

**OSHTEMO CHARTER TOWNSHIP BOARD**  
7275 West Main Street, Kalamazoo, MI 49009  
269.375.4260

**August 27, 2019**

**BOARD WORK SESSION**

**6:00 p.m.**  
**AGENDA**

- A. Call to Order
- B. Public Comment
- C. Discussion of Township Policies – Cash receipting, Sunshine Fund, Records Management
- D. Discussion on 2019 Budget (Continued)

**REGULAR MEETING**

**7:15 p.m.**  
**AGENDA**

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Public Comment on Non-Agenda Items
- 4. Consent Agenda
  - a. Approve Minutes – August 13, 2019
  - b. Receipts & Disbursements Report
  - c. IT Job Description
  - d. Planning Commission By-laws
- 5. Consideration of Autumn Grove - Site Condominium Step Three
- 6. Consideration of Zoning Lighting Ordinance (Repeal & Replace) – First Reading
- 7. Discussion of 2020 Census - Participation and Consideration of Liaison
- 8. Other Township Business
- 9. Public Comment
- 10. Board Member Comments
- 11. Adjournment

**Policy for Public Comment  
Township Board Regular Meetings, Planning Commission & ZBA Meetings**

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email ([oshtemo@oshtemo.org](mailto:oshtemo@oshtemo.org)), walk-in visits, or by appointment.

b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be Board discussion prior to call for a motion. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name, but it is not required.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which does not follow these guidelines.

(adopted 5/9/2000)  
(revised 5/14/2013)  
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday 8:00 am- 5:00 pm, and on Friday 8:00 am-1:00 pm. Additionally, questions and concerns are accepted at all hours through the website contact form found at [www.oshtemo.org](http://www.oshtemo.org), email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to [oshtemo@oshtemo.org](mailto:oshtemo@oshtemo.org) and it will be directed to the appropriate person.

Oshtemo Township Board of Trustees		
<b><u>Supervisor</u></b>		
Libby Heiny-Cogswell	216-5220	<a href="mailto:libbyhc@oshtemo.org">libbyhc@oshtemo.org</a>
<b><u>Clerk</u></b>		
Dusty Farmer	216-5224	<a href="mailto:dfarmer@oshtemo.org">dfarmer@oshtemo.org</a>
<b><u>Treasurer</u></b>		
Grant Taylor	216-5221	<a href="mailto:gtaylor@oshtemo.org">gtaylor@oshtemo.org</a>
<b><u>Trustees</u></b>		
Cheri L. Bell	372-2275	<a href="mailto:cbell@oshtemo.org">cbell@oshtemo.org</a>
Deb Everett	375-4260	<a href="mailto:deverett@oshtemo.org">deverett@oshtemo.org</a>
Zak Ford	271-5513	<a href="mailto:zford@oshtemo.org">zford@oshtemo.org</a>
Ken Hudok	548-7002	<a href="mailto:khudok@oshtemo.org">khudok@oshtemo.org</a>

<b>Township Department Information</b>		
<b><u>Assessor:</u></b>		
Kristine Biddle	216-5225	<a href="mailto:assessor@oshtemo.org">assessor@oshtemo.org</a>
<b><u>Fire Chief:</u></b>		
Mark Barnes	375-0487	<a href="mailto:mbarnes@oshtemo.org">mbarnes@oshtemo.org</a>
<b><u>Ordinance Enf:</u></b>		
Rick Suwarsky	216-5227	<a href="mailto:rsuwarsky@oshtemo.org">rsuwarsky@oshtemo.org</a>
<b><u>Parks Director:</u></b>		
Karen High	216-5233	<a href="mailto:khigh@oshtemo.org">khigh@oshtemo.org</a>
Rental Info	216-5224	<a href="mailto:oshtemo@oshtemo.org">oshtemo@oshtemo.org</a>
<b><u>Planning Director:</u></b>		
Julie Johnston	216-5223	<a href="mailto:jjohnston@oshtemo.org">jjohnston@oshtemo.org</a>
<b><u>Public Works:</u></b>		
Marc Elliott	216-5236	<a href="mailto:melliott@oshtemo.org">melliott@oshtemo.org</a>

## **Oshtemo Township CASH RECEIPTING POLICY**

### **General Purpose**

Oshtemo Township, recognizing that proper management of cash and checks received by the Township is vital to transparent stewardship of taxpayer assets, enacts the following cash receipting policy:

### **Summary Statement of Policy**

This records management policy shall apply to all employees who receive checks or cash at the counter, open or handle incoming mail, and open or handle items received through the drop box.

### **Actual Policy as Written**

All cash and checks received by the Township is ultimately the responsibility of the Township Treasurer and the Board of Trustees. Staff designated by the Treasurer are permitted to receive cash and checks. All cash and checks shall be recorded through the Cash Receipting software.

Cash and checks shall be received and processed by the Township in the following situations:

At the counter: People can come into the Township office and pay taxes or other fees using a check, cash, or credit card at the front counter. Designated staff shall receive the payment and process it immediately through the Cash Receipting software, creating a system receipt and a paper receipt for the customer.

Drop box: The drop box can be used to drop off payments to the Township. Each morning the box will be checked under dual control.

Mail: Payments can be sent through the mail. Only persons designated by the Treasurer may open and sort mail. Payments received through the mail must be recorded through dual control as soon as possible after it is received. The mail will either be left on the counter under the security camera or locked in a secure drawer until it can be sorted and recorded under dual control.

### **Documentation**

Cash receipting is recorded and journalized through the Board approved software into the General Ledger.

Checks and cash received through the mail and drop box are recorded in an initialed log that is maintained by the Treasurer's Office.

**Oshtemo Township**  
**SUNSHINE FUND POLICY**

Oshtemo Township will manage a fund to hold voluntary contributions from employees that will be used to contribute to the memorials of family members who have passed away, flowers and cards when employees fall ill, or any other purchase agreed upon by the contributors.

Fire Department employees will have a separate Sunshine Fire Fund.

To begin making contributions to the fund, employees will fill out an agreement form and submit to the payroll Clerk.

To stop contributions to the fund, employees will provide written notice to the payroll Clerk.

# Oshtemo Township

## RECORDS MANAGEMENT POLICY

Oshtemo Township, recognizing that good records management is vital to the effective and efficient operation of government operations, enacts the following records management policy:

### **Applicability**

This records management policy shall apply to all employees, agents, independent contractors, and volunteers of Oshtemo Township.

### **Definitions**

**Agency-specific schedule:** covers records that are unique to a particular government agency. Agency-specific schedules only address the records of the agency named on the schedule, and may not be used by another agency. Any record that is not covered by a general schedule must be listed on an agency-specific schedule. Agency-specific schedules always supersede general schedules.

**General schedule:** covers records that are common to a particular type of government agency. General schedules may not address every single record that a particular office may have in its possession. General schedules do not mandate that any of the records listed on the schedule be created. However, if they are created in the normal course of business, the schedule establishes a minimum retention period for them. Retention for longer periods is authorized if the individual has reason to believe that a record may be required beyond the minimum retention period for the efficient operation of the agency.

**Non-record Materials:** include, but are not limited to, extra copies of documents retained only for convenience of reference, and letters of transmittal/routine correspondence that do not document significant activities of the agency. A more comprehensive description may be found within Appendix A.

