

**MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
Thursday, May 25, 2017
7:30 p.m.**

Call to Order

Pledge of Allegiance

Members Present/Members Absent

Call to the Public

- 1.) Approval of Agenda**
- 2.) Consent Agenda**
 - a.) Approval of May 11, 2017 Regular Meeting Minutes**
 - b.) May 17, 2017 MHOG Agenda/Minutes**
 - c.) May 17, 2017 HAFDA Agenda/Minutes**
 - d.) Financial Report**
- 3.) Howell Parks and Recreation Foundation**
- 4.) Interpretation of Agri-business use for Witkowski (bring back)**
- 5.) WWTP Operation/Life Station Communications (bring back)**
- 6.) Ozone Station**
- 7.) Chestnut Private Road Construction Observation**
- 8.) Crystalwood**
- 9.) Roads**
- 10.) Recycling**
- 11.) Nuisance/Noise Ordinance**
- 12.) Howell Landscaping Report**
- 13.) 2017-2018 Meeting Schedule**
- 14.) Zoning Administrator's Pay Rate**

Correspondence/Updates

Livingston County Updates

Call to the Public

Adjournment



MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
MAY 11, 2017

MEMBERS PRESENT: Tammy Beal, Les Andersen, Greg Durbin, Dan Lowe, Scott Lloyd, and Duane Stokes

MEMBERS ABSENT: Bob Hanvey

OTHERS PRESENT: Phil Westmoreland, Spicer Group

CALL TO ORDER

Tammy Beal called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

BOARD MEMBERS PRESENT

The board members introduced themselves.

CALL TO THE PUBLIC

No response.

APPROVAL OF AGENDA

Items #12—Howell Landscaping Complaint, #13—Highe Sewer, #14—Tree Donation, #15—Receipting Program, and #16—New Recording System were added to the agenda. Les Andersen motioned to approve the agenda as amended. Greg Durbin seconded. **Motion carried.**

CONSENT AGENDA

Greg Durbin motioned to approve the consent agenda. Scott Lloyd seconded. Roll call vote: Lowe, Lloyd, Beal, Durbin, Andersen, Stokes—all yes. **Motion carried 6-0.**

INTERPRETATION OF AGRI-BUSINESS USE FOR WITKOWSKI

Tammy Beal suggested postponing this item until the full board is present. Bruce Powelson said the "Bullet-proof Zoning" seminar he attended at the MTA conference suggested that municipalities need to make allowances for agri-business, and he feels it should be allowed.

Les Andersen motioned to postpone discussion on this item until the May 25 meeting. Greg Durbin seconded. Roll call vote: Durbin, Stokes, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 6-0.**

RICOH COPIER AND FORMAX FOLDER

Les Andersen motioned to approve purchase of the Ricoh copier and Formax folder, as presented. Duane Stokes seconded. Roll call vote: Beal, Andersen, Stokes, Durbin, Lowe, Lloyd—all yes. **Motion carried 6-0.**

WWTP OPERATIONS/LIFE STATION COMMUNICATIONS

Tammy Beal said that, according to Bob Hanvey, there is no new information on this agenda item.

Phil Westmoreland said he talked with a mechanical contractor who feels he can get the ozone generator working properly. Les Andersen motioned to approve funding for the mechanical contractor and the engineer, not to exceed one day. Greg Durbin seconded. Roll call vote: Lowe, Durbin, Beal, Lloyd, Stokes, Andersen—all yes. **Motion carried 6-0.**

CRYSTALWOOD

A map and construction estimate for the three sections of roads within the development is included in the packet. Phil Westmoreland said his recommendation would be to wait until it's closer to completion. Dan Lowe said he thought they were going to take the road completely out and reconstruct. Mr. Westmoreland will re-estimate based on that information.

ROADS

Les Andersen motioned to approve the project agreement for Jewell Road as amended and authorize the clerk and/or supervisor to sign the agreement. Duane Stokes seconded. Roll call vote: Stokes, Beal, Andersen, Lowe, Lloyd, Durbin—all yes. **Motion carried 6-0.**

Tammy Beal reported that the LCRC will begin work on D-19 from north of Coon Lake Road to Oak Bark on June 15, weather permitting.

NEW ELECTION EQUIPMENT

Les Andersen motioned to adopt a resolution authorizing the clerk to sign the grant agreement with the Michigan Department of State for the purchase of new voting equipment utilizing Federal HAVA and State appropriated funding, and to purchase an additional machine and the necessary peripherals for approximately \$6,000. Scott Lloyd seconded. Roll call vote: Lowe, Durbin, Lloyd, Stokes, Andersen, Beal—all yes. **Resolution passed 6-0.**

RECYCLING

Due to the cost of the service, the board agreed to take no action and the pilot project will discontinue on June 23, 2017. Tammy Beal said that Bob Hanvey is still discussing a special assessment with the Drain Commissioner's office.

NUISANCE/NOISE ORDINANCE

Tammy Beal said she talked with the undersheriff and he said the township needs a nuisance ordinance. Greg Durbin said he met with a deputy who said the owner of the property needs to send a letter to the sheriff's department and the state police requesting enforcement. Ms. Beal will contact Manny Kianicky of S.R. Jacobson and ask him to write a letter and to also ask for gates and better signage.

Mike Goral is looking into what can be done about "jake" braking; an ordinance will need to be written.

FILLMORE PARK RESOLUTION

Les Andersen motioned to adopt a resolution authorizing the supervisor and clerk to sign the participating agreement and pay \$3,000 to the county in match assistance for funding of Fillmore County Park, as presented. Greg Durbin seconded. Roll call vote: Lowe, Lloyd, Beal, Durbin, Andersen, Stokes—all yes. **Resolution passed 6-0.**

HOWELL LANDSCAPE COMPLAINT

Tammy Beal provided the board members with correspondence from the zoning administrator regarding a complaint about Howell Landscape (formerly Eddie's Landscaping.) Dan Lowe said there are other similar situations in the township. Mr. Lowe will visit the site with the zoning administrator.

HIGHE SEWER

Les Andersen motioned that the township will only pay for the grinder pump (ref. April 8 special meeting minutes.) Scott Lloyd seconded. Motion carried.

TREE DONATION

The board members agreed to a local maple or oak tree. Dan Lowe suggested putting it by the log sign near the pond. Tammy Beal will check with the LCRC on the road easement in that area.

RECEIPTING PROGRAM

Les Andersen motioned to approve the purchase of BS&A receipting software for the treasurer's office in the amount of \$5,595, as presented. Scott Lloyd seconded. Roll call vote: Durbin, Stokes, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 6-0.**

NEW RECORDING SYSTEM

Dan Lowe would like to have new recording equipment; the recordings are inconsistent and difficult to hear. Tammy Beal said in the future, she would like to have an addition with a permanent board table. Tammy Beal will have the staff look at what's available.

CORRESPONDENCE/UPDATES

Tammy Beal said that Mr. DeBottis will be doing the parking lot on Friday, May 26, weather permitting.

CALL TO THE PUBLIC

No response.

ADJOURNMENT

Greg Durbin motioned to adjourn at 9:04 pm. Les Andersen seconded. **Motion carried.**

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date

MHOG Water Authority Meeting
May 17, 2017
5:00 PM at Oceola Township Hall

AGENDA

1. Approval of the Minutes of April 19, 2017
2. Call to Public
3. Reports
 - Staff Reports: Greg Tatara and Tesha Humphriss
 - Treasurer (Robin Hunt)
 - Engineer (Gary Markstrom)
 - CPA (Ken Palka)
4. New Business
 - Correspondence
5. Old Business
6. Adjournment

Marion Howell Oceola Genoa

WATER AUTHORITY

MHOG Water Authority Meeting MINUTES

The Marion, Howell, Oceola, Genoa Water Authority met on April 19, 2017 at 5:00 PM at the Oceola Township Hall. Members present were Hanvey, Bamber, Coddington, Schuhmacher, Rogers, Lowe and Howard.

The meeting was called to order by Chairman Hanvey.

A motion was made by Rogers to approve the minutes of the March 15, 2017 meeting. The motion was seconded by Schuhmacher and carried.

A call to the public was held

A motion was made by Schuhmacher to approve expenditures of \$141,583.08 from the M.H.O.G. Operating Fund represented by checks numbered 7196 thru 7224 and for payroll checks numbered 7329 thru 7331 and for direct deposit debits 286 thru 290. The motion was seconded by Rogers and carried.

A motion was made by Rogers to approve not to exceed \$8,000.00 including installation with Michigan Cat for a Transfer Switch. The motion was seconded by Schuhmacher and carried.

A motion was made by Schuhmacher to pay Pro Pump \$5,865.00 to repair a Gould's pump. The motion was seconded by Coddington and carried.

A motion was made by Bamber to adjourn. The motion was seconded by Schuhmacher and carried.

William J. Bamber, Secretary

HOWELL AREA FIRE AUTHORITY MEETING
Oceola Township Hall
1577 N. Latson Rd. – Howell, MI
May 17, 2017 – 6:00 PM

Authority Board
Members and Other
Officials:

- | | |
|--|--|
| Bill Bamber
Oceola Township
<i>Chairman</i> | 1. Meeting called to order at 6:00 pm. |
| | 2. Pledge of Allegiance (all stand) |
| | 3. Approve minutes of the regular meeting of April 19, 2017. |
| | 4. Call to Public (items not on agenda) |
| Mike Coddington
Howell Township
<i>Vice Chairman</i> | 5. Discussion/Approval: To accept the 2017/2018 Howell Area Fire Authority Budget. |
| Mark Fosdick
Cohoctah Township
<i>Secretary</i> | 6. Fire Chief Update to Board:
a. Ladder 20 Repairs
b. Fire station building leases. |
| Robert Hanvey
Marion Township
<i>Member</i> | 7. Discussion/Approval: Payment of bills and payroll. |
| | 8. New Business |
| | 9. Old Business |
| Nick Proctor
City of Howell
<i>Treasurer</i> | 10. Adjourn |
| Andy Pless
<i>Fire Chief</i> | |
| Barbara Souchick
<i>Asst. Sec/Treasurer</i> | |

WELCOME!

Visitors are invited to attend all meetings of the Howell Area Fire Authority Board.
If you wish to address the Board you will be recognized by the Chairman.

HOWELL AREA FIRE AUTHORITY

April 19, 2017 – 6:00 pm

Oceola Township Hall – 1577 N. Latson Rd. Howell, MI 48843

Present: Chairman Bill Bamber, Vice Chairman Mike Coddington, Secretary Mark Fosdick, Member Robert Hanvey, Treasurer Nick Proctor, Fire Chief Andy Pless, Attorney Kevin Gentry
Absent: Asst. Secretary/Treasurer Barbara Souchick

Chairman Bill Bamber called the meeting to order at 6:00 pm

Approve the minutes of the regular meeting of March 15, 2017: MOTION by Mr. Proctor, SUPPORT by Mr. Coddington to approve the minutes of the regular meeting of March 15, 2017.
MOTION CARRIED UNANIMOUSLY.

Call to Public: No Response

Approve Payment of Bills and Payroll: MOTION by Mr. Coddington, SUPPORT by Mr. Hanvey to authorize payment of bills and payroll in the amount of \$ 126,099.48.
MOTION CARRIED UNANIMOUSLY.

Adjourn: MOTION by Mr. Proctor, SUPPORT by Mr. Fosdick to adjourn the meeting at 6:31 pm.
MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted: _____
Chief Andy Pless

Approved By: _____
Mark Fosdick, Secretary

Howell Area FD

Marion Twp.

Incident List by Alarm Date/Time

Alarm Date Between {04/01/2017} And {04/30/2017}
and District = "MTP "

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
17-0000431-000	04/02/2017	11:26:12	155 S TRUHN RD /FOWLERVIL	311 Medical assist, assist EMS c
17-0000432-000	04/02/2017	14:03:14	W I96 & PINCKNEY RD	600 Good intent call, Other
17-0000433-000	04/03/2017	11:42:40	1500 PINCKNEY RD	311 Medical assist, assist EMS c
17-0000439-000	04/05/2017	06:59:53	MASON RD & S WALNUT ST	352 Extrication of victim(s) fro
17-0000451-000	04/07/2017	14:09:51	PINCKNEY RD & WRIGHT RD	600 Good intent call, Other
17-0000453-000	04/07/2017	16:47:40	PINCKNEY RD & KEDDLE RD	352 Extrication of victim(s) fro
17-0000458-000	04/08/2017	15:39:09	2404 WHITE BIRCH TRL	311 Medical assist, assist EMS c
17-0000462-000	04/08/2017	19:57:13	2353 SEXTON RD	324 Motor Vehicle Accident with
17-0000499-000	04/16/2017	17:11:32	4539 W COON LAKE RD	311 Medical assist, assist EMS c
17-0000503-000	04/17/2017	16:50:59	2992 FISK RD	357 Extrication of victim(s) fro
17-0000505-000	04/17/2017	18:27:15	3623 BLACK EAGLE DR	311 Medical assist, assist EMS c
17-0000510-000	04/18/2017	16:07:32	W I96 & PINCKNEY RD	142 Brush or brush-and-grass mix
17-0000511-000	04/18/2017	19:39:00	1746 TRIANGLE LAKE RD	311 Medical assist, assist EMS c
17-0000512-000	04/18/2017	22:32:09	4989 VINES RD	311 Medical assist, assist EMS c
17-0000521-000	04/21/2017	10:31:20	205 FRANCIS RD	311 Medical assist, assist EMS c
17-0000534-000	04/25/2017	06:36:44	3586 PINGREE RD	311 Medical assist, assist EMS c
17-0000536-000	04/25/2017	16:30:34	971 SPIREA	311 Medical assist, assist EMS c
17-0000538-000	04/26/2017	06:17:05	56 S BURKHART RD	745 Alarm system activation, no
17-0000540-000	04/26/2017	14:46:51	560 COUNTY FARM RD	600 Good intent call, Other
17-0000541-000	04/26/2017	20:00:10	1382 LUCY RD	561 Unauthorized burning
17-0000554-000	04/29/2017	14:30:12	2274 SEXTON RD	631 Authorized controlled burnin
17-0000557-000	04/30/2017	12:57:43	COUNTY FARM RD & JEWELL R	600 Good intent call, Other

Total Incident Count 22

MARION TOWNSHIP
FINANCIAL REPORT

Apr-17

GENERAL FUND CHECKING

Previous Balance	\$	861,631.67
Receipts	\$	4,528.74
Interest		

	\$	866,160.41
Expenditures	\$	62,921.70

Balance	\$	803,238.71

CEMETERY FUND

Previous Balance	\$	15,526.39
Receipts	\$	-
Interest		

	\$	15,526.39
Expenditures	\$	890.00

Balance	\$	14,636.39

PARKS & RECREATION FUND

Previous Balance	\$	8,222.01
Receipts		\$0.00
Interest		

	\$	8,222.01
Expenditures	\$	\$159.05

Balance	\$	8,062.96

SEWER S.A.D.

Previous Balance	\$	-	CLOSED
Receipts	\$	-	CLOSED
Interest			CLOSED
		-----	CLOSED
	\$	-	CLOSED
Expenditures		\$0.00	CLOSED
		-----	CLOSED
Balance	\$	-	CLOSED

FINANCIAL REPORT

Page -2-

Apr-17

WATER - NEW USER

Previous Balance	\$	281,607.57
Receipts	\$	3,229.88

Interest		

	\$	284,837.45
Expenditures		\$4,850.00

Balance	\$	279,987.45
SEWER OPERATING & MANAGEMT		
Previous Balance	\$	238,041.07
Receipts	\$	-
Interest		

	\$	238,041.07
Expenditures	\$	26,984.25

Balance	\$	211,056.82
SEWER - NEW USER		
Previous Balance	\$	2,049,791.63
Receipts	\$	5,864.61
Interest		

	\$	2,055,656.24
Expenditures	\$	-

Balance	\$	2,055,656.24
SPEC ASSESS. FUND		
Previous Balance		\$177,200.89
Receipts	\$	-
Interest		

		\$177,200.89
Expenditures	\$	950.00

Balance		\$176,250.89

SUMMARY TOTALS

General Fund	\$	803,238.71	
Cemetery Fund	\$	14,636.39	
Parks & Rec Capital Chkg Acct	\$	8,062.96	
Sewer S.A.D.	\$	-	CLOSED
Water - New User	\$	279,987.45	
Sewer Operating & Management	\$	211,056.82	
Sewer - New User	\$	2,055,656.24	
Special Assess. Fund	\$	176,250.89	

TOTAL	\$	3,548,889.46	

Ref: Financial Report APRIL 2017



925 W. Grand River Ave.
Howell, Michigan 48843
517.546.0693
517.546.6018 Fax
www.howellrecreation.org

"Communities coming together to enrich lives by promoting active and healthy lifestyles"

Mr. Bob Hanvey
Supervisor
Marion Township
2877 W. Coon Lake Road
Howell, MI 48843

Mr. Hanvey,

Enclosed is a draft of the 4th Amended Articles of Incorporation for HAPRA. The changes requested are to remove Howell Schools as a board member, adds Howell Township as a participating entity, and to clarify the monetary contribution going forward for all current or future entities.

The requested changes are indicated with red highlight and red strike through.

The HAPRA Board is requesting your input as to the changes.

Once all entities have provided their input a draft of the document will be approved by the HAPRA Board and will then be brought back to each entity for approval.

Thank you for your consideration of this request and please let me know if you have any questions or comments.

Respectfully,

Paul F. Rogers
Executive Director
Howell Area Parks & Recreation Authority

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

ARTICLE I

NAME AND OFFICE

The name of the Authority shall be and is the “Howell Area Parks and Recreation Authority”, hereinafter referred to as the “Authority”. The principal office of the Authority shall be located at 925 W. Grand River Avenue, Howell, Michigan or at such other location as may be designated by the Board of the Authority.

ARTICLE II

DEFINITIONS

The terms “authority,” “board,” “participating municipality,” “park,” “recreational purposes,” “swimming pool,” “and territory of the Authority” as used in these Articles of Incorporation shall be as now or hereafter defined in Section 1 of Michigan Public Act 321 of 2000, as amended (“Act 321”), that being MCL 123.1133, *et seq.* Other terms shall have such meaning as may be specified in the various provisions of these Articles of Incorporation.

