNSHIP AND THE MMS AS REQUIRED. TOTAL WETLAND PILL = 40.8 AC.

SOILS: THE SOILS ON-SITE INCLUDE 14B AND 14C DARKEVILLE FINE SAND ON 10% SLOPES, 5A TEEDROW LSAND ON 3% SLOPES, AND 27 BOUDINOT AND ADIRONDACK MUD.

GUARANTEED OPEN SPACE:

PER ORION TOWNSHIP ZONING ORGANIZATION
MINIMUM STANDARD OPEN SPACE REQUIRED RESIDENTIAL USES = 15%
DEVELOPABLE SITE AREA = 28 AC
OPEN SPACE (NO DETENTION AND WETLANDS)

AREA A = 2.2 AC
AREA B = 2.2 AC
AREA C = 1.29 AC
AREA D = 1.76 AC
AREA E = 0.28 AC
TOTAL 7.74 AC
% OPEN SPACE PROVIDED = 27%
OPEN SPACE

OPEN SPACE AREAS A, B, C, AND D WILL BE PASSIVE OPEN SPACE AREAS THAT PROVIDE A NATURAL BUFFER AND OPEN SPACE AREA E WILL BE ACTIVE OPEN SPACE THAT PROVIDES PARK SPACE AND LAKE ACCESS.

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OVERALL SITE PLAN

C-2.0

SCALE: 1" = 120'
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

DEVELOPER TO PROVIDE A SECOND MEANS FOR FIRE VEHICLES TO ACCESS THE ENTRANCEWAY TO THE PROJECT. DEVELOPER SHALL CONSTRUCT WITH THE DEVELOPMENT OF THE PROJECT, IMPROVE THE PORTION OF JAMM ROAD THAT CONSTITUTES OF TAX Parcel 09-33-263-318 (WHICH IS OWNED BY THE ROAD COMMISSION FOR OAKLAND COUNTY) TO A WIDTH OF 16 FEET AND BY CLEARING ALL TREES AND OTHER VEGETATION THAT INTERFERES WITH VEHICULAR TRAFFIC TO THE HEIGHT OF 16 FEET AND BY REPLACING THE CHAPEL ROAD WITHIN THIS SECTION OF JAMM ROAD SO THAT IT IS PASSABLE BY FIRE AND EMERGENCY VEHICLES.
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

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TMK

ROAD PROFILES - STA. 0+00 TO 11+00
C-3.1
SCALE: 1" = 50' See Sheet C-3.3 for continuation
See Sheet C-3.2 for continuation
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL. 

CAUTION!! 
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION. 

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PANORAMA CIRCLE EYEBROW DETAIL 
SCALE 1" = 20' 

PANORAMA CIRCLE BOULEVARD AND INTERSECTION DETAIL 
SCALE 1" = 20'
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

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R.O.W. GRADING AND DIMENSION PLAN
C-4.5

SCALE: 1" = 40'

LEGAL DRAWING AND ELEVATION NOTES

DIMENSION PLAN

GRADING PLAN

GENERAL DRAWING AND ELEVATION NOTES

THESE NOTICES APPLY TO ALL CONSTRUCTION WORK ON THE PROJECT AND WILL BE REFLECTED ON ALL PROJECT CONTRACTS.

R.O.W. FEATURES SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

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STORM SEWER PLAN - SOUTH
C-8.3

SCALE: 1" = 40'

SEE SHEET C-8.4 FOR CONTINUATION
SEE SHEET C-8.2 FOR CONTINUATION
SEE SHEET C-8.3 FOR CONTINUATION
### Storm Sewer System Design

#### Pipe Sizing and Calculations

<table>
<thead>
<tr>
<th>Pipe Size</th>
<th>Flow</th>
<th>Pipe Type</th>
<th>Pipe Length (in)</th>
<th>Pipe Interior Diameter (in)</th>
<th>Pipe Schedule</th>
<th>Flow in (cfs)</th>
<th>Head Loss (ft)</th>
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<td>C-8.6</td>
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<td>0.35</td>
<td>31</td>
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</table>

#### Storm Sewer System Description

1. **Storm Sewer System Design**: The design considerations include pipe size selection, flow calculations, and head loss computations. The system is designed to manage stormwater runoff effectively.

2. **Pipe Sizing Criteria**: The pipe sizes are selected based on the flow rate and head loss requirements. The C-8.6 pipe is chosen for the given conditions.

3. **Flow Calculations**: The flow rate is calculated using the provided flow in (cfs) values. The head loss is computed to ensure the system functions efficiently.

#### Storm Sewer System Calculations

- **Flow in (cfs)**: The flow rate is determined by considering the size of the system, the expected rainfall, and the area drained by the system.
- **Pipe Interior Diameter (in)**: The size of the pipe is selected to accommodate the flow rate and ensure adequate capacity.
- **Flow in (cfs)**: The flow in (cfs) is calculated for various pipe sizes to meet the design requirements.
- **Head Loss (ft)**: The head loss is computed to ensure the system operates within the acceptable pressure range.
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- **08-31-20**
  - JBT 1
  - TMK

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  - JBT 2
  - TMK

- **12-15-20**
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LANDSCAPE SPECIFICATIONS

SCALE: N/A

ORIGINAL ISSUE DATE: [Redacted]

DRAWING NUMBER: [Redacted]

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CONSTRUCTION CONTRACTOR agrees that in accordance with generally accepted construction practices, construction contractor will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property; that this requirement shall be made to apply continuously and not be limited to normal working hours, and construction contractor further agrees to defend, indemnify and hold design professional harmless from any and all liability, real or alleged, in connection with the performance of work on this project excepting liability arising from the sole negligence of the design professional.

PEA JOB NO. 2018-150

PART OF THE SE 1/4 OF SECTION 28 & NE 1/4 SECTION 33, T04N, R10E ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN

DES.

CAUTION!!

The locations and elevations of existing underground utilities as shown on this drawing are only approximate. No guarantee is either expressed or implied as to the completeness or accuracy thereof. The contractor shall be exclusively responsible for determining the exact utility locations and elevations prior to the start of construction.

