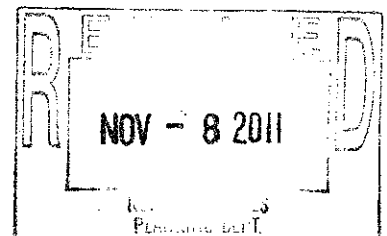




ASSESSING DEPARTMENT
Kurt Dawson, Director

From: Nancy McLaughlin
To: Ed Anzek
Date: 11/08/11
Re: File No.: 89-156-.5
Project: Clear Creek Sub #5

No comment.





BUILDING DEPARTMENT
Scott Cope

From: Dick Lange, P.E. Building Insp. /Plan Reviewer
Robert White, Supervisor of Ordinance Services
To: Ed Anzek
Date: November 15, 2011
Re: Clear Creek Subdivision #5 FPP Review #1, City File# 89-156.5
Sidwell #15-02-200-015

The Site plan review for Creek Subdivision #5 FPP Review #1, City File# 89-156.5 was based on the following drawings and information submitted:

Sheet No. 1-21, 1-4

Building Code comments: Dick Lange *D.L.*

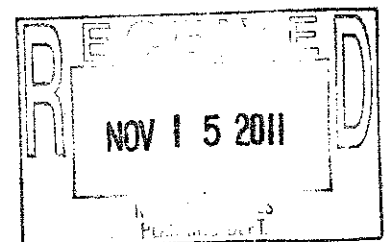
References are based on the Michigan Residential Code 2009.

1. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of six (6) inches within the first ten (10) feet. (R 401.4) Please revise the foundation grades at the following lots to comply:
 - a. The N.E. & S.E. corners of lot 314
 - b. The S.W. corner of lot 311
 - c. The N. corner of lot 270
 - d. The N.W. & S.W. corners of lot 299
 - e. The S.E. corner of lot 298
 - f. The S.E. corner of lot 294
2. Lots with rear to front drainage shall have a protection swale 1'-0" minimum below the house foundation grade. Please revise the N. & N.E. corners of lot 306 to comply.
3. The directional arrows for the swales along the N. & S. property lines appear to be backwards on lot 282.
4. The S.E. corner of lot 272 appears to be high.

Ordinance Comments: Robert White *RW*

No Comments

Cc: Tracey Balint
Jason Boughton





FIRE DEPARTMENT
Ronald D. Crowell

From: William Cooke, Lieutenant/Inspector
To: Planning Department
Date: November 17, 2011
Re: Clear Creek Sub #5

SITE PLAN REVIEW – FINAL PRELIMINARY PLAT

FILE NO: 89-156.5

REVIEW NO: 1

APPROVED X DISAPPROVED

Approved with the following conditions:

1. Provide note on sheet 1 under heading "Fire Department Notes": "Construction sites shall be safeguarded in accordance with *IFC 2006 Chapter 14.*"
2. Provide note on sheet 1 under heading "Fire Department Notes": "Open burning is not permitted including the burning of trash, debris, or land clearing materials. Open burning for warming of sand and/or water for the preparation of mortar shall be within the City of Rochester Hills Burn Permit Guidelines. *FIRE PREVENTION ORDINANCE Chapter 58, Sec. 307.6.2 & 307.6.2.3*"

Lt. William A. Cooke
Fire Inspector



Department of Public Services

Allan E. Schneck, PE

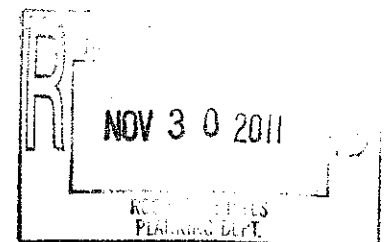
Date: November 30, 2011
From: Jason Boughton, Engineering Technician *JB*
TO: Ed Anzek, Director of Planning
RE: Clear Creek Sub #5,
Revised Final Prelim Plat Review
City File #89-156.5, Section 2

Engineering Services has reviewed the final preliminary plat received by the Planning Dept. on October 24, 2011. The following items need to be addressed:

