

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY WATER RESOURCES DIVISION PERMIT

ISSUED TO:

ACR LLC Bruce Michael 2617 Beacon Hill Drive Auburn Hills, MI 48326

Permit No. 15-63-0038-P **Issued** June 2, 2015

Extended Revised

Expires June 2, 2020

This permit is being issued by the Michigan Departr the Natural Resources and Environmental Protectio	nent of Environmental Quality (MDEQ) under the provisions of n Act, 1994 PA 451, as amended (NREPA), and specifically:
Part 301, Inland Lakes and Streams	☐ Part 315, Dam Safety
Part 325, Great Lakes Submerged Lands	☐ Part 323, Shorelands Protection and Management
☑ Part 303, Wetlands Protection	☐ Part 353, Sand Dunes Protection and Management
☑ Part 31, Floodplain/Water Resources Protection	
Permission is hereby granted, based on permittee a permit conditions, to:	ssurance of adherence to State of Michigan requirements and

Permitted Activity: Place 4,575 cubic yards of fill material and 6 cubic yards of riprap within 0.24 acres of wetlands; place 1,718 cubic yards of fill material and 12 cubic yards of riprap within the 100-year floodplain and floodway of Sargent Creek, as delineated in the FEMA map, number 26125C0392F and 26125C0391F, effective date September 29, 2006, for the purposes of constructing condominium units, stormwater detention basins, and installing storm, sanitary, and water main utilities. Excavate approximately 4,032 cubic yards of material from within the 100-year floodplain as compensation for lost storage capacity.

The 100-year floodplain ranges from 807.5 to 818.5 NAVD 88 at this location.

All fill for buildings built in the 100 year flood storage area must be engineered such that it complies with FEMA Technical Bulletin 10-01.

All work shall be completed in accordance with the attached plans and specific terms and conditions of this permit.

See pages 2-4 for special conditions specific to this permit.

Water Course Affected: Sargent Creek

Property Location: Oakland County, City of Rochester Hills, Section 9

Subdivision, Lot

Town/Range 3N, 11E Property Tax No. 15-09-476-035/451-002

Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31, Water Resources Protection, of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.

E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.

F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with Act 53 of the

Public Act of 1974 and comply with each of the requirements of that Act.

G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.

H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit

court of this state when necessary to protect his rights.

I. Permittee shall notify the MDEQ within one week after the completion of the activity authorized by this permit, by completing and forwarding the attached preaddressed postcard to the office addressed thereon.

J. This permit shall not be assigned or transferred without the written approval of the MDEQ.

K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.

L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under

Part 31, and wetland).

- M. In issuing this permit, the MDEQ has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, the MDEQ may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the State (1) provides the permittee or its designated representative written notice of the claim or cause of action within 30 days after it is received by the State and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.

O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, the MDEQ may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies,

protect natural resource values, and secure compliance with statutes.

P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from the MDEQ. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be

approved, in writing, by the MDEQ prior to being implemented.

Q. This permit may be transferred to another person upon written approval of the MDEQ. The permittee must submit a written request to the MDEQ to transfer the permit to the new owner. The new owner must also submit a written request to the MDEQ to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties which includes all the above information may be provided to the MDEQ. The MDEQ will review the request and if approved, will provide written notification to the new owner.

R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to

provide a copy of the permit to all subcontractors doing work authorized by the permit.

S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.

T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent.

U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.

V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.

- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the waterbody are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the MDNR, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:

- 1) All work shall be completed in accordance with plans prepared by GreenTech Engineering, dated October 23, 2014, being sheets 1-20 entitled Andover Woods Condominiums. Said plans are kept on file at the MDEQ's Water Resources Division (WRD), Southeast Michigan District Office.
- 2) Authority granted by this permit does not waive permit or program requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA). To locate the Soil Erosion Program Administrator for your county visit www.mi.gov/deqstormwater and look for Soil Erosion and Sedimentation Control Program under "Related Links".
- 3) A storm water discharge permit may be required under the Federal Clean Water Act for construction activities that disturb one or more acres of land and discharge to surface waters. For sites over five (5) acres, the permit coverage may be obtained by a Part 91, Soil Erosion and Sedimentation Control (SESC) permit, or coverage as an Authorized Public Agency (APA), and filing a "Notice of Coverage" form to the MDEQ's WRD. For sites with disturbance from one acre up to five acres, storm water coverage is automatic once the SESC permit is obtained or if work is being conducted by an APA. These one to five acre sites are not required to apply for coverage, but are required to comply with storm water discharge permit requirements. Information on the storm water discharge permit is available from the Water Resource Division's Storm Water Permit Program at www.michigan.gov/soilerosion under the "Construction Strom Water Info".
- 4) Prior to the initiation of any permitted construction activities, a sedimentation barrier shall be constructed immediately down gradient of the construction site. Sedimentation barriers shall be specifically designed to handle the sediment type, load, water depth, and flow conditions of each construction site throughout the anticipated time of construction and unstable site conditions. The sedimentation barrier shall be maintained in good working order throughout the duration of the project. Upon project completion, the accumulated materials shall be removed and disposed of at an upland (non-wetland, non-floodplain) site and stabilized with seed and mulch. The sedimentation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
- 5) All raw areas in uplands resulting from the permitted construction activity shall be effectively stabilized with sod and/or seed and mulch (or other technology specified by this permit or project plans) in a sufficient quantity and manner to prevent erosion and any potential siltation to surface waters or wetlands. Temporary stabilization measures shall be installed before or upon commencement of the permitted activity, and shall be maintained until permanent measures are in place. Permanent measures shall be in place within five (5) days of achieving final grade.
- 6) All raw earth within 100 feet of a lake, stream, or wetland that is not brought to final stabilization by the end of the active growing season shall be temporarily stabilized with mulch blankets in accordance with the following dates: September 20th for the Upper Peninsula, October 1st for the Lower Peninsula north of US-10, and October 10th for the Lower Peninsula south of US-10.
- 7) All fill/backfill shall consist of clean inert material that will not cause siltation nor contain soluble chemicals, organic matter, pollutants, or contaminants. All fill shall be contained in such a manner so as not to erode into any surface water, floodplain, or wetland. All raw areas associated with the permitted activity shall be stabilized with sod and/or seed and mulch, riprap, or other technically effective methods as necessary to prevent erosion.
- 8) Prior to the start of construction, all adjacent non-work wetland areas shall be protected by properly trenched sedimentation barrier to prevent sediment from entering the wetland. Orange construction fencing shall be installed as needed to prohibit construction personnel and equipment from entering or performing work in these areas. Fence shall be maintained daily throughout the construction process. Upon project completion, the accumulated materials shall be removed and disposed of at an upland site, the sedimentation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.

- 9) The compensating cut (excavations) for floodplain fill, as authorized by this permit, shall be completed prior to, or concurrently with, the placement of the fill. The compensating cut and fill areas shall be properly stabilized to prevent soil erosion and off site sedimentation in conformance with Part 91, Soil Erosion and Sedimentation Control, of the NREPA.
- 10) All fill for buildings built in the 100 year flood storage area must be engineered such that it complies with FEMA Technical Bulletin 10-01.
- 11) The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state or federal approval or authorization, necessary to conduct the activity.
- 12) No fill, excess soil, or other material shall be placed in any wetland or surface water area not specifically authorized by this permit, its plans, and specifications.
- 13) This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.
- 14) The permit placard shall be kept posted at the work site, in a prominent location at all times for the duration of the project, or until permit expiration.
- 15) This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by the MDEQ, will be for a five-year period beginning at the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.

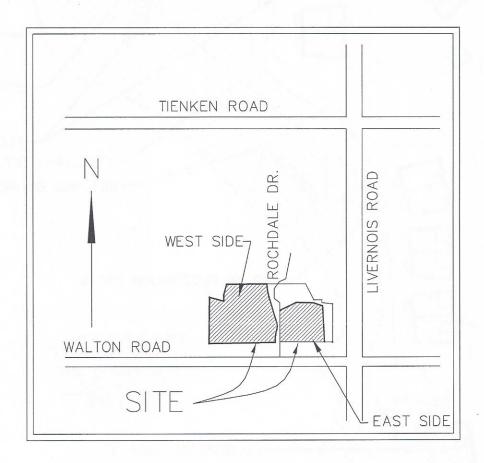
Should you require further information regarding this permit please contact Karyn Boldys at 586-256-7274; boldysk@michigan.gov; or in writing at DEQ, WRD, 27700 Donald Court, Warren, MI 48092-2793.