**Public Records:** recorded information “prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created.” Michigan Freedom of Information Act (FOIA) (M.C.L. 15.231 - 15.232)

**Retention and Disposal Schedule:** define how long each record, regardless of its physical format, should be retained. Retention and Disposal Schedules also indicate which records have archival value, and when those records should be transferred to the Archives of Michigan. According to Michigan law, no public records may be destroyed without the authorization of an approved Retention and Disposal Schedule. All schedules are approved by the Records Management Services, the Archives of Michigan and the State Administrative Board.

### **Records**

Each individual who creates, sends, or receives official records is responsible for retaining these records in accordance with this records management policy.

## **Non-Records**

Employees are not required to retain non-record materials once their reference value to the individual has expired. However, if a FOIA request is received, or if the agency becomes involved in litigation, non-records may be requested and may be released, if they have not already been destroyed. See Appendix A for more information about Non-Records.

## **Record Retention**

All public records shall be retained in accordance with an approved Retention and Disposal Schedule. Records not listed on an approved Retention and Disposal Schedule may not be disposed of until a schedule is approved. Michigan Penal Code (MCL 750.491)

## **Record Maintenance**

Individuals and offices shall organize their records to promote fast and efficient retrieval of information. Appropriate and cost-effective office equipment, indexes and tools shall be used to maintain records.

Records that will be retained for more than 10 years shall be stored in an environment that facilitates the security and stability of the storage media. The type of storage media (e.g. paper or electronic) shall be determined for each record. See Appendix B for more information about email retention and storage.

The Township Clerk shall work with the IT Director to determine the most cost effective and reliable method of maintaining electronic records for their full retention period, so technology changes do not render them inaccessible and unusable. The Clerk shall publish that method to all affected individuals.

Oshtemo Township shall comply with the State of Michigan's standards for record reproduction, as authorized by the Records Reproduction Act (MCL 24.401-24.406).

Records containing sensitive or confidential information shall be protected against unauthorized access, especially records that are protected by state or federal laws, records containing private information, financial information, background checks, medical information, and social security numbers. Individuals and offices shall employ appropriate locks, passwords, and other devices to protect the privacy of this information.

## **Separation from Employment**

Employees shall not take public records with them when they terminate employment with the Township and they shall not destroy records that have not yet fulfilled their approved retention period.

Supervisors are responsible for ensuring that the records (including e-mail and other electronic records) of employees who are separating from employment with the Township continue to be retained in accordance with this policy.

## **Disposal**

Public records which have reached their minimum retention period, and which are no longer required for the efficient operation of the agency, may be disposed of. The Township shall destroy sensitive or confidential information through a secure shredding service that destroys the documents on site. The Township shall destroy open records by recycling or regular trash disposal.

Some records possess permanent or historical value. These records may be designated for eventual transfer to the Archives of Michigan for permanent preservation. The Township shall follow the Archives' procedures for transferring records.

### **Litigation, Investigations, and Freedom of Information Act Requests**

No records that are the subject of litigation, a pending investigation request, or a pending Freedom of Information Act (FOIA) request shall be destroyed until the legal action or activity has ended, even if the records are otherwise scheduled for destruction pursuant to this policy. Any individual with knowledge of pending litigation, a pending investigation, or a FOIA request shall immediately inform the Township Attorney. The Attorney shall direct all relevant individuals to immediately cease disposal of all records relevant to the pending litigation, pending investigation, or FOIA request. If the relevant records are in electronic form (including e-mail) the Attorney shall notify the IT Director so they can protect the records from destruction (which may include stopping the rotation of backup tapes). Should questions arise as to what records are relevant to the pending litigation, pending investigation, or FOIA request, the Attorney shall direct the immediate cessation of the disposal of all records. The moratorium on the disposal of all records relevant to the pending litigation, pending investigation, or FOIA request shall remain in effect for the duration of the litigation, investigation, or until the FOIA request had been fully processed.

### **Failure to Adhere to this Records Management Policy**

Failure to adhere to this records management policy may result in applicable discipline, up to and including discharge from employment, termination of the contractor status, termination of the volunteer relationship, or expulsion. Further, the removal, mutilation, or destruction of public records may result in civil and criminal liability, up to and including a penalty of not more than two years in state prison or a fine of not more than \$1,000.

## **Appendix A – Non Record Materials**

State of Michigan General Schedule #1: Non Record Materials (Approved November 16, 20114)

Non-record materials are recorded information that are in the possession of an agency, but are not needed to document the performance of an official function. An agency's disposition practices need to include managing non-record materials, because their volume may exceed that of records that do document official functions.

Examples of non-records may include:

- Draft documents that are replaced by new or final versions. Drafts that are not needed to document the development of the final record. Drafts that are not required to be retained by an agency-specific schedule.
- Duplicate copies of a document that are retained for convenience of reference.
- Information that does not document official activities.
- Letters of transmittal (including routing slips) that do not add any information to the transmitted material.
- Notes and recordings that have been transcribed into another format for record retention.
- Publications that are received from outside sources that are retained for reference purposes, such as newsletters, brochures, catalogs, books, professional development materials, etc.
- Mass mailings, notices, flyers, etc. that are received for informational purposes.
- Advertisements, spam and junk mail.
- Tracking documents or tools that are used to ensure that all steps in a business process take place, but are not the official documentation of the action or activity.
- Research and reference materials that are collected from outside sources, but are not needed to document how the final decision is made.

Non-record materials can be disposed of when they are no longer needed for reference purposes.



## **Appendix B – Email Retention**

Electronic mail (e-mail) is a means of exchanging messages and documents using telecommunications equipment and computers. A complete e-mail message not only includes the contents of the communication, but also the transactional information (dates and times that messages were sent, received, opened, deleted, etc.; and any attachments.

In accordance with the Michigan Freedom of Information Act (FOIA) (Public Act 442 of 1976, as amended), e-mail messages are public records if they are created or received as part of performing a public employee's official duties. All e-mail messages that are created, received or stored by a government agency are the property of Oshtemo Township. They are not the property of its employees, vendors, or customers. E-mail accounts are provided to employees for conducting public business. Employees should have no expectation of privacy when using the agency's computer resources.

### **EMAIL RETENTION**

Just like paper records, e-mail messages are used to support a variety of business processes. Just like paper records, senders and recipients of e-mail messages must evaluate each message to determine if they need to keep it as documentation of their role in a business process. Just like paper records, the retention period for an e-mail message is based upon its content and purpose, and it must be retained in accordance with the appropriate Retention and Disposal Schedule.

Employees will establish folders for arranging e-mail according to their content, and they are responsible for disposing of e-mail that has met all of its retention requirements.

### **EMPLOYEE RESPONSIBILITIES**

Employees will establish folders for arranging e-mail according to their content, and they are responsible for disposing of e-mail that has met all of its retention requirements.

Employees are responsible for organizing their e-mail messages so they can be located and used. They are responsible for keeping e-mail messages for their entire retention period, and for disposing of e-mail messages in accordance with an approved Retention and Disposal Schedule.

Records, including e-mail, cannot be destroyed if they have been requested under FOIA, or if they are part of ongoing litigation, even if their retention period has expired.

Employees who use a home computer and a personal e-mail account to conduct government business must manage their work-related e-mail the same way as those messages that are created and received using government computer resources. Just like paper records, e-mail

messages might be subject to disclosure in accordance with FOIA. They can also be subject to discovery once litigation begins.

