

**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION MINUTES
PC-2019-47, LAVENDER RIDGE (PUD)
ELIGIBILITY AND CONCEPT PLAN
JOINT PUBLIC HEARING WITH THE BOARD OF TRUSTEES
WEDNESDAY, OCTOBER 2, 2019**

The Charter Township of Orion Planning Commission held a joint public hearing with the Board of Trustees on Wednesday, October 2, 2019 at 7:05pm at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:

Justin Dunaskiss, Chairman	Don Walker, PC Rep to ZBA
Don Gross, Vice Chairman	Todd Garris, Commissioner
John Steimel, BOT Rep.	Scott Reynolds, Commissioner
Joe St. Henry, Secretary	

PLANNING COMMISSION MEMBERS ABSENT:

None

BOARD OF TRUSTEE MEMBERS PRESENT:

Chris Barnett, Township Supervisor	Mike Flood, Trustee
Donni Steele, Treasurer	Julia Dalrymple, Trustee
John Steimel, Trustee	Penny Shults, Township Clerk
Brian Birney, Trustee	

BOARD OF TRUSTEE MEMBERS ABSENT:

None

CONSULTANTS PRESENT:

Marguerite Novak (Township Planner) of OHM
Mark Landis (Township Engineer) of OHM
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:

Matt Schwanitz	Cheryl Jackson
Nancy Standish	Russ Jackson
Linda Giordano	Debora Boyd
Joe Giordano	Patrick Boyd
Beth Bevis	Tanya Gurne
Jack Heal	Cheryl Gray
Bard Hazen	Tom Rypina
David Sornig	Christopher Stanek
Darlene Janulis	Jowersa Ahmed (sp?)
Karen DeCoster	Peter Gray
Cindy Kossajda	Donna Woodward
David Kossajda	M.L. Woodward
Thomas Campbell	Jenny LaChance
Gene McNabb	Gabe Antypas
Robert Milos	Jeff Jocsak
Katy McGlone	James Witham
Matt Skoda	Linda Davis
Valerie Skoda	Dalrare Mohi (sp?)
Kirk Stagner	

PC-2019-47, Lavender Ridge, Request to Rezone a Vacant Parcel at the Southeast Corner of Silverbell and Squirrel Roads (09-36-226-001) from Suburban Farms (SF) to Planned Unit Development (PUD).

Chairman Dunaskiss invited the applicant to make a presentation.

Mr. Dominic Mocerri with Jacobson Mocerri Orion, LLC, presented.

Mr. Mocerri said he was pleased to be there and was pleased to be amongst his neighbors. He knew that there were concerns and they had the same concerns. They have vetted out many of the concerns to make certain that the impact on the environment, he wanted to speak about impact versus number of residences, and felt there was some misconception, if it was done as a single-family neighborhood they wanted to look at the impact of 125 homes as compared to the surrounding neighborhoods design of single family, so it would be of the same size lots that would equate to 125 dwelling units; they had proposed 260 townhomes. They looked at the impact regarding the environment, traffic, water runoff and who were they there to serve as far as the growth of Orion Township and the demographic shift. When it comes to traffic, everyone lives that short-term nightmare at Squirrel Rd. and Dutton. He stated he traveled it three times a day and usually at peak hour. He noted it flows fine at the non-peak time. What is the impact that they have a neutral impact from their proposal to single family? There is less traffic per dwelling unit for a townhome then there is for single family, which was designed by the Institute of Traffic Engineers, which the Township Engineer and the Traffic Consultants all adhere to, they follow those standards. They are net traffic neutral; it doesn't mean they won't still experience that rush hour impact, but their impact adds a vehicle leaving the site in the morning, 1:39 seconds. If he stood there for 1:39 seconds that dead air would drive them crazy and that is how long, it would take that vehicle during the peak hour flow. That is scientifically and concurred by the Township Traffic Engineer. The impact of traffic is neutral as to if it was single family, the same amount of impact within a couple of seconds per vehicle. What is most preserved here is the open space, if this was developed as single family, they would be property line to property line especially along Silverbell Rd. to the boarder of Oakland Township, there would be single family homes all the way to the east property line; and to the south it would be a traditional subdivision if the terminus of that street were to continue, which they are proposing, they will have just a safety gate for emergency vehicles, there would not be a through street connection.

Mr. Mocerri said that what they have proposed is three times the distance between their nearest building versus if it was single family. Between the 240 plus or minus feet between the nearest home and to their nearest building, they have a 10-ft. berm with 14-18 ft. trees upon being planted that is deciduous and counted for trees. The screening is immense, and they have a total of 24 to 30 ft. from the time that they implement that; versus if it was back yard to back yard they would be looking from window to window. The impact is far less as far as what they have designed. They have mitigated what they believed was the greatest concerns, and that was what does it look like along Squirrel Rd. and what does it look along Silverbell Rd. They set some maximum distances of their state-of-the-art architecture, which is front door oriented, so they would see the front of their residences versus the rear, with elaborate landscape scheme that is going to be second to none what they have done along the Adams Rd. corridor. He felt that no one would complain what they did along the Adams Rd. corridor along Dutton and Silverbell Rd., it is world class. Silvercreek which they did in 2001-2004 most of those dwellings they don't see from Silverbell Rd. with the large berm and landscaping. The berm will not be as large on Squirrel Rd. as they had on Silverbell Rd. because of topographic changes, it will be well screened, but it will be front door oriented. As far as visual impact it would be very pleasing, and they believe a significant asset.

Mr. Mocerri added that they have less footage of rooftop, if it was 125 single family homes there is more square footage of rooftops and it would look more compact because the site would be more developed and less open space. Clustering the townhomes, the roof square footage is less than if it was single family homes. The neighbors should be concerned as he would be, the passions should run high, they believe they have mitigated those issues of which there might be some misinformation or misunderstanding as far as impact versus density. 260 is double of the 125 of the single family but it is less impact, they must look at the amount of buildings, rooftops, open space, they would have less open space with single family and what is the need.