Karvn Boldvs

Water Resources Division

cc: City of Rochester Hills Clerk
Oakland County Drain Commissioner
Oakland Soil Erosion Officer
Don Berninger, Brooks Williamson Associates, Inc.

DEQ-WRD-WRU
FILE#15-63-0038 P
APPROVED PLANS
OF 32
SEMI DIST.



LOCATION MAP:

FEB 2 0 2015



CIVIL ENGINEERS & LAND SURVEYORS
51111 W. Pontiac Trail

Wixom, MI 48393 Phone: (248) 668-0700 Fax: (248) 668-0701 CLIENT:

ANDOVER WOODS, LLC.

LOCATION MAP

ANDOVER WOODS CONDOMINIUMS

SECTION: 9 TOWNSHIP: 3N RANGE: 11E

CITY OF ROCHESTER HILLS

OAKLAND COUNTY

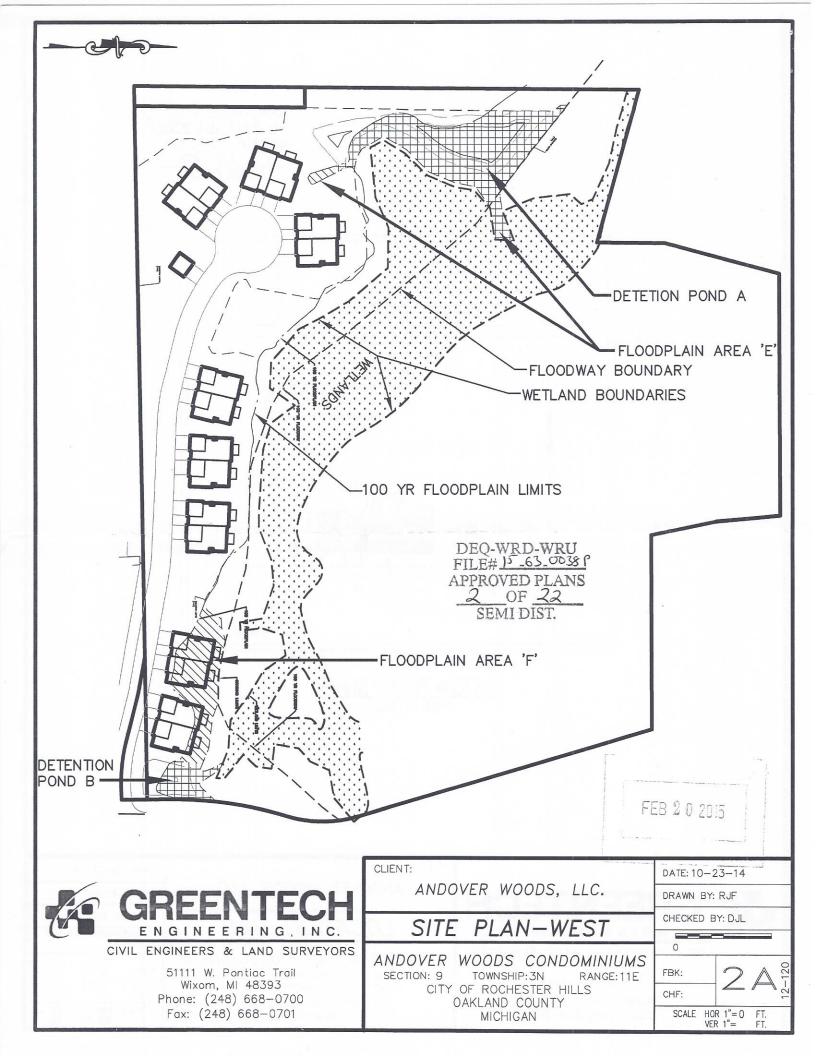
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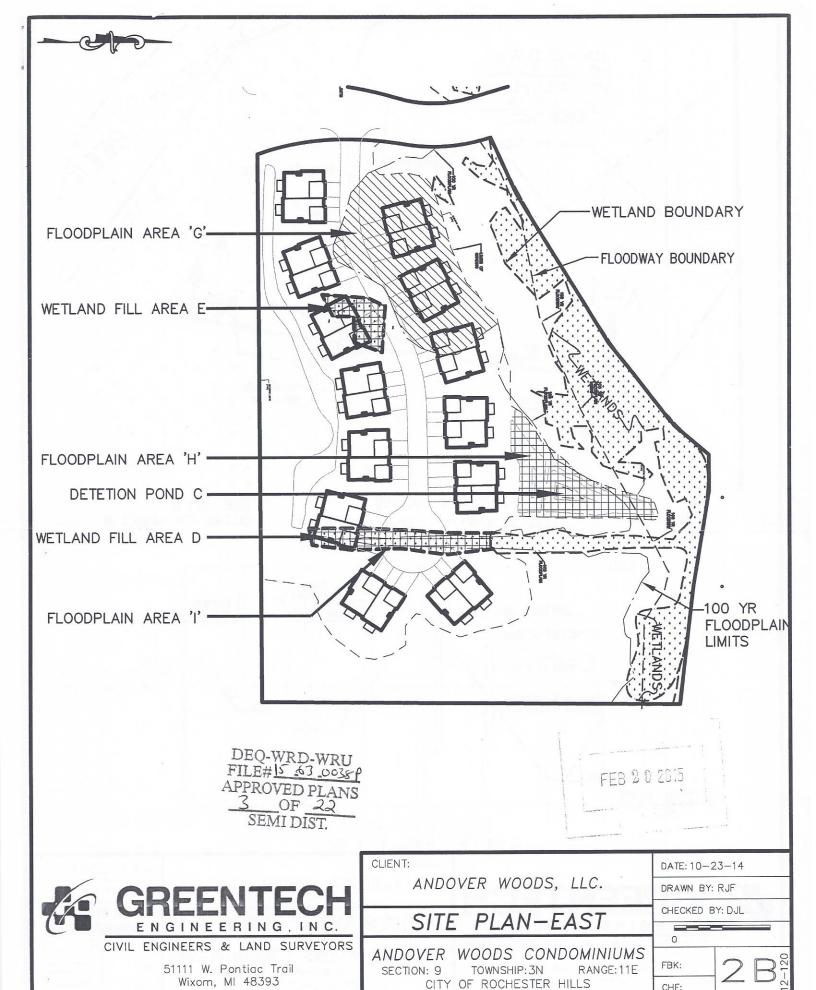
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CHECKED BY: DJL