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DESCRIPTION

TREE PRESERVATION PLAN

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T-1.0
SCALE: 1" = 60'

KEY:

= EXISTING TREES TO REMAIN WITH TREE PROTECTION FENCE

= EXISTING TREES TO BE REMOVED

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TREE PROTECTION DETAIL

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### TREE LIST

- T-1.4

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### FRANKLIN RIDGE HOMES, LLC

30180 ORCHARD LAKE ROAD, SUITE 150
FARMINGTON HILLS, MICHIGAN 48334

---

### DESCRIPTION

- TMK
- DN.
- SUR.
- P.M.
- JBT

---

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f: 248.689.1044

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### DATE CHK No. BY

MARCH 17, 2020

---

### REVISIONS PER

- MAY 6, 2020 PC MEETING
- NOVEMBER 13, 2020 TWP REVIEW
- NOVEMBER 13, 2020 TWP REVIEW

---

### SCALE: 1" = 60'

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### NOTICE

- FULL WORKING DAYS BEFORE YOU DIG CALL 811
- KNOW WHAT’S BELOW
- CALL BEFORE YOU DIG

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### T-1.4

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### SCALE: 1" = 60'

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### NOTICE

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### T-1.4

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**SCALE: 1" = 60'**

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**SITE ISSUES**

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  - Troy, MI  48083-1872
  - t: 248.689.9090
  - f: 248.689.1044
  - www.peainc.com

**PEA, Inc.**

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**REVISIONS**

- **REVISIONS FOR ADDED EVA**
  - 10-05-20 JBT 2
  - 12-04-20 JBT 3

---

**CONSTRUCTION CONTRACTOR AGREES**

- To assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property.
- To defend, indemnify and hold design professional harmless from any and all liability, real or alleged, in connection with the performance of work on this project excepting liability arising from the sole negligence of the design professional.

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**T-1.5**

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**REVISIONS PER NOVEMBER 13, 2020 TWP REVIEW**

- 12-04-20 JBT 3

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**REVISIONS PER MAY 6, 2020 PC MEETING**

- 08-31-20 JBT 1

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**ORIGINAL ISSUE DATE:**

- MARCH 17, 2020

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**DRAWING NUMBER:**

- PEA JOB NO. 2018-150

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CAUTION!!

THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

DATE

CHECK NO.

BY

MARCH 17, 2020

REVISIONS PER MAY 6, 2020 PC MEETING

08-31-20  JBT  1  TMK

REVISIONS FOR ADDED EVA

10-05-20  JBT  2  TMK

REVISIONS PER NOVEMBER 13, 2020 TWP REVIEW

12-04-20  JBT  3  TMK

TREE LIST

TMK  DN.  SUR.  KTR  P.M.  JBT

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SCALE: 1" = 60'
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- **T-1.8**
- **SILVERBELL POINTE**

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**REVISIONS**

- **08-31-20**
  - Revisions for added EVA
- **10-05-20**
  - Revisions for EVA
- **12-04-20**
  - Revisions for November 13, 2020 TWP review

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**MARCH 17, 2020**

**CHECKLIST**

- **No. 1**
- **By JBT**

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**SCALE:** 1" = 60'

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**DATE CHK No.**

- **08-31-20**
- **10-05-20**
- **12-04-20**
The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, May 6, 2020, at 7:00 pm VIA VIDEO CONFERENCE - GoToMeeting Access code 599-669-285 or VIA TELEPHONE 1-(571) 317-3122 Access Code 599-669-285
(Meeting being conducted via video/telephone conference due to the health concern of COVID-19 and the Governor’s Executive Order 2020-15)

PLANNING COMMISSION MEMBERS PRESENT:
Justin Dunaskiss, Chairman
Don Gross, Commissioner
Scott Reynolds, Vice Chairman

Don Walker, PC Rep to ZBA
John Steimel, BOT Rep to PC
Judy Ryan, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:
Joe St. Henry, Secretary

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

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Rodney Arroyo, (Township Planner) of Giffels Webster
Mark Landis, (Township Engineer) of OHM Advisors
Tammy Girling, Township Planning & Zoning Director
Jeff Williams, Township Fire Marshal

OTHERS PRESENT:
Andy Milia
John Thompson
Kate (last name not provided)
David Steuer
Debra Walton

3. MINUTES
A. 4-15-20, Planning Commission Regular Meeting Minutes
Moved by Commissioner Walker, seconded by Commissioner Gross, to approve the minutes as presented.

4. AGENDA REVIEW AND APPROVAL
Moved by Commissioner Gross, seconded by Trustee Steimel, to approve the agenda as presented.

Chairman Dunaskiss recessed the regular meeting and opened the Public Hearing for PC-2019-51, Township Initiated Text Amendment, to Zoning Ordinance #78, Articles 2, 33, & 34 at 7:05 pm.

Chairman Dunaskiss closed the Public Hearing for PC-2019-51 at 7:20 pm and reconvened the regular Planning Commission meeting.

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

7. NEW BUSINESS

Chairman Dunaskiss asked the petitioner to give an overview of this final PUD project.

Mr. John Thompson with PEA, representing Franklin Ridge Homes, LLC.

Mr. Thompson stated that Silverbell Pointe is located east of Joslyn Rd. and south of Silverbell Rd. The development is defined on the east side of the CN Railroad. The site is approximately 74 acres, and they are proposing to develop a 28-acre single-family community with 46 single-family homes, a community park, and the site is all elevated above Mudd Lake and the surrounding wetlands. The four (4) acres in the north-east corner of Silverbell and Joslyn Rd., they are proposing to donate a four (4) acre parcel as a Township Park. Additionally, they will be providing 20%, half of the recreational open space.

Mr. Thompson gave a brief history. He stated that originally when they submitted the site plan, they had 60 lots. Through several meetings and assistance with both the Planning Department and the Planning Commissioners, they refined that plan down to 50 lots. In June 2019, the Planning Commission forwarded the plan to the Township Board and on June 17, 2019, the Board approved the preliminary PUD subject to removal of four (4) additional lots on Silverbell Rd.