Mr. Morceri stated that SimCog has determined of the forward growth of Orion Township and that is predicted that school aged children between 5-18 years old over the next 25 years is going to decline, there will be a decrease in the population of Orion Township, but there will be a significant increase for the need of empty nester housing as they are proposing for Lavender Ridge. There will be family's but the trend for townhouses is that the population is significantly less than it would be as single family. They must serve the needs of the community and its future. Putting in just traditional single-family homes, which is in decline of demand for new construction versus the demand for their townhomes. Heron Ridge has a waiting list that is not healthy, Parkways in Auburn Hills has a waiting list. It puts pressure upward on the rents and the obtainability for those people that want to reside in Orion Township. They want to loosen that up and fulfill the demand. They are not creating the demand they are fulfilling the demands and needs of the community and the future.

Mr. Morceri added that everything that is seen along Adams Rd. on the full mile they did both sides. Mr. Jacobson was a community developer along Squirrel Rd., they have some developments south of the line in Auburn Hills, Mr. Jacobson has been in the community development in Orion Township for well over a quarter century, and in Rochester Hills for over 40 years. They have a lot of faith in their partnership and they hope they have the confidence in their ability to do the task and fulfill the needs of the community.

Mr. Manny Kianicky, SR Jacobson Development Corporation representing the partnership, presented.

Mr. Kianicky said that for several decades the 75-acre parcel has been owned as an investment property by Kelly Services in Troy, MI. A few months ago, Kelly Services decided to put the property on the market with a commercial broker. Over the years they have approached Kelly Services and they were never ready to sell the parcel until now. There two companies SR Jacobson Development Corporation and Mocerri Companies have developed numerous communities surrounding this parcel and they wanted to protect those communities, so they quickly put the property under contract. SR Jacobson developed Stonegate Ravines, and donated the property for Jesse Decker Park and paid for the paving of Squirrel Road. Mocerri Companies has developed a whole lot of communities in the area some of which are still under development. With their extensive familiarity with this area and the track record of developing exceptional communities going back decades they felt that their two companies were the best suited to oversee the development of this parcel in a careful responsible manner.

Mr. Kianicky noted that they began studying the goals of the Township Master Plan, the needs of the residential market and the natural features of the site itself. Based on their research they concluded that another single-family residential subdivision was not the best way to develop this site. Surrounding the site are existing single-family residential developments including Stonegate Ravines to the south, Stonegate West and Stonegate South on the other side of Squirrel Rd., the Bald Mt. Pulte community to the north and Silvercreek to the east making this essentially an infill development. Currently Squirrel Rd. is dominated by these single-family residential subdivisions, are relatively similar in the types of homes they provide and the residential needs that the serve, with the lots and the roads occupying virtually every developable acre. The natural characteristics of this site are particularly beautiful and worthy of preservation including up to 70-ft. of elevation changes, wooded upland areas, 21.7 acres of wetlands and open areas that are overgrown farm fields but have terrific views due to the slopes that they are located on. They felt if they could cluster a development on just a portion of the site, they could create a large landscaped buffer along Squirrel Rd. They could avoid any development at all along Silverbell Rd., they could pull the residents away from the existing homes in Stonegate Ravines and they could create a wide berm and landscaped buffer adjacent to the north line of Stonegate Ravines. If development could be confined just to the overgrown farm fields, then the wooden areas of the site, wetland, views and the natural topography could be preserved. Their research showed them that there is a growing preference for high quality residences that can be leased verses homeownership among all age groups for a variety of reasons; young professionals what the flexibility to pursue career opportunities, empty nesters want to sell their homes and no longer worry about maintenance they may even live elsewhere part of the year and there is no need to tie up equity and residence love the opportunities for social interaction that are provided by a community center with recreational amenities.

Mr. Kianicky said that The Master Plan for Orion Township prioritizes the preservation of the Townships natural features and open spaces while creating a variety of high-quality housing types. Taking all these factors into consideration and with much deliberation and care they have designed a luxury townhome community that they call Lavender Ridge, on 42% of the site, all located on the overgrown farm fields preserving all of the wooden and wetland areas along with the natural topography of the site. Although the site has a quarter mile of frontage along Silverbell Rd. no development at all is proposed along Silverbell, nor will the townhome community even be visible from Silverbell. By clustering the residences, the large upland area on the south side of Squirrel Rd. will remain undeveloped either forever preserved as community open space or as a park depending upon the Townships preference and discretion. The prominent southeast corner of Silverbell and Squirrel Rd. they are proposing a park to act as a community gathering area with benches and landscaping that would provide a perfect place a rest stop for residents using the bike paths in the area. Along Squirrel Rd. the townhomes will be located back 135-ft. behind the curb, this front yard would be richly landscaped minimizing any view of the townhomes and providing a very attractive windshield view along Squirrel Rd. Limited views of the townhomes through this landscape buffer would be very appealing since all the townhomes will face front in contrast to all the rear facing homes that currently exist along much of Squirrel Rd. Along the south boarder of Lavender Ridge, a wide landscape berm with evergreen trees will provide a very effective buffer to Stonegate with a minimum separation averaging over 200-ft. between Stonegate homes and the townhome residences. If this was to be developed as a single-family residential subdivision the homes could be 70-ft. apart, 35-ft. rear yard setback set back to back this is much greater of a buffer.

Mr. Kianicky added that Catalina Dr. will not be extended into the site from Stonegate Ravines which would be required if the site was developed as a single-family subdivision; only a gated emergency access connection would be installed since their roads will be private instead of public. The architectural style of the townhomes for Lavender Ridge are French influenced and very appealing. A variety of two and three bedroom, front and rear entry townhomes with one or two car garages and multiple floor plans have been designed to serve all age groups including some single floor ranches. The residents are positioned to step down the east facing slop that drops as much as 70-ft. vertically from Squirrel Rd. Each tier of townhomes is one story lower than the one above which preserves the natural topography provides unique settings for the residences and presents exceptional views of the natural beauty of the site. A beautiful community center with a swimming pool, meeting spaces and recreation areas will be centrally located just off the primary entrance offering a spectacular view overlooking the neighborhood. Community center also allows on site professional management of the community ensuring that the standards for maintenance of the buildings and the grounds are exceptional. Within the townhome area is a 2.7-acre residence park and that is in addition to the 58% of the site that will remain undeveloped. The proposed townhomes are designed for an upscale market, projected lease rates for Lavender Ridge are \$1,900 - \$2,300 per month, requiring an income of \$70,000 - \$82,000 for potential residence to qualify. This monthly lease rates equate to the monthly payment for a purchased home of \$335,000 - \$400,000. The residences will include granite countertops and all the latest luxury features demanded by the target demographic. The site access will be two at points off Squirrel Rd. with a primary entrance opposite Remington Dr. and the secondary entrance opposite Cloverdale. Both entrances will have a boulevard island with extensive landscaping. A 10-ft. wide bike path off along Squirrel Rd. will connect the townhome neighborhood to the existing network of paths in the Township. As an added community benefit, they are proposing to fund the construction of restroom facilities in Jesse Decker Park. Currently this substantial need is served by porta potties which are not adequate to serve multiple ballfields, soccer fields, tennis courts and a picnic pavilion.