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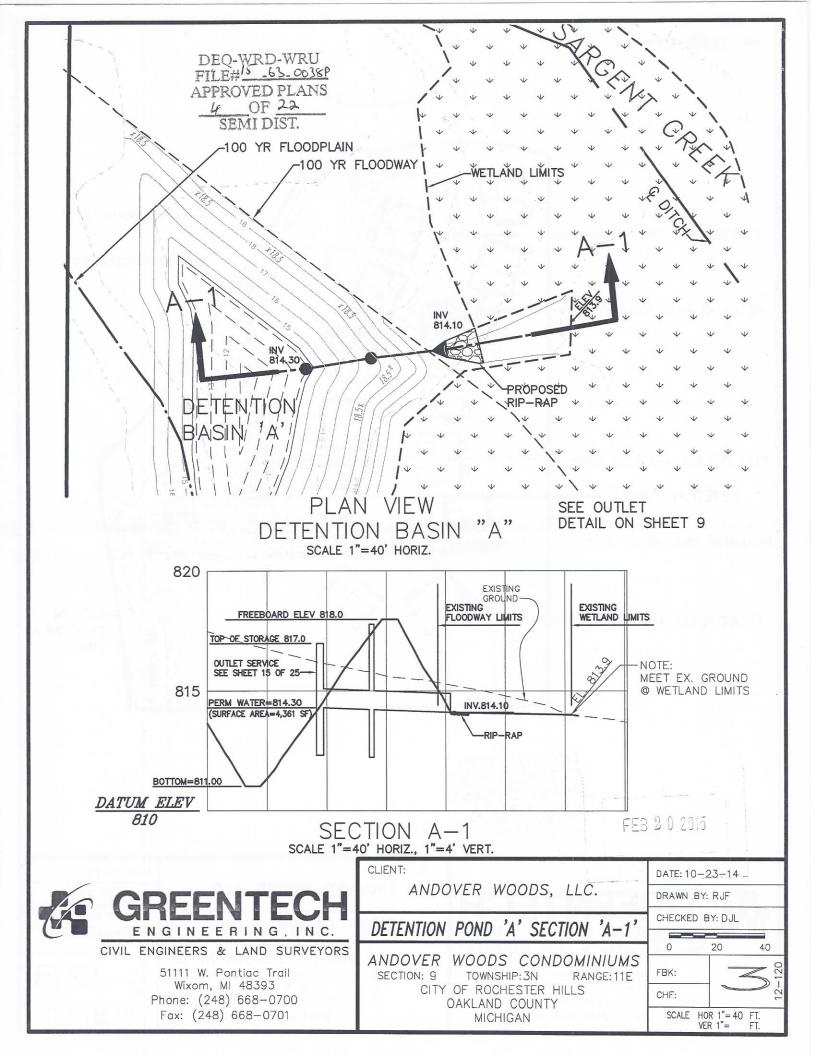
OAKLAND COUNTY

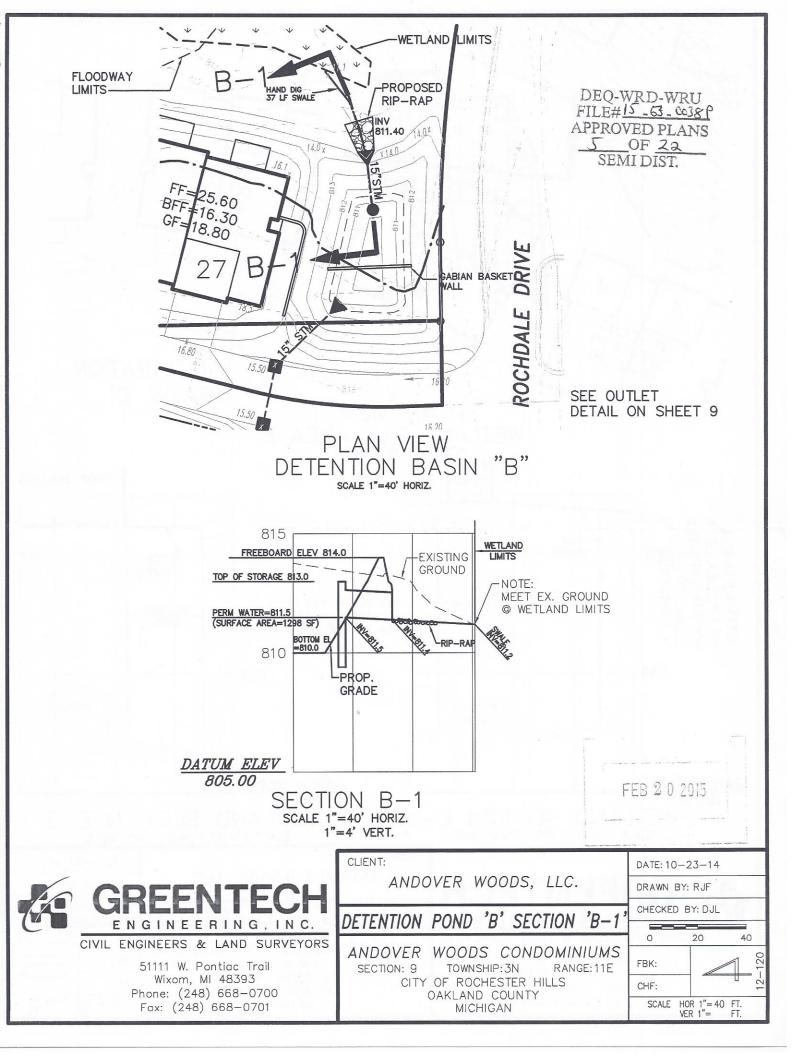
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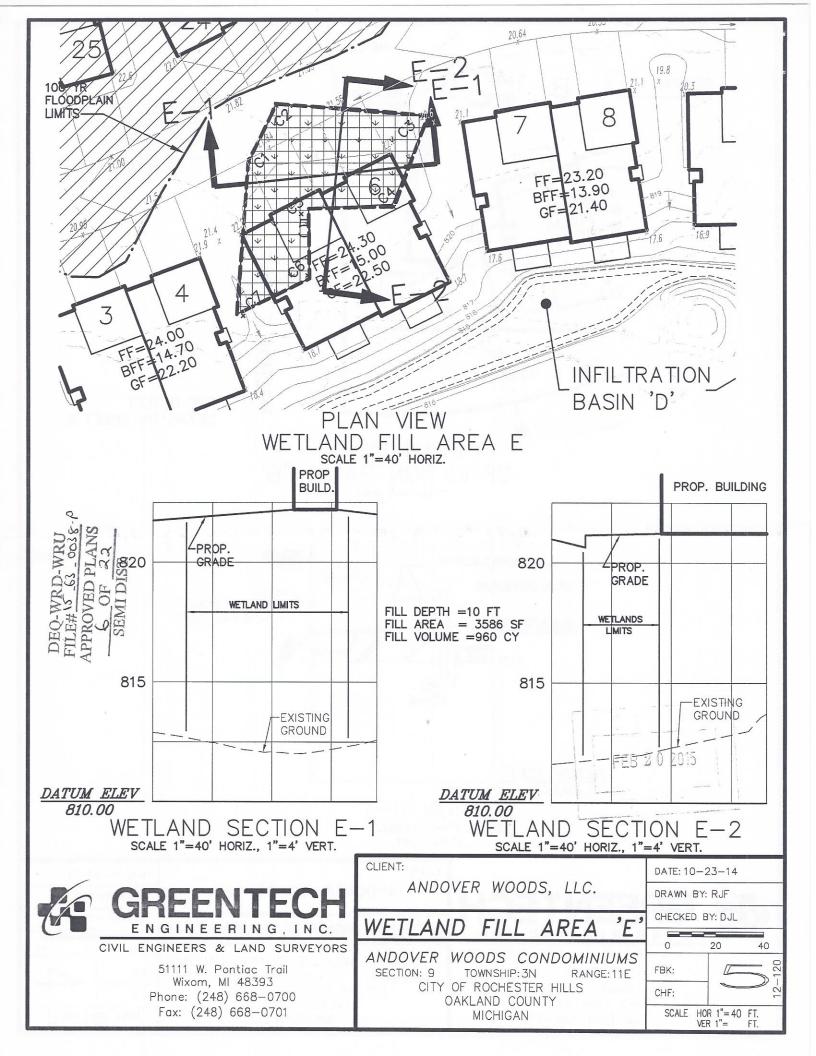
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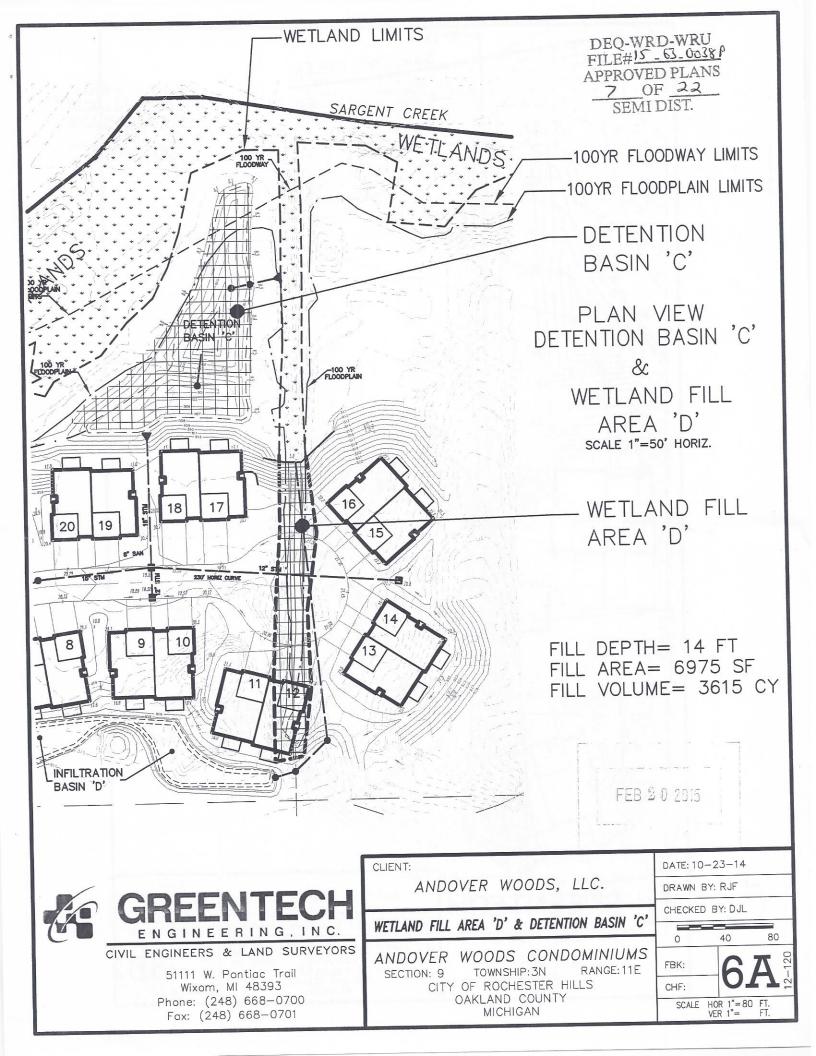
Phone: (248) 668-0700