Mr. Thompson said they are there to request a recommendation for final PUD approval, subject to the consultant’s review letters, and with the following amendments and clarification: 1) the Township safety path, they provided an eight-foot-wide path across the Joslyn Rd. frontage, which is required by the ordinance. They are requesting not to extend that path outside of the development limits; 2) based on some clarification of the woodland ordinance, they understood that the protected trees are exempt from replacement within the development. Therefore, there are 16 landmark trees that are to be removed within the development for a total of 481 caliper inches. With a four-inch replacement, that is at 120 replacement trees required. They currently are showing 115 replacement trees. They are suggesting adding five (5) additional trees to the plan, so that replacement trees equal removed trees. This will eliminate the need for the tree fund. 3) Jamm Rd. is under the jurisdiction of the Road Commission and is their responsibility for them to maintain. They are offering to provide a one-time repair and thought that long term maintenance of that EBA should remain under the jurisdiction of the Road Commission and simply be requested by the Township if repairs are needed as they would do for any other gravel road that was in disrepair as owned by the county. 4) the ordinance requires that at least 50% of the dwelling units with attached garages include either side entry garages, or recess garages, meaning that the front of each garage is at least five (5) feet behind the frontline of the living portion of the dwelling unit. They showed on the plan all side entry units for the purpose of making sure that they would work. The intent is, as indicated on the plan, that at least 50% of those units shall be side-entry. 5) They don’t have a defined homebuilder. When it comes to the material specification for the housing, the housing materials, they wanted to define something that was of high-quality materials, but still left some latitude for the prospective homebuilder that may come in. As they defined it in the Master Deed, they said that exterior building materials will consist of brick, stone, and hardiplank siding, or equivalent siding. Dimensional asphalt shingles will be used. For the roofing, the front and sidewalls of the first
story of the homes and the sidewalls of exposed below-grade walls of homes will be covered with brick or stone. They’re hoping that was a sufficient definition to make sure that they get a high-quality house, but still allows them to bring in the custom builder and meet those needs that they are going to require, as well. 6) They requested to begin the construction within two (2) years of the date of final site plan approval rather than one (1) year. Based on the current conditions that they are currently living in they are afraid that the economics just might not be there.

Mr. Thompson said in conclusion, based on the consultant’s review, that the final PUD plans are in substantial compliance with the Townships ordinance and standards. With their proposed clarification they respectfully request their recommendation for final PUD approval subject to OHM and Gifflels letters as amended.

Planner Arroyo read through his review letter date stamped April 24, 2020.

Engineer Landis read through his review letter date stamped April 16, 2020.


Chairman Dunaskiss stated that they did receive a letter from the Public Service Director, and he had no further concerns. The Road Commission provided a letter with regard to their qualification requirements.

Chairman Dunaskiss asked the applicant if they had any additional questions or concerns?

Mr. Thompson stated that addressing Planner Arroyo’s comments, exhibit “B” the open space area “E” was an oversite on their part, that will be a common element and they will make that revision. He added that regarding the building materials they are willing to work the Township administratively to further refine that, and could take care of that during the Master Deed process, they have language that would tweak that to their satisfaction. They are preparing a wetland permit to submit to both the Township and EGLE.

Mr. Thompson said regarding the Fire Department comments, he said that at the beginning of the project they talked about secondary access points, and two (2) means of egress. What they had resolved during the preliminary stages was that the entrance would be a boulevard entrance and then be referred to as two (2) points of access. He thought that they had resolved, the two (2) points of access over 30 units. At this point, they do not plan on fire suppressing the homes as a requirement of the development.

Vice-Chairman Reynolds asked if the two points of access are addressed by having a boulevard entry? He thought that they had to be separated by a certain distance? Fire Marshal Williams replied that the fire code does have a description of that. When it talks about secondary access and two (2) access points, a boulevard entrance does not meet the requirements of the international fire code. There are specific requirements that say for a secondary access point, the secondary access point needs to be on the opposite end of the site. Obviously, a boulevard entrance does not account for that.

Vice-Chairman Reynolds stated that he didn’t have any issues with the safety path being within the development limits and keeping that within those parameters and not extending it up to the next intersection. He was also good with the applicant keeping no contribution to the tree fund as long as the replacements can stay on the site. He was still open to a discussion with Jamm Rd. responsibility for access. He was good with the building material comments and the way they are written that a hardy material along with stone or brick and the way it was described he
thought it was a decent parameter. He was still open to see elevations in the future for administrative approval just to acknowledge that those are, parameters are still being met. He would be open to the two (2) year build window as long as there is a reasonable timeframe from the start of construction to the end of construction.

Trustee Steimel said that he is enameled about giving a two (2) year extension right off the bat. He didn’t want to set a precedent like that. If they need to come back for an extension it is not a big deal. He didn’t want to get into starting an approval of a project that they start granting extension right away. He thought that extending the safety path beyond, their borders, is not really part of this, and he was fine with that. They are getting that property on Silverbell and felt they were covered there. The building material might be tricky. They might have to come right out and define, like, a small committee that would review once the project came in. How would they administratively review that? Who would that be? Would that be the Building Department? Planning & Zoning Director Girling said that it does pose a bit of a challenge. If a neighborhood is approved and Planning & Zoning is out of the picture, and then it is at Building Department and they are looking at if it is going in slowly in different homes, it is from one department to another department. She has seen in the past where there is something outline in the PUD agreement with the degree of building materials that are required, and then that PUD agreement is on file and the Building Department can reference that. She added that it is a bit of a challenge. In her opinion, not saying that it can’t be done, but she thought another way to handle it would be preferred for her.

Commissioner Ryan asked if it would be possible because they don’t have a contractor or developer selected yet, that they say they need to bring it back to the Planning Commission once they have a developer and they have proposed plans for their approval at that point?