Mr. Kianicky noted that they understand the traffic in this vicinity is a major concern. Traffic impact assessment has been completed and submitted to the Township, although any development of this site will generate additional traffic, the traffic assessment indicates that the proposed community will generate less peak hour traffic then if the property were developed as a single-family community similar to Stonegate Ravines or Stonegate West. These townhomes will average about 2.1 persons per residence, and generate less traffic per unit compared to single-family homes which average 3.5 person per residence, at full buildout traffic from Lavender Ridge will constitute only 0.9 – 1.4% of the total traffic at

the Squirrel Rd. Silverbell Rd. intersection and 3.0 – 3.4% of the total traffic at the Squirrel Rd. Dutton Rd. intersection.

Mr. Kianicky stated that the Master Plan provides a set of goals for Orion Township. The proposed development of this site as a clustered townhome neighborhood meets most of these goals and is an excellent example of good growth management practices. The proposed project provides for growth “in a rational manor in order to avoid patterns of sprawl and leapfrog development”. On an infill site already surrounded by residential subdivisions, it serves to “preserve the Townships natural resources and open spaces and provide requirements for environmentally sustainable developments”. By creating open spaces and maintaining wildlife habitats adjacent to the wetlands the proposed provides “the type of land use in proximity to these eco systems that are critical to their preservation, also critical are the development technics used to reduce impact on these systems such as storm water management and natural feature buffers”, which are going to be provided in a whole variety of different ways.

Mr. Kianicky stated, lastly the proposed community meets the Master Plan goal to “provide for a variety high quality housing types at a range of density and lot sizes”. While they understood that the density suggested by the current Master Plan for this site are different than their proposal things have recently changed. The development of the area surrounding this site as relatively dense residential subdivisions have resulted in this becoming an infill site and those resent developments have provided water and sewer utilities to the property that were not previously available. If the site was now developed as suggested by the Master Plan, it would be wildly inconsistent with the patterns of development surrounding it. Lavender Ridge was designed to be compatible with the surrounding densities, a population density of 7.23 persons per acre. This density is very similar to Stonegate Ravines which has 6.94 persons per acre. It is substantially less dense than Stonegate West which has 9.63 units per acre, and it is half as dense as Stonegate South which has 14.94 units per acre. It is important to remember that these townhomes will have 2.1 persons per residence while single-family homes have 3.5 persons per residence.

Mr. Kianicky noted to be eligible for a Planned Unit Development (PUD) the proposed project needs to demonstrate recognizable and substantial benefit to the residents of the project and the overall quality of life in the Township. Lavender Ridge meets these criteria for a (PUD) in the following ways: it preserves the important natural features of the site including woodlands open spaces, wetlands and topography by clustering the development on only 42% of the property which would not be possible without a (PUD). It takes into careful consideration the existing traffic patterns on Silverbell and Squirrel Roads. By clustering the development no road connection at all will be made to Silverbell Rd. The two access points on Squirrel Road will line up with the existing intersections at Cloverdale and Remington Roads. Left turn and passing lanes will be constructed at these locations. The peak hour traffic volumes are less that what would be generated by development of the site in a manner like the surrounding subdivisions. The extensive landscaping that will be provided along Squirrel Road will produce a front yard with the residence’s setback 135-ft. from the road edge. It would not be true if it were developed as a single-family residential subdivision where the backs of homes would be located close to Squirrel Rd.

Mr. Kianicky added that the architectural design of the residences is beautiful with a French influence style and is controlled by a single entity rather than a range of styles. As a (PUD) the residencies can be constructed in tiers, stepping down the existing slope which drops up to 70-ft. in elevation from Squirrel Rd. till the wetland below providing exceptional settings and preserving wonderful views with the natural topography. The development will include a community center with work-out facilities meeting spaces and swimming pool which enhances the quality of life for the residence. It offers opportunities for social activities and it reduces the burden on the Township recreational facilities. The community will include a 2.7-acre internal residence park in addition to the 58% of the site that will be left undeveloped. By clustering development Lavender Ridge can provide a much greater degree of buffering for the surrounding neighborhoods. No development at all will occur along Silverbell Rd. A landscape berm will provide a wide buffer to Southgate Ravines along the (south) property line. Catalina Dr. will not need to be extended into the project, which would not be true if the site was developed as a single-family subdivision.

Mr. Kianicky said by providing professional onsite management the level of maintenance of the buildings and the grounds are far superior to maintenance by individual homeowners. Lawns are mowed once a week not spread out over six or seven days. Landscaping and building exterior are always kept in perfect conditions. Public benefits for the Township residences provided by the project include the extensions of the bicycle path network along Squirrel Rd. The preservation of large open spaces for public uses and the development of parks for recreational uses by all Township residence. As an additional public benefit, they are proposing to provide the funding for a badly needed restroom facility in Jesse Decker Park.

Mr. Kianicky summarized that a nationwide housing shift is occurring with increase in leasing preference over homeownership. High quality townhome communities are being selected by young families, professionals, empty nesters as a lifestyle choice, providing flexibility, freedom from maintenance, opportunities for social interaction the availability of a community center with recreational facilities and a lack of a need to tie up equity. Orion Township has an insufficient supply of high-quality townhome communities. Nearby townhome developments have waiting lists. A significant segment of the population growth projected for Orion Township by the Master Plan and SemCog will desire the type of community they were proposing for this site. With the decision of Kelly Services to sell this parcel, it is inevitable that this site will be developed. By approving Lavender Ridge as a clustered (PUD) instead of another single-family subdivision the natural features of this site can be best preserved, surrounding neighborhoods can be buffered to a much greater degree, the public benefits and the goals of the Townships Master Plan can best be met. As the developers of the proposed project each of them have decades of experience creating beautiful and successful residential communities, by joining forces for this project that provides additional synergy that will result in an outstanding neighborhood.