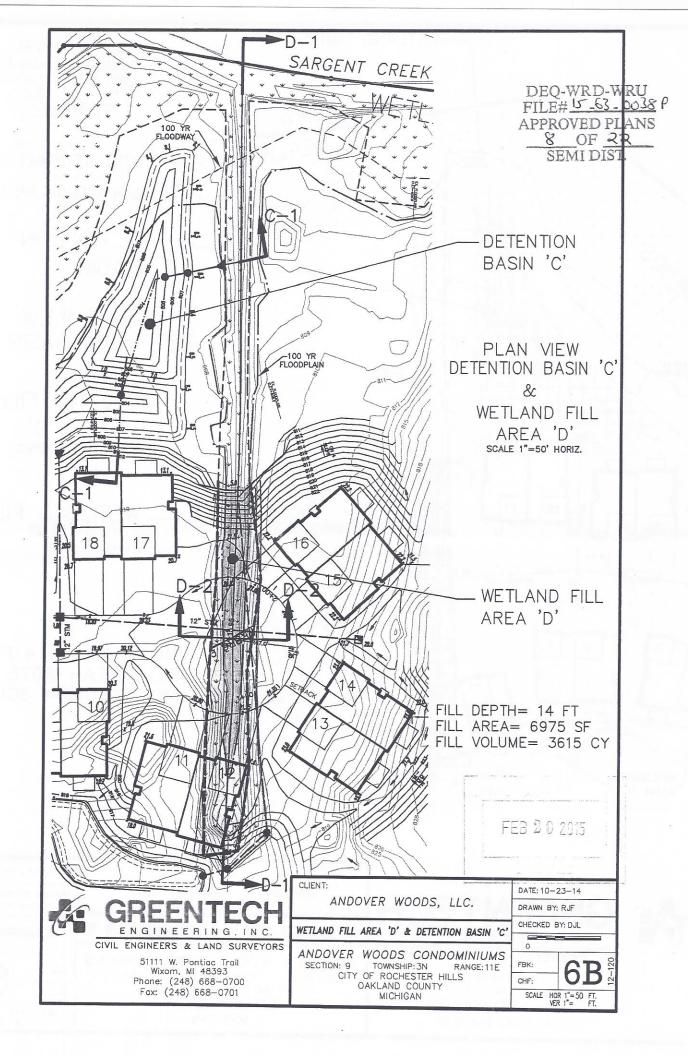
Fax: (248) 668-0701



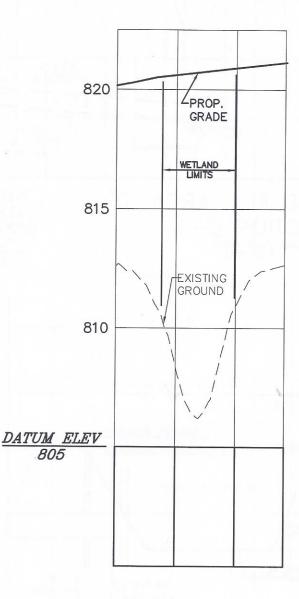








DEQ-WRD-WRU
FILE#15 -63-0381
APPROVED PLANS
9 OF 22
SEMI DIST.



FILL DEPTH = 14 FT FILL AREA = 6975 SF FILL VOLUME = 3615 CY

WETLAND FILL AREA 'D'
SECTION D-2
SCALE 1"=40' HORIZ.
1"=4' VERT.

FEB 2 0 2015



GREENTECH

ENGINEERING, INC.

CIVIL ENGINEERS & LAND SURVEYORS

51111 W. Pontiac Trail Wixom, MI 48393 Phone: (248) 668-0700 Fax: (248) 668-0701 CLIENT:

ANDOVER WOODS, LLC.

WETLAND FILL AREA 'D', SECTION D-2

ANDOVER WOODS CONDOMINIUMS

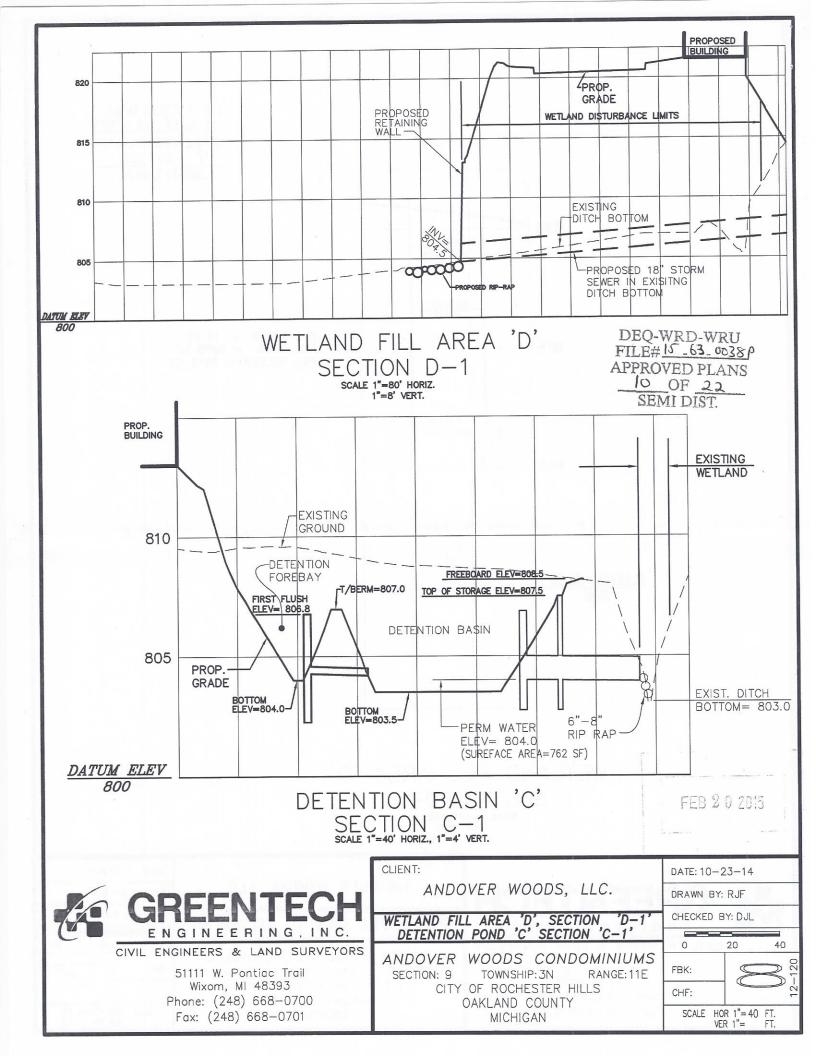
SECTION: 9 TOWNSHIP: 3N RANGE: 11E
CITY OF ROCHESTER HILLS
OAKLAND COUNTY
MICHIGAN