ARTICLE III

PARTICIPATING MUNICIPALITIES AND TERRITORY

The participating and creating municipalities of the Authority are the City of Howell, Township of Howell, Township of Marion and the portions of the Charter Township of Genoa ~~Township & Township of Ocoola containing precinct 1, 2, 3, 5, 9, 10, and the precincts~~ which are contained in the Howell Public School District, in the County of Livingston, Michigan, all of which are hereby designated and referred to in these Articles as the “participating municipalities.” The “territory of the Authority” shall be all of the combined territory of the participating municipalities as stated in this paragraph.

ARTICLE IV

PURPOSE

The purpose of the Authority shall be to construct, operate, maintain and/or improve recreational facilities, including, but not limited to, parks, swimming pools, recreation centers, auditoriums and any other facilities authorized by Section 5 of Act 321, to acquire land for recreation purposes authorized by Section 5 of Act 321, and to provide recreational services as authorized by Act 321.

ARTICLE V

POWERS

The Authority shall be a body corporate with power to sue or be sued in any court in the State of Michigan. Its jurisdiction shall include all of the total territory embraced within the described boundaries of its participating municipalities, as defined in Article III of

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

these Articles, as now constituted or hereafter changed through annexation, detachment, consolidation or change of municipal identity.

The Authority shall possess all of the powers specified in Act 321 and all other laws of the State of Michigan and all the powers necessary to carry out the purposes thereof and those powers incidental thereto. It may acquire property by purchase, lease, grant, gift, devise, land contract or installment purchase contract, either within or outside its corporate limits, and may hold, manage, control, sell (if the assets are owned by the authority), exchange or lease owned property for a system of parks and public recreational facilities including, but not limited to, related buildings, structures, sports fields, apparatus, equipment, pathways, waterways, athletic courts and pools used in connection with the operation of a parks and recreation program. It may acquire, by purchase, lease or otherwise, and succeed to any or all of the rights, obligations and property of the cities or townships, or any parts thereof, toward lands and structures within the territorial limits of the Authority comprising parks and recreational facilities. Upon approval of these Articles of Incorporation, no approval of the electors shall be necessary for the Authority to acquire and/or manage parks and facilities located within or outside the Authority. The Authority may sell or lease owned lands and facilities within or outside the Authority's boundaries. The Authority may exercise all powers in the management and control of Authority property, including the extent of use by persons residing outside the boundaries of the Authority, and in the administration of the Authority, whether such powers are expressly enumerated or not.

ARTICLE VI

TERM

The Authority shall continue in existence perpetually or until dissolved by the majority vote of each of the then participating municipalities. A participating municipality shall not withdraw from the Authority during the period for which the Authority has been authorized to levy a tax by the electors of the Authority.

ARTICLE VII

FISCAL YEAR

The fiscal year of the Authority shall commence on the first day of January in each year and shall end on the last day of December of the same year.

ARTICLE VIII

GOVERNING BOARD

The Authority shall be directed and governed by an odd number Board of Trustees, known as the "Howell Area Parks and Recreation Authority Board" and hereinafter sometimes referred to as the "Board," which shall be made up of one member selected by

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

the governing body of each participating municipality, each of whom shall be an elected official of said participating municipality or the township or city which shall encompass said participating municipality if that participating municipality is a district, ~~and a member selected by the Howell Public Schools Board of Education who shall reside within the Authority's jurisdictional boundaries. The Recreation Authority Board will appoint one resident who shall reside within the Authority's jurisdictional boundaries to the Board, if needed, to meet the required odd number of members. An individual appointed by the Recreation Authority Board under this provision shall not reside in the same municipality as the individual selected by the Howell Public Schools Board of Education. This appointed member shall serve a term of not more than two (2) years and shall be eligible for reappointment. This appointed member shall not be an elected official of any participating municipality.~~ Each member of the Board shall qualify by taking the constitutional oath of office and filing it with the clerk of his or her respective participating municipality, ~~or in the case of the member selected by the Howell Public Schools Board of Education with the Secretary of the Howell Public Schools Board of Education, or in the case of the member selected by the Board, with the Secretary of the Board.~~

The Recreation Authority Board, the governing body of each participating municipality, ~~and the Howell Public Schools Board of Education~~ may appoint an alternate member who shall attend meetings and vote and otherwise act at such meetings in the absence of the member appointed by such governing body. Alternate members must meet the requirements as set forth in this Article VIII.

The Authority shall not employ members of the Board, or members of their immediate families, in any position other than one which is voluntary and unpaid. Each year in ~~July~~ December, the board shall elect officers at an organizational meeting including: Chairman, Vice Chairman, Secretary, and Treasurer. Officers shall serve until the organizational meeting of the following year or until their respective successors shall be selected and qualified. No selection to the Authority and no selection of an officer shall be deemed to be invalid because it was not made with or at the time specified in these Articles. Any Board member may be removed at any time for cause or without cause by action of the governing body that selected such member.

ARTICLE IX

COMPENSATION

Pursuant to the requirements of Act 321, members of the Authority Board shall not be compensated for their service by the Authority. Each member of the Board shall, however, be entitled to reimbursement for all expenditures made by him or her in carrying out official duties as may be approved by the Board and to the extent authorized by the budget for the Authority for each fiscal year.

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

ARTICLE X

VACANCY

In the event of a vacancy on the Board, the governing body selecting such representative shall fill the vacancy as expediently as possible.

ARTICLE XI

MEETINGS

Meetings of the Authority shall be held as required and at least quarterly at such time and place as shall be prescribed by resolution of the Board. Each member of the Board shall have one vote. Special meetings of the Board may be called by the Chairperson, or any two (2) members thereof, by written notice to the time, place and purposes thereof, upon each member of the Board, personally, or by leaving it at his or her place of residence at least twenty-four (24) hours prior to the time of such meeting, or by depositing the same in the U.S. Post Office or mail box within the limits of the Authority, at least seventy-two (72) hours prior to the time of such meeting, enclosed in a sealed envelope properly addressed to such member at his or her home address or office address, whichever shall have been designated by the member, with postage fully prepaid. If a member has not designated a mailing address for Board purposes, notice must be mailed to both the member's home and office addresses. Any meeting of the Board shall be held, and any notice therefore shall be given, in accordance with the provisions of Act 267, Public Acts of Michigan, 1976, as amended. (Open Meetings Act.) Any member may waive notice of any special meeting either before or after the holding thereof. At least a majority of the voting members of the Board shall be required for a quorum. The Board shall act by motion or resolution. A vote of the majority of the members of the Board who are present at any meeting, at which a quorum is present, shall be sufficient for passage of any motion or resolution. However, notwithstanding anything herein to the contrary, any vote regarding the annual budget, capital expenditures, projected revenues, projected expenditures, budget and budget amendments, shall only be voted upon by a vote of the majority of the members of the Board, and not the majority which would otherwise constitute a quorum.

The Board shall have the right to adopt rules governing its procedures, which are not in conflict with the terms of any statute of the State of Michigan or of these Articles of Incorporation. The Board shall keep a record of its proceedings, which record shall be signed by the Secretary and open to the public. All votes shall be "Yes," "No" or "Abstain," provided where the vote is unanimous, it shall only be necessary to so state.

ARTICLE XII

DUTIES OF BOARD AND OFFICERS

The Chairperson of the Board shall be the presiding officer thereof, and shall be permitted, with the consent of the Board, to appoint committees of the Board as

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

necessary. Except as herein otherwise provided, the Chairperson and Board Members shall not have any executive or administrative functions other than as a member of the Board. In the absence or disability of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson. The Secretary shall be the recording officer of the Board. The Treasurer shall be the custodian of the funds of the Authority and shall give to it a bond conditioned upon the faithful performance of the duties of his or her office. All money shall be deposited in a bank or banks, to be designated by the Board, and all checks or other forms of withdrawal there from shall follow the approved financial policies as accepted by the Board of Trustees. All authorized signatories shall give a bond conditioned upon the faithful performance of the prescribed duties. The Authority shall pay the cost of the bonds.

ARTICLE XIII

REVENUE SOURCES, BUDGETING, AND FINANCING THE AUTHORITY

Revenue Sources

The Authority shall have the power to assess and collect fees, rents, tolls, excises, and service charges; to borrow money and issue revenue bonds in accordance with the provisions of Act 94, Public Acts of Michigan, 1933, as amended; to borrow money and issue bonds on the credit of the Authority a sum not to exceed 2 mills of the taxable value of the taxable property within the territory of the Authority for the purpose of acquiring, owning, purchasing, constructing, maintaining or operating a system of parks and recreational facilities or any combination thereof; and to appropriate money annually for Authority purposes and to lay and collect taxes for Authority purposes in a sum not to exceed one (1) mill provided that it is approved in each participating municipality by a vote of the electorate, as provided in Act 321, and to raise revenue by any other levy or bond issuance authorized by Act 321. The term of any bond, note, land contract, installment purchase contract or other borrowed money shall not extend beyond the last day of the fiscal year of a property tax authorized under Article XIII.

Financing the Authority

A. **Financial Contribution From Each Participating Municipality Until Millage Election**

Beginning in FY 2017 FY07/08, the participating municipalities of the City of Howell, Charter Township of Genoa, Township of Marion and Township of Oceola, may choose from- will have two different funding levels of either- a top participation contribution funding level of \$ 103,225. The Township of Howell and any future participating municipalities will have a first year funding level of \$ 52,000,\$100,000 or \$57,980 year. Starting in the second year of participation FY 08/09 the lower contribution rate will rise by \$ 20,000; in the third year of participation the lower contribution rate will rise by

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

\$ 25,000; in the fourth year of participation the lower level contribution will become equal to the top participation contribution level.

The top participation contribution level \$100,000 shall remain the same until the lower contribution rate tier equals the top participation contribution level \$100,000; then all contributions under this formula will rise by the Consumer Price Index for the preceding year.

Residents of municipalities who ~~choose to~~ participate at the top participation contribution level \$100,000 will be entitled to the lowest resident program fee structure. Residents of the Township of Howell and any future participating municipalities ~~municipalities who choose to fund at the~~ with a first year funding level of \$ 52,000 \$57,980 level will ~~generally~~ be assessed a Tier 2 premium program fee equaling 20% higher than the resident program fee. ~~the percentage difference between the \$100,000 level and the lower level for service.~~

Once the participating contribution rates are equalized to the top participation contribution level \$100,000 then all residents of participating municipalities will be charged the same resident program fees. Any resident of a nonparticipating municipality will be generally charged two times the normal program fee. Annual financial contributions shall be invoiced and paid ~~made~~ quarterly to the Authority.

It is the intent of the participating municipalities and these Articles that the question of a property tax levy as authorized by Section 11 of Act 321 will be put to the electorate with the earliest date of 2018 2010 or at such subsequent time as the board shall determine. In the event said levy shall be approved, the funding mechanism in subsection B will replace the funding mechanism in this subsection. In the event that the levy is not approved by the voters, or any future renewal of such levy is not approved by the voters, it is the intent of these Articles, without further action being required, that the Authority will dissolve, and said dissolution will be conducted in accordance with Article XV of these Articles, unless two-thirds (2/3rds) of the participating municipalities shall, by resolution of their governing bodies within 90 days of the failure of the millage question, determine that the Authority should continue. In the event that two-thirds of the participating municipalities resolve to continue the Authority, all participating members not so resolving will put the question to their governing bodies and resolve to either continue the Authority or withdraw from the Authority. Any withdrawal shall be conducted in accordance with Article XIV of these Articles. In the event two-thirds, or more, participating members shall elect to continue the Authority following the failure of a millage question, the funding pattern set forth in the first paragraph of this section shall be followed unless and until the remaining participating municipalities amend these Articles to state a new funding mechanism and/or formula.

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

B. Property Tax Levy

As an alternative to the financial contribution formula in subsection A of this section, the Authority may levy a tax on all taxable property within the territory of the Authority as authorized by Section 11 of Act 321. For so long as the Authority is funded by a levy as authorized by Section 11 of Act 321, the imposition of such a levy shall preclude the Board and/or Authority from requiring any further financial contributions from each participating municipality. Nothing in this paragraph shall be construed as preventing a participating municipality, by action of its governing body, from providing additional contributions to the Authority, for either general or a specific use.

C. Rollover Funding During Initial Operations

In addition to the above sources, the Authority may, during its first year of operations and additionally until the approval of the Property Tax Levy envisioned by this Article, be funded in part or whole via allocation of funds already designated for recreational activities by the participating municipalities. Any funds allocated directly from any participating municipality under this paragraph shall be credited toward that participating municipality's share under any budgetary computations under paragraph A for the first year or part thereof of operations of the Authority.

Prior to commencement of the Property Tax Levy, the Authority Board shall make arrangements for the management and accounting of the Authority's finances by contract or through internal accounting by one of the participating municipalities.

Budgeting

D. Budget Process During Periods Not Funded by Property Tax Levy

For so long as the Authority is not financed by a Property Tax Levy as provided in Section 11 of Act 321 and Article XIII (B) of these articles, the mandates of this paragraph shall apply to the Authority's budgeting process. The Board shall prepare a proposed annual operating and capital budget reflecting the projected revenues and projected expenditures of the Authority for the next fiscal year beginning January 1. The Board shall adopt the proposed budget by a majority vote of the members of the Board in such a manner as to assure submission of the adopted tentative budget to the participating municipalities no later than November 1 of each year. The proposed budget shall provide for contributions from the member municipalities which are not greater than those which would be arrived at using the formula utilized in subparagraph A of this Article. After the approval of the proposed budget by the governing bodies of a two-thirds majority of the participating municipalities, the Board shall give final approval to the Authority budget for the next fiscal year. The budget may be amended from time to time upon approval by the governing bodies of a two-thirds majority of the participating municipalities. ~~As used herein, the Howell School Board shall not be considered a participating municipality, nor shall its approval be required at any stage of the budget~~

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

~~process:~~

E. Budget Process During Periods Funded by Property Tax Levy

During any period in which the Authority is financed by a Property Tax Levy as provided in Section 11 of Act 321 and Article XIII (B) of these Articles, the mandates of this paragraph shall apply to the Authority's budgeting process, and shall supersede the mandates of paragraph (D) of this Article. The Board shall prepare a proposed annual operating and capital budget reflecting the projected revenues and projected expenditures of the Authority for the next fiscal year beginning January 1. The Board shall adopt the proposed budget by a majority vote of the members of the Board in such a manner as to assure that said budget is approved prior to January 1 of the year it is to commence. The Board's approval by majority vote shall be the final approval required for the budget. The budget may be amended from time to time upon approval of a majority of the Board. Nothing in this subsection shall be construed to require a participating municipality to fund the Authority with any general fund monies without the approval of said funding by that participating municipality's governing body, which shall retain the discretion to approve or deny general fund monies to the Authority during the time periods to which this subsection applies. During any period in which the Authority shall cease to be funded by a Property Tax Levy as provided in Section 11 of Act 321 and Article XIII (B) of these Articles, the budget procedure followed shall be that found in Paragraph (D) of this Article, followed shall be that found in Paragraph (D) of this Article, which shall supersede this Paragraph during all such times.

F. Accounting and Budgeting Practices

The accounting and budgeting practices of the Authority shall conform to standard accounting practices, the Uniform Budgeting and Accounting Act, Act 2, Public Acts of Michigan, 1968, as amended, and all other applicable provisions of law.

ARTICLE XIV.

PARTICIPATING MUNICIPALITY WITHDRAWAL

A participating municipality shall not withdraw from the Authority during the period that a tax is authorized to be levied by the electors of the Authority.

A participating municipality may withdraw from the Authority, subject to the limitation in the first paragraph of this Article, by resolution of the participating municipality's legislative body approving the withdrawal, a certified copy of the resolution shall be provided to the Board at least twelve (12) months prior to the beginning of a new fiscal year for the Authority. Such new fiscal year shall serve as the effective date for the withdrawal. Notwithstanding these requirements, any withdrawal occurring pursuant to subsection A of Article XIII shall be deemed to be effective on the last day of the fiscal year, with the only notice requirement being the Authority's receipt of a resolution of withdrawal enacted by the withdrawing member's governing body on or before 90 days prior to the last day of the fiscal year.

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

A participating municipality that withdraws from the Authority shall remain liable for a proportion of the debts and liabilities of the Authority incurred while the participating municipality was a part of the Authority. The proportion of the Authority's debts for which a participating municipality remains liable as a result of this withdrawal from the Authority shall be determined by dividing the state equalized value of the real property in the participating municipality by the state equalized value of all real property in the Authority on the effective date of the withdrawal.

Any property owned by the Authority, which is in the possession of the withdrawing municipality or in the possession of personnel who will no longer remain with the Authority as a result of the participating municipality's withdrawal from the Authority, shall be returned to the Authority before the effective date of the withdrawal. The withdrawing municipality shall not be entitled to the return of any credit for any property or money it transferred to or paid to the Authority prior to the withdrawal.

ARTICLE XV

DISSOLUTION OF AUTHORITY

The Authority may be dissolved by the concurring resolution of the governing body of each participating municipality of the Authority at the time of such dissolution, or by operation of subsection A of Article XIII following failure of a millage and subsequent failure of the governing bodies of at least two-thirds of the participating members to resolve to continue the Authority. Prior to dissolution of the Authority any outstanding indebtedness of the Authority, including any bonds issued under Section 21 and/or Section 23 of Act 321 shall be paid. Any assets of the Authority remaining after the payment of any such outstanding indebtedness shall be distributed to the participating municipalities of the Authority at the time of the dissolution based upon each participating municipality's most recent financial contribution to the Authority. Any land, buildings, and/or facilities that were contributed to the Authority by a participating municipality and is maintained, owned, or operated by the Authority shall revert back to the originating municipality. Any land purchased by the authority or donated shall be sold and the proceeds distributed according to the 1) the formula in Article XIII, paragraph A, if the participating municipalities, at the time of dissolution, are directly funding the Authority's budget or 2) according to the formula arrived at by dividing the state equalized value of the real property in each participating municipality by the state equalized value of all real property in the Authority on the effective date of the dissolution. In all instances, the participating municipality in which said real estate is located shall be given the right of first refusal on the purchase of said real estate. In the event of a dissolution following a period of property tax levy by the Authority, any funds obtained via levy, and/or property purchased by such funds, which are subsequently distributed to the participating municipalities pursuant to this Article shall be assigned by the participating municipalities to public purposes consistent with the purposes approved by the electorate for the original levy.