Planning & Zoning Director stated she would want clarity because being that this is a PUD, the Planning Commission is a recommending body to the Township Board is the approving body. There are minor and major PUD modifications. The minor only goes to the Planning Commission and the major go to the Township Board. The architecture, if it is a part of the approval, can be considered a major alteration. She was not saying it would not work, but it needs to be really explicit the course it needs to take if that is the way they are handling it.

Trustee Steimel said he thought that they had a similar situation in Stonegate East. It was a multiple builders’ that went in there and were selling the lots as it went. He wasn’t sure how the Building Department handled that? He thought that they did do a review to make sure that whatever style of home was going to be built, that it matched the general criteria. Planning & Zoning Director Girling said she did not recall that. She recalled reading about was Orion Village Crossing, the townhomes in the back had certain criteria, it was a PUD, but they did as a community benefit say that it was superior architecture. They came in and said that they don’t want the chimneys, it did have to come back because their architecture was considered superior architecture, it was subjective and the Planning Commission had to make a determination on whether they were going to agree to the alterations to it. She didn’t remember on Stonegate, but Stonegate was a consent judgment and five (5) or six (6) modifications.

Commissioner Walker said that he had empathy for the petitioner in that they were there back in June. He voted against what they wanted, and now he is trying to vote for what they want, but wasn’t sure if he was convinced yet, because that they don’t have a builder yet. This project has been going on for some time and there is not a commitment to the construction of the exterior construction. The Jamm Rd. reluctance to take care of that bothered him, and the Fire Marshal’s comments bothered him.
Commissioner Gross said relative to the safety path, if the applicant does not feel that he is able to construct the safety path up to Silverbell, would it not be appropriate to have a donation of the safety path fund be considered in lieu thereof, so, that safety paths can be maintained in the future. Regarding the building materials, he liked what the applicants said about the types of materials that are being proposed and thought it should be incorporated into the PUD agreement into Article 5, section 5.7, where it talks about building materials. Also, if they could resolve a method to how the actual elevations would be reviewed.

Mr. Thompson said to respectfully disagree with the Fire Department’s comment. They have done multiple sites in multiple communities that utilized the boulevard entrance as a secondary entrance. They went through these discussions with both the Township Engineer as well as he thought the Fire Department to clarify these issues under the preliminary PUD process. There were discussions about putting a secondary access if it was feasible or not, and this was the final determination that they had all agreed upon that was approved at the preliminary PUD stage. He didn’t realize this time was going to come up again as he thought that it was resolved. He added that regarding the building materials, they have the materials identified in the Master Deed. They can include those same descriptions in the PUD agreement. With respect Jamm Rd. that is a public road, it is a gravel road, similar to what would happen if the public called the Township and indicate that the road wasn’t being maintained, that would be deferred to the Road Commission to maintain, so this is something that is already their responsibility. They can assist with contacting the Road Commission on the Township’s behalf, or as a local resident and request that they maintain it. They in good faith would make sure that it was in proper condition for the time of their site development. They wanted to at least offer up that they would take care of this to make sure it is up to grade and to make sure that the Fire Department would be, at the time of the development. He added that this is like saying that they would like you to fix the potholes on Joslyn Rd. from their site to Silverbell in perpetuity. It is their opinion; it already has a responsible party. They felt that if there were issues with regards to this when it was originally developed when the Road Commission purchased the lot, and it wasn’t an agreement with the original subdivision, that that wasn’t an issue then and he didn’t think it should be an issue now. He thought that they should lean on the Road Commission to do their job within their public right-of-way.

Fire Marshal Williams said that the suppression requirements were noted on every Fire Department review that has been completed on this property.

Chairman Dunaskiss stated that was one of the bigger issues was the boulevards. He asked if there was a way to rework the road? Mr. Thompson said that at this time, he didn’t have a response for them. They have done several projects and thought that they have done projects in Orion Township as well, previously, that had the same situation. The requirement to fire suppress is a request of the fire code, not a requirement. He knew that the Fire Department requested on most of the reviews, but it is as long as two (2) means of access are provided. Fire Marshal Williams said he disagreed with that; International Fire Code is their adopted ordinance. The exact code requirement comes out of subsection D 107.1, and that is where the requirement comes from in regards to the 30 dwelling units with one access drive that leads in and out. They have had past projects over the past few years, one being Stadium Ridge Residential, that they did run into the same situation, and they are adding or did approve of adding fire suppression into the homes.

Vice-Chairman Reynolds said that he didn’t think that it was a request, it is something that they required of other developments. They have either provided two (2) means of access point if they are over the 30 dwellings and believed that is the mark or they have suppressed their units. He didn’t see any question on that topic, it is the adopted ordinance and that is what they have asked from other developments with similar scenarios to provide.
Commissioner Gross said regarding Jamm Rd. he thought that once it is improved the access, that it should not be the responsibility of the condominium association to maintain that. It is completely off-site, and he thought it would be very difficult to have a condominium association be responsible to maintain that road in perpetuity, once it has its improvements. There has been a $10,000 contribution to having that road improved, he didn’t know how much it would cost, but he thought if they could get it improved, so there is access to it, then that should be the end of it without any further responsibility of the association to maintain it.

Fire Marshal Williams said that the Fire Department standpoint, just as long as the commission understands, that an access drive is required. In the case or scenario that a train was to use those tracks, it is an access drive that has been located there for a long period of time. They have taken a few visits out there it is not being maintained from that aspect. It is just something that has to be kept in mind that during the winter months having this snowplowed, the trees that have grown, they need to try to keep a vertical clearance of approximately 14-ft. Those are just some of the things that they need to keep in mind in regards to having that emergency access drive maintained.

Chairman Dunaskiss asked about the two (2) year timeframe as proposed? Planning & Zoning Director Girling asked if the request was for two (2) years to start, or two (2) years to complete? Chairman Dunaskiss replied two (2) years to start.