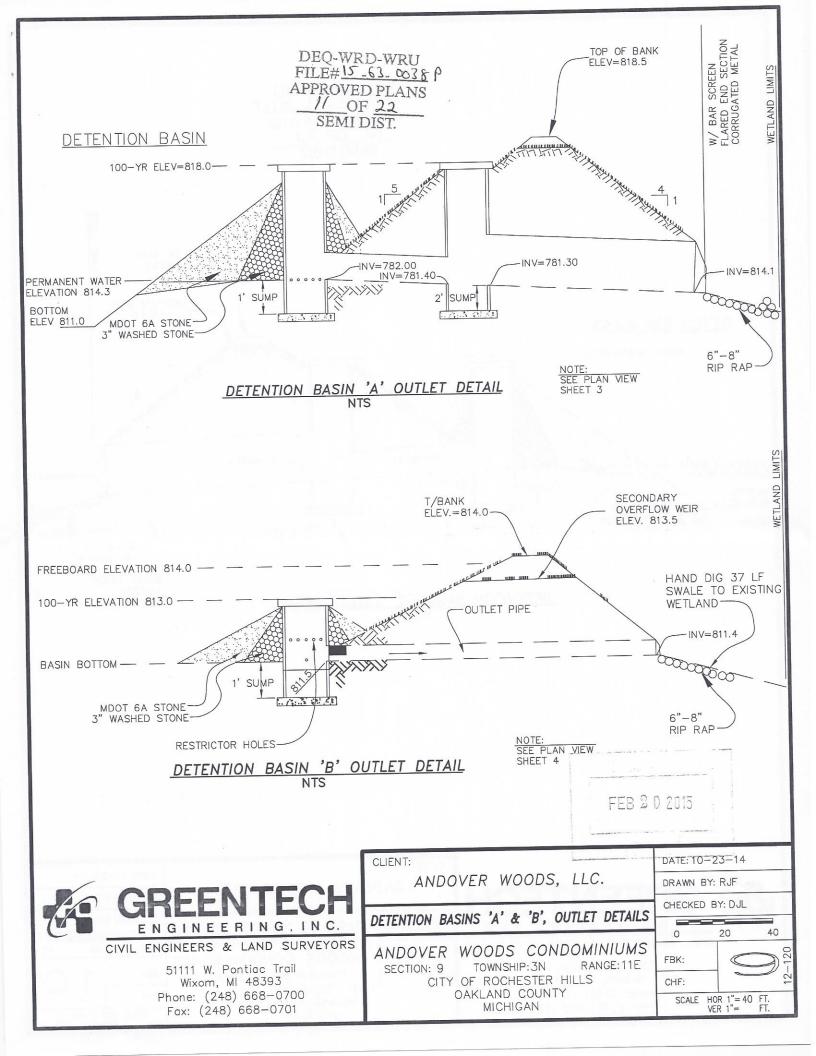
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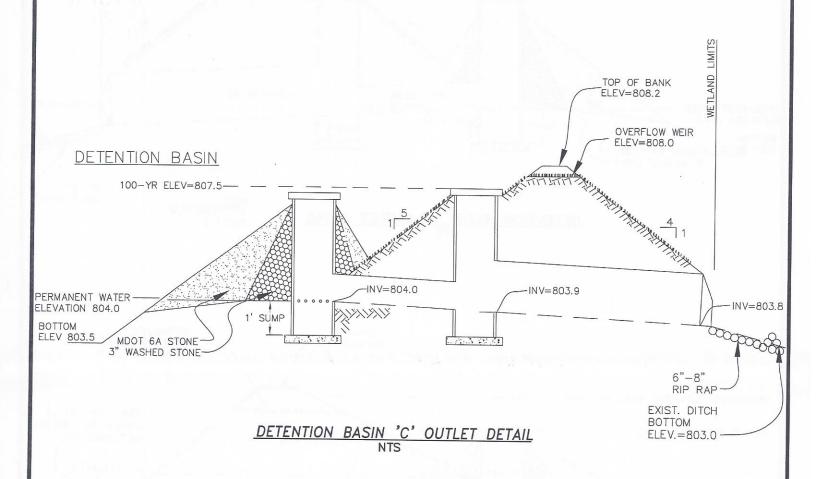
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DEQ-WRD-WRU
FILE#15 -61 0038P
APPROVED PLANS
12 OF 22
SEMI DIST.



FEB 2 0 2015



GREENTECH

ENGINEERING, INC.

CIVIL ENGINEERS & LAND SURVEYORS

51111 W. Pontiac Trail Wixom, MI 48393 Phone: (248) 668-0700 Fax: (248) 668-0701 CLIENT:

ANDOVER WOODS, LLC.