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

Notwithstanding the above paragraph, in the event that, at the time of dissolution, the Authority is in possession of lands acquired with, or developed with, in whole or in part, grant funds from the Michigan Natural Resources Trust Fund (hereinafter the “MNRTF”), or the Land and Water Conservation Fund (hereinafter the “LWCF”), the following procedure shall control the disposition of said lands. All lands purchased or developed with MNRTF or LWCF funds, in whole or in part, must be maintained as public outdoor recreation land in perpetuity, unless said lands are replaced with land of equivalent fair market value and recreational usefulness, unless said lands, instead of being purchased, are leased for the purpose of developing public outdoor recreation facilities for a period of at least twenty (20) years when assistance is from MNRTF funds or at least twenty-five (25) years when assistance is from LWCF funds. Accordingly, to comply with MNRTF and LWCF mandates in the event of dissolution, the participating municipality in which the lands acquired or developed with MNRTF or LWCF funds are located shall assume title and control of said lands, and shall be required to maintain said lands as public outdoor recreation land in perpetuity, or until the expiration of any lease of the lands from any party to the Authority or its successors whose original period was twenty (20) years or longer, whichever is greater, unless said lands are replaced with land of equivalent fair market value and recreational usefulness. All long-term obligations for the maintenance or public recreation land established by any other recreation grant program that may be offered by the Michigan Department of Natural Resources in the future shall similarly be followed should the Authority receive grant assistance from said future grant program. Said lands shall be transferred to the participating municipality in which the lands are located, and said transfer shall not be credited, set-off, or computed against any other allocation under this Article’s dissolution procedure, nor shall any credit, computation, or set-off be made in recognition of any maintenance costs associated with said lands.

ARTICLE XVI

EMPLOYEES

The Board may employ such personnel and employees as it may consider desirable and may retain from time to time the services of attorneys, accountants, and other consultants, as the Board considers necessary to carry out the purpose of the Authority.

| The Board shall appoint an Executive Director of Parks and Recreation of the Authority who shall be the chief administrative employee of the Authority, and who shall, as determined by the Board, have sufficient qualifications and experience necessary to serve | as the chief administrative officer of the Authority. The Executive Director shall | administer the activities conducted and services provided by the Authority on a daily | basis as may be more fully determined by the Board. The Executive Director will serve at the pleasure of the Board.

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

ARTICLE XVII

AUDIT

The Board shall procure an annual audit, consistent with the requirements of Section 27 of Act 321, to be made of the books, records and financial transactions of the Authority by a certified public accountant. Three copies of the audit report prepared by the certified public accountant shall be furnished to each participating municipality. The books and records of the Authority shall be open for inspection by any participating municipality at all reasonable times.

ARTICLE XVIII

STATE, FEDERAL AND PRIVATE GRANTS

The Authority shall have the power to apply for and accept grants, loans or contributions from the United States of America or any agency or instrumentality thereof, the State of Michigan or other public or private agencies; and to do any and all requirements necessary or desirable to secure such financial or other aid or cooperation in carrying out any of the purposes of Act 321. In the event that any grant, loan or contribution shall require a long term obligation as to the use, maintenance, or operation of a specific piece of property, the approval of the governing body of the participating municipality in which such property is located shall be required prior to the acceptance of the grant, loan, or contribution by the Authority.

ARTICLE XIX

INVESTMENT

The Treasurer of the Authority when authorized by a resolution of the Board may invest general funds of the Authority. The board must approve the treasurer's investment policy. Such investment by the Treasurer shall be made in compliance with the laws of the State of Michigan.

ARTICLE XX

EXEMPTION FROM TAXATION

The property of the Authority shall be exempt from all taxation and assessments and no writ of attachment or writ of execution shall be levied upon the property of the Authority.

ARTICLE XXI

PUBLICATION

These Articles of Incorporation shall be published not less than once in a newspaper generally circulated within the participating municipalities, before they are adopted. The adoption of these Articles of Incorporation by a participating municipality shall be

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

evidenced by an endorsement on these Articles by the clerk of such participating municipality. Upon adoption of these Articles of Incorporation by each of these participating municipalities, a printed copy thereof shall be filed with the Secretary of State.

ARTICLE XXII

EFFECTIVE DATE

The Authority shall become effective upon the filing of certified copies of these Articles with the Secretary of State, as provided in the preceding Article.

ARTICLE XXIII

AMENDMENTS

These Articles of Incorporation may be amended at any time so as to permit any county, city, village, ~~or~~ township or school district to become a participating municipality of the Authority, if such amendment to the Articles of Incorporation are adopted by the legislative body of such county, city, village, ~~or~~ township or school district proposing to become a member, and if such amendment is adopted by the legislative body of each participating municipality of which the Authority is composed. Other amendments may be made to these Articles of Incorporation at any time if adopted by the legislative body of each participating municipality of which the Authority is composed. This requirement shall apply to all amendments to the articles, including those which would otherwise be exempted by paragraph (4) of Section 5 of Act 321. Any such amendment shall be published, endorsed, and certified and printed copies thereof filed in the same manner as the original Articles of Incorporation.

ARTICLE XXIV

REVERSION OF LEASES OF EXISTING PARK LAND

In the event that any land leased to the Authority shall, during the Authority's stewardship and lease of said lands, be improved or developed, in whole or in part, with the assistance of Michigan Natural Resources Trust Fund ("MNRTF") and/or Land and Water Conservation Fund ("LWCF") monies, the Authority shall, throughout the Authority's stewardship and lease of the lands, be responsible for maintaining said lands in accordance with all grant requirements attendant to funding under the MNRTF and/or LWCF requirements. In the event of the dissolution of the Authority, or any other termination of the Authority's lease for any reason, the participating municipality which holds title to the lands shall maintain said lands in accordance with all grant requirements attendant to funding under the MNRTF and/or LWCF requirements, in perpetuity for those obligations occurring pursuant to LWCF requirements, and for the entire period of the grant or original lease of the property, whichever is longer, for those obligations occurring under the MNRTF. The requirements of this paragraph shall not be utilized in any way in determining any calculations, credits, or set-offs in regards to any dissolution arrangements under Article XV of these Articles.

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

ARTICLE XXV

MISCELLANEOUS

These Articles of Incorporation may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

The captions in these Articles of Incorporation are for convenience only and shall not be considered as part of these Articles of Incorporation or in any way limiting or amplifying the terms and provisions hereof.

These Articles have been adopted by the governing bodies of the: City of Howell, the Township of Howell, the Charter Township of Genoa, the Township of Marion and the Township of Oceola, as set forth in the following endorsements, and in witness whereof the Mayor and City Clerk of the City of Howell, Supervisor and Township Clerk of the Township of Howell, Supervisor and Township Clerk of the Charter Township of Genoa, Supervisor and Township Clerk of the Township of Marion and Supervisor and Township Clerk of the Township of Oceola, have endorsed thereon the statement of such adoption.

Mayor, City of Howell

Clerk, City of Howell

The foregoing Articles of Incorporation were adopted by the City Council of the City of Howell, Livingston County, Michigan, at a meeting duly held on the ____ day of

_____.

Supervisor, Township of Howell

Clerk, Township of Howell

The foregoing Articles of Incorporation were adopted by the Township Board of the Township of Howell, Livingston County, Michigan, at a meeting duly held on the

_____ day of _____.

ARTICLES OF INCORPORATION
HOWELL AREA PARKS AND RECREATION AUTHORITY
Fourth Amended – Proposed 04/18/2017

Supervisor, Township of Genoa

Clerk, Township of Genoa

The foregoing Articles of Incorporation were adopted by the Township Board of the Charter Township of Genoa, Livingston County, Michigan, at a meeting duly held on the _____ day of _____.

Supervisor, Township of Marion

Clerk, Township of Marion

The foregoing Articles of Incorporation were adopted by the Township Board of the Township of Marion, Livingston County, Michigan, at a meeting duly held on the _____ day of _____.

Supervisor, Township of Oceola

Clerk, Township of Oceola

The foregoing Articles of Incorporation were adopted by the Township Board of the Township of Oceola, Livingston County, Michigan, at a meeting duly held on the _____ day of _____.

MEMO

TO: Board of Trustees
FROM: Annette
DATE: May 18, 2017
SUBJECT: Chestnut MDEQ submittal
Spicer construction observation

Attached are;

Spicer review letter dated 5-15-17
Michigan Department of Environmental Quality (MDEQ) Application
MDEQ Notice of Public Hearing
Supporting documents for MDEQ application

Page two of the application states, soil erosion control measures will be followed by the Township engineer. I've asked Phil Westmoreland to attend the May 25, 2017 Board of Trustees meeting to discuss construction observation.

Let me know if you have any questions.



May 15, 2017

Annette McNamara
Marion Township
2877 W. Coon Lake road
Howell, MI 48843

RE: Chestnut Creek PR# 01-16
Marion Township, Livingston County, MI

Dear Mrs. McNamara,

We have received a revised set of plans for the Chestnut Creek private road from Livingston Engineering on behalf of Chestnut Developers on May 10, 2017. After discussion with Livingston Engineers, we received a new revision of Sheet 5 on May 11, 2017. The plans for this project were approved at the March 23, 2017 Board of Trustees Regular Meeting with three conditions, which are addressed below:

1. **The vertical curves need to be adjusted** – We feel that the revised vertical curves are appropriate for a design speed of 25 mph, as requested by The Board. The revisions were based on guidelines from the AASHTO document *Geometric Design of Highways and Streets*.
2. **The gravel should be 22A** – All gravel has been changed to 22A.
3. **Some spillway should be in place, as agreed upon by the Township's engineer** – The revised plans show a 150' paved section of Chestnut Creek Drive from station 3+75 to station 5+25. The elevation at the limits of the paved section reaches approximately 6" above the lowest point in the road. The pavement cross section includes 1.5" of 13A asphalt top on 1.5" of 1100L asphalt base with a bond coat in between. The asphalt is on top of the same 7" 22A aggregate base and 6" class II sand subbase cross section that comprises the rest of the road. The pavement is the width of two 11' lanes and does not include the two 4' shoulders. On both sides of Chestnut Creek Drive, from approximate stations 4+50 to 5+25, the plans show riprap adjacent to the shoulder of the road. We feel that this design is an acceptable solution to concerns about washout over the road.

We recommend the approval of these plans as revised. If you have any questions or require any more comment on this matter, please feel free to contact our office.

Sincerely,

Kevin J Wilks, E.I.T.
Design Engineer
SPICER GROUP, INC.
125 Helle Blvd., Suite 2
Dundee, MI 48131

Philip A. Westmoreland, P.E.
Senior Project Manager
SPICER GROUP, INC.
125 Helle Blvd., Suite 2
Dundee, MI 4813

CC: SGI File
Ken Recker, P.E., Livingston County Drain Commissioner
Kim Hiller, P.E., Livingston County Road Commission
Timothy J. Zimmer, P.E., Livingston Engineering
Jami Fyke, Chestnut

**State of Michigan
Department of Environmental Quality**

Water Resources Division
Lansing District Office
525 West Allegan Street, 1st Floor, South Tower,
Lansing, Michigan 48933
517-284-6665

Site Name: 47-Pinckney Rd-Howell
Submission Number: 2PH-NP8F-T38N
Date: May 17, 2017

PUBLIC NOTICE

Mr. Steve Gronow, 6253 Grand River Avenue, Suite 700, Brighton, Michigan 48114, has applied to this office for a permit under authority of Part 31, Water Resources Protection; Part 301, Inland Lakes and Streams; and Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The applicant proposes to install a 20 foot long, 12-inch diameter high density polyethylene culvert within the south branch of the Shiawassee River, place approximately 7.3 cubic yards of riprap over geotextile fabric at the culvert outlet, and place approximately 101 cubic yards of fill material in a 20-foot by 42-foot area of wetland to facilitate the construction of a private road for a residential development. The project is located on Pinckney Road in T02N, R04E, Section 24, Marion Township, Livingston County, Michigan, in accordance with plans submitted to the Water Resources Division.

THIS NOTICE IS NOT A PERMIT

The proposed project may also be regulated by one or more additional parts of the NREPA that are administered by the Department of Environmental Quality (DEQ), Water Resources Division (WRD). The requirements of all applicable parts are considered in determining if a permit can be issued. When a permit application is received requesting authorization to work in or over the inland waters of the State of Michigan, pursuant to Part 31, Part 301, and Part 303, of the NREPA, the NREPA provides that the DEQ submit copies for review to the department of public health; the city, village, or township and county where the project is to be located; the local soil conservation district; and any local watershed council organized under Part 311, Local River Management, of the NREPA. Additional notification is provided to certain persons as required by statute or determined by the DEQ.

The normal review of a permit application considers the impacts that the encroachment will have on flood stage or discharge characteristics, but does not consider the impact that the proposed work will have on the local community development and land use patterns.

Those persons wanting to make comments on the proposed project shall furnish this office with their written comments no later than 20 days from the date of this notice. Written comments will be made part of the record and should reference the above application number. Objections must be factual, specific, and fully describe the reasons upon which any objection is founded. Unless a written request is filed with the DEQ within the 20-day public comment period, the DEQ may make a decision on the application without a public hearing. The determination as to whether a permit will be issued or a public hearing held will be based on an evaluation of all relevant factors, including the public comments received and the effect of the proposed work on the public trust or interest, including navigation, fish, wildlife, and pollution. The specific permit

Public Notice
Mr. Steve Gronow
Submission Number: 2PH-NP8F-T38N
Page 2
May 17, 2017

decision criteria can be found in the parts of the NREPA applicable to this application and listed above. Copies of these parts of the NREPA are available on the public notice Web site. Public comments received will also be considered.

The entire copy of the public notice package may be viewed at the WRD's district office listed on the top of this public notice or online at: <https://miwaters.deq.state.mi.us/miwaters/external/publicnotice/search>. To access the public notice page online, search for the public notice by location or applicant name, and view by clicking on the "Documents" tab. Comments may be sent electronically by clicking on the "Add Comment" tab. A hard copy of the public notice may be requested by calling the above number.

cc:

Mr. Steve Gronow, Applicant
Ms. Julie Oakes, DNR, Wildlife Division
Mr. Jim Baker, DNR, Fisheries Division
Livingston County Clerk
Marion Township Clerk
Livingston County Drain Commissioner
Livingston County Health Department
Livingston County Conservation District
Livingston County CEA
Adjoining Property Owners, See File
Friends of the Shiawassee River
Mr. Jeff Bridgland, Niswander Environmental, LLC
Mr. Louis Wellman
Mr. Bartley Gravelle
Mr. Lawrence Milliken
AJR Group, Inc.
Local Postmaster



AGENCY USE	Previous USACE File Number	Date Received DEQ-WRD-LDO RCVD 2/22/2017	DEQ File Number 2PH-NP8F-T38N
	USACE File Number		Fee received \$

Validate that all parts of this checklist are submitted with the application package. Fill out application and additional pages as needed.

- All items in Sections 1 through 9 are completed.
- Project-specific Sections 10 through 20 are completed.
- Dimensions, volumes, and calculations are provided for all impact areas.
- All information contained in the headings for the appropriate Sections (1-20) are addressed, and identified attachments (➔) are included.
- Map, site plan(s), cross sections; one set must be black and white on 8 1/2 by 11 inch paper; photographs.
- Application fee is attached.

1 Project Location Information For Latitude, Longitude, and TRS info anywhere in Michigan see www.mcqi.state.mi.us/wetlands/

Project Address (road, if no street address) Vacant Howell-Pinckney Road (D-19) Property	Zip Code 48843	Municipality (Township/Village/City) Marion Twp	County Livingston
Property Tax Identification Number(s) 10-24-100-002, 10-23-200-004	Latitude 42 32' 56.16" N	Township/Range/Section (TRS) T 02N ; R 04E ;	
Subdivision/Plat and Lot Number NA	Longitude - 83 55' 49.07 W	Sec 24 OR Private Claim # _____	

2 Applicant and Agent Information

Owner/Applicant (individual or corporate name) Chestnut Development, LLC Contact: Steve Gronow	Agent/Contractor (firm name and contact person) Niswander Environmental, LLC Contact - Jeff Bridgland
Mailing Address 6253 Grand River Ave, Suite 700	Mailing Address 9436 Maltby Road
City Brighton State MI Zip Code 48114	City Brighton State MI Zip Code 48116
Contact Phone Number Fax (810) 599-8359 (517) 947-6643	Contact Phone Number Fax (810) 225-0539 (810) 225-0653
Email steviegronow@comcast.net	E-mail jbridgland@niswander-env.com
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Is the applicant the sole owner of all property on which this project is to be constructed and all property involved or impacted by this project? ➔ If no, attach letter(s) of authorization from all property owners including the owner of the disposal site.	
Property Owner's Name (If different from applicant)	Mailing Address
Contact Phone Number	City State Zip Code

3 Project Description

Project Name Chestnut Creek Residential Development	Preapplication File Number NA - Please refer to attached email from Tom Kolhoff dated 11/14/16
Name of Water body un-named wetlands along South Branch of Shlawassee River	Date project staked/flagged April 7, 2016
The proposed project is on, within, or involves (check all that apply) <input type="checkbox"/> an inland lake (5 acres or more) <input type="checkbox"/> a Great Lake or Section 10 Waters <input type="checkbox"/> a pond (less than 5 acres) <input checked="" type="checkbox"/> a wetland <input checked="" type="checkbox"/> a stream, river, ditch or drain <input type="checkbox"/> a 100-year floodplain <input type="checkbox"/> a legally established County Drain <input type="checkbox"/> a dam Date Drain was established <input type="checkbox"/> a designated high risk erosion area <input type="checkbox"/> a channel/canal <input type="checkbox"/> a designated critical dune area <input checked="" type="checkbox"/> 500 feet of an existing water body <input type="checkbox"/> a designated environmental area	Project Use <input checked="" type="checkbox"/> private <input type="checkbox"/> commercial <input type="checkbox"/> public/government <input type="checkbox"/> project is receiving federal/state transportation funds <input type="checkbox"/> Wetland Restoration <input type="checkbox"/> other

Indicate the type of permit being applied for: General Permit Minor Project Individual (All other projects.) ➔ See Appendix C.