Chairman Dunaskiss asked for comments from the public.

Mr. Jack Heal, 4097 Bandury Dr., said that they have lived at their residence for almost 5-yrs. The traffic has increased immensely since the Bald Mountain subdivision was developed. It has reached the point where if they want to turn left off Villager Dr. onto Silverbell Rd., during the heavy traffic times of the day it is very difficult to make that turn. Turning left off Oakland Ridge it is the same condition it is very difficult to make that turn. When they moved-in they didn't have a lot of gravel haulers, cement trucks going down Silverbell Rd., there house is two houses off of Silverbell, he felt these trucks that would be generated by this new subdivision that is proposed will tear up the newly built Silverbell Rd. which finally is a travelable road, before it was terrible. He has a neighbor that lives right on Silverbell Rd., he told him that coming off Silverbell Rd. making a left-hand turn into his driveway, he is fearful of being rear ended. Him and his wife oppose this subdivision they don't want to see it. They can quote all the studies they want to they don't mean a thing to them they live there they have to live with whatever is there and they don't want that subdivision.

Mr. Christopher Stanek, 4669 Ottawa Dr., questioned what the lot size for Suburban Farms (SF) was? He felt that a lot of the numbers that they quoted was based on high-density single-family homes not this 2.5-acre lot size that it is currently zoned. Some of the concerns he had was the surrounding areas, most of the homes are in the half of a million and up range. A mile down the road they have in Oakland Township, Million Dollar Mile, just south of him they have million-dollar homes in Rochester and he felt putting in apartments, rental homes are really going to drive down the appearance of Lake Orion being right next to all that high-end property. Also, part of Stonegate West they maintain the roads specifically the one on Remington going to Jesse Decker and if they are adding 520 people that are going to be using that road, in addition to bathrooms he felt they should have an agreement where they start maintaining that or at least assisting in maintaining that road.

Ms. Valerie Skoda, 4697 Tanglewood Lane, said she wanted to highlight the flaws in the data that they gave them. Quoting 2.1 residence per condo equates to 520 cars roughly. If they gave them the benefit of the doubt that an average family home has 3.5 persons, if all 3.5 people were driving a vehicle it would still only be 420 cars. At her household she has three people one is a 5 year; he won't be driving for a while. At 120 homes with 2 people driving the same as in the condos, that would equate to 240 cars, that

is more than half of what the proposed cars are. They can't tell her that, that is not going to impact traffic adding 520 cars on a road that can't be widened in both directions is a major problem. The no wait for apartments, she had a family member this summer that needed an apartment, so she investigated Heron Springs, as of July they had open apartments. Doing a calculation of taxes, if they had 120 homes built on that property, just judging by what she pays, that is a million dollars in taxes. She didn't know what Mocerri is proposing to pay the city in taxes for this development, but she was guessing it was not a million dollars a year.

Ms. Tanya Gurne, 5366 Creekmont Dr., was concerned because she lives on what is a protected conservation area. Behind her house she knows it is protected, she didn't know how far it goes back, she would have to do more research. She opposes this because they bought their house so they could be on woods, she doesn't want to look out her back window and see a brick wall. She is also concerned about the traffic her husband drives in it and she drives her kids to school in the morning and it is difficult.

Ms. Debora Boyd, 4570 Catalina, noted that her side yard is the direct boarder to this development. Her house is the house that is 215-ft. from the next building. Orion Township residents require the Planning Commission and the Board of Trustees to listen to the voting constituents and uphold both the zoning ordinance and the Master Plan. The residents must trust our elected officials to protect our Township and put our residents first. This development proposed by Mocerri violates multiple specific elements of the Master Planning document and the zoning ordinance requirements for (PUD) approval. Eligibility of a (PUD) must show a recognizable benefit preserving natural features, ensuring a less sprawling form of development and ensure compatibility of design to neighboring properties. The proposed rental townhomes do not show recognizable benefit to the community. Placing rent units surrounding by single-family homes will lower property values for all surrounding neighborhoods. The Master Plan identifies multi-family zoning in transitional areas and along major thoroughfares this plat of land is neither. The proposed development desecrates and builds on level two priority wetlands as identified on map eleven in the Master Plan. The location of these wetlands is of wrong on Mocerri's plan. The requirement for (PUD) consideration specifically states that natural features must be protected, there is no density credit for protected wetlands and turning wetlands into retention ponds is not allowed based on the Master Plan document. This rental unit development covers protected wetland with buildings and asphalt parking lots. The proposed density of 260 units resulted in unreasonable impact on public services and roads. Squirrel is a connector road that is already highly traveled based on the current development and already approved future development. 260 townhomes represent more than 500 automobiles in this already congested area. This proposed development is not at all consistent with the intent or spirit of the (PUD) or the Master Plan and does not represent a reasonable use of land. This plat is zoned single-family low density and this (PUD) essentially makes it multi-family high-density which is completely inconsistent with the surrounding area. This is not the place of for multi-family rental units, there are other places in the Township that this could go. She holds elected officials accountable to follow the zoning ordinance and the Master Plan and to uphold trust of there constituents. This plat is surrounded by single-family homes and that is what they may be. Placing multi-family rentals in this area negatively impact surrounding neighborhoods, natural features, roads and surfaces. This plan is completely inconsistent with the intent and requirements of (PUD) and the Master Plan and the Planning Commission and Board must deny this zoning.