1. A wetland permit from the MDEQ and from the City of Rochester Hills is needed.
2. All proposed underground utilities along with the grading plan need to be updated to the most current alignment.
3. The legal description for Clear Creek #5 needs to be updated and revised for proper closure.

c: Allan Schneck, Director, DPS
Paul Davis, City Engineer, DPS
Tracey Balint, Project Engineer, DPS
Roger Moore, Stormwater Manager, DPS
Paul Shumejko, Transportation Engineer, DPS
Michael Taunt, Land Surveyor, DPS
Sheryl McIsaac, Office Coordinator, DPS
Sandi DiSipio; Planning & Development Dept.
File

i:\eng\priv\89156.5 clear creek sub no. 5\final prelim plat review memorev.doc



Permits

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY PERMIT

ISSUED TO:

* waiting for final mitigation plan, off-site prep.

Elro Corporation
Attn: Jesse Kranz
201 W. Big Beaver Road, Ste. 720
Troy, MI 48084

Permit No.	11-63-0064-P
Issued	DRAFT
Extended	
Revised	
Expires	

DRAFT

This permit is being issued by the Department of Environmental Quality (DEQ) under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA) and specifically:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Part 301 Inland Lakes and Streams | <input type="checkbox"/> Part 315 Dam Safety |
| <input type="checkbox"/> Part 325 Great Lakes Submerged Lands | <input type="checkbox"/> Part 323 Shorelands Protection and Management |
| <input checked="" type="checkbox"/> Part 303 Wetlands Protection | <input type="checkbox"/> Part 353 Sand Dune Protection and Management |
| <input type="checkbox"/> Part 31 Floodplain/Water Resources Protection | |

Permission is hereby granted, based on permittee assurance of adherence to State requirements and permit conditions to:

Permitted Activity:

Impact a total of 1.05 acre of wetland for the creation of a subdivision, including road crossings and lot development. Relocate 135 feet of stream into an enclosure of 143 feet long using a 36 inch culvert placed over pea stone and three six inch perforated pipes to maintain sheet flow through wetland and stream. Install 614 feet of 8 foot wide boardwalk and install 409 feet of boulder wall along the road crossing in wetland.

All work shall be in accordance with DEQ approved plans and the conditions of this permit.

Water Course Affected: wetland, stream

Property Location: Oakland County, City of Rochester Hills, Section 2
Subdivision, Lot Town/Range 3N, 11E Property Tax No. 15-02-200-015

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, Floodplain/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 plans and the specifications submitted with the application and/or plans and specifications attached hereto.
- 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 herein.
- 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 DNRE within one week after the completion of the activity authorized by this permit, by completing and forwarding the attached, preaddressed post card to the office addressed thereon.
- J. This permit shall not be assigned or transferred without the written approval of the DNRE.
- 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. Work to be done under authority of this permit is further subject to the following special instructions and specifications:

Off-Site Wetland Preservation:

1. The permittee shall, as a primary condition of this permit, mitigate the loss of 1.05 acre of emergent wetland through the preservation of 10.714 acre of existing, high-quality wetland, located in Bruce Township, Macomb County, and otherwise known as Parcel No. 14-01-29-300-025.

Conservation Easement:

2. Prior to DEQ's signature and final issuance of this permit, the permittee shall execute a conservation easement over 10.714 acre of high quality preservation wetland, located in Bruce Township, Macomb County, and otherwise known as Parcel No. 14-01-29-300-025, as shown on the attached plans, in a form identical to the conservation easement model on the MDEQ's website at www.michigan.gov/deqwetlands.
3. The original executed conservation easement and associated exhibits must be sent to the MDEQ for review and recording prior to final DEQ issuance of this permit. Send to: Conservation Easement Coordinator, MDEQ, Water Resources Division, P.O. Box 30458, Lansing, Michigan, 48909.
4. The conservation easement boundary shall be demarcated by the placement of signs along the entire perimeter. The signs shall be placed at an adequate frequency, visibility, and height for viewing, made of a suitable material to withstand climatic conditions, and should be replaced as needed. The signs shall include the following language:

WETLAND CONSERVATION EASEMENT
NO CONSTRUCTION OR PLACEMENT OF STRUCTURES ALLOWED.
NO MOWING, CUTTING, FILLING, DREDGING OR
APPLICATION OF CHEMICALS ALLOWED.
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

5. Except as otherwise provided by this permit or approved in writing by the MDEQ, the following activities are prohibited in perpetuity within the mitigation/wetland preservation area: alteration of topography; creation of paths, trails, or roads; placement of fill, dredging, or excavation; drainage of surface or groundwater; construction or placement of any structure; plowing, tilling, or cultivating the soils or vegetation; cutting, removal, or alteration of vegetation; including the planting of non-native plant species; construction of unauthorized utility or petroleum lines; storage or disposal of garbage, trash, debris, abandoned equipment; accumulation of machinery or other waste materials; use or storage of off-road vehicles; placement of billboards or signs; or the use of the wetland for the dumping of storm water.

Other Conditions:

6. All work shall be completed in accordance with the attached plans and the terms and conditions of this permit.
7. Prior to the initiation of any permitted construction activities, a siltation barrier shall be constructed immediately down gradient of the construction site. Siltation 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 siltation 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. The siltation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
8. All raw areas resulting from the permitted construction activity shall be promptly and 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.
9. 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 (CEA). To locate the Soil Erosion Program Administrator for your county visit www.deq.state.mi.us/sesca/.

10. 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 and filing a "Notice of Coverage" form to the MDEQ's Water Bureau. For sites with disturbance from one acre up to five acres, storm water coverage is automatic once the SESC permit is obtained. 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 Bureau's Storm Water Permit Program by calling 517-373-8088 or at www.michigan.gov/deqwater. Select "surface water" and then select "storm water."
11. 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.
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. Excess soil materials from the project shall not be deposited in wetlands or surface water without first securing a permit under Part 303, Wetlands Protection, of the NREPA or other applicable statute. Prior to the initiation of any permitted construction activity, a silt fence shall be installed along the entire route of the disturbed wetland area and maintained in good working order until permanent stabilization and re-vegetation of all disturbed areas has occurred. The silt fence shall be removed after re-vegetation. All excess soil material shall be placed on an upland location and then seeded and mulched to prevent erosion into waters, floodplain, or wetlands.
14. Construction must be undertaken and completed during the dry period of the wetland.
15. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
16. Upon completion of the project, the site shall be restored to the original contour elevation and stabilized with sod and/or seed and mulch to prevent erosion. Trench excavation shall be restored as closely as possible to pre-existing grade by backfilling the trench so native soils are replaced in reverse order of excavation, replacing the topsoil at the surface.
17. Prior to the start of construction, all non-work wetland areas shall be bounded by properly trenched filter fabric fence and orange construction fencing to prevent sediment from entering the wetland and to prohibit construction personnel 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 erosion barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
18. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
19. In issuing this permit, the MDEQ has relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of this 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.
20. 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 representatives of the permittee, undertaken in connection with this 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.
21. Noncompliance with these terms and conditions, and/or the initiation of other regulated activities not specifically authorized by this permit 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.
22. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity and/or mitigation plan from the MDEQ. Such revision requests 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.

23. 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 accept transfer of the permit. 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.
24. This permit is being issued for the maximum time allowed under Part 301, Inland Lakes and Streams and Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended, including all permit extensions allowed under the administrative rules R 281.813 and R 281.923. Therefore, 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.
25. This permit shall become effective on the date of the MDEQ representative's signature. Upon signing by the permittee named herein, this permit must be returned to the MDEQ's Water Resources Division, Water Resources Unit for final execution.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

X

Permittee Date

X

Printed Name and Title of Permittee

By _____
Melanie J. Foose
Water Resources Division
586-753-3866

cc: City of Rochester Hills Clerk
City of Rochester Hills Building Department
Oakland County Water Resources Commission
Oakland CEA
Mr. Woody Held, King & MacGregor Environmental, Inc.
Ms. Colleen O'Keefe, DEQ