Written Summary of All Proposed Activities **The Applicant proposes to place 101 cyd of clean fill material in 1,084 square feet (0.025 acres) of wetland to facilitate the construction of a 2,100 foot long by 30 foot wide gravel private road as the singular ingress/egress for the Chestnut Creek residential subdivision. An area of 20' x 42' will encroach into regulated wetland. In addition, the Applicant proposes to extend an existing 24 inch HDPE culvert by adding a collared 20 foot section on the north side of the road, in the location that crosses the South Branch of the Shlawassee River. To stabilize the outlet, place 7.3 cyds. of riprap over geo-textile fabric. All proposed work to be in compliance with the attached plans. Mitigation is not proposed.**



Construction Sequence and Methods *At the project site, soil erosion control measures will be implemented and maintained during the construction of this project to remain in compliance with the Michigan Part 91, Soil Erosion and Sedimentation Control Act, of NREPA. These soil erosion controls will ensure the protection of the on-site regulated wetland and stream resources. Soil erosion control measures will be constructed in accordance with the Livingston County Soil Erosion and Sedimentation Control Ordinance, and will be followed by the Township Engineer. Soil erosion control measures will include the provision of an erosion control fence as required along the areas of disturbance and wetland, and the provision of a stabilized construction entrance. Extreme caution will be taken by the Applicant's contractors to prevent erosion and siltation during construction. Disturbed areas will be stabilized promptly following the end of active disturbance. SESC Permits will be obtained prior to construction of the gravel road.*

**4 Project Purpose, Use and Alternatives** *Attach additional sheets as necessary.*

Describe the purpose of the project and its intended use; include any new development or expansion of an existing land use.

The purpose of the proposed project is to develop a 12-lot residential subdivision to be known as Chestnut Creek on a vacant 70.10-acre property in Marlon Township, Livingston County, MI (see attached Livingston Engineering's Sheet 1). Access to the subdivision can only be provided via Howell-Pinckney Road (D-19). Currently, there is a 12' wide dirt two-track that allows access from Howell-Pinckney Road (D-19) east back to the property, but per Marlon Township and Livingston County requirements, this is not wide enough to accommodate the proposed subdivision. Therefore, a 2,100 foot long private drive (to be known as Chestnut Creek Drive) needs to be constructed (Sheet 2), which according to Livingston County Road Commission standards needs to have a 30' base width (22' top width with 4' side slopes). The Applicant requested a variance from Marlon Township to follow a portion of the existing dirt road, where it was only 9' in width, so as to avoid all wetland and stream impacts. The width variance request was denied, so expanding the proposed private road to a 30 base width in this current pinch point area will result in 101 cyd of fill into 1,084 sf (0.025 ac) of regulated wetland. Denial of the variance request will also require the 20' extension of an existing 24" HDPE culvert which allows the South Branch of the Shiawassee River to flow under the existing access drive. The river is somewhat impounded on the south side of the drive, but enters a standpipe and flows north via the culvert under the road. The width variance was denied by Marlon Township on the basis of safety. With the exception of the private road in this location, no other impacts to regulated features are proposed.

Several alternatives were considered and designed for the proposed project:

No Action Alternative:

The No-Action Alternative is not viable since the existing narrow dirt two-track cannot properly accommodate traffic from the proposed 12-lot subdivision.

Existing Dirt Road Alternative:

Following the existing dirt access drive configuration is ideal and preferred since it will avoid all wetland/stream impacts, but it will not be allowed by the Township. To construct this, the Applicant requested a length and width variance from Marlon Township since their ordinance states that roads must be centered within the road right-of-way. The length variance was approved. However, the Township stated that an existing pinch point where the road narrows from 12' to 9' is a safety concern. On this basis, the Township denied the Applicant's request for a width variance on February 6, 2017 (please refer to the enclosed Marlon Township Zoning Board of Appeals February 6, 2017 meeting minutes). Based on the variance denial, utilizing the existing road is not a feasible alternative.

Proposed Alternative:

Despite the fact that the proposed alternative is more costly to the Applicant and will result in increased wetland/stream impacts, the proposed private road configuration is acceptable to the Township and Livingston County Road Commission. The proposed Chestnut Creek Drive will extend 2,100 linear feet east from Howell-Pinckney Road, of which approximately 42 feet will extend into regulated wetland (shown as Wetland A on Figure 2 WLM and on Livingston Engineering's Sheet 3). This activity will result in 101 cyd of fill into 1,084 sf of regulated wetland (0.025 acres). The new private road will have a top width of 22', and a base width of 30' (4' side slopes) for its entire length.

In addition to the wetland impacts, the existing 24" HDPE culvert that facilitates flow from the South Branch of the Shiawassee River under the existing dirt two-track will have to be extended approximately 20 feet, requiring 7.3 cyd (11.6 square yards) of riprap within the wetland and stream for stabilization. The proposed culvert will be 24" and circular with a flared end section (Sheet 4).

Mitigation for this project is not proposed since impacts to wetland and stream resources are minor in nature.

Describe the alternatives considered to avoid or minimize resource impacts. Include factors such as, but not limited to, alternative locations, project layout and design, and construction technologies. For utility crossings include alternative routes and construction methods.

As discussed with the MDEQ during a Pre-Application meeting on November 9, 2016, the original version of the proposed project (and proposed Chestnut Creek Drive in particular) avoided all impacts to wetlands and streams. When the Township denied a width variance request for the proposed road, wetland impacts could no longer be avoided.

5 Locating Your Project Site *Attach a legible black and white map with a North arrow.*

Names of roads of closest intersection *Interstate 96 and D-19 (Howell-Pinckney Road)*



Directions from main intersection to the project site, with distances from the best and nearest visible landmark and water body **Exit D-19 (Howell-Pinckney Road) from I-96. Head south on D-19 (Howell-Pinckney Road) for 3 miles. Property is on east side of D-19, roughly 1/4 mile south of Davis Road.**

Description of buildings on the site (color; 1 or 2 story, other)
NA

Description of adjacent landmarks or buildings (address; color; etc)
Access Drive is immediately north of 3245 Pinckney Road

How can your site be identified if there is no visible address? **Chestnut Development sign along D-19 (Howell-Pinckney Road)**

6 Easements and Other Permits

No Yes Is there a conservation easement or other easement, deed restriction, lease, or other encumbrance upon the property?
➔ If yes, attach a copy. Provide copies of court orders and legal lake levels if applicable.

List all other federal, interstate, state, or local agency authorizations including required assurances for Critical Dune Area projects.

Agency	Type of Approval	Number	Date Applied	Date approved /denied	Reason for denial
Livingston County Drain Commission	SESC	NA	November 2016	Approved 12/9/16	NA
Howell Area Fire Dept	Site Plan Review	NA	NA	Approved 12/9/16	NA
Marion Township	Grading Permit	not yet applied	not yet applied	NA	NA
Marion Township ZBA	Site Plan approval	NA		Denied 2/6/17	Safety concerns with proposed drive
Livingston Co. Road Commission	Private Road	P-16-04	November 2016	Approved 10/31/16	NA

7 Compliance

If a permit is issued, when will the activity begin? (M/D/Y) **Spring 2017**

Proposed completion date (M/D/Y) **Summer 2018**

No Yes Has any construction activity commenced or been completed in a regulated area?

➔ If Yes, identify the portion(s) underway or completed on drawings or attach project specifications and give completion date(s).

No Yes Were the regulated activities conducted under a DEQ and/or USACE permit?

➔ If Yes, list the permit numbers

No Yes Are you aware of any unresolved violations of environmental law or litigation involving the property?

➔ If Yes, attach explanation.

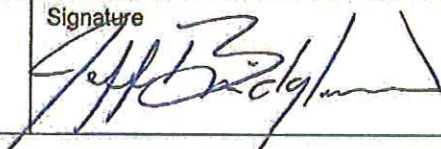
8 Adjoining Property Owners Provide current mailing addresses. Attach additional sheets/labels for long lists.

<input type="checkbox"/> Established Lake Board	Contact Person	Mailing Address	City	State and Zip Code
<input type="checkbox"/> Lake Association				

List all adjoining property owners.

If you own the adjoining lot, provide the requested information for the first adjoining parcel that is not owned by you.

Property Owner's Name	Mailing Address	City	State and Zip Code
Lawrence Milliken	3245 Pinckney Road	Howell	MI 48843
AJR Group, Inc	3111 Pinckney Road	Howell	MI 48843
Louis Wellman	3581 Pinckney Road	Howell	MI 48843
Bartley Gravelle	2818 Breckenridge Drive	Brighton	MI 48114

9	Applicant's Certification	<i>Read carefully before signing.</i>		
<p>I am applying for a permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application; that it is true and accurate; and, to the best of my knowledge, that it is in compliance with the State Coastal Zone Management Program. I understand that there are penalties for submitting false information and that any permit issued pursuant to this application may be revoked if information on this application is untrue. I certify that I have the authority to undertake the activities proposed in this application. By signing this application, I agree to allow representatives of the DEQ, USACE, and/or their agents or contractors to enter upon said property in order to inspect the proposed activity site before and during construction and after the completion of the project. I understand that I must obtain all other necessary local, county, state, or federal permits and that the granting of other permits by local, county, state, or federal agencies does not release me from the requirements of obtaining the permit requested herein before commencing the activity. I understand that the payment of the application fee does not guarantee the issuance of a permit.</p>				
<input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Agent/Contractor <input type="checkbox"/> Corp. or Public Agency / Title		Printed Name Jeff Bridgland	Signature 	Date February 22, 2017



10 Projects Impacting Inland Lakes, Streams, Great Lakes, Wetlands or Floodplains

- Complete only those sections A through M applicable to your project.
- If your project impacts wetlands also complete Section 12. If your project impacts regulated floodplains also complete Section 13.
- To calculate volume in cubic yards (cu yd), multiply the average length in feet (ft) times the average width (ft) times the average depth (ft) and divide by 27. Example: (25 ft long x 10 ft wide x 2 feet deep) / 27 = 18.5 cubic yards
- Some projects on the Great Lakes require an application for conveyance prior to Joint Permit Application completeness.
 - ➔ Provide a black and white overall site plan, with cross-section and profile drawings. Show existing lakes, streams, wetlands, and other water features; existing structures; and the location of all proposed structures, land change activities and soil erosion and sedimentation control measures. Review Appendix B and EZ Guides for aid in providing complete site-specific drawings.
 - ➔ Provide tables for multiple impact areas or multiple activities such as multiple fill areas or multiple culverts. Include your calculations.

Water Level Elevation

On inland waters NGVD 29 NAVD 88 other Observed water elevation (ft) *920.23* date of observation (M/D/Y) *XXX*
 On a Great Lake IGLD 85 surveyed converted from observed still water elevation.

A. PROJECTS REQUIRING FILL (See All Sample Drawings)

- ➔ Attach a site plan and cross-section views to scale showing maximum and average fill dimensions with calculations.
- ➔ For multiple impact areas on a site provide a table with location, dimensions and volumes for each fill area.

Purpose bioengineered shore protection boat ramp boat well bridge or culvert crib dock
 riprap seawall swim area other *private road*

Dimensions of fill (ft) Length <i>~20</i> Width <i>42'</i> Maximum Depth <i>5.5'</i>	Total volume (cubic yards) <i>101 cyd</i>	Volume below OHWM (cubic yards) <i>0' - standpipe controls water elevation of watercourse at culvert outlet</i>
Maximum water depth in fill area (ft) <i>6"</i>	Area filled (sq ft) <i>1,084 sf (0.025 ac)</i>	Will filter fabric be used under proposed fill? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If Yes, type) <i>geosynthetic lining under riprap</i>

Fill will extend *18'* feet into the water from the shoreline and upland *4'* feet out of the water.

Type of clean fill peastone % sand % gravel *100%* other

Source of clean fill commercial on-site ➔ If on-site, show location on site plan.
 other ➔ If other, attach description of location.

B. PROJECTS REQUIRING DREDGING OR EXCAVATION (See Sample Drawings)

- Refer to www.mi.gov/jointpermit for spoils disposal and authorization requirements.
- ➔ Attach a site plan and cross-section views to scale showing maximum and average dredge or excavation dimensions with calculations.
- ➔ For multiple impact areas on a site provide a table with location, dimensions and volumes for each dredge/excavation area.

Purpose boat ramp boat well bridge or culvert maintenance dredge
 navigation pond/basin other

Dimensions (ft) Length Width Maximum Depth	Total volume (cu yds)	Volume below OHWM (cu yds)
---	-----------------------	----------------------------

Has this same area been previously dredged? No Yes If Yes, provide date and permit number:

Will the previously dredged area be enlarged? No Yes If Yes, when and how much?

Is long-term maintenance dredging planned? No Yes If Yes, how often?

Dredge or Excavation Method Hydraulic Mechanical other

Spoils Disposal
 Dredged or excavated spoils will be placed on-site landfill USACE confined disposal facility other upland off-site
 For disposal, provide a ➔ Detailed spoils disposal area location map and site plan with property lines.
 ➔ Letter of authorization from property owner of spoils disposal site, if disposed off-site.
 For volumes less than 5,000 cu yards, has proposed dredge material been tested for contaminants within the past 10 years?
 No Yes ➔ If Yes, provide test results with a map of sampling locations.

C. PROJECTS REQUIRING RIPRAP (See Sample Drawings 2, 3, 8, 12, 14, 22, and 23)

Riprap water ward of the ordinary high water mark: dimensions (ft) length *~18'* width *~6'* depth *~0.50'* Volume(cu yd) *~2 cyd*

Riprap landward of the ordinary high water mark: dimensions (ft) length *~12'* width *~6'* depth *~2'* Volume(cu yd) *~5.3 cyd*

Type and size of riprap (inches)
 field stone angular rock *12" - 18" stone* other
 Will filter fabric or pea stone be used under proposed riprap?
 No Yes, Type *geosynthetic lining*



12 Activities That May Impact Wetlands (See Sample Drawings 8 & 9). Complete other Sections as applicable.

- Locate your site and wetland information with the DEQ Wetlands Map Viewer at www.mcgl.state.mi.us/wetlands/
- For information on the DEQ's Wetland Identification Program (WIP) visit www.mi.gov/wetlands.
 - ➔ Provide a detailed site plan with labeled property lines, upland and wetland areas, and dimensions and volumes of wetland impacts.
 - ➔ Complete the wetland dredge and wetland fill dimension information below for each impacted wetland area.
 - ➔ Attach tables for multiple impact areas or activities.
 - ➔ Attach at least one cross-section for each wetland dredge and/or fill area; show wetland and upland boundaries on the cross-section.

Has the DEQ conducted a wetland assessment for this parcel?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide a copy or WIP number:	
Has a professional wetland delineation been conducted for this parcel?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	➔ If Yes, provide a copy with data sheets	
Is there a recorded DEQ easement on the property?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide the easement number	
Did the applicant purchase the property before October 1, 1980?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide documentation.	
Is any grading or mechanized land clearing proposed?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	➔ If Yes, label the locations on the site plan.	
Has any of the proposed grading or mechanized land clearing been completed?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, label the locations on the site plan	
Proposed Activity				
<input type="checkbox"/> boardwalk or deck (Section 10I)		<input checked="" type="checkbox"/> bridges and culverts (Section 14)	<input type="checkbox"/> designated environmental area	
<input type="checkbox"/> dewatering		<input type="checkbox"/> draining surface water	<input checked="" type="checkbox"/> driveway / road	
<input type="checkbox"/> fences (Section 10L)		<input checked="" type="checkbox"/> fill or dredge	<input type="checkbox"/> restoration	
<input type="checkbox"/> septic system		<input type="checkbox"/> stormwater discharge (Section 10J)	<input type="checkbox"/> other	
FILL	Dimensions	Area	Average depth (ft)	Volume (cu yd)
	maximum length (ft) 20' maximum width (ft) 42'	<input checked="" type="checkbox"/> acres <input checked="" type="checkbox"/> sq ft 0.025 ac 1,084 sf	2.75'	101 cyd
DREDGE	Dimensions	Area	Average depth (ft)	Volume (cu yd)
	maximum length (ft) maximum width (ft)	<input type="checkbox"/> acres <input type="checkbox"/> sq ft		
Spoils Disposal	Dredged or excavated spoils will be placed <input type="checkbox"/> on-site <input type="checkbox"/> landfill <input type="checkbox"/> USACE confined disposal facility <input type="checkbox"/> other upland off-site			
	For disposal, provide a ➔ Detailed spoils disposal area location map and site plan with property lines. ➔ Letter of authorization from property owner of spoils disposal site, if disposed off-site.			
Septic System	The proposed project will be serviced by:		If a private septic system is proposed, has an application for a permit been made to the County Health Department? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
	<input type="checkbox"/> public sewer <input checked="" type="checkbox"/> private septic system ➔ Show system on plans.		If Yes, has a permit been issued? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes ➔ Provide a copy of the permit.	
Describe the wetland impacts, the proposed use or development, and the alternatives considered:				
<p><i>Approximately 0.025 acres (1,084 sf) of wetland will be impacted by the proposed private road (Chestnut Creek Drive). The Applicant went to great lengths to avoid wetland and stream impacts, but was ultimately denied a width variance for the private road by Marion Township. The Applicant proposed to move DTE telephone poles and install retention walls to avoid these features, but the Township is forcing the project to maintain a 30' base width which extends into Wetland A and requires a culvert extension of 20' into the South Branch of the Shlawassee River.</i></p> <p><i>The wetland in the proposed area of impact is of moderate quality, and is dominated primarily by reed canary grass in this location, although other species such as rice cutgrass, narrow-leaf cattail, and silky dogwood are present. The wetland provides a buffer to the South Branch of the Shlawassee River.</i></p> <p><i>Several design iterations were prepared by the Applicant's engineer, Livingston Engineering, as described in Section 4 of this application. Ultimately, Marion Township denied a variance request by the Applicant based on safety concerns that would have allowed for a 9' width in a portion of the private road, which would have avoided all wetland and stream impacts.</i></p>				
Does the project impact more than 1/3 acre of wetland? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				
➔ If Yes, submit a Mitigation Plan with the type and amount of mitigation proposed. For more information go to www.mi.gov/wetlands				



Describe how impacts to waters of the United States will be avoided and minimized:

Approximately 1,084 sf (0.025 ac) of regulated wetland will be impacted with 101 cyd of clean fill by the proposed construction of a private road that extends roughly 42'x20' into Wetland A, which lies on the north side of an existing dirt two-track access drive. The Applicant attempted to avoid all wetland impacts by requesting a width variance from Marion Township, but was denied due to safety concerns. This alternative involved the construction of a retaining wall and the relocation of several telephone poles, but the Township believed a 9' road width near the existing culvert that permits flow under this access drive was a pinch point that could lead to driving hazards. In addition, the Livingston County Road Commission requires that private roads have a base width of 30', which was not proposed under this alternative. The widening of the private road at this location will also require a 20' extension of an existing 24" HDPE culvert, along with 7.3 cyd of riprap for stabilization. Wetland and stream impacts were minimized to the greatest extent possible based on requirements from the Township and LCRC.