Ms. Donna Woodward, 5420 Creekmonte, said when they moved here in 2003, they were told that nothing would ever be built between them and Silverbell. Obviously, there was some land that was able to be sold, but they were told it was wetlands all the way to Silverbell. She wasn't sure how far the wetlands actually go but if they looked at the wetlands, right behind her they have a lot of trees that are beginning to rot and fall and if they look past those there is a lot of wet areas that grasses grow, when they look at that they are not going to be looking at trees for too terribly long. After listening to this, it sounds beautiful on Squirrel Rd., they got a berm and trees, but behind it there is nothing, so what they end up looking at is buildings, they also get lots of traffic. She couldn't understand how the traffic was not supposed to be increased, that she cannot fathom, but since Squirrel has been completed and the extra homes have been built it is very difficult to get out of Creekmonte onto Silverbell during traffic time. A lot of times she won't turn left because it is so difficult, so she will turn right go up to Kroger turn around and go back. To

increase that, it also will bring down their property values because instead of looking at beautiful wetlands now they will be looking at the backs of townhomes and there will be an increase in noise and traffic. She thought it was a beautiful site that they are showing but if you look at all the beautiful trees that they are showing them they are not there. They are taking her property value down.

Ms. Cheryl Gray, 3881 Red Root Rd., noted she heard the concern about that they just got that road paved and it is so amazing to travel and now they are going to have construction trucks using that to access. Her primary concern is traffic, Silverbell Squirrel intersection is very congested it is a very narrow path on Squirrel if you are trying to make a right hand turn, and there are people in that left hand turn from Squirrel onto Silverbell and it is icy, and they are going to increase the traffic. They went through this in her subdivision several years ago trying to have their voices heard when they were building the Pulte Bald Mountain Sub and they got on board way too late. She was there because it was very early in the planning, she hasn't heard the words that decisions have already been made and she was hoping that they would listen to the concerns of the people who actual travel and live in that area and take that into consideration in making their decision.

Mr. Gene McNabb Orion Township stated he wanted to talk about Silverbell Rd. He has been in the community a long time and when Silverbell Rd. was built years ago it was dirt down towards Squirrel Rd. That road has been the same except for paving and a few deceleration lanes in 30-40 years. Since then they have Heron Springs, Silverbell Village, Oakland Ridge, Silverbell Oaks, Goddard School, Stonegate, Stonegate Ravine, Bald Mountain, Silvercreek and Eagle Creek of Valley. His understanding of a (PUD) they must prove a substantial benefit to the Township, they always give parks, they don't need anymore parks, they had to pass a park millage to maintain the parks. He was watching a prior meeting and Supervisor Barnet made a comment that each garbage truck equals 1,272 cars. On Silverbell Rd. there are numerous garbage trucks on that road. He sat out in front of his house, there are anywhere from seven to eighteen garbage trucks per hour on that road. The speed limit is too high on that road, there are two other roads in Orion Township that has a 50MPH speed limit and they are both by the GM Plant and by Baldwin as you get farther (north) by Indianwood Rd. Silverbell is not going to last long. The rest room for Jesse Decker Park is a good benefit, but a better benefit would be if they put some money in escrow to redo Silverbell Rd. when all these trucks tear it up. He knew that the crashes at Silverbell and Squirrel have gone up significantly. He didn't care what study they show them about traffic they are smart enough to know there is going to be a lot of traffic regardless of what goes in there.

Mr. Tom Rypina, 1293 Irene Ct., asked what they are debating the rezoning of that property? He felt that the sale is not something they can affect but the rezoning is what they can affect. The inevitability of that development is what concerned him, he didn't think it was such, if they didn't rezone it there will be no development, so lets just not make sure that something definitely has to happen there, maybe there is an alternative, don't build there. He was there during the debate regarding the Bald Mountain development and a similar discussion there will not be as much traffic as they all think there will be, now there is. There will benefits provided additional parks, they have plenty of parks, the ones they have let's keep those. One of the reasons that, that development is possible is because the Bald Mountain development happened. There were some additional lines for power and sewage, if they approve this one, what else does this one makes available in the future. There are wetlands around that they are not supposed to be for development once this development goes in what else changes. Additional traffic is not sustainable it does get out of control. The roads that are there are not built to support the level of traffic that they currently experience. The benefits that are proposed, probably don't need to be proposed if the development doesn't happen. Maintaining of the wetlands doesn't need to be considered if there is no development being made there. He is against rezoning this property.

Ms. Darlene Janulis, 1293 Oakwood Ct., noted that she usually comes to these meetings and sits in the back and doesn't say anything. She had an issue in the mid 90's with a sweetening plant in this community that was negatively impacting the elementary school in her community (Rochester Hills) it was her neighborhood school and she was on the School Board and she couldn't get any attraction from her local representatives and Vantassel, she turned to the developer that helped them with the property from the elementary school who was Dominic Mocerri. If it wasn't for him they probably wouldn't have come to a

positive conclusion for the health and safety of those children and she probably would have been able to spend a lot more time at home and not worrying about other communities and what they are doing that might impact so excuse her if they don't think she belongs there. She does know Dominic Mocerri from that issue and has always known him to be an honorable man and somebody that really does care about his community. She wanted to speak to this development because she has been watching the Squirrel Rd. corridor for the last 20 years and she felt it needed to be a residential community. She didn't disagree with the information that was given and the studies that were done, she felt that they did know what they are doing. She also lived off of Adams Rd. for over 35 years and Dominic Mocerri and all the development that he has done, she heard exactly the same stories in Rochester Hills and in Oakland Township because she lives just (south) of Dutton off of Adams Rd., traffic, wetlands, density and it is part of growing pains and she was sure that they could come together and make a good decision. She hoped that the property remains residential she didn't think it was a bad idea to have multiple use in their communities. She knew in Rochester Hills they have beautiful homes right next to other complexes that have density and condos and it does not decrease the property values. She knew road issues, they have it in Rochester Hills too, so she wished them a lot of luck and wanted to tell them she felt that it was a beautiful project probably one of the best ones she has seen in 20 years by being an observer and felt they could work with them to come to a positive conclusion to make it a viable piece of their community and a showplace.

Ms. Skoda added that she wasn't against development she was against having 520 cars added to Squirrel. She felt that Mocerri could do a very beautiful development, this development is not the right development for this property.

Mr. Dave Koss, Inverness Dr. in Oakland Township in the Country Creek Development, questioned what the water supply going to be to this development? They are on community wells and when he built his home in 1999 in Country Creek, they were told that city water was coming. He knew this was something in Oakland Township and in Orion Township that they didn't have city water yet. Yellow water, he has a water processing plant going on down in his basement, he has an iron filter and a water softener, they go through tons of salt and that is part of well water systems strained, it is supplying the entire area with these community wells. He questioned if they would be having a couple hundred more homes on that community well now?