DETENTION BASIN 'C' OUTLET DETAILS

ANDOVER WOODS CONDOMINIUMS

SECTION: 9 TOWNSHIP: 3N RANGE: 11E

CITY OF ROCHESTER HILLS

OAKLAND COUNTY

MICHIGAN

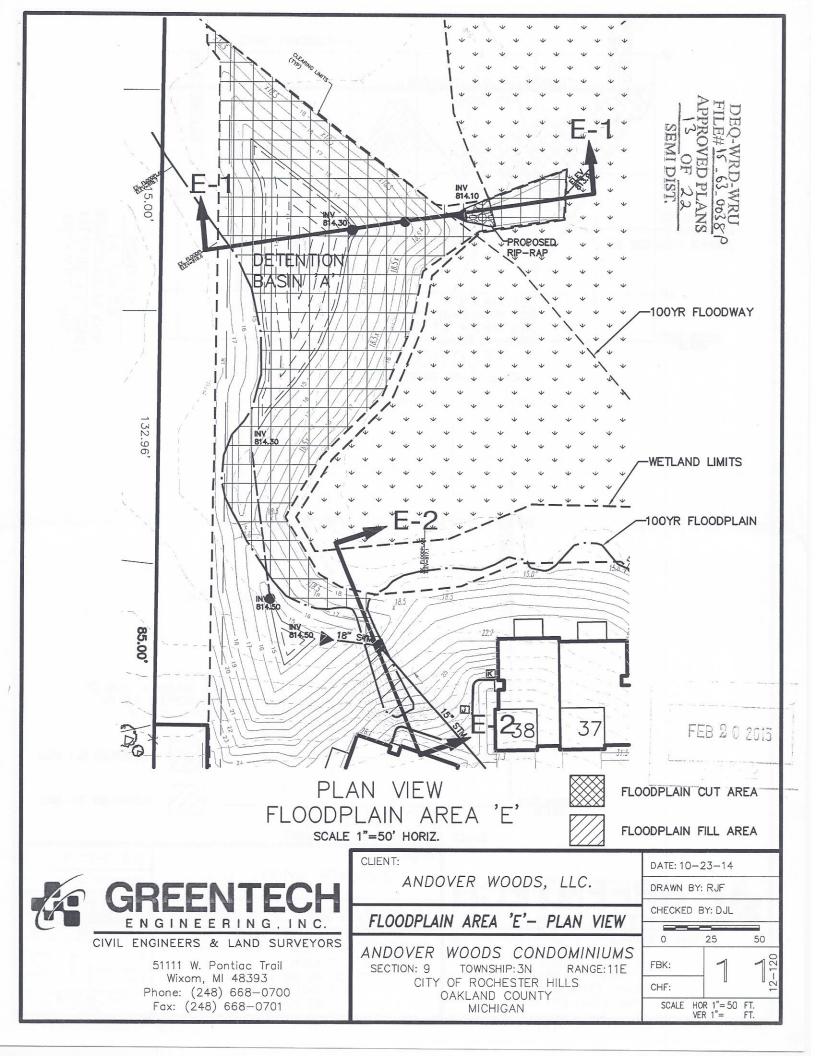
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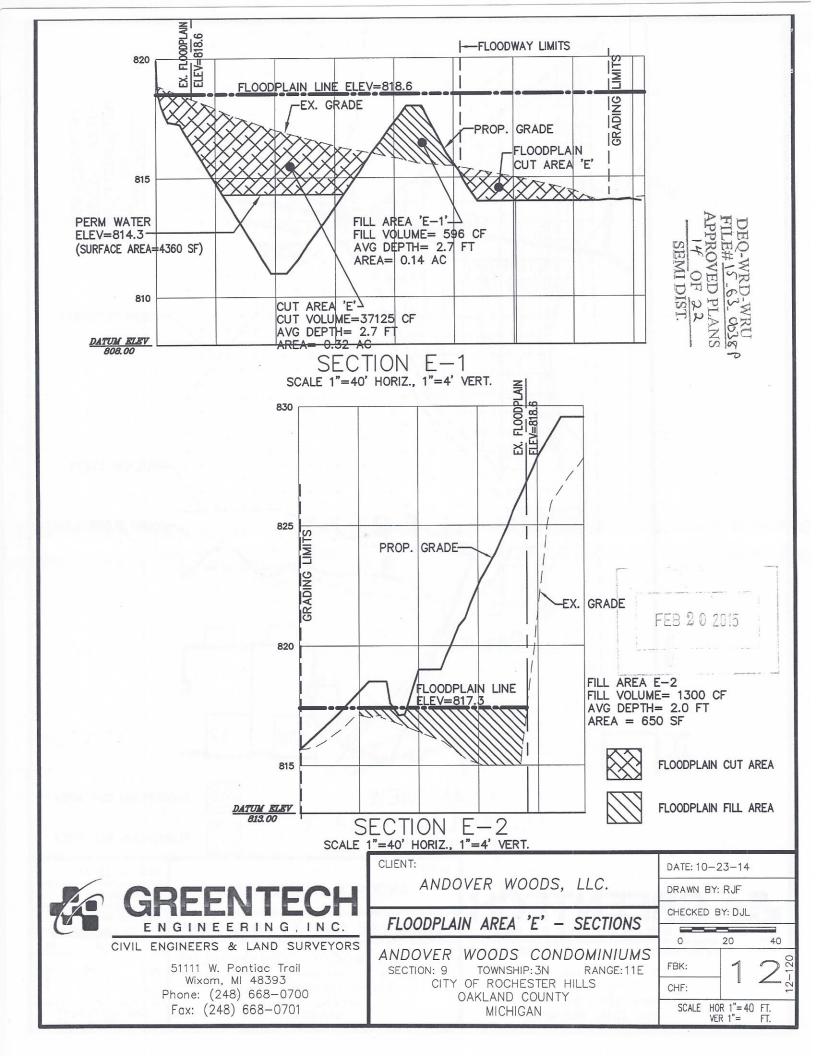
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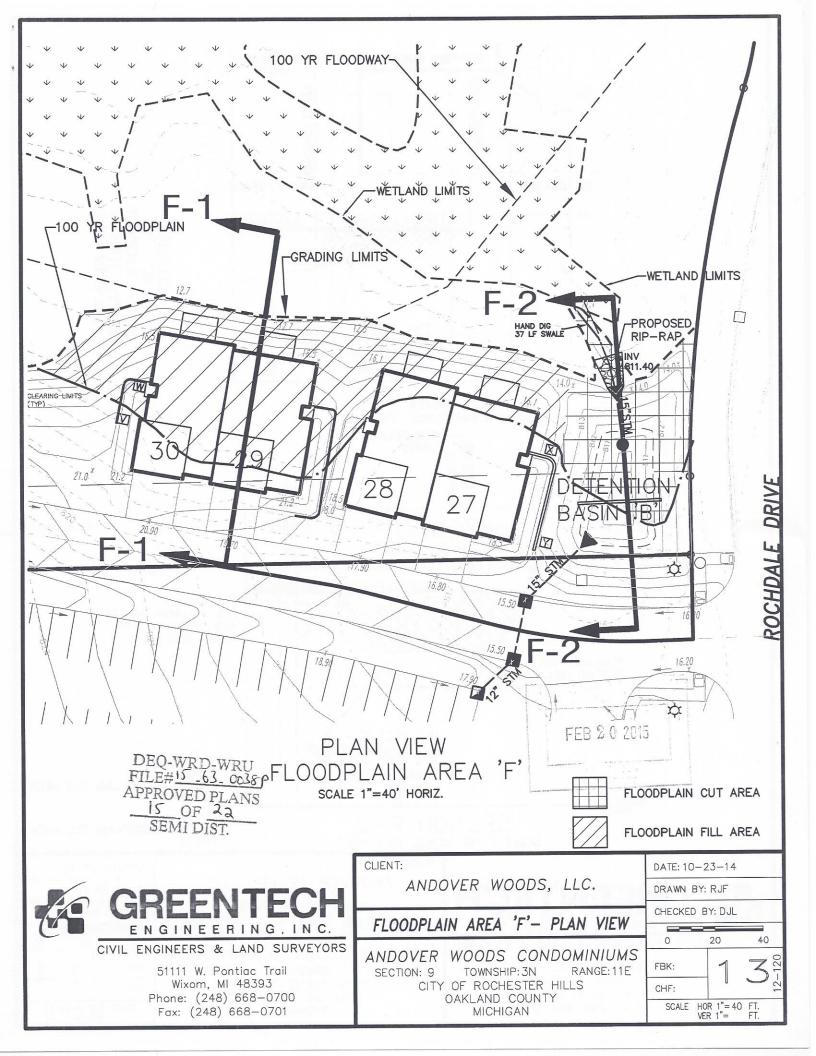
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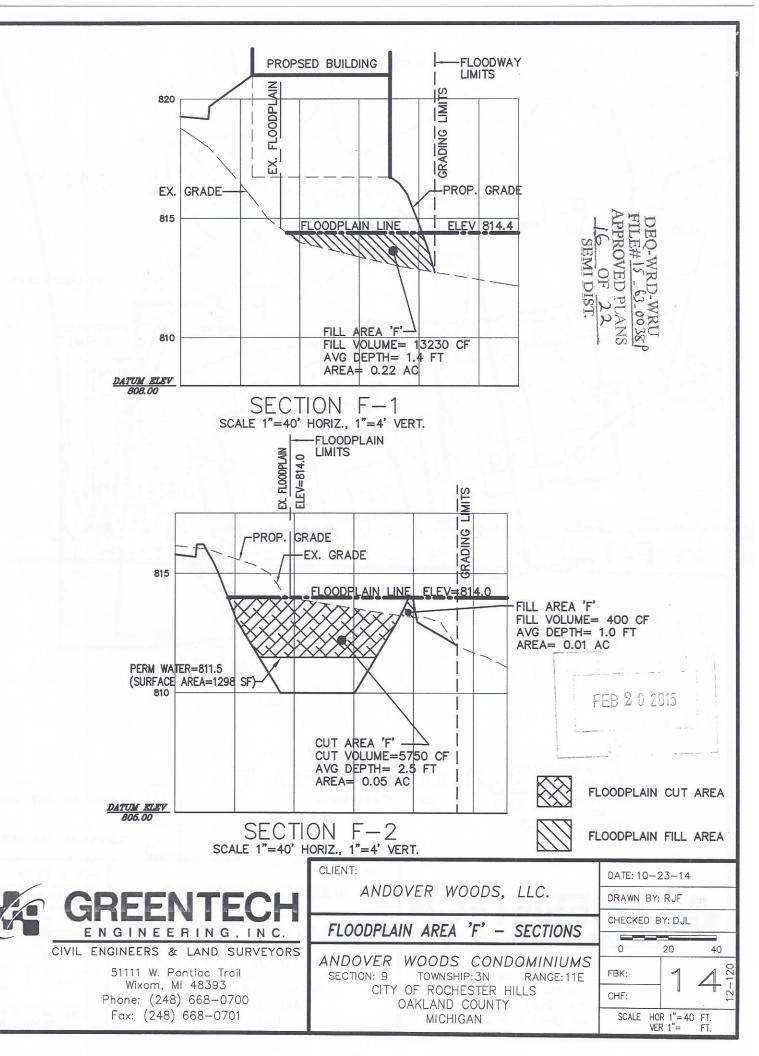
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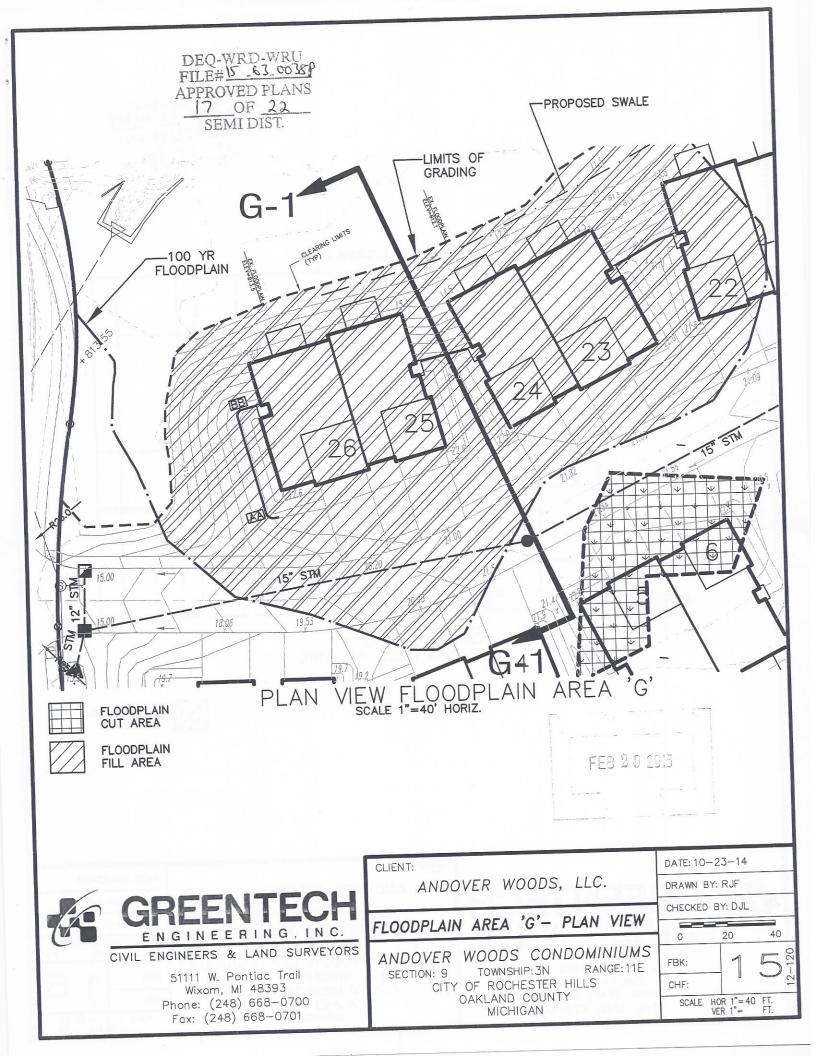
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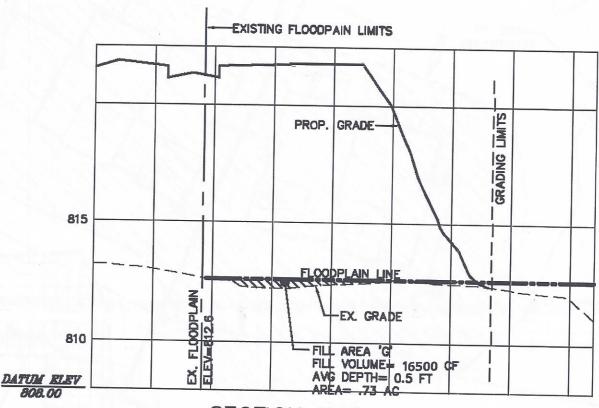