Describe how the impact to waters of the United States will be compensated. OR Explain why compensatory mitigation should not be required for the proposed impacts.

Wetland mitigation for the project is not proposed; wetland impacts associated with the proposed project are far less than 1/3 of an acre.

**14 Bridges and Culverts** Including Foot and Cart Bridges. (See EZ Guides and Sample Drawings 5, 14A, 14B, 14C, 14D.)

- Complete other applicable Sections, including 10A-C.
- A hydraulic analysis or hydrologic analysis may be required to fully assess impacts. → Attach hydraulic calculations.
- High Water Elevation - describe reference point and highest known water level above or below reference point and date of observation.
 - Attach additional sheets for multiple bridges and/or culverts.
 - Provide detailed site-specific drawings of existing and proposed Plan and Elevation View at a scale adequate for detailed review.
 - Provide all information in the boxes below; do not write in a reference to plan sheets. Show reference datum used on plans.

Stream Information	The site has a high water elevation (ft) 924.75 <input type="checkbox"/> above or <input type="checkbox"/> below the Reference Point of _____ Date observed _____				
	Reference datum used <input type="checkbox"/> NGVD 29 <input checked="" type="checkbox"/> NAVD 88 <input type="checkbox"/> IGLD 85 (Great Lakes coastal areas) <input type="checkbox"/> other _____				
	Average stream width (ft) at the ordinary high water mark (OHWM) outside the influence of any ponding or scour holes around the structure		Upstream _____ Downstream _____	Impounded ~4'	
	Cross-sectional area of primary channel (sq ft) _____ (See Sample Drawing 14C for more information)				
	The width of the stream where the water begins to overflow its banks. Bankfull width (ft) _____				
	The invert of the stream 100-feet from structure (ft)		Upstream _____ Downstream _____		
	Is the existing culvert perched? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, provide a profile of the channel bottom at the high and low points for a distance of 200 feet upstream and downstream of the culvert.				
Complete this form for each bridge / culvert location.					
Bridge			Existing	Proposed	
	Number of bridge spans				
	Bridge type (concrete box beam, concrete I-beam, timber, etc.)				
	Bridge span (length perpendicular to stream) (ft)				
	Bridge width (parallel to stream) (ft)				
	Bottom of bridge beam (ft)		Upstream		
			Downstream		
	Stream invert elevation at bridge (ft)		Upstream		
Downstream					
Bridge rise from bottom of beam to streambed (ft)					
Culvert	Number of culverts		1	1	
	Culvert type (arch, bottomless, box, circular, elliptical, etc.)		circular	circular	
	Culvert material (concrete, corrugated metal, plastic, etc.)		HDPE	HDPE	
	Culvert length (ft)		48'	68'	
	Culvert <input type="checkbox"/> width <input checked="" type="checkbox"/> diameter (ft)		2'	2'	
	Culvert height prior to any burying (ft)		2'	2'	
	Depth culvert will be buried (ft)		0'	0'	
	Elevation of culvert crown (ft)		Upstream	924.75	924.75
			Downstream	922.3	922.25
	Higher elevation of <input checked="" type="checkbox"/> culvert invert OR <input type="checkbox"/> streambed within culvert (ft)		Upstream	920.55	920.55
Downstream			920.30	920.25	
Complete for both Bridges and Culverts	Entrance design (mitered, projecting, wingwalls, etc.)		projecting	projecting	
	Total structure waterway opening above streambed (sq ft)				
	Total structure waterway area below the 100-year elevation (sq ft) (if known)				
	Elevation of road grade at structure (ft)				
	Elevation of low point in road (ft)				
	Distance from low point of road to mid-point of bridge crossing (ft)				
	Length of approach fill from edge of bridge/culvert to existing grade (ft)				
	A Licensed Professional Engineer may certify that your project will not cause a harmful interference for a range of flood discharges up to and including the 100-year flood discharge. The "Required Certification Language" is found under "forms" on the "maps, forms and documents" link from the www.mi.gov/jointpermit page or a copy may be requested by phone, email, or mail. A hydraulic report supporting this certification may also be required.				
Is Certification Language attached? <input type="checkbox"/> No <input type="checkbox"/> Yes					



13 Floodplain Activities (See Sample Drawing 5 and others. Complete other applicable sections.)

- For more information go to www.mi.gov/floodplainmanagement. This site also lists the projects and requirements for an expedited floodplain review under "Expedited Review Information for Minor Floodplain Projects."
- Examples of projects proposed within the non-floodway portions of the 100-year-floodplain which may qualify for an expedited review: Open pile decks and boardwalks; residences, commercial/industrial facilities, garages and accessory structures; parking lots; pavilions, gazebos, large community playground structures; residential swimming pools
- Examples of projects proposed within the floodway portions of the floodplain which may qualify for an expedited review: Open pile decks and boardwalks, (non-enclosed) that are anchored to prevent floatation and that do not extend over the bed and bank of a watercourse; parking lots constructed at grade or resurfacing that is no more than 4 inches above the existing grade; dry hydrants that do not require fill placement; scientific structure such as staff gauges, water monitoring devices, water quality testing devices, and core sampling devices which meet specific design criteria and fish structures that meet specific design criteria.
- For expedited review include:
 - Photographs of the work site labeled to identify what is being shown and with the direction of the photo clearly indicated. Include photographs of any river or stream adjacent to the project.
 - A letter or statement from the local unit of government acknowledging your proposed application. See the website for sample wording.
- A hydraulic analysis or hydrologic analysis may be required to fully assess floodplain impacts.
- The state building code requires an Elevation Certificate for any building construction or addition in a floodplain. A sample form can be found at www.fema.gov/nfip/elvinst.shtm.
 - Attach additional sheets or tables for multiple proposed floodplain activities and provide hydraulic calculations.
 - Show reference datum used on plans.

Proposed Activity	<input checked="" type="checkbox"/> fill <input type="checkbox"/> excavation or cut <input type="checkbox"/> other	100-year floodplain elevation (ft) (if known) <i>928.5'</i> Datum <input type="checkbox"/> NGVD 29 <input checked="" type="checkbox"/> NAVD 88 <input type="checkbox"/> other <i>HEC-RAS model for Musson Hills Study</i>
-------------------	---	--

Site is 0.75 feet above ordinary high water mark (OHWM) OR observed water level. Date of observation (M/D/Y) *computed water level of 928.43'*

Fill volume below the 100-year floodplain elevation (cu yds) <i>108 cyd</i>	Compensating cut volume below the 100-year floodplain elevation (cu yds) <i>NA - below 300 cyd threshold</i>
---	--

Buildings and/or Additions	Type of construction is <input type="checkbox"/> residential <input type="checkbox"/> garage/pole barn <input type="checkbox"/> non residential <input checked="" type="checkbox"/> other <i>road</i>	
	Construction is <input checked="" type="checkbox"/> new <input type="checkbox"/> addition AND Serviced by <input type="checkbox"/> public sewer <input type="checkbox"/> private septic <input type="checkbox"/> other	
	Lowest adjacent grade (ft): existing proposed datum <input type="checkbox"/> NGVD 29 <input type="checkbox"/> NAVD 88 <input type="checkbox"/> other	
	Existing Structure Information	Proposed Structure Information
	Foundation type <input type="checkbox"/> basement <input type="checkbox"/> concrete slab on grade <input type="checkbox"/> pilings <input type="checkbox"/> crawl space <input type="checkbox"/> other	Foundation type <input type="checkbox"/> basement <input type="checkbox"/> concrete slab on grade <input type="checkbox"/> pilings <input type="checkbox"/> crawl space <input type="checkbox"/> other
	Foundation floor elevation (ft)	Foundation floor elevation (ft)
	Height of crawl space/basement from finished foundation floor to bottom of floor joists (ft)	Height of crawl space/basement from finished foundation floor to bottom of floor joists (ft)
	Elevation of 1st floor above basement floor/crawl space (ft)	Elevation of 1st floor above basement floor/crawl space (ft)
	For enclosed areas below the flood elevation, such as a crawl space, garages and accessory structures: Area of proposed foundation (sq ft) Elevation of proposed enclosed area (ft) datum <input type="checkbox"/> NGVD 29 <input type="checkbox"/> NAVD 88 <input type="checkbox"/> other	
	Number of flood vents	net opening of each vent (sq inches)

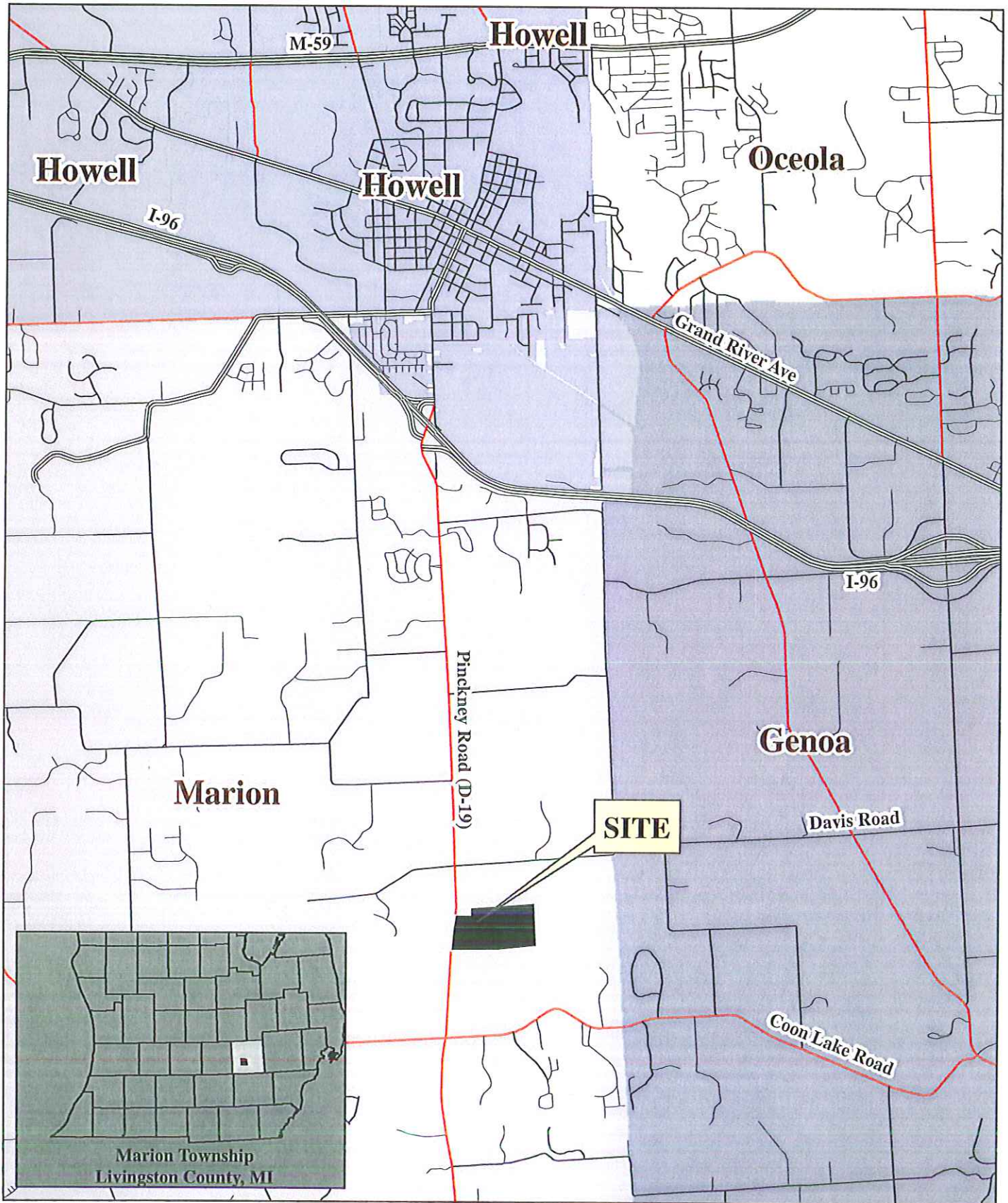


Figure 1. Site Location Map

NE 1463 Chestnut Creek Residential Development
 Applicant: Steve Gronow (Chestnut Development)
 Property Parcel Number: 10-24-100-002, 10-23-200-004
 Sec. 24 of Marion Twp, Livingston Co., MI (T02N, R04E)
 Delineation Date: April 7, 2016
 Map Created: February 10, 2017



	NISWANDER ENVIRONMENTAL	9436 Maltby Road, Brighton, MI 48116
		810.225.0539 office 810.225.0653 fax

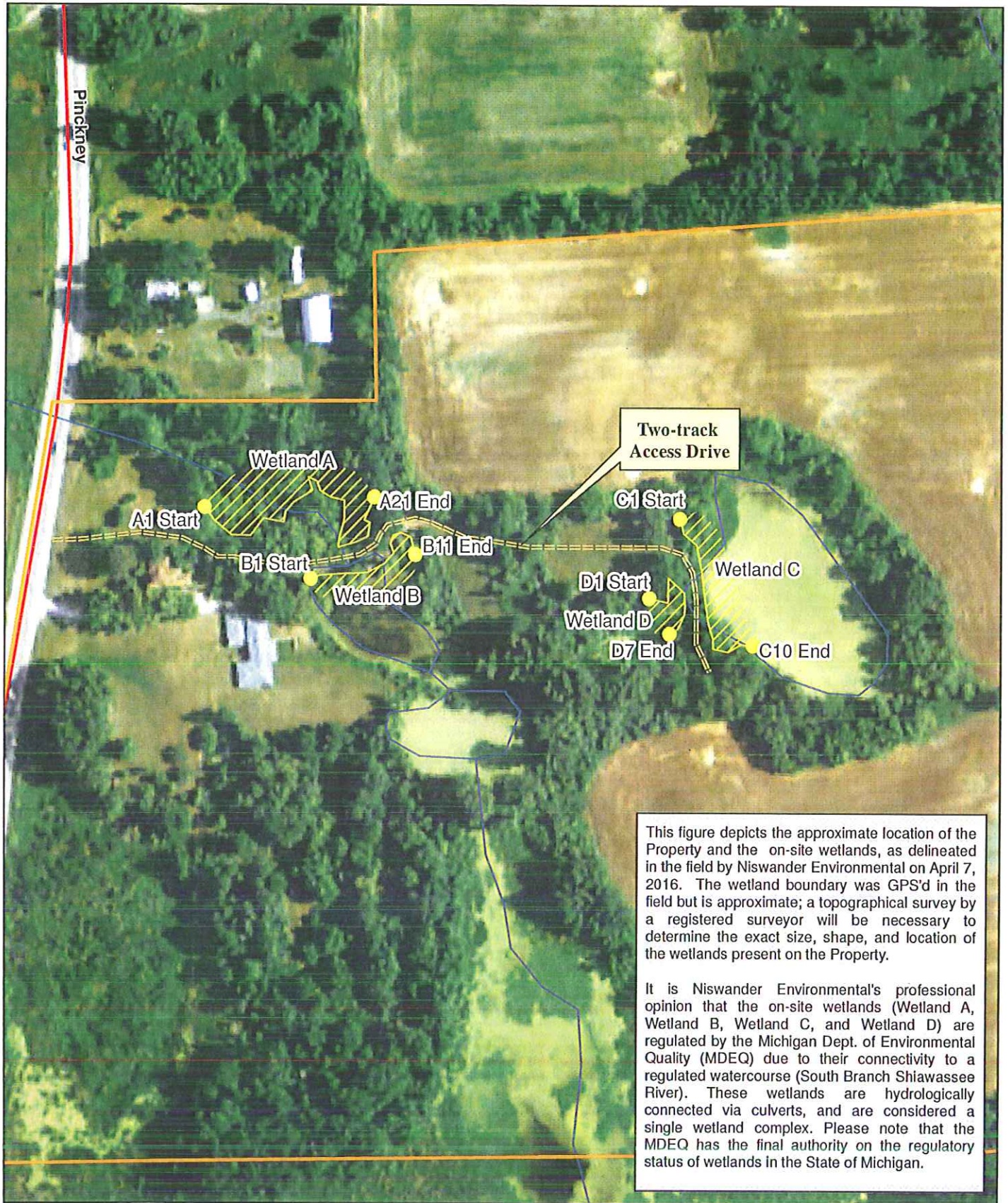


Figure 2. Wetland Location Map

NE 1463 Chestnut Creek Residential Development
 Applicant: Steve Gronow (Chestnut Development)
 Property Parcel Number: 10-24-100-002, 10-23-200-004
 Section 24 of Marion Twp., Livingston Co., MI (T02N, R04E)
 Delineation Date: April 7, 2016
 Map Created: April 12, 2016