Mr. Brad Hazen, 5454 Creekmont Dr. Oakland Township, not part of Orion Township and wanted to thank the Board for letting him speak regarding his development. Within the law it is 300-ft. of a development he must be notified and that is why some of the homeowners from Silvercreek were there because this proposed property would be adjacent to our properties. His big concern, they could talk about traffic and he understands; first he wanted to let Dominic and his family and his developments know that they do a wonderful job they did a great job in Oakland Township and they brought a lot of value to their area and had no issues with Mocerri Developments. The concern is traffic, a lot of people have talked about that. He wasn't sure how they were going to turn left onto Squirrel Rd. from the new development but that was not going to happen, people are not going to be able to turn unless there is a light there because it is bumper to bumper during peak hours so that is certainly something that will have to be addressed. Their concern was their property values although this is not an issue with Orion Township because they are in Oakland Township, they are providing them an opportunity to speak, and their home butts up right to the corner of the development and those trees based on the last development that was built and the way the yards are graded all of those trees in the corner are dying they are falling they are having to pay people to come out and replace them because of the way the yards were graded and that is just going to get worse. It is great that there are berms being put up along the side of Silverbell, but nothing is being done in the back of where their property lines are at. The wording of "dedicated township park" he wasn't sure what that meant but it sounded like to him swing-sets, soccer fields whatever they put in a park they can put in a park, if it is going to be a park it needs to be in its natural state and cannot be developed. He felt that it would make more sense, he did agree he is from Oakland Township, he wasn't sure why Orion Township would need more parks when there is one right across the street that can be used. Having a development in here like this, which he wasn't opposed to, he knew this day was inevitable, this area that they are calling dedicated park behind there homes needs to be protected, there are wetlands back there the trees

are being destroyed and if you build on it and there are any type of retention going into that it is going to destroy even more hurting their property values.

Mr. Joe Giordano, 3993 Ridgemont Ct. Oakland Township, stated that his property borders right on the eastern part of Kelly Services property. About 300-ft. they are on the Orion Township property with this proposed Lavender Creek. They are for the development of Lavender Creek, he did like that over 50% stays natural in its natural state, they are for it. There are four of them in the cul-da-sac and if they look at the site map, they could see the driveway come in on that property. The four homes in that cul-da-sac, they are all for this development. There are number of reasons for it, part of it is they have a quality builder and he has lived there over 15 years they have built around his area and they want to build on this piece of property. If they don't do it, they heard Kelly Services has the property for sale, somebody is going to build on that property, and it might be lesser of a builder than Mocerri Jacobson. He would like to keep it natural forever, but he felt that wasn't realistic. He looked at it from the point of view that they got a local quality builder that wants to build something there; and by the way they are going to keep their name on it Mocerri is going to stay and is going to be the leasing for this. His wife and him drove through the Heron property up the road and it was very quiet a woman was walking her dog. He has a client that lives in a condo next to them at Adams and Silverbell and she is by herself, so there are no two people in that house, and she is 70 years old and she doesn't drive all that much. He knew that the impact of the road is of concern and he understood that, but this day was coming and he would prefer to have a quality builder that has to maintain that property and he liked that a majority of it is going to stay natural and he didn't have to look at homes. One of the four homes is for sale on his Ridgemonte Ct., she has not been able to sell that property, because they have Bald Mountain over there with 300 new homes. He has lived there 15 years and he doesn't think it has appreciated very much at all. This idea that another 120 homes is going to make the price go up he disagreed with that.

Mr. James Witham, 4702 Middlebury Dr., stated that there was little doubt there is going to be a development there the only question it is what kind of development is it going to be, whether it is going to be (PUD) or it is going to stay (SF), there are not too many other options here in terms of what it is going to be. He was sure they understood Section 30 of the Township zoning ordinance is going to largely control what is going to go there and how it is going to be and the way it is going to shape up. He wanted some more answers from Mocerri in terms of the economic impact, he didn't hear a whole lot of stuff in terms of what studies, what statistical analysis, what empirical data they have that is going to give people a happy fuzzy feel good about any drop in property values, he heard them say there is going to be 125 family unit plan, of course they want to do 260 townhome plan and they are saying with the townhome plan it is going to be estimated, by their own words, incomes that are going to be from \$72,000 - \$83,000 per unit roughly. The surrounding home are anywhere between \$400,000 - \$600,000 homes so if they do the math just from that perspective at least in Stonegate Ravines they have 180 homes and if those homes are anywhere from \$400,000-\$500,000 they could be looking at an overall decrease in property values in approximately \$1.8 million. The gentlemen before him he spoke about whether the property was going to appreciate, he felt the more concern from an economic standpoint is whether the property surrounding it are going to depreciate. In terms of density he felt there were issues as well, because he didn't think that any of the numbers or the statistics that Mocerri showed them, showed them how many cars and people are going to be put on those roads. They said 3.5 for 125 family units 2.1 for 260 townhomes, which is what they are presenting with the (PUD), however, he didn't think that any of the statistics are going to tell them how many actual vehicles are going to be put on the road. He questioned what was in there in place for infostructure such as sidewalks, crossroads and he wasn't sure if there was adequate infostructure to support 260 townhomes which by their estimate, they believe they are going to be either older people or young professionals, all those people are probably going to need homes as opposed to little kids that could carpool.

Supervisor Barnet opened it up to the Board if there were any additional questions, they would like the applicant to address.

Township Clerk Shults asked how much taxes do they think this will generate for the Township?

Trustee Steele questioned if the retention ponds were included in the calculation for natural buffer?

Supervisor Barnet commented that he knew that the water system would be on the Orion Township water, not on the Oakland Township community well, it would be Orion Township which they get their water through Great Lakes Water Authority, formerly, Detroit Water and Sewer.

Township Clerk Shuts wondered if that was a sweetening plant on the other side of the road that is between these two developments, do they know what that is that is going on there?

Chairman Dunaskiss asked if there were any other questions from the Commissioners? There was not.

Secretary St. Henry stated that the Township received 23 letters from the community regarding this development. He did not read the letters but 22 of them were opposed to the development and Secretary St. Henry read all their last names into the record. They did receive one (1) letter in favor of the development and that was from Giordano.