Chairman Dunaskiss said that it was common for folks to come back for renewals. He didn’t want to give the two (2) years initially. Things may change in the next 30 days, and they didn’t know what would happen in the next year. He added regarding the road and the one-time contribution that was posed, he felt it was adequate, and understood that they should assist but shouldn’t be perpetuity on the line for that road. He thought that the materials, that were proposed, so far, based on what is in writing, that they come up with a way to do it. Without naming the builder, he thought that they could get, with regards to, what they have already stated. They also have a process, to have a third party to validate, so as not to put the department out on a limb. He asked if Planning & Zoning Director Girling could do that? Planning & Zoning Director Girling replied yes; her feelings were, if it is really explicit in the PUD agreement, it gives the material and it has to have whatever percentage of whatever material, minimum square footage of X, this type of design and is as explicit as it can be, then she would think that between the Building Department and herself when a plan comes in that, they can make sure it meets that, but she would ask that it be explicit as possible.

Chairman Dunaskiss said regarding the Fire Marshal comments, they have had other development’s similar that have gone through the same requirements and rework the road or suppress and didn’t think that there were many ways around it.

Commissioner Gross asked relative the timeframe he believed the Planned Unit Development ordinance does provide for a construction project to commence within one (1) year of the date of the agreement. He didn’t think that they had the ability to waive that, although they can provide for extension after one (1) year.

Planning & Zoning Director Girling said that she thought that there was a clause, that was for one (1) year, they could get an additional one (1) year extensions. There was something in there, and that is why as if there was clarification on extending one (1) year to start, or extension on construction because one (1) of the two (2) does say that it can be extended as long as the Planning Commission approves it when they are going through approval. If they have another item to discuss, she would look for that language and get clarification.
Trustee Steimel asked regarding the Jamm Rd., he thought that their comments were that they wanted to make a contribution to the safety path, and then it is up to the Township to make the improvements to that access road, is that what is being proposed? Chairman Dunaskiss stated that he thought they were still going to make the access road from the development and then they have the contribution for a one-time fix. He asked the applicant to clarify.

Mr. David Steuer representing Franklin Homes said that they want to work together with the Commission to come up with a project that is successful in everybody’s eyes. He understood that they have one (1) year to commence construction. He heard Trustee Steimel's comments and Planning & Zoning Director Girling’s statement that it is not out of the ordinary or unusual for someone to ask for an extension. What is unusual right now is a pandemic. To give a frame of reference, they have two (2) different subdivisions. One was by a publicity traded homebuilder that was supposed to buy from them and close on April 6th and canceled on April 3rd. Pulte Homes has canceled the contract with them on the other community outside of Orion this week. They have had two (2) deals that they have to go back to the drawing board on. So that is why they were thinking, they don't know where it is headed. They don't know if they are going to have a resurgence of the pandemic next winter. They thought two (2) years might give them an opportunity to not take up everybody’s time, again in a year, but out of respect for what they have in writing, they certainly can live with a year. They want to sell it within the year and are only talking to quality builders. The last two (2) transactions have worked under both publicly traded homebuilders. They would live up to the 12 months if that would make things right with the community. He added the issue regarding Jamm Rd., he did two (2) things, he spoke with Jennifer at the Oakland County Road Commission yesterday, and confirmed that they do own Jamm Rd., including the section that seems to be a subject right now, and they consider themselves responsible for maintaining that, which includes snow removal, grading in the summer, and brush hogging of any kind of debris or any trees that are growing into the area so that it provides safe passage. What they did offer was a dollar amount to regrade the road, but if it is more comfortable for the Commission, they will commit that when they are developing the site, they will have those same people come in and grade Jamm Rd. and brush hog so that it is passable. They don’t have a problem with the county agreeing to maintain that thereafter. He said he forgot how long Jamm Rd was, he thought half of a mile and thought that the area that they are talking about was about 125-ft. long. He said he drove it again today just to see how it looked. He stated that there were some dips in the road, and there were some emergency signs on either side of the subject area of Jamm Rd., but ironically, a pickup truck, somebody that looked like they lived locally in the area, passed me the other way, went through it. So, it looks like the neighbors are using it. If that would make the Commission more comfortable, then they are more than happy to say forget the $10,000, they are going to make it right, and the Oakland County Road Commission understands and agrees it is their responsibility to maintain thereafter. Anything as simple as a phone call would rectify that in the future. He added that they talked about the safety path, and he thought that if it is acceptable to the commission, that the $10,000 that they offered for Jamm Rd., they would take care of Jamm Rd. and would contribute the $10,000 towards the safety path. He thought that the only remaining open issue is the question about fire suppression. He felt bad because they worked very carefully and was concerned about the safety for all. They were under the understanding that both creating the Jamm Rd. access point for a secondary access from the south versus north to the site and the boulevard did comply with what is in writing. He was caught off guard because he would like to research it more, and would suggest that they would have a better understanding before the Board would have a vote; if that is acceptable?

Planning & Zoning Director Girling said what the ordinance says under the PUD section is that they need to start construction within one (1) year of the approval. The process has always been that they get to the point that they are through engineering they have paid the performance guarantees and they pull a permit which can be their soil erosion. That stops the
one-year clock. Then they have a two (2) year clock to finish construction and that is under the site plan section and it says construction must be completed within two (2) years of approval, unless a longer time period has been requested, by the applicant, at the time of the plans approval. It is not unusual for someone to come in and ask for an extension and the ordinance does allow that. The asking at the time of approval is on the length of the construction period itself.

Trustee Steimel said that he liked the comments about Jamm Rd., he thought that made more sense to him that they should just do a little bit of maintenance work, while they already have equipment out there. Otherwise, part of the cost is getting their equipment into the area, and that is an added cost. He wasn’t sure if the $10,000 covered it, and didn’t think that OHM has really looked to say they could do that required work for $10,000. He preferred that they do the roadwork and make the slight maintenance improvements on Jamm Rd., rather than a donation.

Fire Marshal Williams said that what they can do if that is the direction that the Commission wants to go on, obviously, if they find any situations or anything that hinders their access down that emergency access drive, they can always work hand in hand with Oakland County to get it addressed.

Commissioner Gross asked Fire Marshal Williams what kind of a cost are they talking about for fire suppression in a single-family house? Fire Marshal Williams replied that he wished he could give an exact number for that. He did know, from a state aspect, also from a federal aspect, there were incentives and tax incentives to adding suppression to homes. Commissioner Gross noted that it would be a benefit relative to their insurance. Fire Marshal Williams said that across the state, if the not entire country, everything is moving toward, more life safety features, both in the commercial aspect and the residential aspect. He added that the fire code addresses this situation because one of the biggest things to pay attention to is if something did happen in front of the boulevard entrance, like a car accident, something in regards that would block their access. The whole mindset behind the fire suppression system is that it basically has the ability to either extinguish or to delay the fire growth until the Fire Department can get access to that dwelling unit and be able to extinguish the fire.

Chairman Dunaskiss thought that the fire suppression system would cost approximately $2/foot on a new build.

Vice-Chairman Reynolds understood that it was an added cost to the project, but it is a requirement that they regulate and require it for other developments, and it is their adopted regulation. He knew that they had asked for improvements on Jamm Rd., but he was never under the impression that they are allowing suppression not to occur because of an access improvement that was going to occur.

Chairman Dunaskiss stated that it seemed overall consensus that there is not a whole lot of leeway from this Commission. They could overcome the suppression if they reworked the roads? Fire Marshal Williams replied, yes.

Fire Marshal Williams said that in this past review and in the prior reviews, they have two (2) separate issues. Basically, the Jamm Rd. emergency access drive is to address the situation if the train tracks were to become an issue. That gives them access to the site. Then the boulevard entrance or the one way in one way out of the site is the second issue that they are running in to. If the applicant was able to provide some type of emergency access drive, that came out to another area of the subdivision or another road, that would basically take off the requirement and it would no longer need to have the fire suppression inside homes.
Mr. Thompson said that they have a question of interpretation. He would like to further offer that if they had a recommendation subject to the legal interpretation of the fire code. He was in agreement with everything that the Fire Marshall has indicated, with respect to, the fire suppression, if they only have one means, again, their difference in opinion is that the boulevard serves as the two means of egress. Maybe, they could deal with that between now and the Board meeting, and see if they can come to a resolution.

Chairman Dunaskiss said they could denial to the Board based on that they come up with the solution.

Mr. Andy Milia development consultant for Mr. Steuer, thought that if this is the only remaining issue, that they would look forward to a recommendation with this particular issue to be studied by the Township Attorney and the applicant’s attorney before it goes to the Board. So rather than deny it, they would look for a recommendation with this being properly interpreted. If it was interpreted that it had to be done, then that would be what the Board would be voting on. If it was interpreted, that it was not a requirement, then the Board could vote one it that way.

Planning & Zoning Director Girling, yes; she felt that the Planning Commission could make a recommendation, and this would be criteria but would have to be worded properly so that the motion going to the Board, they would completely understand what the issue is. What they do depending on the outcome. Is there a recommendation to approve? Would it be to approve with the exception of this? She thought that there is a way to formulate the recommendation that could incorporate this but it has to be clear for the Township Board to understand.

Fire Marshal Williams noted that if that is the direction that the Commission wants to go, he was fine with that. He stated that he can work with the Township Attorney, and provide all the documentation to him, that specifically explains where the code requirements come from and the subsections and the codebook that they fall under.

Planning & Zoning Director Girling asked if the Planner had any thoughts on that? Planner Arroyo stated that it was perfectly reasonable if that is an issue that an applicant is asking that there be some type of clarification that they could make a recommendation subject to that issue being explored in more detail with the Township Attorney prior to the Township Board taking final action. Once the Township Board has it, they will have that recommendation. They are basically trying to make sure everyone is clear what the actual requirements are, and thought that was a reasonable thing to do.

Planning & Zoning Director Girling requested that whichever way that the motion goes, that there were a number of things that the applicant agreed to in relation to comments from the consultants that are not depicted or noted on the plans. She requested that it be part of the motion so that it does get incorporated as within the plans.

Moved by Commissioner Gross, seconded by Trustee Steimel, that the Planning Commission forwards a recommendation to the Township Board to approve PC-2019-06, Silverbell Pointe PUD Final Plan and agreement, located on 4 vacant parcels south of Silverbell Rd. on the east side of Joslyn Rd. (Sidwell #s 09-33-201-001, 09-33-128-001, 09-28-379-001, 09-28-451-001) for plans date stamped received March 24, 2020: this recommendations to approve is based on the following finds of facts: 1) that the plan is in compliance with the Planned Unit Development concept, like congregating housing units on a building area of approximately 25 acres out of a 74 acres site; preserving the wetlands woodland, and open space to the maximum extent possible; the applicant has reduced the density from an initial application of 50 units to 46 units; the 74 acres approximately 49 acres which includes a four (4) acre park donation, are in a preservation mode; 2) the Planned Unit Development is compatible with adjacent residential
properties, it does not have access through any of those adjoining subdivision; 3) the edition of 46 additional residence should not have a negative impact on Joslyn Rd., or the preservation of 49 acres of the site, plus an additional 5.79 acres or 20% of the site is identified as open space provided for the protection of the natural environment; 5) that the plan is in compliance with all applicable township and county requirements; 6) the Planned Unit Development plan is in compliance with the Township Master Plan; this favorable recommendation is subject to the review and approval of the Planned Unit Development agreements by the Township attorney and to include, a resolution on the fire suppression system and or building entrance, boulevard entrance be resolved prior to the plan being reviewed by the Township Board. Article V, Section 5.7 of the Planned Unit Development agreement include the addition of building materials, which were identified and recommended by the applicant and the petitioner this evening; that a review of the elevations be incorporated to include the Planning Director, and Building Official when plans are submitted for individual buildings; there shall be a submission and approval of a wetland permit.

Discussion on the motion:

Trustee Steimel asked if they wanted to add that they are going to remove that note about making a donation to the Township for Jamm Rd. and instead, the maintenance to be done under Jamm Rd. access and it would be done as part of the project? Also, the developer said that they didn’t need to make a contribution to the Tree Fund for the few remaining trees, they were just going to adjust their landscape plan.

Amended by Commissioner Gross, re-supported by Trustee Steimel that the initial review of Jamm Rd. would be done during the construction of the project and improvements made by the developer. Also, that $10,000 contribution would be to the safety path fund of the Township, and that the landscape is adjusting accordingly.

Planning & Zoning Director Girling stated that the Planner would have to re-review that landscape plan. Planner Arroyo said correct; subject to verification of those new numbers.

Planning & Zoning Director Girling asked if the Planning Commission comfortable with the understanding of the materials and maybe this involves the Planner. Is there an ingredient that could be put in like minimum square footage, something that they can verify when the plan comes in for an individual house on the architecture? Commissioner Gross stated that the applicant in his initial presentation provided some more details in terms of the types of materials, and amount of brick, etc. that would be required, and that has not been incorporated into the current plan PUD agreement. He thought that if they provided that additional information that would be helpful.

Planner Arroyo stated that they had heard some additional details tonight, so if the applicant can make sure those are clarified and provided ahead of time before the Township Board meeting and all that can be in writing. Then they will know what they are dealing with and it should be fine and should clarify some of the questions that have been asked.

Planning & Zoning Director Girling asked on the motion, it stated that the fire suppression boulevard would be resolved prior to being sent to the Board. So, do they want that completely resolved before they send it to the Board? Commissioner Gross replied that was the intent of the motion.
Mr. Milias said that he thought that Trustee Steimel raised a good point when he clarified the Jamm Rd. He wanted to clarify it a little further that the applicant or the developer will make those improvements at the time of the subdivision is built. The subsequent maintenance would be the responsibility of the Road Commission. Trustee Steimel noted that it was already in the amended motion.

Vice-Chairman Reynolds noted that there were two (2) items that he didn’t hear. One item was the clarification that at least 50% should be side garages. The second was to modify to include area “E” as a common space. He wanted to make sure that they addressed all the reviewer’s comments. There were some other discussion points that the Fire Marshal had in his letter. Was there a blanket statement to include OHM’s comments and Giffels comments being addressed? The applicant said that they didn’t have issues addressing. Commissioner Gross believed that all of those, or most of those, had been incorporated in the motion, or in the plans of the 50% of the garage, he thought that was part of the ordinance. Planner Arroyo said that the plans were inconsistent. Yes; that is an ordinance requirement.

**Roll call vote was as follows:** Walker, yes; Reynolds, yes; Steimel, yes; Gross, yes; Ryan, yes; Dunaskiss, yes. **Motion carried 6-0 (St. Henry absent)**

B. PC-2019-51, Township Initiated Text Amendment, to Zoning Ordinance #78, Articles 2, 33 & 34.

Chairman Dunaskiss asked if the Planner had any additional comments?

Planner Arroyo replied no. He felt that they had the overview and had quite a bit of discussion. He thought they should open it up for discussion.

Commissioner Walker said he thought it was a concise, well-done amendment. He was wondering what the driving force was behind it? Planner Arroyo replied that it really came out of the general discussions about multiple-family developments. They have these two (2) districts that are both prime for consideration for multiple-family within a mixed-use context. He thought that opening the door for other multiple-family housing types, and clarifying some of the language in the district. It is better positions, developers, to want to use these districts to actually incorporate more of this type of housing into mixed-use projects. He thought that it was some clarification and updates that needed to be made to make it more attractive so that it could actually meet the Township’s goals and also be something that they might get some interests from the development community in using.

Chairman Dunaskiss thought that with the state of affairs in the world, that the multi-family is going to be a hot product for a while and in this corridor as well. Especially with the boulevard and things coming in.

Vice-Chairman Reynolds stated that he didn’t have any major comments, and was in favor of all the text amendments brought forth. He thought it will open themselves up to a few more project types, that are actually something that would be desirable in the Township, especially in these corridors. He thought that they have had some good discussion and all their discussion points have been incorporated in these amendments.

Moved by Commissioner Gross, seconded by Commissioner Walker, that the Planning Commission forwards the recommendation to the Township Board to **approves and adopt** PC-2019-51, Township Initiated Text Amendment to Zoning Ordinance No. 78, Articles 2, 33, and 34, due to the fact that this has had an extensive discussion at a previous meeting with the
Planning Commission and it amends the ordinance to correct deficiencies, clarify the ordinance and provide more flexibility in achieving the goals of the Township Master Plan.

Discussion on the motion:

Trustee Steimel stated that they are at a point with the Planning Commission to send it to the Board. But with everything that is going on he didn’t think there was any reason to push it onto the agenda right away. Planning & Zoning Director Girling said that she had conversations about not sending it immediately because the cost has increased with advertising. The comments that she has been hearing is they don’t know if their old method of advertising is going to come back. She thought that putting the multi-family text amendment on hold, but felt that this text amendment they would finish.

Planning & Zoning Director Girling understood how labor-intensive these are for staff to complete. Looking at the sections, one is just a definition, really there are just two sections. She said the motion would still remain as it is. She noted that she would inquire about the speed to which it is placed on an agenda. She could work around elections, and workload accordingly.

Roll call vote was as follows: Reynolds, yes; Gross, yes; Ryan, yes; Walker, yes; Steimel, yes; Dunaskiss, yes. Motion carried 6-0 (St. Henry Absent)

C. Communication from the Planning & Zoning Director Regarding Administrative Review PC-2020-10, Orion Township Tower Equipment Upgrade, Admin Review Site Plan

Planning & Zoning Director Girling stated that the Supervisor received an email, which is included in your packet from a citizen, and he cannot just change the ordinance. The Supervisor referred her to me, to refer to them. The ordinance does allow for anyone to propose a text amendment with an application and a fee of $1,050. She did note that the citizen was in attendance on the call and as a courtesy, they would have a general discussion on what she is proposing. They can’t stop somebody from applying, but she thought it should be beneficial for her to hear discussion on this end before she decides to proceed with the text amendments.

Planning & Zoning Director Girling noted that the Board had the email that goes into the request of a change to the ordinance. She also gave the Board the pages of how the ordinance reads right now. A lot of it goes into definitions. Looking at the different sections of the ordinance, the definitions play heavily into the ordinance. One of the definitions is private stable, but she wanted to go to livestock, which livestock says horses, cattle, sheep goats, and other useful animals normally kept or raised on a farm. The Township interpretation has been that poultry is something that is used within the farm and goes under the definition of livestock. Under private stable, it says, that it would be within a private stable, however, they would have to have 2.5 acres for the first horse or animal, and one additional acre for each additional animal. The way the Township has handling poultry has been, that, if they have 2.5 acres, they can have one chicken, and it would take an additional acre, to get the second chicken. Within the uses, the properties in question are in R-1, R-2, & R-3, which has as an allowed use, poultry, rabbits, sheep, and goats. Those are in a category of livestock by the definitions, kept as an accessory use, on a non-commercial basis for the use on the premise that it is a special land use, but it does then have a footnote talking about the required acreage. There is the ability because she does not meet the acreage, is to apply for a variance on the acreage number. Right now, she was just looking for their feelings on this text being needed to be modified. She also gave the Board the SF, SR, SE, section, it gets into private stables, which circles back to livestock and the 2.5 acres. But explicitly listed, under accessory is not the poultry and the others that are
listed in R-1, R-2, & R-3. She didn’t want to direct her to submit an application at that price if the conversation was that they felt that this ordinance is the way it should be. It is still the option of the citizen to incur that cost and go through the process, but as a courtesy, she thought a discussion, was a good starting point.

Trustee Steimel thought that the current way that the way was set up and the criteria, he thought that they went through, in the last two (2) years regarding The Right to Farm Act and thought that they did make some changes. That is how they came up with the criteria that they see now. Based on this, the request is more of a timely thing, a text amendment is going to take some time and is not really going to help the situation. He didn’t know if they could be granted something temporary, just for right now. He thought that the text amendment was timely and thought that they would like a timely answer not something that is going to take a year before they get through the whole process.

Vice-Chairman Reynolds said that this was something that the Village was discussing. He said when he was on that Board, they moved forward and proposed it as a kind of test pilot. They had a certain number of applicants, that were considering it and helped clarify having yard chickens. He knew some other ordinances locally, Oxford was doing the same thing, on a yearly basis to try it out. He slightly indifferent with it, but thought it was something they need to be refined on if they are going to allow it. He wasn’t in favor of it after he processed all the information, but that was a different commission and a different jurisdiction too.

Commissioner Ryan said that she thought that making an emergency decision on something like this for what would be a short-term thing would be the wrong thing to do. If there is enough public interest in it, she could see looking at it, but for right now to do something quickly, if it was even possible, it would be too much.

Commission Walker stated that at the Zoning Board of Appeals, they discussed this issue a year or two ago. He thought that they had talked about it, and said, the problem with it is that if they do it for one, you have to do it for everybody. The noise of the chickens to the neighbors would be somewhat disconcerting. He understood the position of the citizen's family, but he agreed with the Commissioners, to do it on an emergency basis is not the right idea. If we felt that the citizens of the Township wanted this, they could certainly start a process, to investigate it and look to modify the ordinance. He thought that a quick reaction is not a good idea.

Commissioner Ryan added that it is something that they are talking about living things. If they do it then how do they undo it? Do they say they could do it for two months, and then they have to kill the chickens and go back to normal? It would be hard to back once they started it.

Commissioner Gross thought there would be a lot of consideration on something like this. The access and setbacks from residential properties. How many different animals would be allowed? Are they being processed on the property? All of those considerations had to be taken into account. He didn’t think a quick reaction would be appropriate.

Chairman Dunaskiss noted that for a quick fix, he didn’t think it was fair. Maybe something that they keep on the list, and continue to look at.

Vice-Chairman Reynolds thought that they should keep it on the list and discuss it with potential future text amendments, but nothing at this time.

Trustee Steimel said that they could still make a request for a text amendment, they could come in and apply. It is not cheap, and they need to understand that it is a timely process. They probably go back and pull out a lot of their notes when they discuss this and thought it was a
year or a year and a half ago. He did not mind looking at it but did not think it was a high property for them to do right now.

Planning & Zoning Director Girling noted that the citizen has sat through the meeting, and did want to make sure if they were going to allow public comment on that if she had any questions or comments.

Commissioner Walker said that he has friends of his that keeps rabbits on someone else’s property. Perhaps that is an option for them.

Planning & Zoning Director Girling said that she had a chat bubble. It was from Kate, saying thank you for taking the time to discuss this and keeping an open mind about potential future changes.

8. UNFINISHED BUSINESS
None

9. PUBLIC COMMENTS
None

10. COMMUNICATIONS

B. Communication from the Planning & Zoning Director Regarding Administrative Review PC-2020-09, Kroger Order Pick-up Lane, Adm. Review Site Plan

C. Communication from the Planning & Zoning Director Regarding Administrative Review PC-2020-10, Orion Township Tower Equipment Upgrade, Adm. Review Site Plan

11. PLANNERS REPORTS
A. Trends in e-commerce and at-home deliveries

Planner Arroyo gave a brief overview of how communities were dealing with the Master Plan and zoning amendments during the pandemic.

12. COMMITTEE REPORTS
None

13. FUTURE PUBLIC HEARINGS
None

14. CHAIRMAN’S COMMENTS
None

15. COMMISSIONERS’ COMMENTS
Trustee Steimel requested on the Planners letters if they could have a conclusion at the of the review letters.

16. ADJOURNMENT
Moved by Trustee Steimel, seconded by Vice-Chairman Reynolds to adjourn the meeting at 9:18 pm. Motion carried.
Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

June 3, 2020
Planning Commission Approval Date