DEQ-WRD-WRU
FILE# 15 63 0038 P
APPROVED PLANS
18 OF 22
SEMI DIST.



SECTION G-1 SCALE 1°=40' HORIZ., 1°=4' VERT.



FEB 2 0 2015



GREENTECH

ENGINEERING, INC.

CIVIL ENGINEERS & LAND SURVEYORS

51111 W. Pontiac Trail Wixom, MI 48393 Phone: (248) 668-0700 Fax: (248) 668-0701 CLIENT:

ANDOVER WOODS, LLC.

FLOODPLAIN AREA 'G'- SECTION

ANDOVER WOODS CONDOMINIUMS
SECTION: 9 TOWNSHIP: 3N RANGE: 11F

ON: 9 TOWNSHIP: 3N RANGE: 11E
CITY OF ROCHESTER HILLS
OAKLAND COUNTY
MICHIGAN

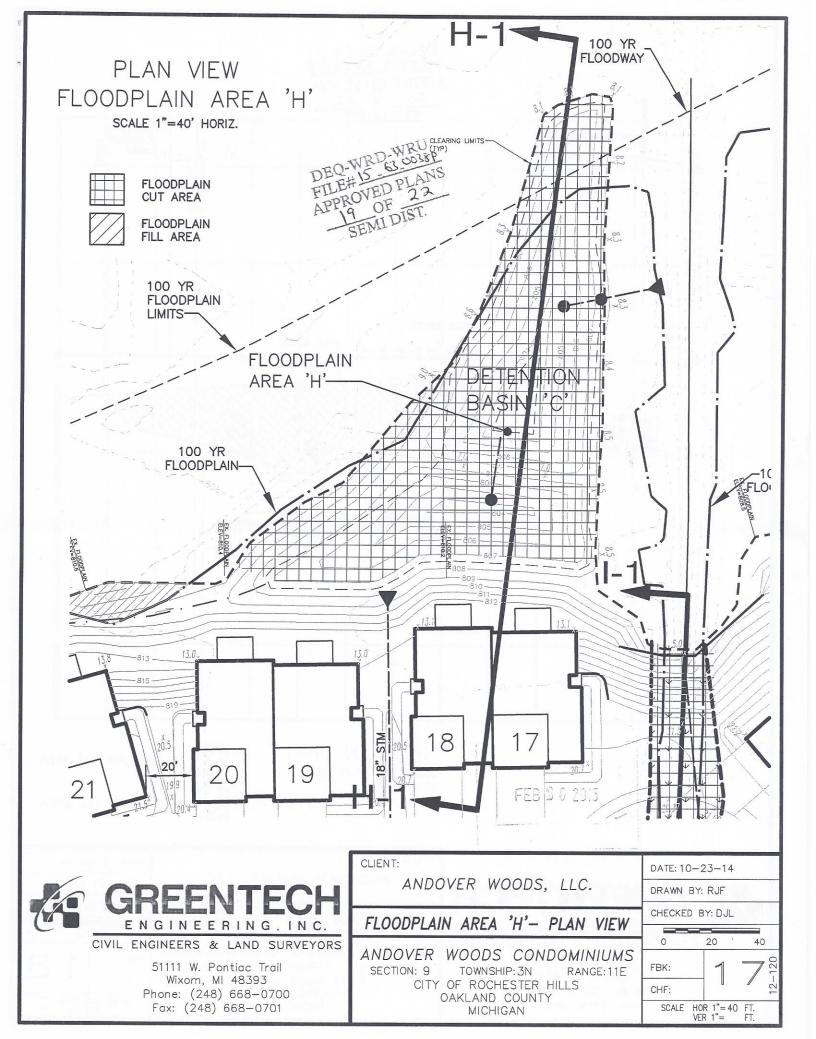
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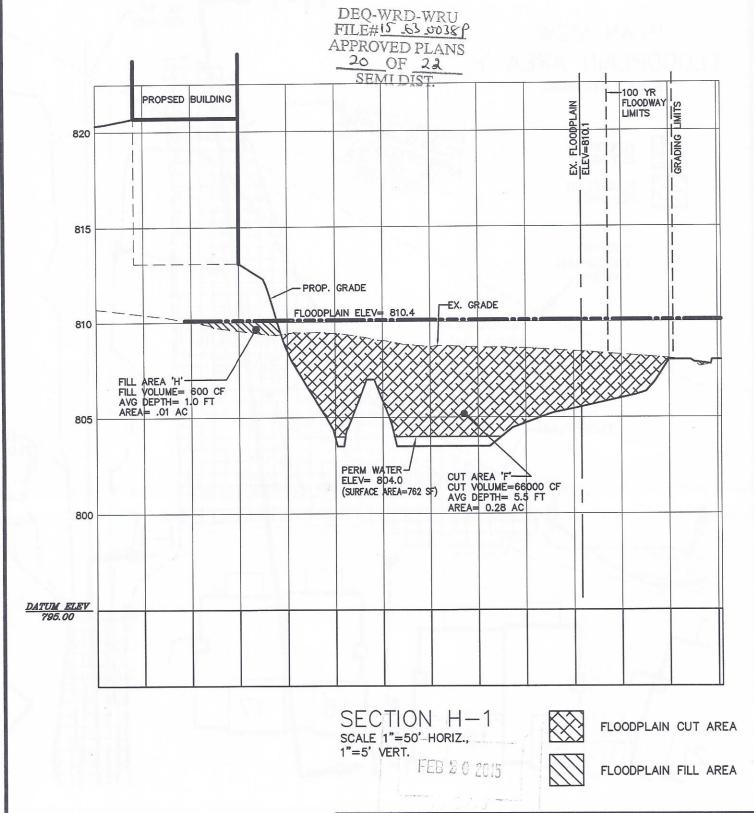
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GREENTECH ENGINEERING, INC.