NISWANDER
ENVIRONMENTAL

9436 Maltby Road, Brighton, MI 48116
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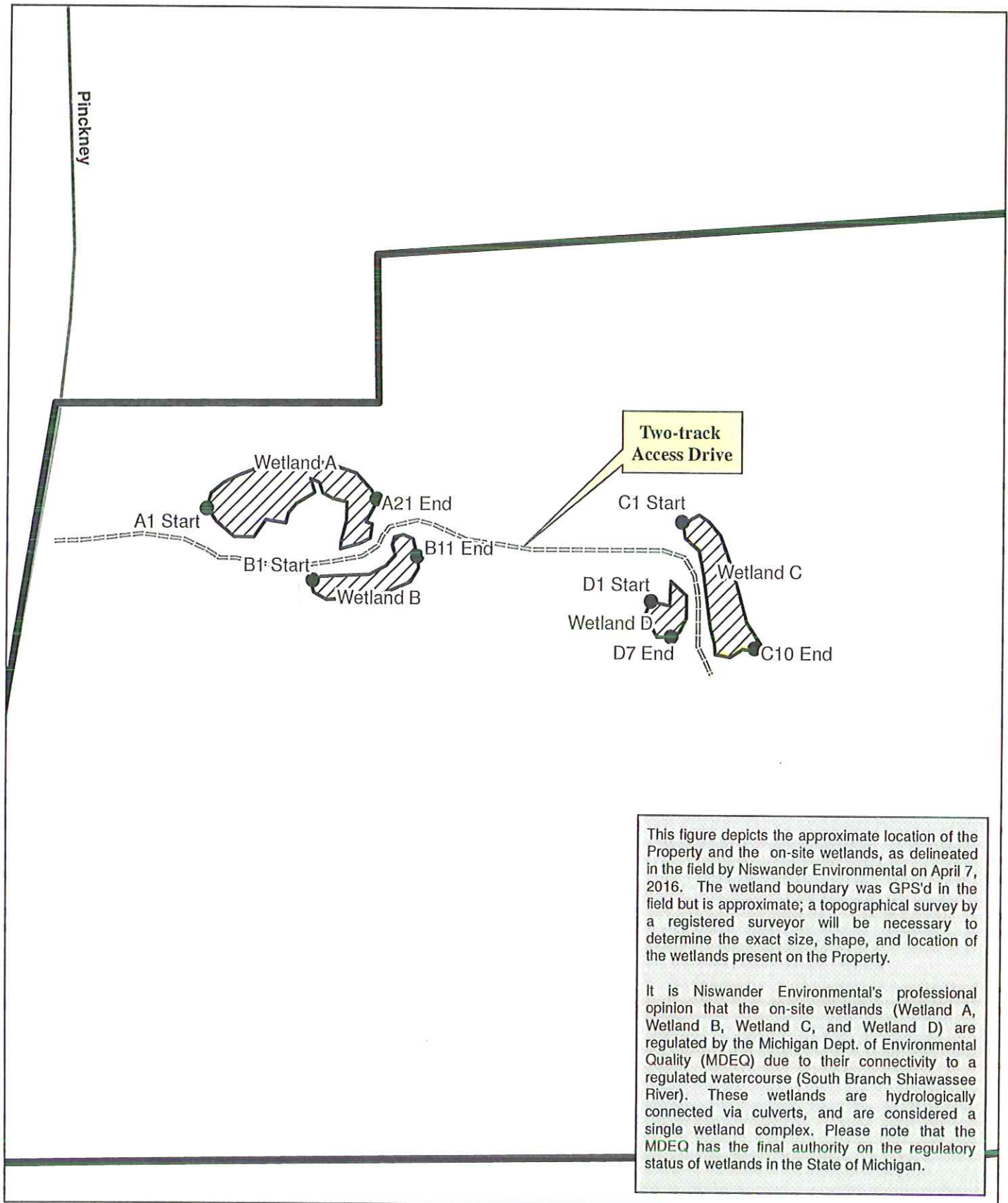
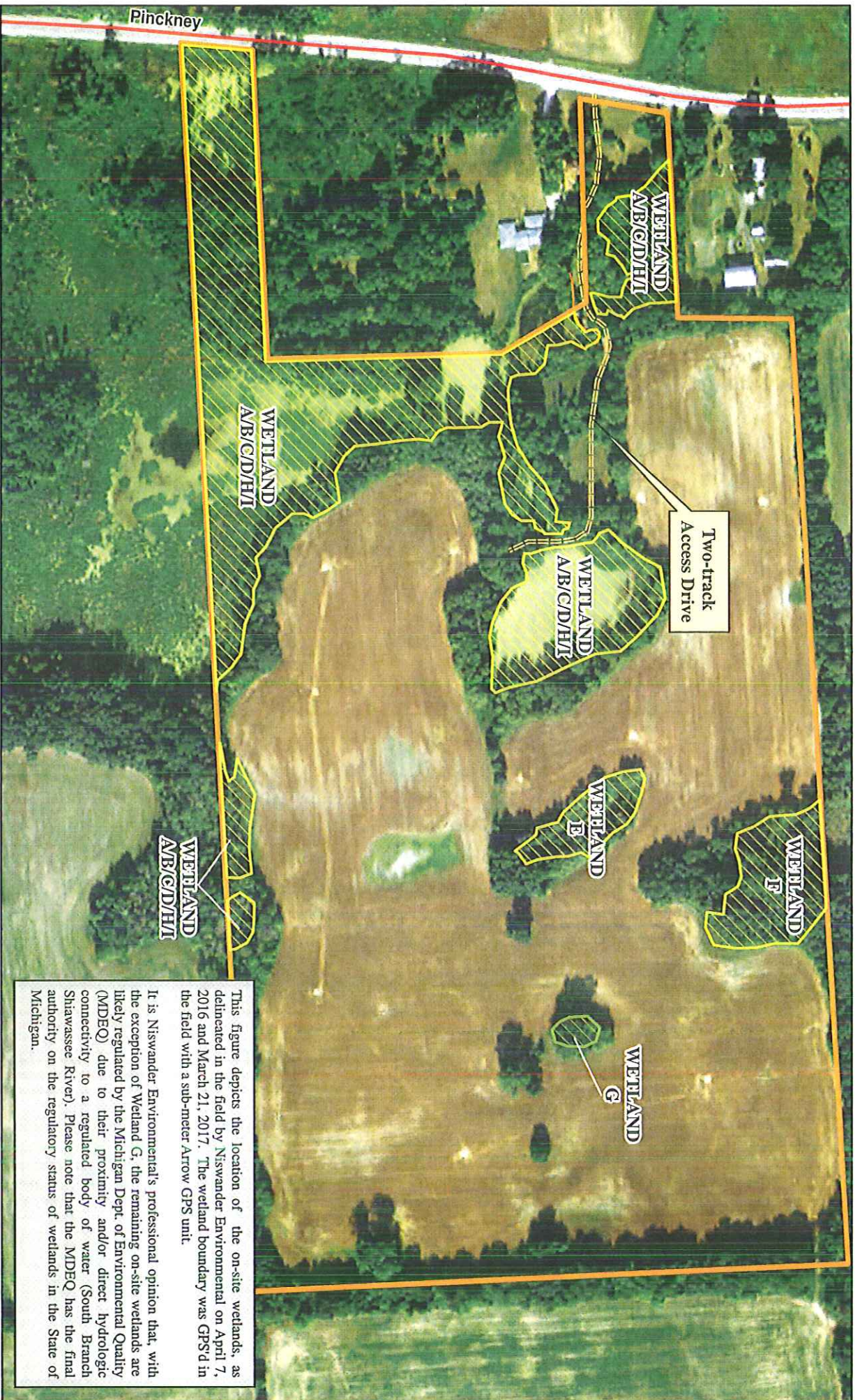


Figure 2. Wetland Location Map

NE 1463 Chestnut Creek Residential Development
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 Map Created: April 12, 2016



NISWANDER ENVIRONMENTAL | 9436 Maltby Road, Brighton, MI 48116
 810.225.0539 office | 810.225.0653 fax



This figure depicts the location of the on-site wetlands, as delineated in the field by Niswander Environmental on April 7, 2016 and March 21, 2017. The wetland boundary was GPS'd in the field with a sub-meter Arrow GPS unit.

It is Niswander Environmental's professional opinion that, with the exception of Wetland G, the remaining on-site wetlands are likely regulated by the Michigan Dept. of Environmental Quality (MDEQ) due to their proximity and/or direct hydrologic connectivity to a regulated body of water (South Branch Shawasssee River). Please note that the MDEQ has the final authority on the regulatory status of wetlands in the State of Michigan.

Figure 2. Wetland Location Map (Revised)

NE 1463 Chestnut Creek Residential Development

Applicant: Steve Gronow (Chestnut Development)

Property Parcel Number: 10-24-100-002, 10-23-200-004

Section 24 of Marion Twp., Livingston Co., MI (T02N, R04E)

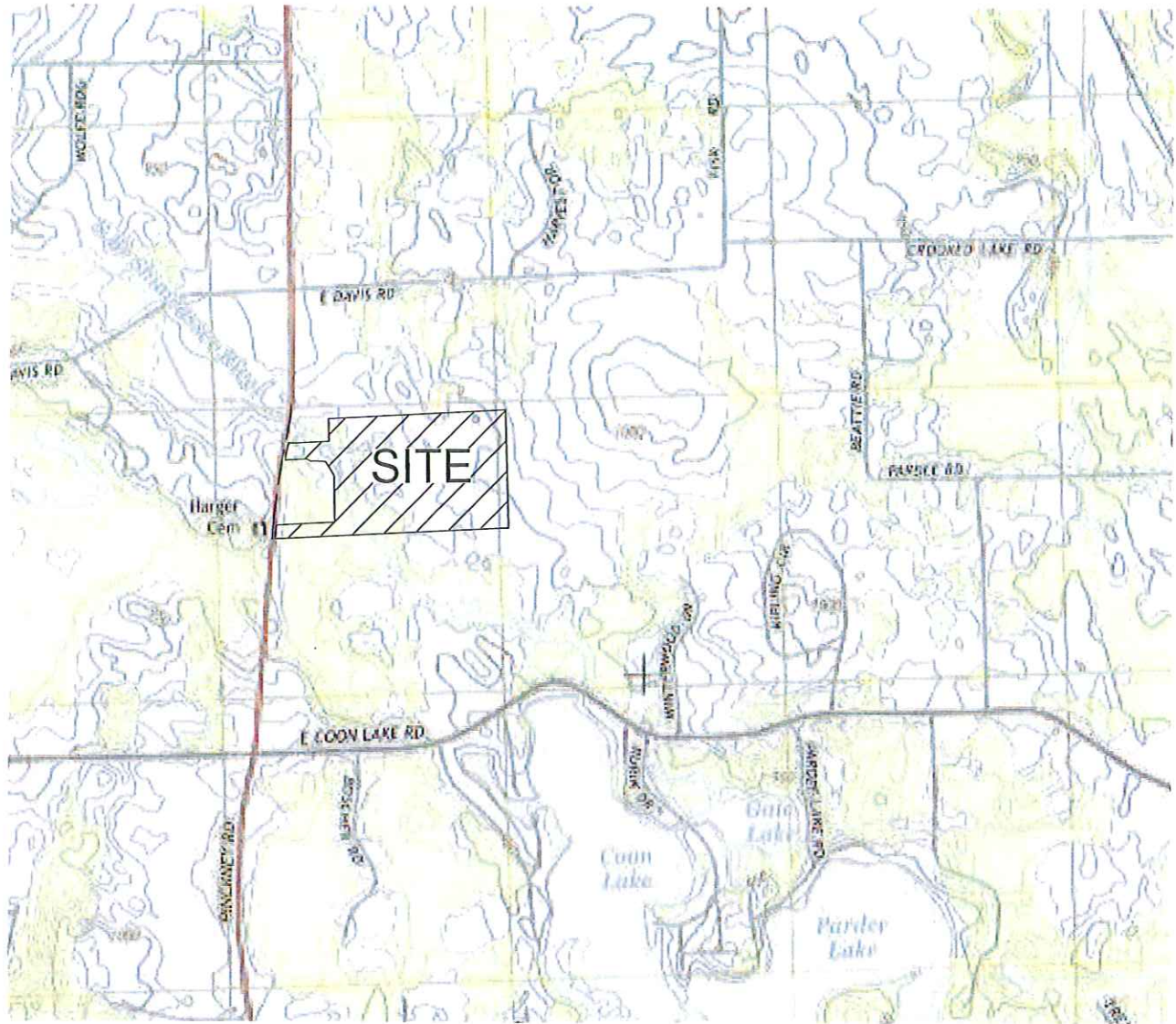
Delineation Date: April 7, 2016 and March 21, 2017

Map Created: March 22, 2017

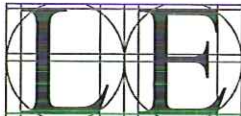
NISWANDER ENVIRONMENTAL

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LOCATION MAP



FILE: G:\12181 Gronow Marion Twp \dwg\MDEQ drawings\12181_mdeq.dwg



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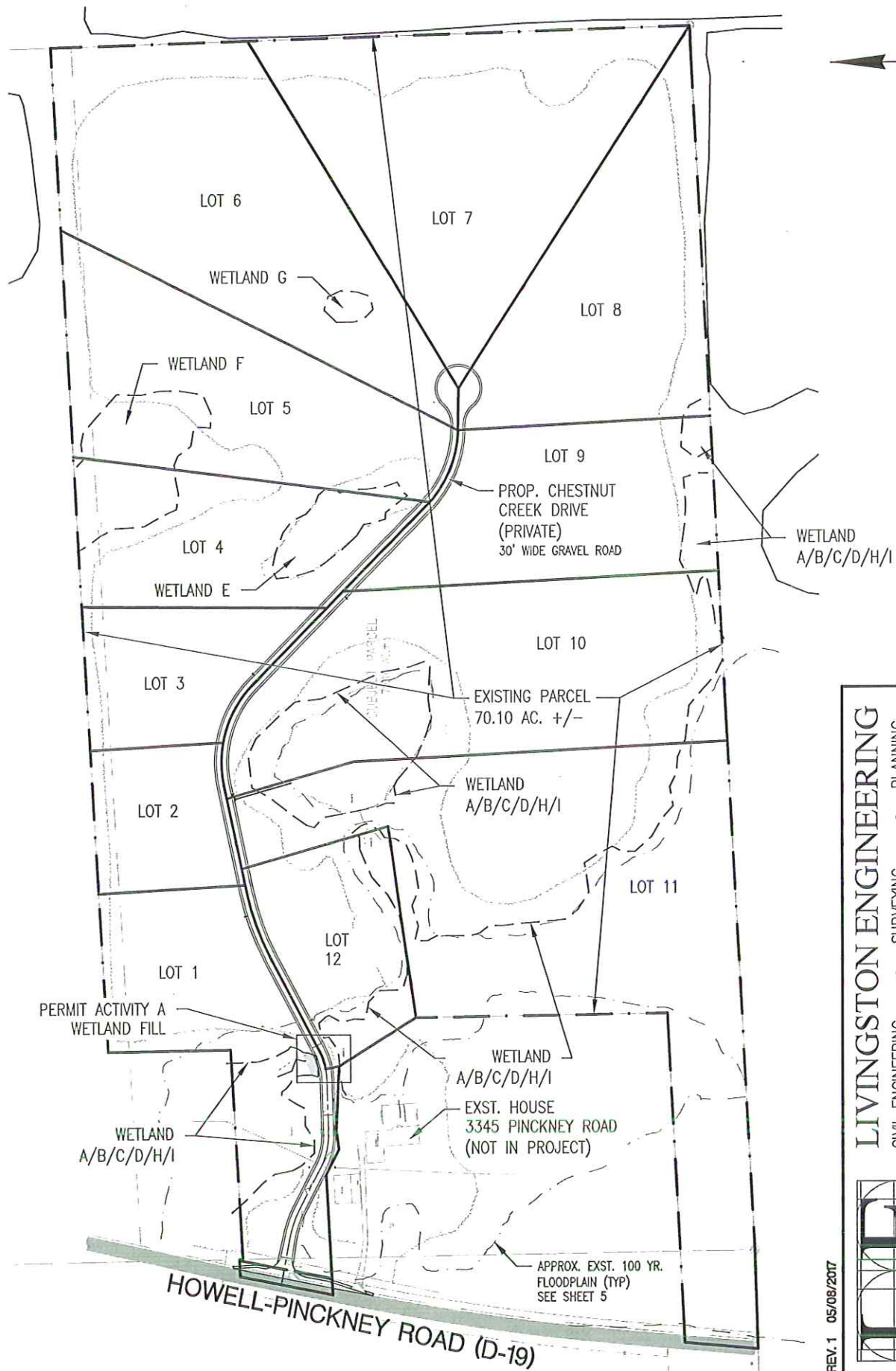
FAX: (810) 225-7699

DRAWN BY TJZ JOB No. 12181

DATE 02/21/17 SHEET No. 1 SCALE 1"=2000'

DESCRIPTION:
CHESTNUT CREEK
MARION TOWNSHIP
LIVINGSTON CO., MI

PERMIT ACTIVITY AND WETLAND FLAGGING MAP



FILE: C:\12181 Cronow Marion Twp\dwg\MDECO drawings\12181_mdeq.dwg

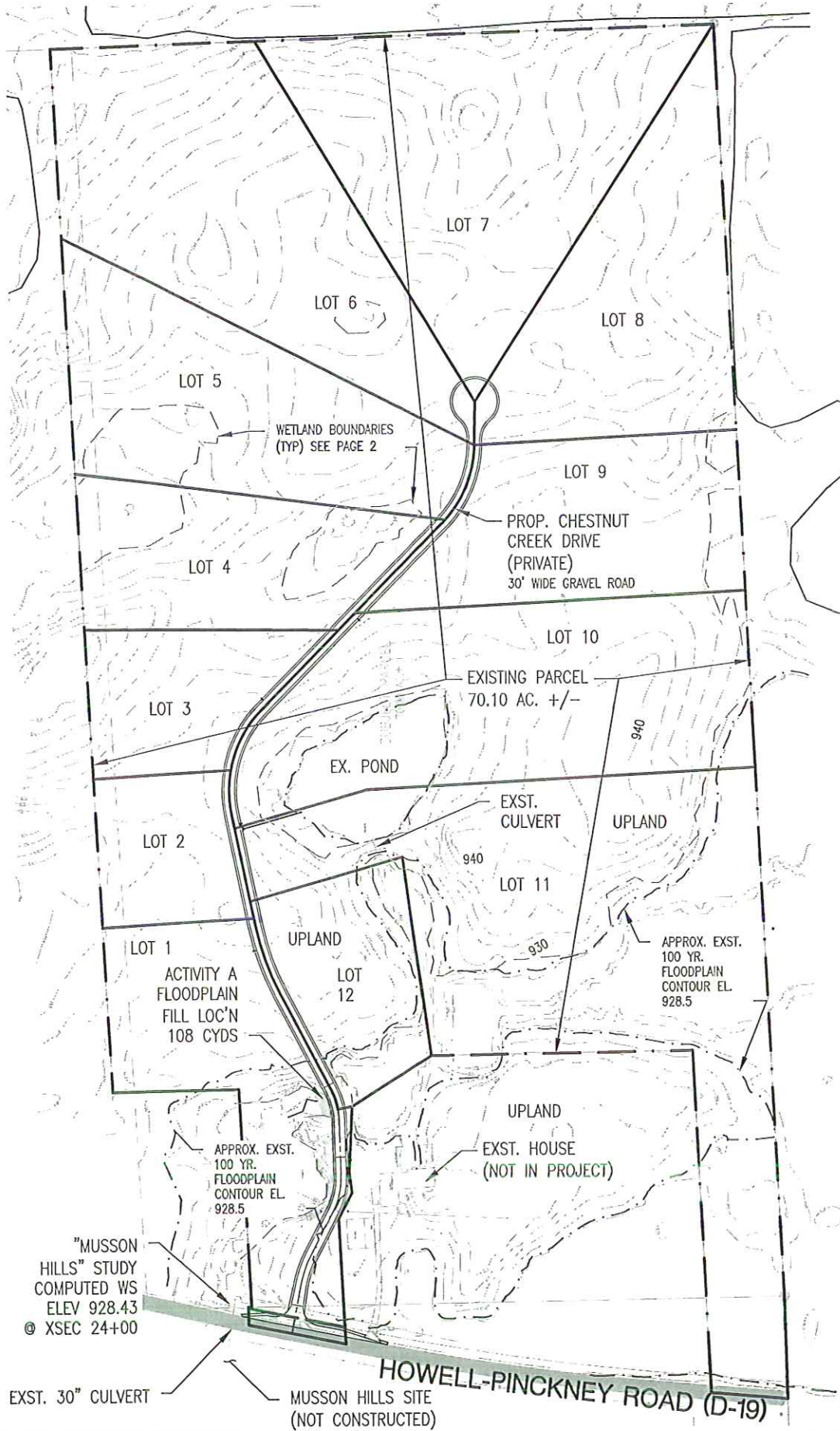
REV. 1 05/08/2017



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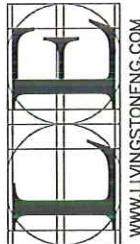
DESCRIPTION: CHESTNUT CREEK MARION TOWNSHIP LIVINGSTON CO., MI
DRAWN BY TJZ JOB No. 12181
DATE 02/21/17 SHEET No. 2 SCALE 1" = 300'

FLOODPLAIN BOUNDARY MAP

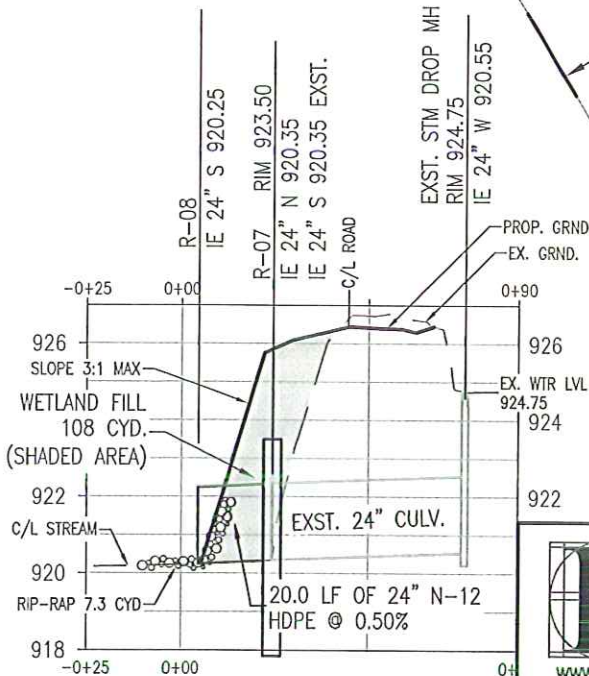
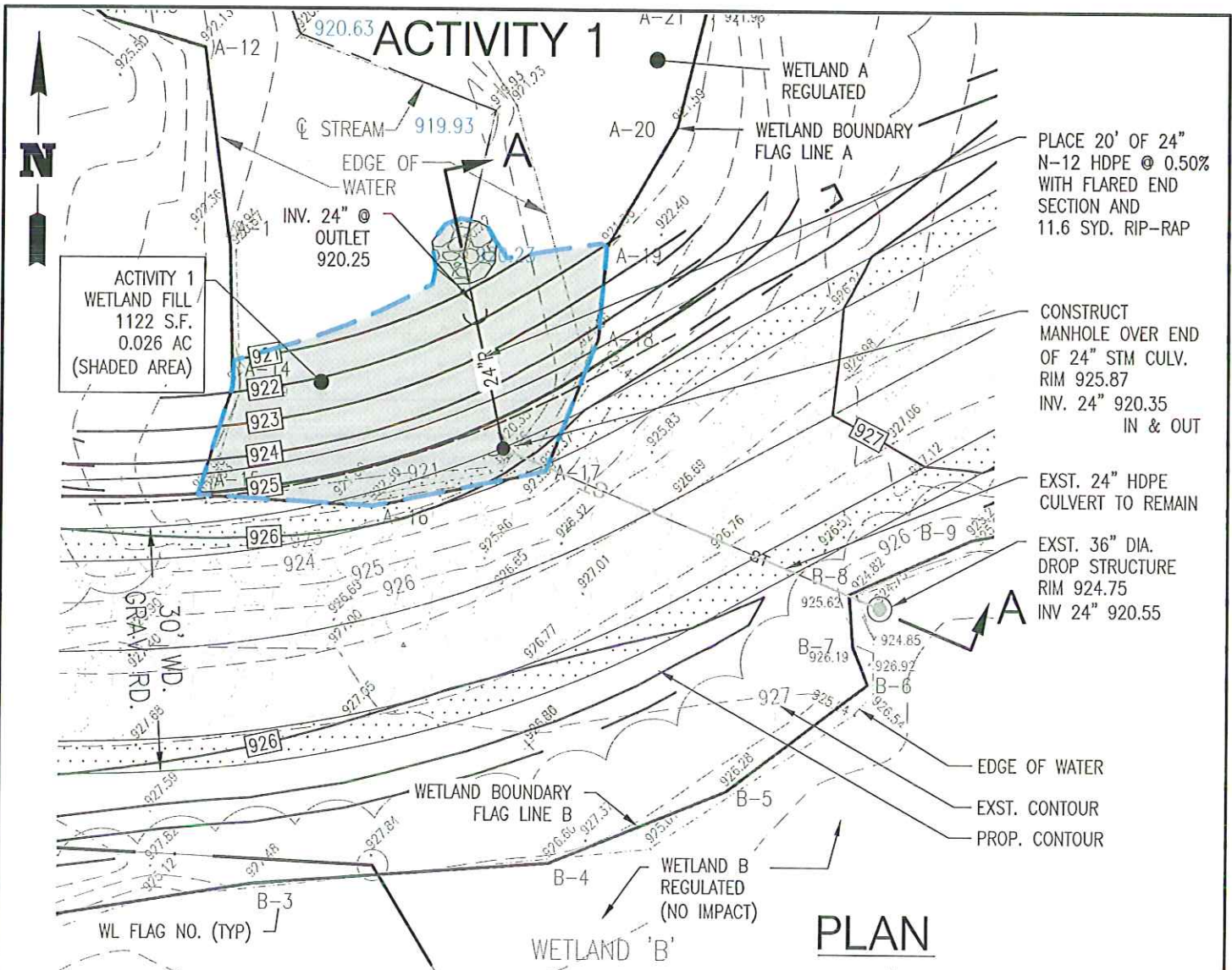


FLOODPLAIN NOTE:
 APPROX. EXST. 100 YR. FLOODPLAIN CONTOUR EL. 928.5 IS BASED FLOODPLAIN STUDY PERFORMED FOR "MUSSON HILLS SOUTH" WITH ELEVATION OF 928.43 AT UPSTREAM SIDE 30" CULVERT AT HOWELL/PINCKNEY ROAD (D-19) AND RESULTANT UPSTREAM BACKWATER CONDITION ASSUMED.

FILE: G:\12181 Gronow Marion Twp\dwg\MDEQ drawings\12181_mdeq.dwg

 <p>LIVINGSTON ENGINEERING CIVIL ENGINEERING • SURVEYING • PLANNING 3300 S. OLD U.S. 23, BRIGHTON, MI 48114 PHONE: (810) 225-7100 FAX: (810) 225-7699 WWW.LIVINGSTONENG.COM</p>	DESCRIPTION: CHESTNUT CREEK MARION TOWNSHIP LIVINGSTON CO., MI	
	DRAWN BY TJZ	JOB No. 12181
DATE 05/08/17 SHEET No. 5		SCALE 1" = 300'

FILE: G:\12181 Gronow Marion Twp\dwg\MDEQ drawings\12181_mdeq.dwg



LEGEND



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DRAWN BY TJZ JOB No. 12181

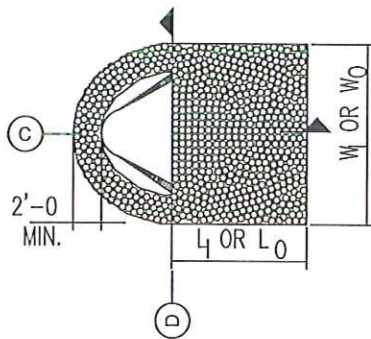
DATE 02/21/17 SHEET No. 3 SCALE AS NOTED

DESCRIPTION:
CHESTNUT CREEK
MARION TOWNSHIP
LIVINGSTON CO., MI

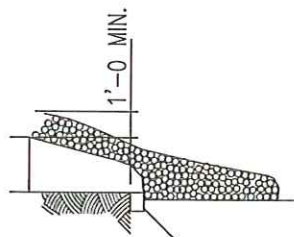
DETAILS

1. I = INLET (12" THICK MIN.)
2. O = OUTLET (18" THICK MIN.)
3. RIP-RAP TO BE GROUTED AND PLACED ON ANCHORED HEAVY GEOTEXTILE FILTER FABRIC.

PIPE DIA. (INCHES)	L _I	W _I	L _O	W _O	S.Y. (INLET)	S.Y. (OUTFALL)	C.Y. (OUTFALL)
12	4'	4.2'	6'	4.7'	1.9	2.9	1.9
15	5'	5.2'	7.5'	5.9'	2.8	4.3	2.8
18	6'	6.4'	9'	7.4'	3.9	6.2	4.1
21	7'	7.5'	10.5'	8.6'	5.2	8.3	5.5
24	8'	8.7'	12'	10.3'	6.7	11.6	7.3



PLAN VIEW



SECTION C

PROVIDE CONCRETE FOOTING PER STATE DOT REQUIREMENTS CULVERTS 36" DIA. AND LARGER.



SECTION D

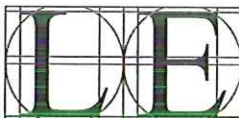
LANDWARD RIP RAP	= 0.4 C.Y.
WATERWARD RIP RAP	= 6.9 C.Y.

** RIP RAP SHALL CONFORM TO STATE DOT STANDARDS

NOTE: GEOSYNTHETIC LINING REQUIRED UNDER RIP-RAP DITCH SHALL BE UNDERCUT TO ALLOW FOR THE THICKNESS OF THE STONE

RIP RAP PROTECTION DETAIL

NO SCALE



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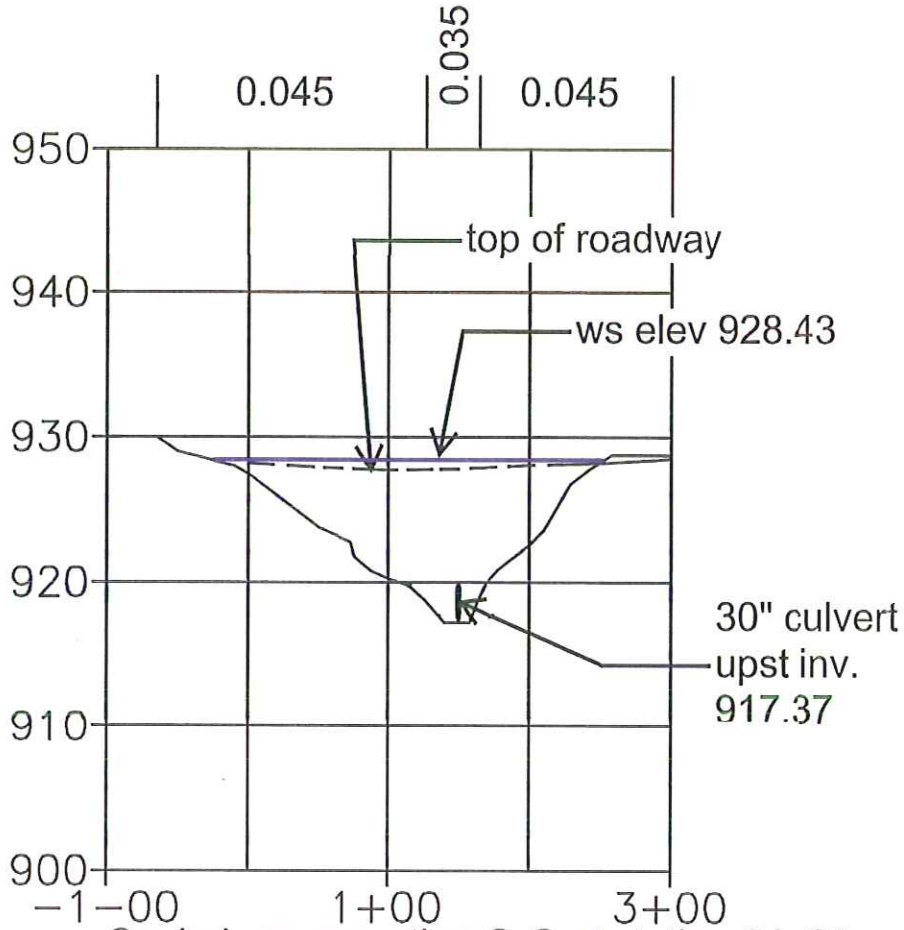
DRAWN BY TJZ JOB No. 12181

DATE 02/21/17 SHEET No. 04 SCALE NTS

DESCRIPTION:
CHESTNUT CREEK
MARION TOWNSHIP
LIVINGSTON CO., MI

FLOODPLAIN CROSS-SECTION

EXCERPT FROM MUSSON HILLS FLOODPLAIN STUDY PREPARED BY DESINE INC.,
 OCTOBER 2005 AND PROVIDED BY MDEQ VIA FOIA REQUEST



Copied cross-section G-G at station 24+00, raised 0.75 feet
2400

Profile: PF 1

Flow Discharge = 310.00 cfs

— Computed Water Surface = 928.43 ft



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PHONE: (810) 225-7100

FAX: (810) 225-7699

DRAWN BY TJZ JOB No. 12181

DATE 04/27/17 SHEET No. 06 SCALE NTS

DESCRIPTION:
 CHESTNUT CREEK
 MARION TOWNSHIP
 LIVINGSTON CO., MI



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May 9, 2017

Mr. Jeff Pierce
Water Resources Division
Michigan Department of Environmental Quality
525 W. Allegan St, Constitution Hall
PO Box 30242
Lansing, MI 48909

Subject: *Joint Permit Application – Response to Correction Request
MDEQ File No. 2PH-NP8F-T38N
Chestnut Development - Applicant
Proposed Chestnut Creek Residential Development
Section 24 of Marion Township, Livingston County, MI
NE 1430*

Dear Mr. Pierce:

As you are aware, our client (Chestnut Development) applied for a Part 301/303/31 permit for the proposed construction of a private drive through regulated wetland to facilitate the development of a new 12-unit single family residential subdivision to be known as Chestnut Creek. The proposed project is located along Howell-Pinckney Road (D-19) in Section 24 of Marion Township, Livingston County, Michigan (T02N, R04E).

The Michigan Department of Environmental Quality (MDEQ) determined that the application was incomplete and sent a Correction Request, dated March 21, 2017. Niswander Environmental has reviewed the MDEQ letter with our client and his engineer (Livingston Engineering); below are responses to the requests made in the letter:

1. *The Wetland Location Map provided appears to only show partial approximate wetland boundaries and does not accurately show all of the wetlands on the site. Please provide a complete wetland delineation of the site and revised plans showing the locations of all wetland boundaries on the site.*

In April 2016, Niswander Environmental delineated wetlands only within the proposed Project Limits, a practice accepted by the MDEQ in the past and an issue that was not addressed by the MDEQ during our on-site Pre-Application meeting with Mr. Tom Kolhoff on November 9, 2016. In response to this recent request, however, Niswander Environmental delineated wetlands on the remainder of the 70-acre property (Property) on March 21, 2017. Please refer to Niswander Environmental's Wetland Data Forms and revised Figure 2 (Wetland Location Map), dated March 22, 2017.

2. *In order to accurately review potential secondary and cumulative impacts resulting from the proposed project, please provide a revised copy of Sheet 2 Permit Activity and Wetland Flagging Map showing the proposed buildable envelopes for each lot and the location of all wetland boundaries on the site.*



Livingston Engineering has revised Sheet 2 based on the updated Wetland Delineation. Please refer to the revised Sheet 2 Permit Activity and Wetland Flagging Map (revised May 8, 2017).

3. *The application does not address proposed impacts within the 100-year floodplain of the South Branch of the Shiawassee River. Any filling, grading, or occupation is regulated under the State's Floodplain Regulatory Authority found in Part 31, Water Resources Protection, of the NREPA, as amended. Please provide the following information to meet Part 31 criteria:*

Identify the 100-year floodplain across the development site. Summarize proposed floodplain fill impacts for any roadway widening and proposed lot(s) development. Please revise [Page] 12 of 18, Section 13, of the Joint Permit Application to address floodplain fill and cut activities.

Livingston Engineering has identified the 100-year floodplain (928.5') based a topography and the downstream HEC-RAS model for the nearby Musson Hills Subdivision that was obtained from the MDEQ. Please refer to Livingston Engineering's revised Sheet 5 Floodplain Boundary Map and Sheet 6 Floodplain Cross Section Plan.

The project still proposes 108 cyd of floodplain fill, which is below the 300 cyd threshold that triggers the MDEQ-mandated compensatory cut requirement. Livingston Engineering has assessed site topography and the existing D-19 road culvert, and contends that this culvert will likely control the floodplain elevation of the Property, regardless of any on-site development activities. Please refer to the attached Section 13 (revised) of the Joint Permit Application.

Please feel free to contact us at 810-225-0539 if there are any questions or concerns.

Sincerely,

Jeff W. Bridgland

Ecologist

Professional Wetland Scientist #1810

enclosures: Revised Figure 2 Wetland Location Map
Wetland Data Forms
Livingston Engineering revised Site Plans (Sheets 2, 5, and 6)
Revised Section 13 of JPA

cc: Mr. Steve Gronow, Chestnut Development
Mr. David LeClair, Livingston Engineering

February 10, 2017

Mr. Chris Clampitt
Michigan Department of Environmental Quality
525 W. Allegan St, Constitution Hall
PO Box 30242
Lansing, MI 48909

Subject: *Letter of Authorization*
Chestnut Development - Applicant
Proposed Road Crossing – Chestnut Creek Residential Development
Section 24 of Marion Township, Livingston County, MI
NE 1463

Dear Mr. Clampitt:

This letter is to inform you that Niswander Environmental is authorized to prepare and submit a Joint Permit Application and any other required applications to the Michigan Department of Environmental Quality (MDEQ) on behalf of Chestnut Development (Applicant) for wetland and/or stream impacts associated with the proposed Chestnut Creek Residential Development located off of Pinckney Road (D-19) in Section 24 of Marion Township, Livingston County, MI (T02N, R04E). If you have any questions regarding this authorization please call me at your convenience at (810) 599-8359.

Sincerely,



Steve Gronow, Owner
Chestnut Development

cc: Jeff Bridgland, Niswander Environmental
David LeClair, Livingston Engineering



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February 21, 2017

Mr. Jeff Pierce
Water Resources Division
Michigan Department of Environmental Quality
525 W. Allegan St, Constitution Hall
PO Box 30242
Lansing, MI 48909

Subject: *Joint Permit Application*
Chestnut Development - Applicant
Proposed Chestnut Creek Residential Development
Section 24 of Marion Township, Livingston County, MI
NE 1430

Dear Mr. Pierce:

Enclosed is a Part 301/303 joint permit application on behalf of our client, Chestnut Development, for the proposed construction of a private drive through regulated wetland to facilitate the development of a new 12-unit single family residential subdivision to be known as Chestnut Creek. The proposed project is located along Howell-Pinckney Road (D-19) in Section 24 of Marion Township, Livingston County, Michigan (T02N, R04E).

The Applicant proposes to construct a 30' wide by 2,100' long private road, impacting approximately 1,084 sf (0.025 ac) of regulated wetland. The proposed project will also require the 20' extension of an existing culvert to continue supporting proper flow of the South Branch of the Shiawassee River under an existing dirt access drive. Preliminary designs to avoid wetland and stream impacts were initially prepared, but ultimately a road variance request to Marion Township was denied on the basis of safety, thus resulting in necessary minor impacts to the regulated natural resources. Mitigation is not proposed.

Niswander Environmental has attached for your review a completed Joint Permit Application, a Letter of Authorization, Figure 1 (Site Location Map); Figure 2 (Wetland Location Map); Site Plans (Livingston Engineering Sheets 1-4); Meeting Minutes from Marion Township dated 2/6/17; Email from MDEQ (Mr. Tom Kolhoff) dated 11/14/16; and the Wetland Determination Data Sheet.



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Please feel free to contact us at 810-225-0539 if there are any questions or concerns.

Sincerely,

Jeff W. Bridgland

Ecologist

Professional Wetland Scientist #1810

enclosures: Joint Permit Application
 Letter of Authorization
 Figure 1 Site Location Map
 Figure 2 Wetland Location Map
 Livingston Engineering Site Plans (Sheets 1-4)
 Marion Township ZBA Meeting Minutes (February 6, 2017)
 Email from MDEQ (November 14, 2016)
 Wetland Data Sheet

cc: Mr. Steve Gronow, Chestnut Development
 Mr. Tim Zimmer, Livingston Engineering



May 3, 2017

ESTIMATE FOR: Crystal Wood
MARION TOWNSHIP

DIVISION 1 - CRYSTAL CROSSING

Item No.	Est. Qty	Unit	Description	Unit Price	Amount
1	25	CYD	Excavation	\$ 14.00	\$ 350.00
1	130	SYD	HMA Surface, Rem	\$ 6.00	\$ 780.00
2	150	SYD	Cold Milling	\$ 3.00	\$ 450.00
3	30	CYD	Subgrade Undercut, Type II	\$ 20.00	\$ 600.00
4		LFT	Curb, Rem	\$ 10.00	\$ -
6	130	SYD	Aggregate Base, 7 Inch, 22A	\$ 7.00	\$ 910.00
7		TON	HMA Base, 4E	\$ 100.00	\$ -
8	290	TON	HMA Top, 4E	\$ 100.00	\$ 29,000.00
9	12	TON	HMA Hand Patch	\$ 105.00	\$ 1,260.00
10		LFT	Curb and Gutter, Conc, Det D2	\$ 30.00	\$ -
11		EA	Drainage Structure, Adj	\$ 500.00	\$ -
SUBTOTAL					\$ 33,000.00
CONTINGENCY (~20%):					\$ 7,000.00
DIVISION 1 CONSTRUCTION COST:					\$ 40,000.00

This division of work involves HMA patching on Crystal Crossing from the joint at the Norton Rd approach to the limits of the Crystal Wood Phase II development, including approaches to intersecting streets as far as the Crystal Crossing ROW lines. The HMA removal is covered by the item *HMA Surface, Rem* and the item *Excavation* covers the removal of material within patches to a depth of 7". At the engineer's discretion, the item *Subgrade Undercut, Type II* may be used to remove additional material found to be unsuitable and replace with Class II granular material. *Aggregate Base, 7 inch, 22A* will then be used to fill the excavated area 7 inches below the bottom of the pavement section. The item *HMA Hand Patch* will be used for placing HMA in these patches to match the existing levelling course grade. There are areas along the curb where the levelling course is too high to allow a reasonable thickness in the top course along the curbline. In these areas, at the engineer's discretion, contractor will mill the existing HMA to a point such that the HMA surface is about 1-1/4" below the curb. This work will be paid with the *Cold Milling* item. Then the entire road within the limits of this Division will be topped with *HMA Top, 4E*.



May 3, 2017

ESTIMATE FOR: Crystal Wood
MARION TOWNSHIP

DIVISION 2 - Crystal Court

Item No.	Est. Qty	Unit	Description	Unit Price	Amount
1	21	CYD	Excavation	\$ 14.00	\$ 294.00
1	110	SYD	HMA Surface, Rem	\$ 6.00	\$ 660.00
2	90	SYD	Cold Milling	\$ 3.00	\$ 270.00
3	25	CYD	Subgrade Undercut, Type II	\$ 20.00	\$ 500.00
4		LFT	Curb, Rem	\$ 10.00	\$ -
6	110	SYD	Aggregate Base, 7 Inch, 22A	\$ 7.00	\$ 770.00
7		TON	HMA Base, 4E	\$ 100.00	\$ -
8	380	TON	HMA Top, 4E	\$ 100.00	\$ 38,000.00
9	12	TON	HMA Hand Patch	\$ 105.00	\$ 1,260.00
10		LFT	Curb and Gutter, Conc, Det D2	\$ 30.00	\$ -
11		EA	Drainage Structure, Adj	\$ 500.00	\$ -
SUBTOTAL					\$ 41,460.00
CONTINGENCY (~20%):					\$ 8,540.00
DIVISION 2 CONSTRUCTION COST:					\$ 50,000.00

This division of work involves HMA patching on Crystal Crossing from the limits of the Crystal Wood Phase II development to Crystal Court, as well as the entire length of Crystal Court. The HMA removal is covered by the item *HMA Surface, Rem* and the item *Excavation* covers the removal of material within patches to a depth of 7". At the engineer's discretion, the item *Subgrade Undercut, Type II* may be used to remove additional material found to be unsuitable and replace with Class II granular material. *Aggregate Base, 7 inch, 22A* will then be used to fill the excavated area 7 inches below the bottom of the pavement section. The item *HMA Hand Patch* will be used for placing HMA in these patches to match the existing levelling course grade. There are areas along the curb where the levelling course is too high to allow a reasonable thickness in the top course along the curbline. In these areas, at the engineer's discretion, contractor will mill the existing HMA to a point such that the HMA surface is about 1-1/4" below the curb. This work will be paid with the *Cold Milling* item. Then the entire road within the limits of this Division will be topped with *HMA Top, 4E*.



May 3, 2017

ESTIMATE FOR: Crystal Wood
MARION TOWNSHIP

DIVISION 3 - Crystal Wood II

Item No.	Est. Qty	Unit	Description	Unit Price	Amount
1	230	CYD	Excavation	\$ 14.00	\$ 3,220.00
1	1,440	SYD	HMA Surface, Rem	\$ 6.00	\$ 8,640.00
2	350	SYD	Cold Milling	\$ 3.00	\$ 1,050.00
3	330	CYD	Subgrade Undercut, Type II	\$ 20.00	\$ 6,600.00
4	4	LFT	Curb, Rem	\$ 10.00	\$ 40.00
6	1,140	SYD	Aggregate Base, 7 Inch, 22A	\$ 7.00	\$ 7,980.00
7	160	TON	HMA Base, 4E	\$ 100.00	\$ 16,000.00
8	155	TON	HMA Top, 4E	\$ 100.00	\$ 15,500.00
9	20	TON	HMA Hand Patch	\$ 105.00	\$ 2,100.00
10	12	LFT	Curb and Gutter, Conc, Det D2	\$ 30.00	\$ 360.00
11	1	EA	Dr Structure Cover, Adj, Case 1	\$ 500.00	\$ 500.00
SUBTOTAL					\$ 58,770.00
CONTINGENCY (~20%):					\$ 12,230.00
DIVISION 3 CONSTRUCTION COST:					\$ 71,000.00

This division of work involves HMA patching on all roads in the Crystal Wood Phase II development, excluding pavement within the ROW of Crystal Crossing. The HMA removal is covered by the item *HMA Surface, Rem* and the item *Excavation* covers the removal of material within patches to a depth of 7". At the engineer's discretion, the item *Subgrade Undercut, Type II* may be used to remove additional material found to be unsuitable and replace with Class II granular material. *Aggregate Base, 7 inch, 22A* will then be used to fill the excavated area 7 inches below the bottom of the pavement section. The item *HMA Hand Patch* will be used for placing HMA in these patches to match the existing levelling course grade. There are areas along the curb where the levelling course is too high to allow a reasonable thickness in the top course along the curbline. In these areas, at the engineer's discretion, contractor will mill the existing HMA to a point such that the HMA surface is about 1-1/4" below the curb. This work will be paid with the *Cold Milling* item. There will be no HMA patching on Wood Pt. This road surface will be completely removed, and about 75% of the aggregate base replaced. There is quantity for about 75% of the surface to be undercut as well. After aggregate is replaced, Wood Pt will be paved with *HMA Base, 4E*. There is a manhole on Crystal wood between Crystal Crossing Dr and Wood Ln that will require adjustment, and the adjacent curb will have to be cut at the joints and a section replaced. All roads in this Division will be topped with *HMA Top, 4E*.

MARION TOWNSHIP MEETING SCHEDULE 2017-2018

Board of Trustees

July 13, 2017
August 10, 2017
September 14, 2017
October 12, 2017
November 9, 2017
December 14, 2017
January 11, 2018
February 8, 2018
March 8, 2018
April 12, 2018
May 10, 2018
June 14, 2018

Board of Trustees

July 27, 2017
August 24, 2017
September 28, 2017
October 26, 2017
*No Meeting (Thanksgiving)
*No Meeting (Christmas)
January 25, 2018
February 22, 2018
March 22, 2018
April 26, 2018
May 24, 2018
June 28, 2018

Zoning Board of Appeals

*July 10, 2017
August 7, 2017
*September 11, 2017
October 2, 2017
November 6, 2017
December 4, 2017
*January 8, 2018
February 5, 2018
March 5, 2018
April 2, 2018
May 7, 2018
June 4, 2018

Planning Commission

July 25, 2017
August 22, 2017
September 26, 2017
October 24, 2017
November 28, 2017
*No Meeting (Christmas)
January 23, 2018
February 27, 2018
March 27, 2018
April 24, 2018
May 22, 2018
June 26, 2018

BOARD OF TRUSTEES: Second and Fourth Thursdays of each month at 7:30 p.m.

ZONING BOARD OF APPEALS: First Monday of each month at 7:30 p.m., if there are agenda items.

PLANNING COMMISSION: Fourth Tuesday of each month at 7:30 p.m.

***Meeting is scheduled on a date that is different than normally planned.**

**Tammy L. Beal, MMC
Marion Township Clerk**

MEMO

TO: Board of Trustees
FROM: Annette
DATE: May 18, 2017
SUBJECT: Pay increase

It has come to my attention there are townships that are hiring Zoning Administrators at a starting pay of \$25.00 per hour, Howell Township and Bridgewater Township. Pittsfield Township is hiring at \$21.50 per hour, with no experience necessary. When Jim Murray worked for Huron Township, his pay was \$25.00 per hour and his responsibility was code enforcement only.

I would like the Board of Trustees to consider increasing my hourly rate of \$21.50 by 14%, to bring my hourly rate to \$25.00.

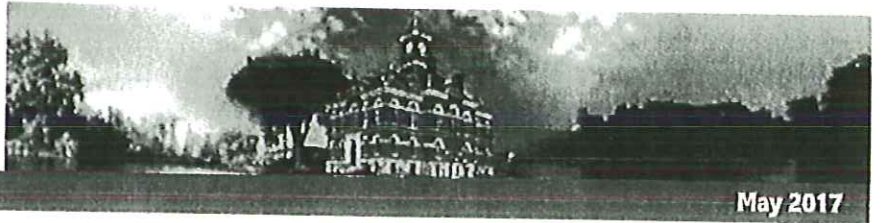
In 2015 the Board of Trustees increased the assessors pay by 17% to bring the pay in line with the going rate.

Let me know if you have any questions.



Liv.Co **UPDATE**

Monthly News from the
Livingston County Commissioners



May 2017

Livingston County Board of Commissioners

District 1 - Kate Lawrence
(*Board Chairwoman*)

District 2 - William Green

District 3 - David J. Domas

District 4 - Douglas G.
Helzerman

District 5 - Donald S. Parker

District 6 - Robert J. Bezotte

District 7 - Carol S. Griffith
(*Board Vice-Chairwoman*)

District 8 - Dennis L. Dolan

District 9 - Gary Childs

Upcoming Meetings

5/8/2017 - Gen. Government at
7:30 PM

5/10/17 - Finance Committee
at 7:30 AM followed by Parks
& Open Spaces at 9:00 AM

5/15/2017 - Full Board Meeting
at 7:30 PM

5/17/2017 - Personnel
Committee at 8:00 AM

5/22/2017 - Infrastructure &
Development & Public
Safety at 7:30 PM

5/24/2017 - Finance
Committee at 7:30 AM
followed by Full Board
Meeting

"The mission of Livingston County is to be an effective and efficient steward in delivering quality services within the constraints of sound fiscal policy. Our priority is to provide mandated services which may be enhanced and supplemented to improve the quality of life for all who work, reside, and recreate in Livingston County."

Grant Application Approved For New Voting System

The State of Michigan is mandating all counties purchase a new voting system. The selection of the election equipment vendor has been made by the County Clerk with input from the city and township clerks. Following many hours of evaluation, consideration of input from city and township clerks, consultation with the Elections Coordinator and IT, and approval by our County Election Commission, the Clerk has selected Hart InterCivic to provide Livingston County's next-generation voting equipment. This decision was not taken lightly. Approval was garnered from the Elections Coordinator and IT department. Local city and township clerks also pledged their support of the decision at the March 30th Livingston County Municipal Clerks' Association meeting. The County Clerk has been authorized to submit a Grant Application to the Secretary of State to purchase the new voting system, which includes precinct tabulators, accessible voting devices for use by individuals with disabilities, additional necessary components, and related Election Management System software.

Sue Bostwick Is Appointed As Equalization Director

Livingston County is happy to announce that Sue Bostwick has been appointed to the Equalization Director position. Sue has been an employee of the County for 19 years as the Equalization Deputy Director. As Deputy Director, Sue has overseen millages, balancing rolls, apportionment reports, state reporting, and the Headlee Rollback. In her time, Sue has worked with many of the Clerks, Treasurers, and Supervisors in the local units, along with local schools, libraries, fire departments, and college taxing districts within the County. Sue said she looks forward to continue working with all of our local partners and providing the best services to the County as a whole.

Resolutions Passed by the Board of Commissioners & Appointments

- Bill Anderson has been appointed to a representative seat on the Livingston County Airport Zoning Board of Appeals with a term expiring October 31, 2019 and an alternate representative seat on SEMCOG with a term expiring December 31, 2017.
- The Specialty Court Programs have been authorized to apply for State Court Administrative Office Grant Funding. These funds will be directed towards staffing, treatment, drug and alcohol testing, training, and other program-related expenses necessary to operate these programs.
- An agreement was approved with Bob Maxey Ford of Howell, Inc. and Roy's Autoworks of Howell, MI to provide repair and maintenance services for county-owned transit vehicles for a three year term commencing on May 1, 2017 to May 1, 2020.
- A Safe Driver Policy to ensure that municipal employees driving municipal vehicles are safe and properly licensed operators has been approved.
- The Estimated 2018 General Fund Budget has been approved to be submitted to the Tax Allocation Board.
- With the upcoming retirement of one Public Health Nurse Program Coordinator, the Health Department has decided to realign duties to create improved efficiencies. Specifically, the responsibility for administration of the WIC program will shift to the current Nutritionist.
- The Equalization Department has examined the assessment rolls of the sixteen townships and cities within Livingston County to ascertain whether the real and personal property in the respective townships and cities have been equally and uniformly assessed at true cash value and the 2017 County Equalization Report has been adopted.
- A three year contract with MGT of America Consulting, LLC. to prepare the Central Services Cost Allocation Plan and IT Cost Allocation Plan / Billing Rate Study has been authorized.
- Motor Pool has been authorized to purchase one 2017 Dodge Charger Police Package to replace a vehicle from the Sheriff's Department Road Division.
- The Livingston County Board of Commissioners declare the week of May 7th through May 13th, 2017, National Correctional Officers week in honor the contributions and accomplishments of the men and women who are essential to the operation of the Livingston County Jail.
- Livingston County Board of Commissioners also declares the week of May 14th through May 20th, 2017, National Police Week in honor of the contributions and accomplishments of the men and women who are essential to the operation of the Livingston County Sheriff's Office.
- An agreement was approved with TLS Construction LLC for the installation of a water main at the Livingston County Airport per Tetra Tech, Inc.
- An agreement was approved with the Michigan Department of Transportation (MDOT) for the operation and maintenance of a weather observation and data dissemination system at the Livingston County Spencer J. Hardy Airport.
- A six month contract for 2017 Agricultural fieldwork has been approved with Landmark Appraisal Company for the fieldwork of 150 agricultural parcels and 35 residential, commencing on April 1, 2017 and to be completed by September 1, 2017.
- Emergency Management has received a federal grant award for the Hazardous Materials Emergency Preparedness Grant Program for Livingston County to support the Local Emergency Planning Committee (LEPC.) The LEPC will be utilizing the funding to identify hazardous material sites and enhance hazardous materials response planning within Livingston County.

Please Note: The Liv.Co Update highlights a portion of resolutions and work completed by the Livingston County Board of Commissioners. Please refer to the Board's meeting minutes for more information regarding specific resolutions. To be redirected to the Board's Meeting Minutes, please click [here](#) or visit www.livgov.com.