Chairman Dunaskiss invited the applicant back up to address the questions.

Mr. Mocerri addressed the concern regarding the distance from their east line of the development area the clearing area to the Creekmonte Dr. area. He had measured it on Google Earth and from their detention area to the nearest home in Creekmont is 1,052 feet, that is just 28 feet shy of 3 full football fields including the endzones. There may be some decline in the wetland areas which is natural because of the phragmites issues. That is what causes the decline in these wetland areas and there is phragmite program to eradicate those. The question that came from the Clerk regarding property taxes, right now the property taxes would be about \$858,000. Remember these are all private roads, the services are being done and there is less impact with these services because of the onsite management. If an issue flowed off their million dollar in property taxes well this would be absorbed much more quickly so if the time value of money and the idea of construction and fulfillment verses the time it takes for 120 homes you likely see more property taxes because of the time it takes to fill those homes. There are less services that are needed from the community, so as far as the impact of services provided and property taxes, it would probably be a wash.

Mr. Mocerri added that he wanted to reiterate that he felt he was a housing expert and price value expert so the impact of 120 homes would cause a glut in reduction of the property values. They have in Oakland Township multi-family right next to Kings Ridge and there was no impact, the home prices are a million dollars. The distance between the single-family homes and multi-family is only 85 feet and is no reduction in the property values in those homes in Kings Ridge and in Kings Pointe are still selling for a million dollars. They are very concerned regarding viewshed and impact of the communities that they previously developed and what this will impact and they believe they have mitigated that to the extent fullest, they would want and would be part of a (PUD) that the area that they depicted there would be passive recreation and the area preserved.

Mr. Mocerri said they are not putting the detention ponds in the wetlands, there is no wetland that is being mitigated for the detention area. The only wetland being mitigated would be for public safety and interest and is less than 1/10 of an acre, and that would be done whether it was single-family or multi-family. They are not taking down any trees that are in the developed area, any trees in the developed area are invasive species and they are poplars, which you cannot plant in the Township, Russian olive and ash trees. They have trees that declined that are just growing because it has not been farmed for the last 15 years, but they are all invasive species nothing of high quality and all the trees in the center of the property will be preserved. The area where the detention basins are proposed there is minimal tree loss.

Mr. Kianicky said he felt there was a misunderstanding on what they meant by parks. Parks can be passive which means they are not touched they are left in their natural state. What they have called community parks they are leaving that up to the discretion of the Township, if the Township says they don't need anymore parks that have ballfields or recreational amenities then that park can become a

completely natural passive park maybe have a trail through it maybe not even that, they are completely open to that. The parks that are going to act as buffer, they are not going to put detention ponds they are not going to take any of the trees down, they have carefully designed the development to be in the overgrown farm fields. There is a little ravine that goes down the middle and that ravine has trees along it and they have designed around that, they are only piercing in it at one point in order to provide circulation but they have been so careful to try to preserve every possible thing that can be preserved on the site.

Mr. Kianicky added if they do another 125 new homes here it makes the adjacent homes feel like they are no longer new homes they are older they are obsolete, and it tends to drive down property values. When you put a new property development next to an older housing development, so the way to protect the existing homes that are here is do something that doesn't compete with them in terms of sales and the feel that the townhomes are going to accomplish that. They are convinced that what they are proposing is going to actual preserve economic values and not degrade them.

Mr. Kianicky said regarding the concerns about traffic are when there is a lot of it which are at peaks times, so no one really cares about traffic at 9:30pm, even though they have done the traffic studies and he knew that people have come up with their own estimates on what the traffic will be, but they have professionals that do this for a living and use very suffocated computer modeling to come up with the traffic counts. Based on those traffic counts and looking at when they are most important which is during the peak times, they are going to generate slightly less traffic than if this was to be developed like Stonegate Ravines or Stonegate West or any of those other developments. Any development on this site is going to generate traffic, but the amount they are going to generate is going to be no more and a bit less than if it were a single-family residential development.

Township Clerk Shuts asked what the plant was?

Mr. Kianicky replied that it was a pumping plant. They are upgrading that, it is just a pumping plant that pushes the stuff along, there is nothing they can do about that, they own the property.

Mr. Mocerri said back in the early 90's there was a gas sweetening plant on the west side of Squirrel Rd. just north of Dutton. That gas sweetening plant had raised a lot of controversy. At the time the land was zoned industrial and was foreseen as it would be an industrial corridor. With several thousand homes in Oakland Township, Rochester Hills, and Auburn Hills, oddly enough, the Mayor of Auburn Hills, the Mayor of Rochester Hills and the Township Supervisor of Oakland were not on speaking terms and also on the school board Dr. Schultz was on school board, Darlene Janulis was on the school board and he brought them altogether to fight Orion Township to get that sweetening plant closed. Fortunately enough Orion Township had a Performance Bond that was put up by the company that was operating the gas sweetening plant and the Public Service Commission the Air Quality Control Commission in Lansing ordered it to be shut down, Orion Township had a bond and they said if you don't take it down we will use your money to take it down and that was taken down prior to 1994 and that is where the confusion was. It was dire to the health, safety and welfare of the residents in the surrounding communities and certainly Stonegate Ravines and the other communities would have never been built if that gas sweetening plant remained. That is a pumping station that is currently there that connects all the way to Marysville, MI to St. Clair River and that is called the St. Clair Pipeline.

Chairman Dunaskiss asked if there will be interior sidewalks?

Mr. Kianicky replied there will be interior sidewalks. They will also be able extend the network of paths in the Township. The one thing they have been discussing is that there is no bike path and no opportunity for a bike path when they get to Stonegate Ravines and what they did not want to do is create a bike path that suddenly leads to nothing because then people will then jaywalk across the street in the middle of the block which is a dangerous thing. They have talked about putting in a crosswalk at their entrance over to Jesse Decker Park so people wouldn't have to go to the corner, they haven't made any final decisions about that but something they are aware of.

Chairman Dunaskiss asked about the density and compatibility with the Master Plan and the calculations?