L ENGINEEDS & LAND SUBVEYORS

51111 W. Pontiac Trail Wixom, MI 48393 Phone: (248) 668-0700 Fax: (248) 668-0701 CLIENT:

ANDOVER WOODS, LLC.

FLOODPLAIN AREA 'H'- SECTION

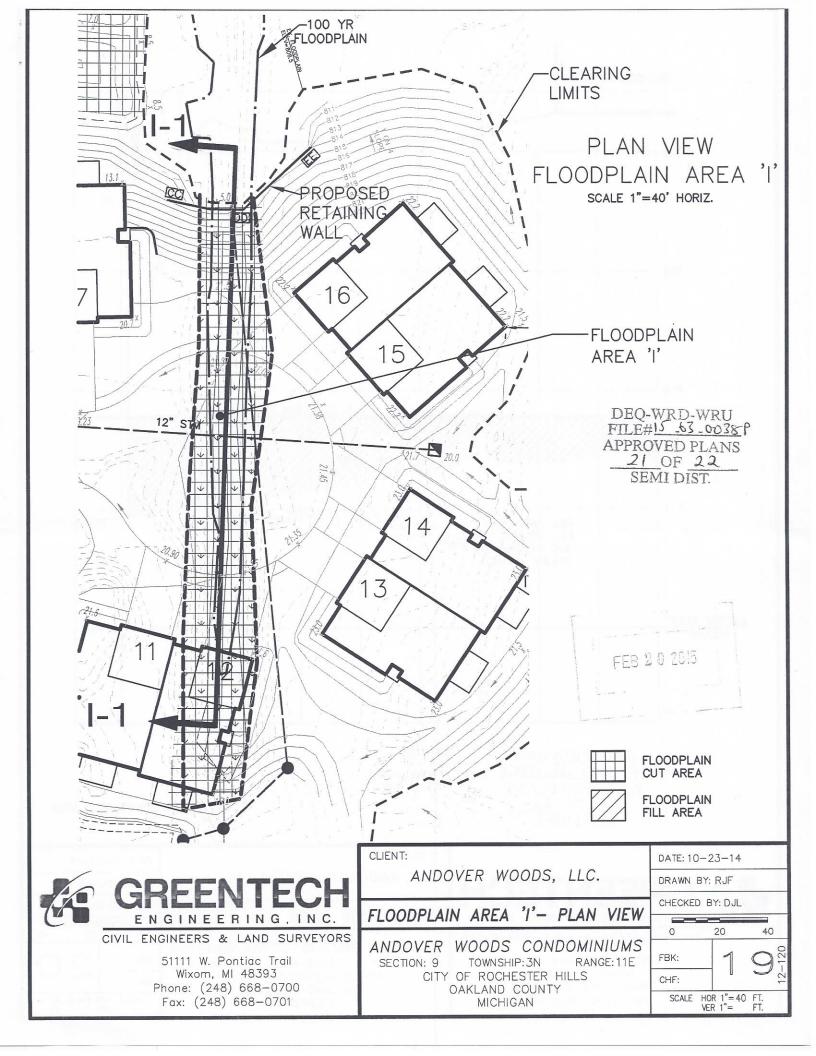
ANDOVER WOODS CONDOMINIUMS
SECTION: 9 TOWNSHIP: 3N RANGE: 11E
CITY OF ROCHESTER HILLS
OAKLAND COUNTY
MICHIGAN

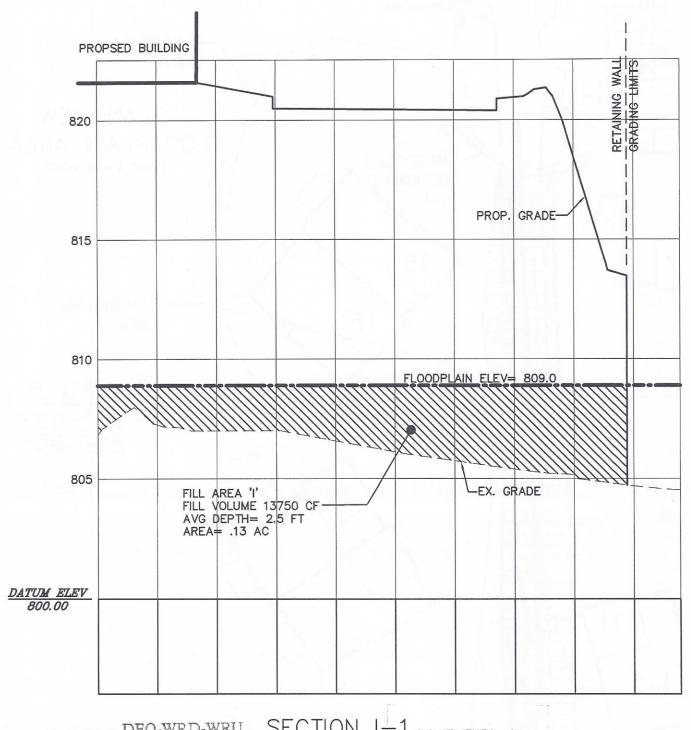
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0 20 40 FBK: 1 2





DEQ-WRD-WRU SECTION 1-FILE#15_63_COSE SCALE 1"=40" HORIZ., APPROVED PLANS 22 OF 22 SEMI DIST.

SECTION I-1 1"=4' VERT.

FEB 2 0 2015



FLOODPLAIN FILL AREA



ENGINEERING, INC.

CIVIL ENGINEERS & LAND SURVEYORS

51111 W. Pontiac Trail Wixom, MI 48393 Phone: (248) 668-0700 Fax: (248) 668-0701

CLIENT:

ANDOVER WOODS, LLC.

FLOODPLAIN AREA 'I'- SECTION

ANDOVER WOODS CONDOMINIUMS TOWNSHIP: 3N SECTION: 9 RANGE: 11E CITY OF ROCHESTER HILLS OAKLAND COUNTY

MICHIGAN

DATE: 10-23-14 DRAWN BY: RJF

CHECKED BY: DJL

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FBK: CHF: