

# Charter Township of Oakland

4393 Collins Road, Rochester, Michigan 48306-1670  
Telephone: (248) 651-4440  
Fax: (248) 651-1510  
www.oaklandtownship.org



## PLANNING COMMISSION REGULAR MEETING

May 7, 2019 7:00 p.m.

### AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Approval of Minutes – March 5, 2018
6. Public Comment - Items not on the agenda
7. Planning Commission Considerations:
  - a. The Preserve at Stoney Creek - Site Condominium Development request for parcels 10-10-300-008 & 10-10-400-021 (general location – north side of Stoney Creek Road between Lake George and Rochester Roads). Public Hearing.
  - b. Annual Report
8. Commissioners' Comments
9. Adjournment

Any interested person may appear and comment in person or by agent or attorney upon a scheduled agenda item during the public hearing to be held at the date, time and location above. Written comments may be submitted to the Charter Township of Oakland at the address above prior to the scheduled Public Hearing date. Documents pertaining to any request on the agenda are available for review during normal business hours at the Oakland Township office. Necessary and reasonable aids to individuals with disabilities will be provided at the meeting with seven day notice.

**1. CALL TO ORDER**

A meeting of the Charter Township of Oakland (OT) Planning Commission (PC) was called to order on March 5, 2019 at 7:00 PM in the Oakland Township Hall 1<sup>st</sup> Floor Meeting Room by Chairperson Kwapis.

PRESENT: Gary Kwapis, Chairperson  
George Platz, Vice Chairperson  
Anthony Scaccia, Secretary  
Joseph Peruzzi, Commissioner  
Judy Workings, Commissioner  
Dominic Abbate, Commissioner

ABSENT: John Giannangeli, Board of Trustees Representative

A quorum was present.

Also Present: Courtney Wahnefried, Recording Secretary

**2. PLEDGE OF ALLEGIANCE**

Chairman Kwapis led the reciting of the Pledge of Allegiance.

**3. ROLL CALL**

Secretary Scaccia called the Roll and read the Opening Statement.

**4. APPROVAL OF AGENDA**

MOTION by WORKINGS, SECONDED by ABBATE to approve the agenda as presented.

MOTION PASSED UNANIMOUSLY

**5. APPROVAL OF MINUTES – February 5, 2019**

MOTION by PLATZ, SECONDED by WORKINGS to approve the minutes of the February 5, 2019 regular meeting as presented.

MOTION PASSED UNANIMOUSLY

**6. PUBLIC COMMENT – Items not on the Agenda**

There was no public comment.

**7. COMMISSIONER COMMENTS**

The Commissioners had nothing to report.

**8. ADJOURNMENT**

MOTION by WORKINGS, SECONDED by PLATZ to adjourn the meeting at 7:07 PM.

MOTION PASSED UNANIMOUSLY

Respectfully Submitted,

Approved,

Courtney Wahnefried  
Recording Secretary

Gary Kwapis  
PC Chairman



4393 Collins Road  
Rochester, MI 48306-1619  
(248) 651-4440  
www.oaklandtownship.org

## Site Condo Application

RECEIVED  
OAKLAND TOWNSHIP

FEB 25

PLANNING DEPARTMENT

### Applicant Information

Name	Pape Investment Company
Address	952 Pine Needle Trail, Rochester, MI, 48306
Phone Number	ATTN: Fred Pape 248-917-1752
Fax Number	
Cellular Phone Number	
E-mail Address	Fred.k.pape@gmail.com
Web Page Address	

### Property Owner Information (if different than applicant)

Name	
Address	
Phone Number	
Fax Number	
Cellular Phone Number	
E-mail Address	
Web Page Address	

### Additional Information

Site Address of Project	500 Stoney Creek Road
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## Site Condo Application

4393 Collins Road  
Rochester, MI 48306-1619  
(248) 651-4440  
[www.oaklandtownship.org](http://www.oaklandtownship.org)

Applicant Information	
Sidwell Number(s) of Project	10-10-300-008 (Parcel 1); 10-10-400-021 (Parcel A)
Proposed Development Name	The Preserve at Stoney Creek
Development Type & Zoning	Condominium development
Attach Legal Description	<p><b><u>PARCEL A</u></b> LAND IN THE S.E. 1/4 OF SECTION 10, T.4N., R.11E., OAKLAND TOWNSHIP, OAKLAND COUNTY, MICHIGAN. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE S. 1/4 CORNER OF SAID SECTION 10; THENCE N.00°59'52"E., 2535.59 FT. (MEASURED AS N.01°00'09"E.) ALONG THE NORTH-SOUTH 1/4 LINE TO THE CENTER OF SECTION; THENCE N.87°49'59"E., 1344.54 FT. (MEASURED AS N.87°50'08"E., 1344.68 FT.) ALONG THE EAST-WEST 1/4 LINE; THENCE S.01°15'50"W., 1293.34 FT. (MEASURED AS S.01°16'18"W, 1292.71 FT.); THENCE N.88°54'53"E., 33.02 FT. (MEASURED AS 32.85 FT.); THENCE S.01°15'50"W., 1029.96 FT.; THENCE S.90°00'00"W., 205.21 FT.; THENCE N.01°15'50" W., 268.01 FT.; THENCE S.90°00'00"W., 392.29 FT.; THENCE S.01°15'50"W., 532.01 FT. TO A POINT ON THE SOUTH LINE OF SAID SECTION 10; THENCE S.90°00'00"W., 766.19 FT. ALONG THE SOUTH LINE OF SAID SECTION 10 TO THE POINT OF BEGINNING. CONTAINING 73.519 ACRES (GROSS). SUBJECT TO ANY, EASEMENTS, RESTRICTIONS, AND RIGHT OF WAYS OF RECORD, IF ANY.</p> <p><b>PARCEL 1:</b> BEING PART OF THE E 1/2 OF THE SW 1/4 OF SECTION 10, T4N, R11E, BEGINNING AT THE S 1/4 CORNER OF SAID SECTION; THENCE S 89°14'40" W 380.60 FT; THENCE N 00°30'30" W 200.00 FT; THENCE S 89°14'40" W 7.00 FT; THENCE N 00°30'30" W 2310.30 FT; THENCE N 85°17'20" E 377.66 FT; THENCE S 00°45'20" E 2536.32 FT TO BEGINNING.</p>
Attach Proof of Ownership or Affidavit from Owner	



## Site Condo Application

4393 Collins Road  
Rochester, MI 48306-1619  
(248) 651-4440  
[www.oaklandtownship.org](http://www.oaklandtownship.org)

I (we) the undersigned do hereby file this application in accordance with the procedures of Oakland Township Ordinances applicable to this application, as amended.

Signature(s)

*Fred K. Pope*

Date

2/21/2019

Subscribed and sworn to before me this 21 day of Feb 2019

My commission expires

Mar 7 2024

*Wendy L. Welbaum*

Notary Public

WENDY L. WELBAUM  
NOTARY PUBLIC - MICHIGAN  
GENESEE COUNTY  
MY COMMISSION EXPIRES MARCH 7, 2024  
ACTING IN OAKLAND COUNTY



April 08, 2019

Planning Commission  
Township of Oakland  
c/o Donald Mende, Planning Coordinator  
4393 Collins Road  
Rochester, MI 48306

Re: The Preserve and Stoney Creek.  
Proposed Site Condominium Development – 30 Single Family Lots  
Parcel ID: 10-10-300-008 & 10-10-400-021  
Current Zoning: LRD & VLRD

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Dear Mr. Mendes:

After your site condominium review on March 18, 2019, we have reviewed the comments brought forth by the commission members. After review and consideration, we offer the following revised drawing and design package to be considered for final site plan approval. From the previous meeting, we have incorporated the following modifications and revisions:

**ASTI Environmental**

**4. General Topography and Soils Information**

1. The proposed aboveground detention basins will be designed to prevent seepage in their proposed location.
2. The wetland boundaries have been revised to no longer show overlapping. Please see the Topographical Survey of the plan set.