Mr. Kianicky answered that the 2.1 units per residents is based on actual population in Heron Springs. With the same type of units that they are proposing here, when they looked at population density to compare it you can't really do units per acre because the people per unit are different, so they must look at population per acre. When they look at their population per acre, how many people per acre are going to be in this development and they compare it to Stonegate Ravines they are about the same, if they compare it to Stonegate West they are actually less and if they compare it to Stonegate South they are half of the density. When the designed this community, they were very cognizant of what was around them and this was essentially an infill parcel and so therefore they wanted their density to be compatible with the way the area has developed. He stated that there was another comment about this parcel was going to bring utilities what is that going to do to provide utilities to yet another parcel. This is an infill they are surrounded by development other than some scattered lots around them they are kind of the last piece, they are not going to have that effect, the watermains are already there the sanitary sewers are there in Bald Mountain they are there in Stonegate Ravines, they might go in either direction depending on what makes more sense so he didn't really think that was really a concern.

Chairman Dunaskiss questioned regarding the roads were there any plans for capping or monitoring with construction vehicles after the site is built?

Mr. Kianicky replied that the roads are under jurisdiction of the Oakland County Road Commission and they must meet all their requirements in terms of traffic any permits that they need to connect to them. They have really no control over Oakland County Road Commission roads. He wasn't sure how to address that kind of a comment?

Mr. Brad Hazen, 5454 Creekmonte Dr., said the measurement that they did on Google Earth was probably his home which he appreciated. The land behind Lavender Ridge it is going to be a dedicated park in its natural state and never be built on?

Mr. Mocerri replied if the Township doesn't want it as a park it will be private preserved.

Mr. Joe Giordano, said that it is Orion Township to make that decision because if they turn the property over to Orion Township, he believed that was intent the undeveloped property then it is up to them.

Mr. Christopher Stanek, 4669 Ottawa Dr., said they keep saying 120 homes basing it on Stonegate Ravines he didn't think anyone there wanted another Stonegate Ravines. What the neighboring community want are 2 ½ acre homes like it is zoned, he would buy one, if Mocerri built 2 ½ acre homes. He would like to see their data based on what actual homes would be there with the current zoning. They keep if they are going to rezone it if not to (PUD) but to high density single-family homes, and he didn't think that was what anybody in the neighborhood wants. His question is, what is his data with what it is zoned like it currently is?

Mr. Jeff Joesak, 1426 Greythorne Dr., commented regarding the desire for single-family homes and the comment was made about Bald Mountain and believed they were down to their last 20 homes in there and thought that the Parkview on Lapeer is built-out, so it appears to him to be a strong demand for single-family homes around there so he didn't see any data supporting the fact that condos would be in higher demand than single-family homes given the demographics of the area.

Mr. Tom Rypina 1293 Irene Ct., asked the population density, the 2.4 verses the 3.5 in the single-family houses is that all adults, how many of that 2.4 is adults verses the 3.5?

Ms. Debora Boyd 4570 Cataline Dr. stated that Mocerri is taking the terminology of density as they are using it in a zoning reference, and they are turning it into population. Most of the population in Stonegate Ravines are under seven and most of the population of Stonegate West are currently in their mother's belly. She didn't think it was fair for them to use the terminology of density and equate that to population.

They are misrepresenting the location of the wetlands all their buildings on the far eastern edge are behind the location where the signs are that say the this is protected wetlands.

Trustee Steele asked if there was an upgrade to the sewer system?

Engineer Landis replied that the development could be served in one of two ways for sanitary sewer. Currently there is a stub in Catalina Dr. within Stonegate Ravines and that is their primary avenue at this point, they will have to put in a pump station right there to tie in and do the topography and then that sewer actually flows into Auburn Hills and they understand that there maybe some capacity concerns in Auburn Hills so they will probably have to be a sanitary sewer compacity study to determine if they could except the development. Alternatively, they could put in a pump station a little further north and then extend force main into the Bald Mountain Development, there was a stub left along Kingsdale Rd. and there is adequate capacity in the Orion Township system to handle this system as proposed.

Trustee Steele questioned if that would be the developer's cost?

Engineer Landis replied yes; that would be a typical developer cost.

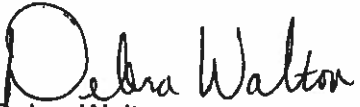
Mr. Mocerri said he savor the passion of his neighbors, again he would be concerned also not knowing the known facts. They had the wetlands surveyed by a professional environmental consultant and that is the first thing they did. The wetland boundaries have been verified and they do not encroach on any wetlands. They have in small areas encroach upon the 25-ft. wetland buffer, and in the next stage they plan on mitigating that, so they don't impact those wetland buffers. Regarding population and impact, he didn't want to conflate the two nor did he want the tit for tat discussion, but those seven-year-old in nine years will all be driving. There will also be children residing in Lavender Ridge it is an inclusive community as Orion Township is inclusive. Orion Township through their wisdom and Master Plan is far more inclusive with their long term range of planning and goals unlike the adjacent community when they had to go to court for the fair housing violations that they had in turn and had to rectify, those are not issues here in Orion Township, he is proud to say where he resides in Orion Township, it is inclusive. As it comes to other impacts it is not the number of units but what is the impact of those residential units as compared and the idea of Suburban Farms (SF) they are not going there it is a non-starter because it is an obsolete portion of the Master Plan in that the rest of the area that was once (SF) are now beautiful subdivisions that were once zoned (SF) that are now in the comparative data that they are using, using those current community and neighborhoods as a basis of the comparative impact verses their impact. He recognized it might be a leap, but it is realistic and the idea of 2.5 acres, Oakland Township has nine sections of land that are 2.3 acres or greater in size and there is no demand in who can afford that. They still have the impact of septic fields, roads there will be less number of homes less traffic, yes absolutely but it becomes exclusive, Orion Township is not an exclusive community it is an inclusive and the 2.5 (SF) lots tends to be on the exclusionary side and that is not what this area along Squirrel and Silverbell are about.

Question from the audience, have any of them (Boards) been down in this property, she proposed that Supervisor Barnet organize a field trip lets all go look at those wetlands and where the markings are and learn about this for themselves. Has anybody been down in there?

Chairman Dunaskiss replied there was a Site Walk completed.

Chairman Dunaskiss closed the public hearing for PC-2019-47, Lavender Ride (PUD) joint public hearing at 8:36pm.

Respectfully submitted,


Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

October 16, 2019
Planning Commission Approval Date