**Zoning Ordinance, Article VI, Section 16-603: Site Plan Review Required Information and Fees**

1. The Landscape Plan has been revised according to the use of low impact development (LID) techniques.
2. Noted.
3. The wetlands have been labeled on the revised plan set.
4. Noted.
5. The wetland encroachment area and natural feature setback encroachment areas are now shown on the Site Study Plan of the plan set.
6. The detention basin outlet has been revised to be located outside of wetland. The stormwater will discharge from that location into the wetland. MDEQ permitting will be obtained concurrently with the approval process.
7. Drainage area map for the existing and proposed drainage has now been provided on the revised plan set. Please see Sheet C4.0 and C4.1 in the plan set.
8. The Natural Feature Setback areas that are being encroached are now distinguished on the Plan Set.

**Natural Features Setback (Zoning Ordinance Section 16-348)**

1. The Natural Features Setback of 25 FT has been provided on the plan set.
2. The wetland area located in the front yard of Lot 17 will be filled in from the proposed grading as well as the area opposite of Lot 10. The areas that are affected have been called out on Sheet SP-1 the Site Study Plan.
3. The Natural Features Setback boundary has been included in the plan set as well as the areas which the setback is to be affected from the layout of the storm pipes.

**Tree Protection (Township Code Chapter 389)**

1. The number of trees to be removed has been revised as well as the tree inventory list.
2. Noted.
3. The additional information requested has been provided in the conceptual landscaping plan.
4. The total diameter of trees to be replaced has been revised to exclude the trees removed within a 10 FT offset of the proposed residential driveways and 5,000 SF buildable area.



5. The conceptual landscape plan has been revised to show the proposed plantings within the scenic easement.
6. The tree protection fencing is to be provided along the tree line boundary shown the plan set.

#### **Miscellaneous**

1. Permitting for part 301/303 inland lakes and streams/wetlands from MDEQ will be submitted for final engineering review.

### **PEA**

#### **Zoning Ordinance – Article X – Site Plan**

1. Noted.
2. The north arrow has been provided on the topographical survey.
3.
  - a. The site location map has been provided on all sheets including the labeling of Stoney Creek Road.
  - b. The bearing and distances on the legal description has been revised.
  - c. The building setback lines are shown and labeled on the Site Study Plan. The rear yard setback has been revised to 55 FT.
  - d. A Zoning Map has been shown the Cover Sheet of the plan set.
  - e. Dimensions have been provided for all property lines of each lot.
  - f. Noted.
4.
  - a. Noted.
  - b. A submission has been made to the Oakland County Health Department regarding the feasibility of the soil types present on the site for on-site septic and well systems.
  - c. The existing barn and shed in the residence on parcel 10-10-300-008 are to be removed. The home is to remain. Please see Sheet SP-1 Site Study Plan.
  - d. The wetlands and their areas have been labelled on the plan set. The wetland boundaries have been revised to remove any overlapping.
5. Building dimensions have been noted on the Site Study Plan.

6.

- a. Noted.
  - b. A boulevard entrance has been provided for the proposed cul-de-sac court roadway that exceed the maximum 500 FT. Stationing has also been provided on the Site Study Plan.
  - c. The roadways have been indicated as a public road.
  - d. The proposed roadway has been indicated as an asphalt roadway with concrete curb and gutter. A detail for the cross section of the roadway has been provided on the plan set.
  - e. The approach entrance has been revised in accordance to the RCOC standards for Standard approaches to paved roads.
  - f. The proposed road alignment that affects the existing wetland has been noted on the plan set. MDEQ permitting will be obtained concurrent to the approval process.
  - g. Noted.
7. Noted.
8. Noted.
9. Phasing is not proposed.
10. All existing and proposed easements have been shown on the plan set.

#### **Miscellaneous**

1. A note has been provided indicating that "proposed individual wells and on-site septic systems will be utilized for each unit for water and sanitary services. The preliminary locations for the on-site well and septic systems will be provided once we receive a response from the Health Department review regarding the feasibility of the location of the proposed systems.
2. The proposed sediment forebays and their calculation have been provided on the plan set. The detention basins are provided with a minimum 20' buffer around the entire perimeter to provide access for maintenance.
3. Noted.
4. Permitting and agreements will be obtained concurrent to the approval process.

#### **Carlisle Wortman**

1. Noted.
2. Noted.
3. Front, Side and Rear setbacks are shown on each lot and labelled on the Site Study Plan.

4. Zoning district boundaries are now shown on the site plan.
5. Grading limit has been provided on the Site Study Plan.
6. On-Street parking will not be permitted.
7. Information for zoning and land use of adjacent properties has been provided.
8. Side yard setback has been provided on each parcel.
9. Rear yard setback has been revised to 55 FT on the Site Study Plan.
10. Open space within the grading limit will be subject to landscaping and lawn maintenance. Open space that is outside of the grading limit is to be left for natural preservation. The limit of grading are shown on the plan set to indicate the areas that are to be preserved for natural topography and drainage of the site.
11. The roadways proposed on the site are to be for public use.
12. The safety path has been proposed along the frontage of the development along the right-of-way of Stoney Creek Road. Internal sidewalks are currently not shown to be proposed on the site.
13. Noted.

The submitted drawings demonstrate these changes. We will be open for further discussion at the townships next planning commission meeting.



Sincerely,  
Designhaus Architecture

Greg Ezzo  
Project Coordinator

For egress, the concept plan for inspection purposes only and in no way a construction document or approved for record purposes.

- PROPOSED DEVELOPMENT HAS ADJACENT FRONTAGE WITH C&D RAILWAY FOR FUTURE HIGHWAY.
- PROPOSED BUILDING PLANS TO BE PROVIDED AT A LATER DATE. PROPOSED BUILDING HEIGHT 30 FEET.
- WEST AND BACKSIDE ADJACENT AREAS LOCATED WITHIN THE PROPOSED LOTS SHALL BE PROPOSED WITH SERVICE PROTECTING THE LIMITS OF THE NATURAL FEATURE SETBACK AND WETLANDS. MAXIMUM LOT COVERAGE PER LOT: 15% OF TOTAL LOT AREA.

**LEARN**

WITH LAND  
 ENCROACHMENT  
 22' RUTTER  
 ENCROACHMENT  
 RIGHT OF WAY LINE  
 PROPERTY LINE  
 PROPERTY LINE  
 SETBACK LINE  
 BUILDING SETBACK LINE  
 LOT LINE



**The Preserve at Stony Creek**  
Stoney Creek Rd  
Oakland Township, MI  
United States of America

**The Preserve at Stony Creek**  
Stoney Creek Rd  
Oakland Township, MI  
United States of America

Sp-1

018070



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**DESIGNHAUS**  
ARCHITECTURE  
EST. 1999



## Carlisle | Wortman

ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

April 25, 2019

### Preliminary Site Condominium Review For Oakland Township, Michigan

<b>Applicant:</b>	Pape Investment Company
<b>Project Name:</b>	The Preserve at Stoney Creek
<b>Location:</b>	North side of Stoney Creek Road, west of Rochester Road
<b>Zoning:</b>	Split zoning / VLRD – Very Low Residential Density and LRD – Low Residential Density. The applicant proposes to utilize the Township's Cross District Averaging provisions to allow more flexible lot areas to help preserve natural features.
<b>Action Requested:</b>	Preliminary site condominium review. The Planning Commission shall review the preliminary site condominium plan and provide a recommendation to the Township Board. Upon the approval of the preliminary site condominium the applicant has the right to apply for final site condominium review.
<b>Required Information:</b>	Any deficiencies are noted within the body of this review

#### PROJECT SITE AND DESCRIPTION

The applicant proposes to construct a 30 unit site condominium on property of approximately 95 acres. The subject site is located on the north side of Stoney Creek Road, just north of Pebble Creek Road and has a split zoning comprised of VLRD, Very Low residential Density over the majority of the property and LRD, Low Residential Density in the southwest corner of the site. To accommodate the split zoning and to allow a more flexible approach to the development of the site, the applicant proposes to utilize the Township's Cross District Averaging provisions of the Zoning Ordinance.

A single point of access is proposed on Stoney Creek Road providing public roads within the development ending in two separate cul-de-sacs. As municipal sewer and water is not available, the site is to be served by on-site septic and individual wells.

Richard K. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Principal*  
David Scurto, *Principal* Benjamin R. Carlisle, *Principal* Sally M. Elmiger, *Principal* Craig Strong, *Principal* R. Donald Wortman, *Principal*  
Laura K. Kreps, *Associate* Paul Montagno, *Associate*

## RESIDENTIAL DENSITY / CROSS DISTRICT AVERAGING ANALYSIS

Per Section 16.311, cross-district averaging may be used in Oakland Township when two or more zoning districts are present on one site, under common ownership. According to the ordinance, the Planning Commission upon application from the proprietor may grant a variation from the minimum requirements of the several zoning districts so involved so as to provide cross-district lot size and density averaging within the boundaries for such lot or lots, provided, in the determination of the Township Board that the following three standards are met. Our comments are based on the factors as provided below:

- A. The cross-district averaging results in the relocation of lot lines to minimize disturbing the existing topography, vegetation, and other natural features.

**CWA Comment:** *There is significant wetland and related woodlands throughout the site. We note that both parcel layouts allow for 30 lots. The cross-district averaging plan demonstrates preservation of some of the most sensitive portions of the site, while the straight zoning plan includes those sensitive features within each parcel. The applicant proposes to place approximately 34 acres or almost 36% of the existing parcel in permanent dedicated open space.*

- B. The total number of lots in any such development shall not exceed the sum of the total number of such lots that would be permitted in each separate zoning district which comprise the whole of the parcel of land involved as determined by preparation of a test plan pursuant to Section 16-343;

**CWA Comment:** *The test plan shows a maximum of thirty (30) parcels allowed within the current zoning districts. The proposed site condominium plan also proposes thirty (30) parcels with approximately 36% open space. See our test plan comments regarding overall density below.*

- C. That no individual lot in any such development comprising the whole of such lot or lots shall have an area or width which shall be less than the minimum required for the zoning district having the highest density of the several zoning districts involved.

**CWA Comment:** *The highest zoning district in this case is the LDR – Low Density Residential District that allows a minimum parcel size of 60,000 s.f. The proposed site condominium plan provides parcels that meet the minimum lot area of the LRD zoning district. The LDR Zoning District also calls for a minimum lot width of 150 feet. All proposed parcels meet the minimum lot width. Utilizing the LRD zoning standards allows for a more flexible approach to lot layout and natural feature preservation.*

**Items to be addressed:** *Planning Commission consideration that the standards to allow cross-district averaging have been met by the applicant.*

Additionally, according to Section 16-343 Test Plans, a parallel plan shall be developed in accordance with seven criteria. Each of the criteria is noted below along with our issues or concerns.

1. The test plan shall depict what could feasibly be constructed and would constitute a plan that the Township would be required to approve applying the existing zoning standards and all otherwise applicable Township ordinances. Scenic easements, safety paths, requirements for natural



feature setbacks, and other dimensional standards applicable to the existing zoning district and use shall be depicted on the test plan.

**CWA Comment:** *The site has split existing zoning with VLRD, Very Low Residential Density over the majority of the property and LRD, Low Residential Density in the southwest corner.*

*As requested in our previous review, the LRD Zoning District was superimposed on the Parallel Plan (Sheet SP-1). The two districts, along with the parallel plan are clearly depicted.*

*From the parallel plan, the applicant indicates that parcels 1-6 are located with the LRD zoning district with the remaining parcels found within the VLRD district. Using the applicant's boundary for the districts we find that the minimum dimensional requirements for both the LRD and VLRD districts as depicted by the applicant meet minimum lot area and lot width for both. An upland buildable area is depicted outside of the wetland buffer area for each proposed home site in the density plan.*

2. The test plan shall include areas depicted for all infrastructure improvements, including rights-of-way, utility easements, and drainage, detention and retention areas.

**CWA Comment:** *Public and private road R.O.W. are provided as well as the locations of the two detention ponds and the Stoney Creek Road scenic easement. We defer comments to the Township Engineer regarding infrastructure locations and their impacts on overall density. Proposed septic fields and well locations are not shown on the plans.*

3. The test plan shall be drawn to scale as per Section 16-603B and shall include all existing easements on the subject property.

**CWA Comment:** *As noted above the applicant should confirm that all existing easement are depicted.*

4. The test plan shall include lots that meet the requirements of the underlying zoning district and all provisions of this ordinance. A lot shall include at least five thousand (5,000) square feet of contiguous building area of land which is neither wetland, floodplain, or under water. When multiple zoning districts exist on the test plan subject property, a lot may not be divided by a zoning district line.

**CWA Comment:** *The applicant should confirm that each parcel has 5,000 square feet of contiguous building area for each proposed parcel in the test plan. It appears that adequate buildable area is provided on the density plan with the possible exception of unit 19. This information could be added directly to each parcel in the density plan or on a separate table.*

5. The test plan shall be provided to the Township in electronic format suitable to verify dimensions.

**CWA Comment:** *None.*

6. Drainage calculations, soils information, and other data may be required to support the test plan.

**CWA Comment:** *We defer to the Township Engineer regarding this criteria, however we note that a soils map was provided in the plan set. Our comments on soils are provided later in this analysis.*

7. The test plan shall be designed to comply with Township Ordinances including wetlands, floodplains, and any other regulated natural areas. The test plan shall also be consistent with the Township Subdivision Ordinance and Site Condominium standards in Article X.

**CWA Comment:** *We defer to the Township Environmental Consultant on the location of these items and their potential impacts on the subject density. We would note however that floodplain information was not included on the overall density plan. With regard to wetlands, we note that there are 9 areas where the road crosses the various wetland areas. The test plan as depicted would require a wetland permit for the road crossings.*

*Issues with compliance regarding the Township Site Condominium standards are for the most part addressed in the comments above. One item noted above is the requirement for a preliminary site condominium to provide information on site features to be retained or removed. To address this concern a limits of grading line has been added to show those features on site that will not be impacted.*

As noted, the site is proposed to take advantage of the cross-district averaging provisions of the zoning ordinance to allow for some flexibility in site design. In return for that flexibility the applicant is supposed to meet the criteria noted in Section 16.311 notably the preservation of significant natural resources and generally the development of a superior plan over what could be accomplished under the base zoning.

Based on the information provided by the applicant as well as the comments of this analysis and those of the Township Engineer and Environmental Consultant, the Planning Commission must make a determination if the subject development meets the standards for consideration for cross-district averaging and if the density plan can be used to establish overall density for the project.

**Items to be addressed:** *Planning Commission determination that the test plan is acceptable to determine overall density on the project.*

#### PRELIMINARY SITE CONDOMINIUM REQUIRED INFORMATION

Site Condominium review shall be considered a two (2) part process as preliminary and final approval shall not be combined. The following information shall be submitted for preliminary approval and is in reference to the proposed cross district averaging site plan.

- a. Property owner's and applicant's name and address;

*CWA Comment: Information provided as required.*

- b. Scale, north arrow, and date of plan;

*CWA Comment: Information provided as required.*

- c. Location, description, dimensions, and area of the site; zoning classification; and demonstration of compliance with lot area, width, coverage and setback requirements;



*CWA Comment: Information provided as required.*

- d. General topography and soils information and existing natural and manmade features to be retained or removed;

*CWA Comment: Existing topography is provided. A grading plan showing spot elevations and a utility plan is provided on sheets C2.0 and sheet C3.0. A number of tree removal plan sheets are provided as a part of the submittal. These sheets indicate that over 11% of the trees on-site are to be removed. Tree removal is concentrated in the areas of the proposed building envelopes and new road construction. As requested in our previous review, a limits of grading line was added to the site plan. The limits grading line should be clearly labelled. We assume that areas inside of this line will be left in their natural state.*

- e. Location and dimensions of proposed buildings/structures; including floor area, number of floors, height, number and type of dwelling units (where applicable);

*CWA Comment: Detailed floor plans and elevations are not required at this stage of review. More detailed information of this nature will be required at the final stage of site condominium review.*

- f. Proposed streets/drives; including general alignment, right-of-way surface type, and width;

*CWA Comment: We defer technical review of the road to the Township Engineer. Plan notes would indicate that the roads will be public.*

- g. Proposed parking; including location and dimensions of spaces and aisles, and surface type;

*CWA Comment: This information is not applicable in this case as parking will take place at each individual home. The applicant indicates that on-street parking will not be permitted. We believe the applicant should reconsider this prohibition as on-street parking can be useful for holidays, family events, etc. It would appear that the proposed road could accommodate on-street parking on at least one side of the road.*

- h. Adjacent land uses, property owner, and zoning and location of adjacent buildings and drives/streets;

*CWA Comment: Zoning, buildings, and drives/streets have been included on the preliminary site plan.*

- i. Proposed phasing;

*CWA Comment: Phasing is not indicated.*

- j. Location and width of any easements on the site.

*CWA Comment: See above comments.*

**Items to be Addressed:** 1) The limits grading line should be clearly labelled. We assume that areas inside of this line will be left in their natural state. 2) Detailed floor plans and elevations will be required at the final stage of site condominium review. 3) The applicant indicates that on-street parking will not be permitted. We believe the applicant should reconsider this prohibition as on-street parking can be useful for holidays, family events, etc.

## AREA, WIDTH, HEIGHT, SETBACKS

The following table provides the required “bulk” standards for the VRD Zoning District as a part of the cross-district averaging site plan. As indicated, all bulk requirements for the VRD Zoning District have been met.

**Table 2. –VRD Schedule of Regulations**

	VRD (w/o sewer) Required	Minimum Provided
Min. Lot Area (sq. ft.)	60,000 s.f.	60,021
Min. Lot Width (ft.)	150 feet	150 feet
Min. Dwelling Floor Area (sq. ft.)	1,200 s.f.	*Not Provided
Min. Ground Floor Area (sq. ft.)	850	*Not Provided
Min. Setbacks (ft.)		
Front	50	50
Rear	55	55
Side	20	20
Max. Building Height		
Stories	2.5	*Not provided
Feet	35	*Not provided
Max. Lot Coverage	15%	*Not provided

\*Floor plans and elevations are not required at this stage of the review process.

**Items to be Addressed:** None.

## NATURAL RESOURCES

**Open Space** – The site plan indicates that 36% (33.8 acres) will be left in open space as a part of this development. Some indication of how this open space will be maintained in perpetual open space should be provided. This can be addressed at the Final Site Condo review stage.

**Topography** – The site features rolling to somewhat steep slopes with a difference in elevation of

approximately 26 feet. We recognize that the use of cross-district averaging will help to preserve slopes on site.

**Woodlands** – A significant number of trees are present on site as reflected on the tree survey and removal plan. We defer technical review of tree removal and impacts to the Township Environmental Consultant.

**Watercourse/Wetlands** – Significant wetlands are shown throughout this development. The amount of wetlands and possible protection of this resource is one of the primary reasons for allowing the proposed cross district averaging site plan. As noted above, we would like to know what mechanism is being proposed to help preserve wetlands. i.e. how will these areas be protected in the long term. It is apparent that State and Township wetland permits would be required for either the density plan or the cross district averaging site plan. We defer technical wetland review to the Township Environmental Consultant.

**Soils** – Soils information has been provided on sheet 50.200. Soils information is particularly important as the site is to be served by on-site sewage disposal fields. See our comments below regarding soils.

**Items to be Addressed:** *Address natural resource issues as noted in the section above.*

#### **SITE ACCESS AND CIRCULATION**

The proposed roadway and easement have been identified on the submitted site plans. The applicant is proposing public roadways for access to the proposed parcels. Detailed information and engineering for the roadway will be required at the final stage of site condominium review and will be reviewed by the Township Engineer.

A review from the Road Commission for Oakland County will be required as a part of the final site condominium review.

**Items to be Addressed:** *Provide detailed information for the proposed public road at the final site condominium stage of review and provide RCOC review comments.*

#### **SAFETY PATHS/SIDEWALKS**

The Township's 2017 Safety Paths and Trails Strategy Plan indicates the desirability of a safety path along Stoney Creek Road. A proposed safety path along Stoney Creek Road is provided on both the density site plan as well as the proposed site plan. In addition to the Stoney Creek safety path, we recommend the applicant consider adding internal sidewalks within the proposed development. Details of the Stoney Creek Road safety path will be required at the final Site Condominium step of review.

**Items to be Addressed:** *Provide details of the Stoney Creek Road safety path at the final stage of review and consider internal sidewalks within the development.*

#### **ESSENTIAL FACILITIES AND SERVICES**

We defer review of the essential facilities (sanitary service, water service, and storm sewer) to the Township Engineer. Detailed review of essential facilities will take place at the final site condominium stage of review. Preliminarily it appears that the site will be served by on-site well and septic systems and a series of storm water detention basins. In reviewing the soils map on Sheet 50.200 virtually all soils on-site are rated "severe" for septic tank absorption fields pursuant to County soil survey information. Special septic design may be required.

**Items to be Addressed:** 1) We defer to the Township Engineer for recommendations on essential facilities and services. Detailed review will occur at the final site condominium stage of review. 2) Severe constraints for on-site septic systems.

#### FINAL SITE CONDOMINIUM STANDARDS

Per Section 16.1003.A.2 the following information will be required for final site condominium review:

1. Site Plan. A full detailed site plan in accordance with Article VI, Site Plan Review.
2. Master Deed and Bylaws.
3. Engineering Plans.
4. Outside Agency Approvals.
5. Required Condominium Documents. Any other condominium documents required by the Condominium Act

#### RECOMMENDATIONS

The comments of this review should be addressed to the satisfaction of the Planning Commission prior to preliminary site condominium approval. Our concerns are summarized below:

1. *Planning Commission determination that the test plan is acceptable to determine overall density on the project.*
2. *The limits grading line should be clearly labelled. We assume that areas inside of this line will be left in their natural state.*
3. *Detailed floor plans and elevations will be required at the final stage of site condominium review.*
4. *The applicant indicates that on-street parking will not be permitted. We believe the applicant should reconsider this prohibition as on-street parking can be useful for holidays, family events, etc.*
5. *Address natural resource issues as noted in the section above.*
6. *Provide detailed information for the proposed public road at the final site condominium stage of review and provide RCOC review comments.*
7. *Provide details of the Stoney Creek Road safety path at the final stage of review and consider internal sidewalks within the development.*
8. *We defer to the Township Engineer for recommendations on essential facilities and services. Detailed review will occur at the final site condominium stage of review.*
9. *Severe constraints for on-site septic systems.*
10. *Provide final details at the final site condominium stage of review as noted.*



CARLISLE/WORTMAN ASSOC., INC.  
Douglas J. Lewan, AICP  
Executive Vice President

*The Preserve at Stoney Creek*  
*April 25, 2019*

*Cc: Greg Ezzo, Designhaus, 301 Walnut Blvd, Rochester, MI 48307*  
*Matt Hocking, Township Engineering Consultant*  
*Paul Rentschler, Township Environmental Consultant*



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April 30, 2019  
PEA Job No: OA10-013

Mr. Donald Mende  
Planning Coordinator  
Charter Township of Oakland  
4393 Collins Road  
Rochester, Michigan 48306

**RE: The Preserve at Stoney Creek  
Proposed Site Condominium Development – 30 Single Family Lots  
Parcels 10-10-300-008 & 10-10-400-021  
Site Plans – Preliminary Review**

Dear Mr. Mende:

Our office has received the following documents related to the submission of an application by Pape Investment Company (applicant) for a proposed site condominium development in Section 10 of Oakland Township:

- Preliminary site plans for *The Preserve at Stoney Creek Site Condominium Development*, prepared by Designhaus Architecture and Felino A. Pascual and Associates, revision dated April 8, 2019, containing the following sheets:
  - Cover Sheet (C1.0)
  - Topographic Survey (1), prepared by Kem-Tec
  - Road Detail (2), prepared by Kem-Tec
  - Site Plan Study (SP-1)
  - Parallel Site Plan (SP-2)
  - Grading Plan (C2.0)
  - Utility Plan (C3.0)
  - Existing Drainage Plan (C4.0)
  - Proposed Drainage Plan (C4.1)
  - Street Tree Planting Plan & Landscape Planting Details & Notes (LS-1 thru LS-4)
  - Tree Removal Plans (T100 thru T104)
  - Upland Tree List Plans (T200 thru T202)
  - Wetland Tree List Plan (T203)
  - Soil Map Plan (SO-200)

We have reviewed the above submitted documentation for conformance to the requirements of Section 16-1003 of Article X (Site Condominiums) of the current Oakland Township zoning ordinance. Per our review, we offer the following comments:

**General:**

- A. The proposed development is located along the north side of Stoney Creek Road, west of Rochester Road, in Section 10 of the Township.

- B. The development consists of two (2) parcels: 10-10-300-008 and 10-10-400-021. Parcel 10-10-300-008 has two (2) zoning districts, Very Low Residential Density (VLRD) for the northern portion and Low Residential Density (LRD) for the southern portion. Parcel 10-10-400-021 also has two (2) zoning districts, LRD in the southwest portion and VLRD for the remaining area. Based a CAD calculation check of the legal descriptions, our office has determined that Parcel 10-10-300-008 has gross acreage of 22.105 acres and Parcel 10-10-400-021 has a gross acreage of 73.551 acres, for a combined gross acreage total of approximately 95.656 acres. Per the data table on sheet SP-2 (Parallel Site Plan), the gross acreage for both parcels is noted as  $\pm 94.7$  acres, a difference of approximately 1 acre from our calculated total. The applicant will need to clarify this issue with our office.
- C. The proposed development will consist of 30 single family lots. Since the development will not be serviced by sanitary sewer, a minimum 100,000 square feet (sft) of area is required per lot within the VLRD zoning district and a minimum 60,000 sft of area is required per lot within the LRD zoning district. A minimum lot width of 200 feet is required for lots within the VLRD zoning district and 150 feet for lots within the LRD zoning district.
1. The applicant has submitted a development plan (SP-1 Site Plan Study) for the proposed 30 lot site condominium development that appears to utilize cross-district averaging for the sizing of the lots (noted as minimum 60,000 sft).
  2. The applicant has also submitted a parallel site plan (SP-2). Based on the lot sizing for the VLRD and LRD zoning districts, we note the following:
    - a. Lot 16 (75,777 sft), lot 22 (75,141 sft), lot 26 (99,734 sft), and lot 28 (91,582 sft) within the VLRD zoning district do not comply with the minimum lot size area of 100,000 sft.
    - b. Lot 1 (56,692 sft) within the LRD zoning district does not comply with the minimum lot size area of 60,000 sft.
  3. The Township Planner should be consulted regarding compliance with the zoning requirements.
- D. Minimum building setbacks are the same for both zoning districts, and are as follows:
- Front: 50 feet
  - Corner Front: 50 feet
  - Side: 20 feet
  - Rear: 55 feet

***Zoning Ordinance – Article X – Site Plan Requirements for Preliminary Approval:***

The following must be provided on the Site Plans for Preliminary Approval:

1. Per Section 16-1003.A.1.a.i., property owner's and applicant's name and address.  
*The applicant/owner for the proposed development is noted as Pape Investment Company, 952 Pine Needle Trail, Rochester, Michigan 48306.*
2. Per Section 16-1003.A.1.a.ii., the scale, north arrow and date of plan.  
*This information is provided on the plans.*



3. Per Section 16-1003.A.1.a.iii., the location, description, dimensions, and area of the site; zoning classification; and demonstration of compliance with lot area, width, coverage and setback requirements.
  - a. *A site location map is provided.*
  - b. *Two separate legal descriptions are provided for parcel 10-10-300-008 (noted as "Parcel 1") and 10-10-400-021 (noted as "Parcel A") on sheets C1.0 and #2. Bearings and distances appear to be inconsistent between the legal descriptions and the plan views. In addition, there appears to be a discrepancy in the total gross acreage for each parcel, as noted above.*
  - c. *All of the building setback lines (front, side and rear) are shown for each proposed lot and labeled, complying with zoning requirements.*
  - d. *Zoning classifications need to be shown in the plan view for the site parcels.*
  - e. *Dimensions need to be provided for all property lines of each lot.*
  - f. *The Township Planning Consultant should be consulted regarding the lot areas, widths and coverages with regarding to the LRD and VLRD zoning and the proposed cross-district averaging.*
4. Per Section 16-1003.A.1.a.iv., general topography and soils information and existing natural and manmade features to be retained or removed.
  - a. *Topographic survey information of the proposed development site, and within 100-feet of the perimeter of the development site, is provided, along with proposed grading limits and generic preliminary grading.*
  - b. *Soils information for the development site is provided on sheet SO-200. There are concerns regarding the feasibility of building and septic system construction for a majority of lots due to the soils types present on the site. The applicant will need to coordinate with the Oakland County Health Department (OCHD) on the feasibility of the septic systems. The applicant has stated that a submission has been made to the OCHD for their review.*
  - c. *An existing residence shown on parcel 10-10-300-008, and located within the limits of proposed lot 6, is noted to remain, but the existing accessory buildings (barn and shed) will be removed.*
  - d. *There are six wetland areas (A thru F) within the development site, of which wetland area B also includes a pond. The wetland limits and 25-foot natural features setback (NFS) lines are clearly shown around the perimeter of each wetland and pond area on the relevant plan sheets. Per the Township wetland's ordinance, there shall be no disturbance or disruption of wetland areas and the associated 25-foot NFS. Per sheet SP-1 (Site Plan Study), there is a significant amount of grading impacts within the 25-foot NFS for several lots based on the proposed grading limits line shown on the plan, which is not permitted by ordinance requirements. The applicant will need to revise the proposed grading limits line to prevent encroachment into the 25-foot NFS.*
5. Per Section 16-1003.A.1.a.v., the location and dimension of proposed buildings/structures; including floor area, number of floors, height, number and type of dwelling units (where applicable).
  - a. *The location of proposed single family building structures has been shown for each lot, including the existing house that will remain on lot 6. A note has been provided on sheet SP-1 stating the proposed single family buildings will be between 2,500 to 5,000 square feet and two storey with*



*a maximum building height of 35 feet. No building architectural plans have been provided at this time.*

6. Per Section 16-1003.A.1.a.vi., proposed streets/drives; including general alignment, right-of-way surface type, and width.
  - a. *Proposed streets and/or roadways are shown on the site plan, along with the proposed 60-foot wide right-of-way limits.*
  - b. *Based on the proposed right-of-way limits shown, there will be one entrance off of Stoney Creek Road, with an internal circular roadway within the development, and two (2) cul-de-sac court roadways in the northeast and northwest portions of the site. The proposed cul-de-sac court roadways have boulevards in order to comply with the maximum 500-feet allowed for a court roadway. Stationing along the roadways is also provided.*
  - c. *The applicant has stated the roadways within the development will be public, therefore, the applicant will be required to submit the site plans to the Road Commission for Oakland County (RCOC) for review and approval, construction permits and for construction oversight.*
  - d. *The roadways are proposed to be asphalt pavement with curb and gutter. A RCOC cross-sectional detail of the roadways is provided. Township standards require compliance with Road Commission for Oakland County (RCOC) standards for residential development.*
  - e. *The approach entrance, including decel and accel lanes in accordance with RCOC standards, within the Stoney Creek Road right-of-way is shown. The proposed 60-foot half right-of-way along the Stoney Creek Road frontage is also shown on the plans.*
  - f. *There are four (4) locations where the proposed road alignment impacts existing wetlands and the associated 25-foot wetland buffers. Any wetland crossings will require a permit from the MDEQ.*
  - g. *Preliminary driveway locations for each lot are shown in association with the locations of the residential buildings.*
  - h. *It is recommended that street names be provided.*
7. Section 16-1003.A.1.a.vii. is not applicable.
8. Per Section 16-1003.A.1.a.viii., adjacent land uses, property owner, and zoning and location of adjacent buildings and drives/streets.
  - a. *The zoning classifications, parcel numbers and locations of existing buildings and roadways, including rights-of-way, within 100-feet of the perimeter of the development are clearly shown and labeled on the site plans.*
9. Section 16-1003.A.1.a.ix. pertains to phasing of the development.
  - a. *The applicant has stated the development will not be phased.*

10. Per Section 16-1003.A.1.a.x., the location and width of any easements on the site.

- a. *Easements are shown for the stormwater management system and the Scenic Easement along the Stoney Creek Road frontage. The private utilities easement (10-feet wide), along the perimeter of the internal roadways, still needs to be shown on the site plans.*

**Miscellaneous:**

The following items are not necessarily required as part of the preliminary approval process for the site condominium site plans, but should be taken into consideration by the applicant(s):

1. The site plans state that proposed individual wells and on-site septic systems will be utilized for each unit for water and sanitary service. It is recommended the preliminary locations of the wells and on-site septic systems (including reserve fields), according to the standards of the Oakland County Health Department (OCHD), be shown on the site plans for each unit. As mentioned above, the applicant has stated that preliminary plans have been submitted to OCHD for their review.
2. The applicant has provided preliminary information on the stormwater management system for the development.
  - a. The site plans show the location of two (2) proposed detention basin systems, within an open space area, for stormwater management, including embedded forebays for stormwater treatment, as required in accordance with Oakland County Water Resource Commissioner (OCWRC) standards and specifications. It is our recommendation the applicant should consider relocating each basin closer to the ultimate discharge wetland areas in order to avoid having outlet piping installed through side and rear yards of lots.
  - b. Preliminary detention and forebay volume calculations are provided for each basin system in order to comply with the 100-year storage and first flush storage requirements. The 100-year storage volumes shall not include the area of the separation berms for the forebay portions of the basins.
  - c. An access drive, and associated easement, to each basin will be required.
  - d. The stormwater management system should be established as a Chapter 18 drain under the jurisdiction of OCWRC for operation and maintenance of the system.
  - e. The applicant has provided information regarding tributary areas for each wetland system, based on the existing pre-development conditions and the proposed post-development conditions (refer to sheets C4.0 and C4.1). These tributary drainage areas are based on a site gross acreage for the development of 94.7 acres, but as mentioned above, we have concerns regarding actual site gross acreage per the legal descriptions of each parcel. The applicant will need to clarify the actual site gross acreage and revise the pre- and post-development wetland tributary acreages, as necessary.
3. The following types of permits and agreements will eventually need to be applied for and obtained by the applicant(s):
  - a. Soil erosion and sedimentation control permit (OCWRC)
  - b. Individual on-site well permits (OCHD)
  - c. Individual on-site septic system permits (OCHD)
  - d. Right-of-Way permit for work within Stoney Creek Road (RCOC).
  - e. Chapter 18 Drain agreement (OCWRC).

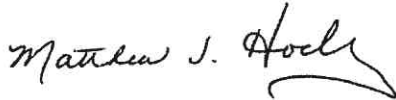
Based on the above comments, we do not recommend preliminary site plan approval by the Planning Commission until the following items have been satisfactorily addressed:

1. Clarification needs to be provided regarding the gross acreage totals for Parcels 10-10-300-008 and 10-10-400-021. In addition, discrepancies between the legal descriptions for each parcel and the boundary line information shown in the plan views need to be clarified and revised, as necessary.
2. The parallel site plan shall be revised to show lots 16, 22, 26 and 28 comply with the minimum lot size area of 100,000 square feet within the VLRD zoning district.
3. The parallel site plan shall be revised to show lot 1 complies with the minimum lot size area of 60,000 square feet within the LRD zoning district.
4. Zoning classifications need to be shown in the plan view for the site parcels.
5. Dimensions need to be provided for all property lines for each lot.
6. Per sheet SP-1 (Site Plan Study), there is a significant amount of grading impacts within the 25-foot natural features setback for several lots based on the proposed grading limits line shown on the plan, which is not permitted by ordinance requirements. The applicant will need to revise the proposed grading limits line to prevent encroachment into the 25-foot NFS.
7. It is recommended that street names be provided.
8. The private utilities easement (10-feet wide) shall be shown along the perimeter of the development roadways.
9. It is recommended the preliminary locations of the wells and on-site septic systems (including reserve fields), according to the standards of the Oakland County Health Department (OCHD), be shown on the site plans for each unit.
10. It is our recommendation the applicant should consider relocating each detention basin closer to the ultimate discharge wetland areas in order to avoid having outlet piping installed through side and rear yards of lots.
11. The 100-year detention basin storage volumes shall not include the area of the separation berms for the forebay portions of the basins.
12. An access drive, and associated easement, to each detention basin shall be shown on the plans.
13. The stormwater management system should be established as a Chapter 18 drain under the jurisdiction of OCWRC for operation and maintenance of the system.
14. The applicant will need to clarify the actual site gross acreage and revise the pre- and post-development wetland tributary acreages, as necessary.
15. The design engineer shall contact our office regarding several minor engineering issues.

Once the applicant has obtained preliminary approval of the site condominium site plans from the Planning Commission and Township Board, the applicant shall comply with Section 16-1003.A.2 of Article X of the zoning ordinance regarding the requirements for final approval of the site plans. If you have any questions or comments regarding this review, please contact our office.

Sincerely,

**PEA, Inc.**


A handwritten signature in black ink, reading "Matthew J. Hocking". The signature is fluid and cursive, with a long horizontal stroke at the end.

Matthew J. Hocking, PE  
Project Manager

Cc. Jamie Moore, Interim Township Manager  
Tim Berger, Building Director  
Louise Crane, Building Department Coordinator  
Doug Lewan, Carlisle-Wortman  
Paul Rentschler, ASTI  
Dan Kelly, Township Attorney

# MEMO

ASTI Environmental

**Date:** April 30, 2019  
**To:** Mr. Donald Mende, Planning Coordinator  
**From:** Paul Rentschler, Ecologist/Arborist   
**Subject:** The Preserve at Stoney Creek (formerly submitted as 250-500 Stoney Creek Road)  
Preliminary Site Condominium Plan Review (ASTI File 10875)

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The Preserve at Stoney Creek Site Condominium Development proposed by Pape investment Company is located on the north side of Stoney Creek Road approximately 0.47 miles west of Rochester Road, in the southeast quarter of Section 10, Charter Township of Oakland, T4N, R11E (Property). The proposed project entails developing 30 single-family home sites on 94.7 acres<sup>1</sup> with associated roads and other infrastructure. The Property currently consists of agricultural fields, forest, wetlands, and an approximately 1.25-acre pond.

ASTI has reviewed the site plans and associated documents listed below for the above-referenced project:

- The following Preserve at Stoney Creek exhibits developed by Designhaus Architecture and Felino A. Pascual & Associates (revised for Site Plan review resubmittal April 8, 2019):
  - Cover Sheet (C1.0)
  - Site Plan Study (Sheet SP-1)
  - Parallel Site Plan (Sheet SP-2)
  - Grading Plan (Sheet C2.0)
  - Utility Plan (Sheet C3.0)
  - Existing Drainage Plan (Sheet C4.0)
  - Proposed Drainage Plan (Sheet C4.1)
  - Street Tree Landscape Plan (Sheet LS-1)
  - Landscape Planting Detail (Sheets LS-2 & LS-3)
  - Tree Removal Plan (Sheets T100-104)
  - Upland Tree List (Sheets T200-202)
  - Wetland Tree List (Sheet 203)
  - Soil Map (Sheet SO-200)
- Topographic Survey (Sheets 1 and 2), provided by Kem-Tec

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<sup>1</sup> PEA has noted a discrepancy in the property description for the two parcels included in the Preserve at Stoney Creek Property, resulting in an area larger than the reported 94.7 acres.

- April 8, 2019 Letter from Designhaus Architecture to the Charter Township of Oakland Planning Commission describing changes made in the plan set since the previous submittal.

Per our review of the plan set, ASTI offers the following comments based upon requirements of Section 16-1003 of Article X (Site Condominiums, Site Plan Requirements) and Section 16-603 of Article VI (Site Plan Review) of the Oakland Township Zoning Ordinance. Additionally, ASTI offers review comments based upon the requirements of Township Code Chapter 210 (Floodplain and Wetlands Protection), Township Code Chapter 389 (Tree Protection, Preservation and Removal), and Zoning Ordinance Section 16-348 (Natural Features Setback).

**General:**

- The development consists of two parcels: 10-10-300-008 and 10-10-400-021, both of which lie within both the Very Low Residential Density District (VLRD) and Low Residential Density District (LRD). Both of these zoning districts are intended to provide residential development *"with special attention paid to the preservation of natural features as designated in the Township's Community Master Plan"...* It is intended and desired in these districts that *open spaces be preserved through careful placement of dwellings in areas where natural features would be least compromised* (emphases added). The intent of the LRD district further states that *"the placement of residential development should foster linkages between wildlife corridors throughout the Township and contiguous areas for greenways."*

**Zoning Ordinance, Article X: Site Plan Requirements for Preliminary Approval**

- PEA, in their letter of March 18, 2019, provided a point-by-point list describing the site plans' compliance with the ten items required for Preliminary Site Plan Review. As such, ASTI has not repeated those items except to expand upon items relevant to environmental site considerations as follows:
  - **4. General Topography and Soils Information**  
The applicant has provided a soil map of the Property. In addition to portions of the site being mapped as hydric (wetland soils), each of the 11 soil types are listed in the Oakland County Soil Survey as exhibiting characteristics rating them "severe" for siting septic systems. Soils vary from being wet, exhibiting seasonal ponding, perking slowly, and/or exhibiting poor filtration (perking too fast) and the potential for groundwater contamination.
  - The soils in the location of the proposed detention basin exhibit seepage, so may require a clay or other liner or be best suited to designing a dry basin.

**Zoning Ordinance, Article VI, Section 16-603: Site Plan Review Required Information and Fees**

- In addition to some of the omissions noted above, Section 16-603.B.34 and 36 require that the Site Plan include the use of low impact development (LID) techniques. The applicant's April 8, 2019 letter indicates that the Landscape Plan has been revised to demonstrate the use of LID techniques. ASTI, however, finds no reference to or demonstration of LID techniques in the Landscape or Utility Plans or elsewhere within the plan set.



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P.O. Box 2160  
Brighton, Michigan 48116  
Phone: 810.225.2800 Fax: 810.225.3800



***Floodplain and Wetlands Protection (Township Code Chapter 210):***

- There is no FEMA-mapped floodplain on the Property. There are, however, several wetland areas and an approximately 1.25-acre pond on the Property.
- Because the pond is greater than 1 acre in size, it is likely to be regulated under Part 301 of the Michigan Natural Resources and Environmental Protection Act, Inland Lakes and Streams. Additionally, wetlands within 500 feet of the pond are considered "contiguous" and are therefore regulated by the Michigan Department of Environment, Great Lakes, and Energy (EGLE, formerly MDEQ).
- Sheet 1 (Topographic Survey) of the revised site plans has been revised, as requested, to label individual wetlands on the Property. The six wetland areas exhibit the following on-site area measurements:

– Wetland A	116,690 sq ft	2.68 acres
– Wetland B	609,616 sq ft	13.99 acres
– Wetland C	3,3000 sq ft	0.08 acres
– Wetland D	16,168 sq ft	0.38 acres
– Wetland E	405,042 sq ft	9.30 acres
– Wetland F	8,696 sq ft	0.20 acres
- Based upon review of the site plans and aerial photos, it ASTI's opinion that all wetlands except Wetland F are likely to be regulated by EGLE under Part 303 of the Michigan Natural Resources and Environmental Protection Act, Wetlands Protection. Wetland F is not likely to be regulated because it is neither contiguous to (within 500 feet of) the pond, nor five acres or greater in size.
- Similarly Wetlands A, B, C, D, and E are regulated by the Charter Township of Oakland.
- Approximately 26.4 acres of wetland were identified in the previous plan set as "Nature Preserve" (Sheet SP-2), but the revised version omits the labels indicating that for areas in the northeast and southwest corners of the Property. Hatching in those areas would imply that these areas are still to be designated as such.
- The proposed plans note five areas of wetland impacts (entry drive, three road crossings, and the proposed driveway for Lot 17) totaling 0.5± acres of wetland encroachment; although the label and area calculations for wetland impacts at the entry are not shown on the revised plans (Sheet SP-1).
- Sheets Sp-1 and SP-2 show a safety path within the 30-foot scenic easement along Stoney Creek Road, but this is not included within other wetland impact calculations. The plan set does not provide details for this path or boardwalk, but it will to will require a wetland permit from EGLE.
- As requested, the applicant has provided exhibits of the existing and proposed drainage areas (DA) for the various wetlands (Sheets C4.0 and C4.1). The following summary describes the proposed changes:

<u>Wetland Area</u>	<u>Existing DA</u>	<u>Proposed DA</u>	<u>% Change</u>
Wetland A	8.4 acres	5.67 acres	(32.5)
Wetland B	46.46	58.34	25.6
Wetland C	3.92	1.79	(54.3)
Wetland D	incl. w/E	incl. w/E	
Wetland E	29.24	27.32	(6.6)
Wetland F	incl. w/E	incl. w/E	
Off site drainage	6.68	1.58	(76.3)

- Detention Basin A will outlet to Wetland E and Detention Basin B will outlet to Wetland B. As noted above, the proposed grading changes will decrease stormwater inputs to wetlands A, C, D, E, and F, whereas wetland B will receive roughly a quarter more stormwater runoff than currently. No corresponding stormwater volume calculations are provided for the wetlands to forecast changes to wetland water levels, but it would appear that Wetland A and C will receive significantly less surface runoff than they do at present. This has the potential to significantly alter the nature of those wetlands and the habitat and other functions they provide.

***Natural Features Setback (Zoning Ordinance Section 16-348)***

- Because the Property contains a pond and wetlands 25-foot Natural Features Setbacks (NFS) are required from the OHWM of the pond and from the wetland/upland boundaries. This is shown on the plan set.
- The applicant has made a number of changes to the proposed locations for rear- and side-yard stormwater infrastructure and this has reduced the number of NFS impacts.
- Despite these changes, the proposed site plan study (Sheet SP-1) notes NFS impacts in 22 locations. A number of these locations involve rear yard grading that was not shown on the previous plan set. Notes regarding the size of NFS impacts at the entry off Stoney Creek Road and at the back of Lot 1 are missing from the plans and acreage values reported for Lots 17/18, 28 and 30 are incorrect. With these corrected, it appears that the cumulative NFS impact is approximately 1.96 acres (versus the 1.38 acres noted on Sheet SP-1).
- Although the Charter Township of Oakland natural features setback regulation does not all alteration of soil or vegetation within the NFS, the applicant has not provided sufficient information for the Planning Commission to evaluate the above-referenced rear-yard grading in the NFS. Although Sheet LS-2 notes two seed mixes to be used it is not clear if the native Wildflower seed mix is to be used at the upper edges of the detention basins, to restore grading impacts within the NFS, for both, or in other areas.
- Cleared or currently open yard areas for at least 16 of the lots include portions of the NFS. A note on Sheet SP-1 indicates that the limits of the NFS and wetlands will be demarcated with signage, but the notes implies that this will be done only in areas with proposed encroachment and, as noted above, it is not clear whether these areas are proposed to be planted with turf grass or restored with native vegetation.



- Finally, the revised plans show that the proposed detention basin outlets have been moved out of the wetlands and adjacent natural features setback. No detail is provided for the proposed outlet structures but, to minimize erosion, some form of armoring will likely be necessary. The plans should detail what form of armoring or flow spreaders are proposed and whether these would be constructed within the NFS.

***Tree Protection (Township Code Chapter 389):***

- A tree inventory has been submitted as part of the revised plan set. The Tree Removal Plan (Sheet T100) notes a total of 4,143 trees on the site with 495 trees, all within upland areas, to be removed. This leaves 82.3% of the trees on the site to be preserved, meeting the Township's 40% preservation requirement.
- The Property exhibits a number of large diameter trees: 14 trees 36 inches or greater (DBH) and another 17 trees 30 inches or more in diameter. Of these a total of 13 (five and eight, respectively) are proposed to be removed. Although close-up views of the proposed tree removals are provided, the presentation of the information does not allow for review of all individual tag numbers. As such it is not possible to locate all of these larger trees to determine if grading changes could allow some of these larger specimen trees to be protected or to conduct field verification that they are healthy and in good condition.
- The applicant has proposed plantings to replace a total of 3,196 caliper inches of trees removed for the construction of roads and other infrastructure. This meets the requirement for tree replacement for the streets, storm drainage, etc. but, as noted above, leaves questions regarding proposed grading and tree loss within the building envelopes.
- Sheet LS-3 does include text describing the required tree protection fencing. Per the Township's ordinance, the final plan set must also include an accompanying plan view showing the limits of fencing to protect trees that are to remain and a detail drawing describing protection fencing for trees that are to be preserved.

***Scenic Easement (Zoning Ordinance Section 16-337) and Landscaping (Zoning Ordinance Section 16-802)***

- The Conceptual Landscape Plan shows a 30-foot wide scenic easement along Stony Creek Road. Almost all of that easement lies within wetland and no plantings are proposed within that area.
- The Landscape Requirements table on Sheet LS-2 includes a calculation of one 3-inch tree per 30 linear feet of road frontage for an additional 54 required trees. Although not explicitly labeled as such, this seems to be a reference to the Scenic Easement requirements, which actually require three trees per lot. This would result in an additional 90 trees above the tree replacement requirement.
- The list of tree replacements is intended to add up to 3,196 caliper inches (22-2.5 inch, 581-4", 71-5 inch and 80-6" caliper trees or their equivalents) but includes an additional 18 caliper inches (total = 3,214).

- Additionally, the Landscape Requirements table on Sheet LS-2 cannot be reconciled with the individual Plant Material Lists on Sheets LS-2, LS-3, and LS-4. These appear to list 7 fewer 2.5-inch trees and further do not match the individual area planting plans. ASTI found these to not include one Kentucky coffee tree, one redbud, and one Washington hawthorn (Sheet LS-2); three Annabelle hydrangea, one concolor fir (Sheet LS-3); and four red maple, four Glenleven linden, four northern hackberry, seven swamp white oak, and seven sweetgum (Sheet LS-4). They also show trees in excess of numbers provided in the Plant Materials Lists: eight tulip poplar (Sheet LS2); one concolor fir large (Sheet LS-3), one autumn blaze red maple and seventeen Norway spruce (Sheet LS-4).
- The plan set provides only minimal information regarding spacing and the proposed plantings near the detention basins seem to provide insufficient room for the required access road.

***Miscellaneous:***

- In addition to the permits listed at the end of PEA's March 18, 2019 letter, the proposed plan will also require a Part 301/303 inland lakes and streams/wetlands permit from the Michigan Department of Environment, Great Lakes, and Energy.

***Conclusions & Recommendations:***

The proposed plans include 22 incursions into the natural features setbacks surrounding on-site wetlands and would seemingly result in extensive modifications to wetland hydrology. As such the plans do not conform to the Township's environmental standards. Further grading information is also requested in the areas with landmark trees proposed for removal.

Other shortcomings of the plan set, such as reconciling tables and area planting plan details, providing tree protection drawings, etc. may be addressed prior to final site plan approval.

ASTI finds that the proposed plans fail to conform to applicable laws, ordinances and design standards, particularly those regarding protection of wetlands and the adjacent natural features setbacks, and therefore fail to meet the standard for Preliminary Approval under Article X of the Charter Township of Oakland Zoning Ordinance. As such ASTI recommends that Preliminary Approval be denied or be made contingent upon additional information and changes, including those recommended by the Township engineer and planner, to the satisfaction of the Township Planning Commission.

Thank you for the opportunity to review the plans for the proposed Preserve at Stoney Creek.

cc. Jamie Moore, Assistant Township Manager  
 Tim Berger, Building Director  
 Louise Crane, Building Department Coordinator  
 Doug Lewan, Township Planner  
 Matt Hocking, Township Engineer  
 Dan Kelly, Township Attorney  
 Dale Stuart, Township Manager

# Memo

**To:** Planning Commission  
**From:** Donald Mende, AICP, Planning Coordinator  
**Date:** May 1, 2019  
**Re:** Annual Report

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Please find attached the Planning Commission Annual Report for Fiscal Year 2018 / 2019. This Annual Report is required to be submitted to the Board of Trustees as specified by the Michigan Planning Enabling Act and by-laws of the commission.

## Suggested Motion

Moved By:

Supported By:

To receive and forward the Planning Commission Annual Report for Fiscal Year 2018 / 2019 to the Board of Trustees.



## CHARTER TOWNSHIP OF OAKLAND PLANNING COMMISSION ANNUAL REPORT

FY 2018-2019

### ROLE OF THE COMMISSION

The duties and responsibilities of the Planning Commission are established by State law and Township ordinances, and generally include periodically reviewing and, if necessary, updating the Township's master plan; reviewing and making recommendations to the Township Board regarding proposed amendments to the zoning ordinance; and, reviewing and making recommendations to the Township Board regarding site plans, special land uses, and other land use or development proposals. The Planning Enabling Act requires this annual report.

### MEETING SCHEDULE

The Michigan Planning Enabling Act requires that the Planning Commission hold a minimum of four meetings per year. Planning Commission meetings are generally held the first Tuesday of the month at 7:00 p.m. in the Township office. In fiscal year 2018-2019 (April-March), the Planning Commission held a total of four regular meetings.

### OPERATIONS OF THE PLANNING COMMISSION

The following is a synopsis of cases reviewed in fiscal year 2018-2019.

#### Site Condominium Review

Hock/Pencu Site Condominiums – Requesting approval for a Site Condominium Subdivision. Parcels 1443 and 1485 Silverbell Road. General Location – South side of Silverbell Road between Old Mill and Great Fosters Drive in Section 33. The Planning Commission recommended preliminary approval to the Board of Trustees.

### Special Land Use Approval

Verizon Wireless – Requesting Special Land Use approval for a wireless communication facility at 850 Stoney Creek Road. General location - North side of Stoney Creek Road between Rochester and Lake George Roads in Section 9 (Myth Golf Course). The Planning Commission recommended approval.

### Miscellaneous

The Planning Commission reviewed and approved the Fiscal Year 2017-2018 Annual Report.

The Planning Commission held election of officers 2/2019. Elected were Chairperson Gary Kwapis, Vice-Chairperson George Platz, and Secretary Anthony Scaccia.

### PLANNING COMMISSIONERS

The Planning Commission consists of seven members. Members of the Planning Commission are appointed by the Township Supervisor, subject to approval by majority vote of the members of the Township Board elected and serving. The term of each member is three years. The Election of Officers is held annually at the first regular Planning Commission meeting in February and terms of office are one year.

#### Current Members

Gary Kwapis, Chairperson. Term expires September 2020. Attendance 4/4 meetings.

George Platz, Vice-Chairperson. Term expires September 2019. Attendance 4/4 meetings.

Anthony Scaccia, Secretary. Term expires September 2020. Attendance 4/4 meetings.

John Giannangeli, BOT Representative. Term follows Board election. Attendance 3/4 meetings.

Dominic Abbate. Term expires September 2021. Attendance 3/4 meetings.

Joseph Peruzzi. Term expires September 2019. Attendance 4/4 meetings.

Judy Workings. Term expires September 2021. Attendance 4/4 meetings.