### **INFORMATION TECHNOLOGY STAFF RESPONSIBILITIES**

Individual employees are responsible for deleting messages in accordance with the appropriate Retention and Disposal Schedule. However, deleted messages may be stored on servers and backup tapes for two weeks after the information is deleted. After two weeks, the IT Director will ensure that deleted messages are rendered unrecoverable.

Note: The destruction of e-mail messages on servers and backup tapes must cease when an agency becomes involved in litigation or when it receives a FOIA request. Many e-mail messages need to be kept longer than the original technology that was used to send and receive them. New technology is not always compatible with older technology that agencies may have used. The IT Director will ensure that older e-mail messages remain accessible as technology is upgraded or changed. Each time technology upgrades and changes take place, the IT Director will ask agency administrators for information about the existence and location of older messages so they can be migrated to the new technology.

### **ADMINISTRATOR RESPONSIBILITIES**

The Clerk is responsible for ensuring that employees are aware of and implement this policy. The Clerk is also responsible for ensuring that the Township has an approved Retention and Disposal Schedule that covers all records (regardless of form or format) that are created and used by departments.

The IT Director is responsible for ensuring that the e-mail (and other records) of former employees are retained in accordance with approved Retention and Disposal Schedules.

### **ATTORNEY RESPONSIBILITIES**

Just like paper records, e-mail messages might be subject to disclosure during the discovery phase of litigation. Attorneys representing Michigan government agencies are responsible for identifying if the records that are requested during the discovery process are stored in e-mail, even if the discovery order does not specifically request e-mail. They are also responsible for ensuring that the IT Director is notified that a discovery order involving e-mail was received to prevent the destruction of relevant messages.

The Township Attorney is responsible for notifying the IT Director when the agency becomes involved in litigation or when a FOIA request that involves e-mail is received.

# MEMORANDUM

**TO:** Ed Hellwege  
**FROM:** James W. Porter  
**DATE:** August 15, 2019  
**SUBJECT:** Proposed IT Director Position Description

Attached is the formatted position description for the IT Director for the upcoming Township Board meeting on August 27, 2019. We will insert the effective date after it has been adopted.

## **CHARTER TOWNSHIP OF OSHTEMO POSITION DESCRIPTION**

**Position Title:**       IT COORDINATOR

**General Summary:**

Under the direct supervision of the Township Supervisor performs professional and technical information technology duties for the Township; performs supervisory and administrative duties in planning and coordinating all information technology services and projects.

**Physical Requirements:**

Physical requirements described herein are representative of those requirements which must be met by an employee to successfully perform the essential job functions of this job. Reasonable accommodations may be made upon request to enable an individual with a disability to perform these essential job functions.

The employee must be able to drive in order to visit properties within the Township. Property visits will be required to evaluate development projects, site design, water run-off, water retention, compliance with construction plans and design, etc. While on site the employee must be able to traverse rough terrain in order to complete on-site inspections.

While at the office, the IT Coordinator must be able to type reports. In addition, the employee must be able to meet with outside agencies and organizations.

Several days of the month, the employee must be able to work up to 12 hours per day and attend necessary public meetings. During the Township Board meetings, the employee must also be able to present reports publicly using a computer and a projector system.

The ability to operate a computer, copy machine, and answer the telephone is absolutely necessary.

The ability to communicate the goals of the Township, prepare reports and analyses and recommendations for the Township Board, orally and in writing, in English, is required.

**Typical Responsibilities:**

1. Leadership and development of IT processes.
2. Ensures IT's internal customer service standards, while meeting strategic goals.
3. Evaluates Township's initiatives and provides recommendations on technology components, solutions, or improvements to help achieve corporate objectives.
4. Develops information technology strategies, policies, and procedures by evaluating organization outcomes; identifying problems; evaluating trends; anticipating requirements.
5. Challenges self and team to innovate with technology.
6. Demonstrates high integrity and collaboration with the management team to achieve organizational goals.
7. Ability to direct technological research and initiatives by studying organization goals, strategies, practices, and understanding user projects.

8. Budget analysis related to IT Infrastructure and systems: forecasting requirements, scheduling expenditures, and analyzing variances.
9. Strong team development, superb interpersonal skills combined with problem solving, and providing great customer service is a must.
10. The desire to learn, continuously improve and be willing to accept responsibility.
11. Ability to work individually, or as a member of a team, use common sense and build a network of relationships with a positive attitude.
12. Provide clear communication and engage team members in projects.
13. Provide staffing, budget development, quality management, and coordination to accomplish all Township IT needs.
14. Possess a high level of energy and the ability to work independently with an interest in continuous learning and creative problem solving.
15. Exhibit a high level of written and verbal communication with a variety of audiences
16. Ability to adjust priorities on the fly while keeping the big picture in focus.
17. Provide clear instruction to both technical and non-technical disciplines.

**Employment Qualifications:**

**DRIVERS LICENSE REQUIREMENT:** Must maintain a current Michigan motor vehicle operator's license without restrictions (other than corrective lenses).

**EDUCATION:** Bachelor's degree in Information Technology is required

**EXPERIENCE:** 4-6 years of leadership experience as an IT Coordinator with a history of achievement with an emphasis on strategic thinking plus a history of progressive advancement in Information Technology or related business systems.

These qualifications represent guidelines; alternative qualifications may be substituted if sufficient to perform duties required by position.

Effective Date: \_\_\_\_\_

# Memo



To: Oshtemo Charter Township Board  
From: Julie Johnston, AICP  
Planning Director  
Date: August 21, 2019  
Mtg Date: August 27, 2019  
Subject: Planning Commission By-Laws

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## **OBJECTIVE**

Consideration of approval of the amended Planning Commission by-laws.

## **BACKGROUND**

The Planning Commission by-laws had not been reviewed or updated since 2009. Recently, staff began developing new by-laws for the Zoning Board of Appeals and thought this was an ideal time to make improvements to the Planning Commissions as well. The Planning Commission reviewed the by-laws over three meetings before forwarding them to the Township Board for approval.

At the August 13<sup>th</sup> Township Board work session, two changes were requested to the document. These changes are provided in **blue** and are as follows:

**Section 3.1 - Responsibility. Minutes shall be prepared by the Recorder of Minutes designated by the Planning Commission. The Recorder of Minutes shall be appointed by the Planning Commission and may be an employee or contractor of the Township, or a member of the Planning Commission. If a contractor of the Township, the Recorder of Minutes shall be recommended by the Planning Commission and approved by the Township Board.**

**Section 5.2.b - The Planning Commission member has a business or financial interest in the property or project involved in the request or has a business or financial interest greater than five-one percent in the applicant's company, agency or association.**

## **INFORMATION PROVIDED**

- Draft By-Laws

# CHARTER TOWNSHIP OF OSHTEMO

## PLANNING COMMISSION BY-LAWS

*DRAFT 08-08-2019*

The following rules of procedure are hereby adopted by the Charter Township of Oshtemo Planning Commission to facilitate the performance of its duties.

### SECTION 1.0: OFFICERS

- 1.1 Election.** At the first regular meeting of each year, the Planning Commission shall elect from its membership a Chair and Vice-Chair. The Board of Trustee member may not serve as an officer.
- 1.2 Tenure.** The Chair and Vice-Chair shall take office immediately following their election and shall hold office for a term of one (1) year or until their successors are elected and assume office. All officers are eligible for re-election.
- 1.3 Duties.** The Chair shall preside at all meetings and perform such other duties as may be ordered by the Planning Commission.

The Vice-Chair shall act in the capacity of Chair in his/her absence; and in the event the office of the Chair becomes vacant. The Vice-Chair shall succeed to the office of Chair for the unexpired term. The Planning Commission shall elect a successor to the office of Vice-Chair for the unexpired term.

~~The secretary shall be responsible for the minutes of each meeting that is not attended by the Township Attorney, execute documents in the name of the Planning Commission, maintain attendance records, and perform such other duties as may be ordered by the Planning Commission.~~

- 1.4 Absence of the Chair and Vice-Chair.** If both the Chair and Vice-Chair are absent from a meeting, the Planning Commission shall vote in a chairperson to perform the necessary duties for that meeting. The Chair and/or Vice-Chair shall resume normal duties at the next scheduled meeting.
- 1.5 Vacancies.** If a vacancy should occur in any office, the Planning Commission shall elect another person to fill such vacancy in the same manner and under the same conditions outlined above for the remainder of the term of said office.

### SECTION 2.0: MEETINGS

- 2.1 Regular Meetings.** Meetings of the Planning Commission will be held at the Township Hall the second and fourth Thursdays of each month at ~~7:00 p.m.~~ a time established by the Planning Commission, at the Township Hall unless noticed otherwise.

When the regular meeting day falls on a legal holiday, the Planning Commission shall ~~shall~~ **may** select a suitable alternate date.

Regular meetings shall be formally established at the ~~first~~ **last** meeting of the Planning Commission in each ~~new~~ calendar year **for the following calendar year** and notice thereof given pursuant to the Open Meetings Act.

**2.2 Special Meetings.** ~~Special meetings of the Planning Commission shall be held when necessary and may be called by the Planning Director and the Chair or, in the absence of the Chair, any two (2) members of the Planning Commission.~~

**Special meetings may be called by the Chair when necessary. In the absence of the Chair, special meetings may be called by two (2) members of the Planning Commission. If a special meeting is called based on a request by an applicant, the applicant will be responsible for all costs associated with the meeting as outlined in an annual fee schedule adopted by the Township Board of Trustees.**

**The purpose of the meeting shall be stated in the call. The business of the special meeting shall be held in compliance with the Michigan Open Meetings Act. Public notice of the time, date, and place of the special meeting shall be given in the manner required in the Open Meetings Act. A notice of the special meeting shall be sent to the Planning Commission not less than one (1) week in advance of the meeting, except that any such meeting at which all regular members of the Planning Commission are present or have waived the allotted one week notice in writing, shall be a legal meeting for all purposes without notice, subject to the Michigan Open Meetings Act.**

**2.3 Quorum.** A majority of the total number of members shall constitute a quorum for the taking of official action on all matters. **All public hearings without a quorum present shall be rescheduled for the next regular or special meeting and no additional public notice shall be required, provided that the date, time, and a place for the rescheduled public hearing is announced at the meeting.**

**2.4 Order of Business.** The order of business for each meeting shall be as follows:

- (a) Call to Order
- (b) Pledge of Allegiance
- (c) Approval of Agenda
- (d) Public Comment on Non-Agenda Items
- (e) Approval of Minutes
- (f) Public Hearing Items
- (g) Consideration of **other** Agenda Items



- (h) ~~Discussion Items~~ **Old Business**
- (i) Other Business
- (j) Planning Commissioner Comments
- (k) Adjournment

**2.5 Noticing.** All public hearing items shall be noticed pursuant to the **Michigan Open Meetings Act and the Zoning Enabling Act, Planning Enabling Act, or any other applicable statute under which the public hearing is being held.**

A copy of the meeting agenda and all related material shall be provided to each member of the Planning Commission prior to the scheduled meeting.

**2.6 Public Hearings.** The absence of the applicant or a representative of the applicant at the scheduled public hearing may result in a postponement of proceedings. The absence of the applicant or a representative at the postponed public hearing shall be treated as the voluntary withdrawal of the application by the applicant. Public hearings conducted by the Planning Commission shall be run in an orderly and timely fashion, which shall be accomplished by adhering to the following public hearing procedure:

(a) **Opening Announcement.** The Chairperson shall give an official opening announcement of the public hearing indicating the basic nature of the request.

(b) **Order of Hearing.** The Chairperson shall conduct the public hearing in the following order:

- (1) Presentation of the application by Township staff (staff report presentation).
- (2) Questions from Planning Commission to Township staff.
- (3) Comments and explanations by the applicant.
- (4) Questions from Planning Commission to the applicant.
- (5) Opening of Public Hearing, comments from public.
- (6) Closing of Public Hearing to public comments.
- (7) Planning Commission deliberation.
- (8) Consideration of action by the Planning Commission.

(c) **Public Input.** All regular and special meetings, hearings, and records shall be open to the public. All persons present at a meeting shall be given an opportunity to speak and present any relevant information or evidence at such meeting in accordance with the following rules:

- (1) All public comment shall be received only during the public comment portion of the meeting, i.e., at such time(s) during the meeting that the Chairperson asks for public comment on the item of business.

- (2) All public comment offered during the meeting shall be directed and relevant to the item of business on which the meeting is being conducted.
  - (3) All public comment shall be limited to four (4) minutes in duration per person unless special permission has been granted in advance by the Chair of the meeting.
  - (4) Public comment shall not be repetitive, irrelevant, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business.
  - (5) The Chair of the meeting shall terminate any public comment which is in contravention of any of the principles and procedures set forth herein.
- (d) **Presentation of Application.** The Chair shall recognize Township staff and request a presentation of their staff report. The staff report will outline the applicants request, the specific sections of the Zoning Ordinance related to the request, and the regulations that are impacted by the subject request. At the conclusion of the staff report, the Chair will ask the Planning Commission members if they have any questions of staff. Once all questions have been answered, the Chair will then ask the applicant to provide a concise summary of the reasons for their request and respond to questions raised by the Planning Commission.
- (e) **Opening of Hearing to Floor.** The Chair then opens the public hearing to comments from the floor, reminds the public of the rules of conduct, and indicates that once a person has been recognized by the Chair, they are invited to give their name and address and a concise statement of their concerns and/or input. In the event of a large hearing, the Chair may encourage groups in attendance to be represented by a spokesperson. The Chair may elect during the course of public comments to obtain brief answers from the Township staff or from the applicant if such comments may expedite the hearing. The Chair shall accept for the official record any documentation received by the Planning Commission regarding the matter at hand and shall read and/or summarize these materials.
- (f) **Closing the Public Hearing.** When all public comments have been received the Chair shall close the public hearing. After the public hearing is closed, no further comments shall be received from the public.
- (g) **Consideration of the Matter by the Planning Commission.** Once the public hearing has been closed to public comments, the Chair may recognize any Planning Commission member to discuss and seek additional information from others concerning the matter at hand. Planning Commission members shall address the Chair when speaking and shall request additional information through the Chair. When discussion on the matter at hand by the Planning Commission has been completed, they may take action.

**2.7 Motions.** Motions shall be restated by the Chair before a vote is taken. The names of the maker and ~~supporter of a~~ who seconded the motion shall be recorded.

A motion shall include the action and any conditions imposed, and reasons supporting the motion.

Motions to table or adjourn a matter to a future meeting shall include the date, time, and place at which the matter will be further considered.

- 2.8 Voting.** ~~Voting shall be by voice and shall be recorded by yeas and nays.~~ An affirmative vote of the majority of the Planning Commission shall be required for the approval, denial, or tabling of any requested action or motion. Voting shall ordinarily be by voice vote; provided however that a roll call vote shall be required if requested by any Planning Commission member or directed by the Chair. All members of the Planning Commission, including the Chair, shall vote on all matters, but the Chair shall vote last in any roll call vote. Any member may be excused from voting only if that person has a bona fide conflict of interest. Any member abstaining from a vote based on a conflict of interest shall not participate in the discussion of that item.
- 2.9 Decision.** The Planning Commission will arrive at a decision concerning an application with all deliberate speed, and the results of the decision, as well as the reasons therefore, will be clearly set forth in the official minutes of the Planning Commission.
- 2.10 Notice of Decision.** A written notice, prepared by Township staff or their designee, containing the decision of the Planning Commission will be sent to the applicant.
- 2.11 Site Visit.** The Planning Commission reserves the right to view together as a Commission the real property which may be the subject of its review before arriving at its decision. Notice of site visits conducted as a Planning Commission shall be given pursuant to the Open Meetings Act or any other applicable statute.

### **Section 3.0 PUBLIC HEARINGS**

#### **~~3.1 Procedure.~~**

- ~~(a) Introduction of agenda item~~
- ~~(b) Presentation of request summary and staff recommendations by Planning Department~~
- ~~(c) Applicant representation~~
- ~~(d) Public comment~~
- ~~(e) Planning Commission deliberation~~
- ~~(f) Motion~~
- ~~(g) Planning Commission comments on motion~~
- ~~(h) Vote~~

#### **~~3.2 Site Visit.~~** The Planning Commission reserves the right to view together as a Commission the real property which may be the subject of its review before arriving at its decision.

~~Notice of site visits conducted as a Planning Commission shall be given pursuant to the Open Meetings Act or any other applicable statute.~~

~~**3.3 Decision.** The Planning Commission will arrive at a decision concerning an application with all deliberate speed, and the results of the decision, as well as the reasons therefore, will be clearly set forth in the official minutes of the Planning Commission.~~

#### **SECTION 4.0 3.0: MINUTES**

**3.1 Responsibility.** Minutes shall be prepared by the Recorder of Minutes designated by the Planning Commission. ~~The Recorder of Minutes shall be appointed by the Planning Commission and may be an employee or contractor of the Township, or a member of the Planning Commission.~~ **If a contractor of the Township, the Recorder of Minutes shall be recommended by the Planning Commission and approved by the Township Board.**

The Recorder of Minutes is responsible for keeping a written record, in the English language, of the resolutions, transactions, findings, and determinations of the Planning Commission, which shall be a public record subject to the provisions of the Michigan Freedom of Information Act, Public Act 442 of 1976, as amended. Within eight (8) days from the date of the Planning Commission meeting, copies of the tentative minutes shall be available at the Township office.

**3.2 Content.** The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and recording of votes; complete statement of the conditions made on any action; and recording of attendance.

**3.3 Approval Process.** Upon receipt of a copy of the tentative minutes, each member of the Planning Commission shall review the minutes for form and content. Planning Commission action shall be taken indicating approval of same, with all, if any, corrections.

At such time as the minutes are approved at a meeting of the Planning Commission, the same shall become the official minutes of the Planning Commission and shall be filed with the Township Clerk's office.

#### **SECTION 5.0 4.0: MATTERS TO BE CONSIDERED BY THE PLANNING COMMISSION**

**4.1** The following matters shall be presented for consideration at a meeting of the Planning Commission.

- (a) Development of an amendment to a master land use plan.
- (b) Establishment of zoning districts and the boundaries thereof.
- (c) Zoning Ordinance text with the necessary maps and zoning regulations for each zoning district.

- (d) Requests and proposals for changes in the Zoning Ordinance.
- (e) All planning documents, reports and plans.
- (f) Special ~~Exception~~ Use Permit/Site Plan Review requests.
- (g) Land subdivision plats and condominiums.
- (h) Such other matters as the Planning Director shall find it advisable to receive Planning Commission consideration.

**SECTION ~~6.0~~ 5.0: CONFLICT OF INTEREST**

**5.1 Adherence.** The Planning Commission shall adhere to the provisions set forth in the **Charter Township of Oshtemo Charter Township** Planning Commission Enabling Ordinance, being Ordinance No. 503, regarding conflict of interest identified below:

*If a Planning Commission member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Planning Commission. Failure of a member to disclose a conflict of interest as required by the Planning Commission Enabling Ordinance shall constitute malfeasance in office.*

**5.2 Conflict of Interest Defined.** For purposes of this section, conflict of interest is defined as, and a Planning Commission member shall declare a conflict of interest and abstain from participating in Planning Commission deliberations and vote on a request, when:

- (a) An immediate family member is involved in any request for which the Planning Commission is asked to make a decision. "Immediate family member" is defined as spouse, significant other, mother, father, sister, brother, son or daughter, including an adopted child, and in-laws.
- (b) The Planning Commission member has a business or financial interest in the property **or project** involved in the request or has a business or financial interest **greater than five one percent** in the applicant's company, agency or association.
- (c) The Planning Commission member owns or has a financial interest in neighboring property. For purposes of this section, neighboring property shall include any property ~~immediately adjoining~~ **within 300 feet of** the property involved in the request.
- (d) There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the Planning Commission.

## SECTION 6.0: ABSENCES, REMOVALS, AND RESIGNATIONS

- 6.1 Absence.** To be excused, Planning Commission members shall notify the Planning Director, Planning Commission Chair, or the Township Clerk when they intend to be absent from a meeting. Failure to make this notification will result in an unexcused absence.
- 6.2 Removals.** Members of the Planning Commission may be removed by a vote of the Township Board of Trustees after a public hearing for nonperformance of duty, misconduct in office, or failure to declare a conflict of interest. For the purposes of this section, nonperformance of duty shall mean two or more consecutive, unexcused absences. Notice of nonperformance of duty, misconduct in office, or failure to declare a conflict of interest shall be brought to the Township Board of Trustees for a public hearing by the Township Supervisor.
- 6.3 Resignation.** A member may resign from the Planning Commission by sending a letter of resignation to the Township Supervisor, Planning Director, or Planning Commission Chair.

## SECTION 7.0: PLANNING COMMISSION STAFF

- 7.1 Authorization.** The Planning Commission staff shall consist of the Planning Director, Township Attorney, and such other personnel as may be authorized by the Township Board.
- 7.2 General Responsibility.** The Planning Director, or their designee, shall be responsible for the professional and administrative work ~~in that assists with~~ directing and coordinating ~~the program~~ of the Planning Commission ~~agendas~~.
- 7.3 Duties.** The Planning Director, or their designee, shall:
- (a) Advise and assist the Planning Commission in the establishment of general planning policy.
  - (b) **Provide information and generally** make recommendations on matters presented for Planning Commission consideration.
  - (c) Officially represent the Planning Commission and the Planning Department at planning conferences, interdepartmental meetings of the township government, intergovernmental meetings, and serve generally as a liaison between the Planning Commission and the public.
  - (d) Cooperate with public and private agencies and with individuals for the development, acceptance, and effectuation of plans.
  - (e) Supply information for and encourage interested public agencies and citizen organization involvement in programs to promote public understanding and approval of planning and zoning.
  - (f) Prepare an annual written report concerning the Planning Commission's operations and activities and any recommendations to the Township Board.

**SECTION 8.0: CONFLICTING PROVISIONS**

**8.1** In the event of a conflict of provisions between these by-laws and the Township Zoning Ordinance, the provisions of the Zoning Ordinance shall prevail.

**SECTION ~~8.0~~ 9.0: AMENDMENTS**

**9.1** These ~~rules~~ by-laws may be adopted and amended at any regular or special meeting of the Planning Commission by a two-thirds vote of the members present. By-law amendments shall be subject to final approval by the Township Board of Trustees.

**THESE BY-LAWS WERE RECOMMENDED FOR APPROVAL BY THE CHARTER TOWNSHIP OF OSHTEMO PLANNING COMMISSION DURING ITS REGULAR MEETING HELD ON THE 8<sup>th</sup> DAY OF AUGUST, 2019.**

**THESE BYLAWS WERE DULY ADOPTED BY THE CHARTER TOWNSHIP OF OSHTEMO BOARD DURING ITS REGULAR MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

# Memo



To: Oshtemo Charter Township Board  
From: Julie Johnston, AICP  
Date: November 6, 2018  
Mtg. Date: November 13, 2018  
Subject: Autumn Grove Site Condominium – Request for Step 3 Approval

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## **OBJECTIVE**

Consideration of final plan approval (Step 3) for the Autumn Grove Site Condominium.

## **BACKGROUND**

### Process Synopsis

The first approval for the Autumn Grove site condominium, tentative preliminary plan approval (Step 1), was granted by the Township Board on January 10, 2017. This step approved the general layout of the project, for example building site size, street layout, location of public infrastructure, etc. The second step was preliminary plan approval, which is a detailed engineering plan for the development. Step 2 was approved on November 13, 2018. The applicant was then allowed to construct the project's infrastructure. The current request before the Township Board is to consider approval of the Step 3 final (as-built) plans for the Autumn Grove project.

### Project Overview

The applicant seeks to develop an 18-unit single-family home site condominium, located at 2083 North 9<sup>th</sup> Street. The site in question is an approximate 8.8-acre parcel with 80 feet of frontage on North 9<sup>th</sup> Street. The subject property is located on the west side of the road, around 300 feet north of the intersection of Wyndham and North 9<sup>th</sup>. The property is currently undeveloped and is flanked to the west by the Country Trail Homesites subdivision, to the east by the Wyndham Wood subdivision and a few unplatted parcels, and by long, narrow unplatted parcels to the north and south. Largely devoid of trees, a mature fence row is present at the north and west boundaries of the subject property. There are no water features, wetlands, significant woodlands, or extreme slopes present on the property.

Within the parent parcel, which extends west approximately 1,300 feet from North 9<sup>th</sup> Street, the applicant is proposing one main east-west road named Asher Trail, terminating in a cul-de-sac 125 feet from the west property line, and two stub streets that spur off from Asher Trail, one to the north, and one to the



south. Building sites within the proposed development are equally distributed along the north and south sides of Asher Trail, with the single drainage basin located between sites five and six. The applicant has stated that the roads are to be public, and each site within the development is to be served by public water and sanitary sewer.

### Ordinance Compliance

- **Site Size:** Section 50.10 of the Zoning Ordinance, *Area Requirements*, dictates that any single-family building site located within a condominium development in the R-2 zoning district and served by public sewer and water must be at least 10,560 square feet in size. The presented plan meets this requirement, with an average building site size of approximately 14,500 square feet, and all sites are at least 100 feet wide at the front building setback line.
- **Motorized and pedestrian circulation:** Proposed to be served by a three-element public road network, all 18 building sites will have frontage on Asher Trail, which terminates at its west end in a cul-de-sac. Clemson Lane and Banford Drive, per the Township's condominium development requirements, will stub out at the parent parcel's north and south boundaries, respectively. These two proposed stub streets are meant to facilitate future interconnection, should either of the adjacent properties ever be subdivided or condominiumized.

Asher Trail will connect to North 9<sup>th</sup> Street approximately 300 feet north of the latter's intersection with Wyndham Drive to the east. This design complies with Township standards, which requires at least 200 feet of spacing in such arrangements. Dead end street and block lengths within the development are acceptable, with the centerline measurement from Banford Drive to the Asher Trail cul-de-sac being 621 linear feet, where a maximum of 660 feet is allowed. The applicant has also submitted the proposed street layout to the Road Commission of Kalamazoo County, who have approved the as-built plans. In addition, the street names were reviewed by the Kalamazoo County Planning Department who had no objections to the proposed names.

Per Township requirements, the developer is proposing public sidewalks on both sides of all public rights-of-way. During Planning Commission tentative preliminary plan review, the applicant agreed to provide pedestrian crossings on Asher Trail on both sides of Clemson Lane and Banford Drive. While such a request may seem excessive given the proposed site condominium's relative isolation from other developments, staff feels that if adjacent properties are ever developed, then having a more robust nonmotorized network already in place helps to ensure that future public health, safety, and general welfare are considered.

Sidewalks along the public spaces have not yet been constructed. The private utilities are still under construction, which is delaying the development of the sidewalks. The developer has indicated their intention of completing the sidewalks as soon as the private utilities are installed. In the interim, they have provided a letter of credit to cover the costs of the sidewalks, which is permitted by the Site Condominium Ordinance.

- **Treatment of natural features:** This project was submitted under the old Subdivision/Condominium Ordinance, which did not have strict language with regards to the protection of natural features, stating

that they “should be preserved insofar as possible.” Staff urged the applicant to keep as many trees on site as is feasible. One reason being that the preservation of the existing fence row will act as at least partial screening between this development and adjacent properties. Aside from the aforementioned trees, there are no other known areas of ecological sensitivity on the subject property, as the land has long since been cleared for agricultural use—any slopes are fairly gentle and no regulated wetlands, water bodies, or streams are present.

As a part of this development, the applicant will have to plant at least one canopy tree per 50 feet of road frontage on each building site. While no such plantings are graphically illustrated on the proposed plan, intention to comply with this requirement is explicitly spelled out in a text note on page one of the site plan.

- **Street lighting:** Street lights will be installed at Autumn Grove. The applicant has provided documentation from Consumers Energy that these utilities will be constructed. In addition, the applicant has provided the Township with the necessary documentation, indicating their willingness to have the development included in the street lighting special assessment district.

### Engineering Review

The Township’s engineering consultant, Prein & Newhof, indicated that the sanitary sewer has been installed and passed all required testing. The as-builts are acceptable and will be incorporated into the Township’s GIS. In addition, the City of Kalamazoo has provided documentation that they have signed off on the as-built water plans.

### Final Concerns

Staff did a walk through with the developer on August 2<sup>nd</sup> and noted some items that still need to be resolved or managed through the construction of the homes. These items are as follows:

1. Noted that the vegetative cover was very poor and that as soon as the fall seeding schedule returned, that a second seeding should be done.
2. Silt fencing should be retained until suitable permanent controls such as heathy vegetative cover is established.
3. Storm inlets and protective silt fabric will need to be monitored and inspected after each storm in accordance with the SESC plan.
4. The storm water management system includes a series of check dams along the north property line to control erosion and encourage upland infiltration. The current check dams are improperly constructed and need to be adjusted to prevent by-pass and erosive wash out.
5. The basin has collected sediments which will need to be removed once the seeding and permanent erosion controls are established.

6. Fencing needs to be installed around the basin.

In addition to the items noted above, there were some conditions of approval from the Step 2 process that need to be included in any consideration of final approval. They have been added to the recommendation noted below.

### **STAFF RECOMMENDATION**

Township staff recommend approval of the Autumn Grove Site Condominium Final Plan (Step 3), with the following conditions:

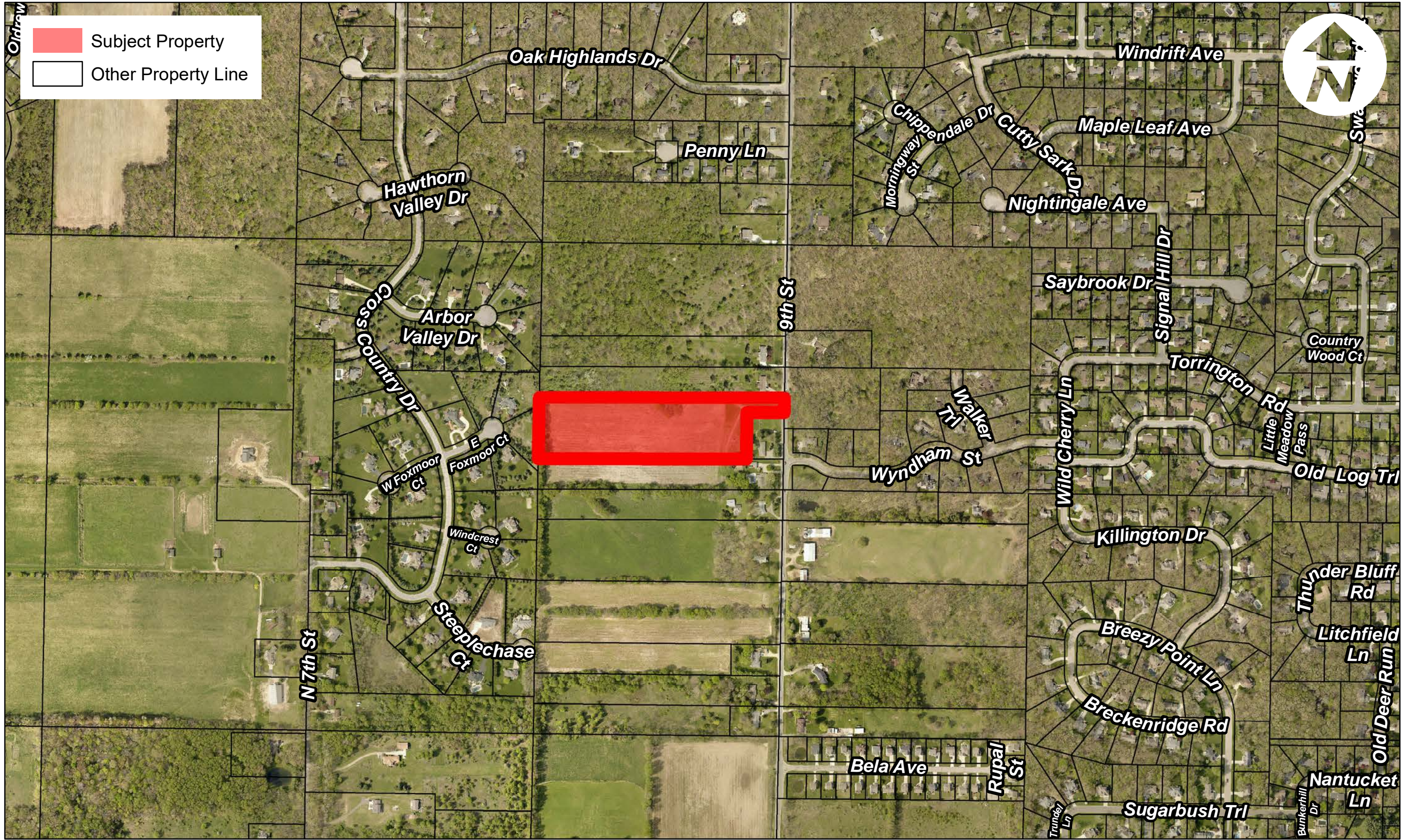
1. A second seeding of the site shall be completed during the fall of this year and silt fencing shall be retained until suitable permanent controls such as healthy vegetative cover is established.
2. The basin has collected sediments which will need to be removed once the seeding and permanent erosion controls are established.
3. The fencing around the basin needs to be installed prior to the issuance of a building permit for home construction.
4. Units 5 and 6 shall be the last units constructed. Construction of units 5 and 6 shall be deferred until the remaining condo development is substantially built-out and earth changes stabilized with permanent soil erosion control treatments.
5. Prior to proceeding with units 5 and 6, the storm water basin and other system elements shall be inspected and evaluated for functional serviceability or maintenance needs. Maintenance needs and/or other discovered deficiencies shall be corrected in advance of proceeding with units 5 or 6.
6. State, County and Township soil erosion control standards and applied soil erosion control measures shall be closely adhered to throughout construction and unit development. Said controls shall be especially focused upon preventing migration of soil fines into the basin. Storm inlets and protective silt fabric will need to be monitored and inspected after each storm in accordance with the SESC plan.
7. The current check dams of the storm water management system are improperly constructed and need to be adjusted to prevent by-pass and erosive wash out prior to the construction of any homes.
8. At the Township's discretion, a third-party may be contracted to assist the Township in carrying out its oversight authority for soil erosion controls and protection of the storm water storage and disposal basin. Township costs for these services shall be recoverable from the developer.

9. At the developer's/condominium owners' expense, a third-party, engineering professional shall complete a performance evaluation of the stormwater storage and disposal system. Oshtemo Township shall have the right to approve the engineer engaged to perform this service. This system evaluation shall be performed annually while the project is under development, and once during each of the five years immediately following build out. After the first five-year period is completed, this evaluation shall be completed once every five years. Upon developing experience with system performance, the Township may lessen the frequency of evaluation or choose to suspend this requirement.

#### **INFORMATION PROVIDED**

- Aerial Map
- Final Condominium Plan
- Agency Approval Letters/Emails
- Lighting Special Assessment District Letter

# Autumn Grove Site Condominium Proposed Location



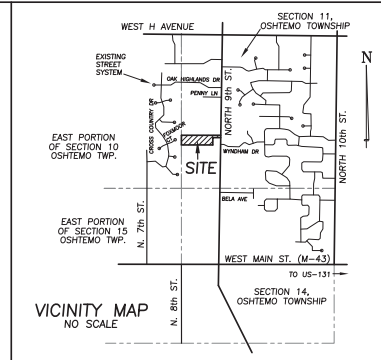
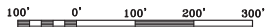
0 500 1,000 2,000 Feet

# Autumn Grove Site Condominium Subject Property

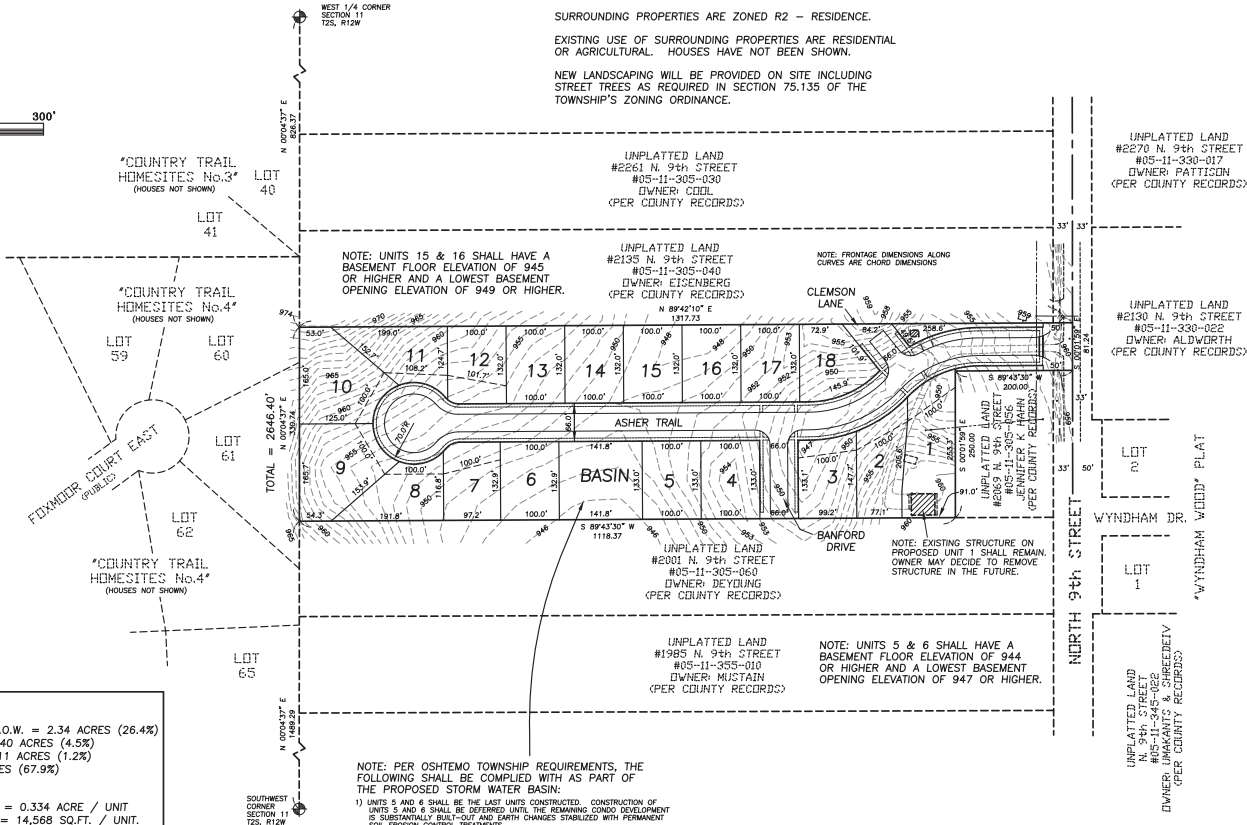


0 125 250 500 Feet

# CONSTRUCTION PLANS for "AUTUMN GROVE" SITE CONDOMINIUM in OSHTEMO TOWNSHIP



NOTE:  
SURROUNDING PROPERTIES ARE ZONED R2 - RESIDENCE.  
EXISTING USE OF SURROUNDING PROPERTIES ARE RESIDENTIAL OR AGRICULTURAL. HOUSES HAVE NOT BEEN SHOWN.  
NEW LANDSCAPING WILL BE PROVIDED ON SITE INCLUDING STREET TREES AS REQUIRED IN SECTION 75.135 OF THE TOWNSHIP'S ZONING ORDINANCE.



- ### GENERAL NOTES
- 1) PROPERTY IS CURRENTLY ZONED R-2.
  - 2) CONDOMINIUM INCLUDES 18 SINGLE FAMILY UNITS ON 8.87 ACRES.
  - 3) SHOWN PROPERTY LINE DIMENSIONS TAKEN FROM 2017 BOUNDARY SURVEY OF PROPERTY BY THIS OFFICE.
  - 4) SUBJECT PROPERTY IS PRIMARILY AN AGRICULTURAL FIELD.
  - 5) SHOWN TOPOGRAPHICAL INFORMATION BASED ON 2017 FIELD MAPPING BY THIS OFFICE.
  - 6) THERE ARE NO DESIGNATED WETLANDS OR FLOOD PLANS ON THE PROPERTY.
  - 7) EXISTING HOUSES ON NEIGHBORING PROPERTIES HAVE NOT BEEN SHOWN.
  - 8) SIZE AND LOCATION OF FUTURE DWELLINGS WITHIN EACH UNIT NOT YET KNOWN.
  - 9) SITE SHALL BE SERVED WITH PUBLIC WATER MAIN. WATER MAIN SYSTEM SHALL CONNECT TO EXISTING MAIN IN NORTH 9TH STREET.
  - 10) SITE SHALL BE SERVED WITH PUBLIC SANITARY SEWER. SEWER SYSTEM SHALL CONNECT TO EXISTING SEWER IN NORTH 9TH STREET.
  - 11) PROPOSED STREETS HAVE A MINIMUM RIGHT OF WAY WIDTH OF 66.0' AND SHALL BE PUBLIC. STREETS SHALL BE OWNED AND MAINTAINED BY THE COUNTY. IMPROVED SURFACE SHALL BE 30' WIDE FROM BACK TO BACK WITH BITUMINOUS VALLEY GUTTER ON EACH SIDE OF ROAD. ROADS SHALL BE BUILT TO ROAD COMMISSION STANDARDS (3" OF PAVEMENT ON TOP OF 6" OF GRAVEL BASE ON TOP OF GRANULAR SUB-BASE).
  - 12) PROPOSED STORM SEWER SYSTEM WITHIN THE ROAD RIGHT OF WAY SHALL BE PUBLIC AND OWNED AND MAINTAINED BY THE COUNTY / ROCK. THE PROPOSED STORM WATER RETENTION BASIN AND THE STORM SEWER OUTSIDE OF THE ROAD RIGHT-OF-WAY SHALL BE PRIVATE AND OWNED AND MAINTAINED BY THE CONDOMINIUM ASSOCIATION (THE STORM WATER BASIN SHALL BE DESIGNED AND CONSTRUCTED TO MEET TOWNSHIP ENGINEER APPROVAL).
  - 13) PUBLIC UTILITIES (GAS, ELECTRIC, ETC) SHALL BE PLACED UNDERGROUND AND SHALL BE LOCATED OUTSIDE OF THE ROAD RIGHT OF WAY WITHIN 10' WIDE EASEMENT WITHIN FRONT 10' OF EACH UNIT.
  - 14) AT ALL INTERSECTIONS, A CLEAR VISION AREA SHALL BE PROVIDED IN ACCORDANCE WITH STANDARD REQUIREMENTS.
  - 15) PROPOSED STREET NAMES ARE PRELIMINARY AND ARE SUBJECT TO TOWNSHIP AND COUNTY APPROVAL.

**R-2 ZONING INFORMATION:**  
MINIMUM 10,560 SQ.FT. UNIT AREA  
MINIMUM 100' UNIT WIDTH  
MINIMUM 30' FRONT YARD SETBACK  
MINIMUM 10' SIDE YARD SETBACK  
MINIMUM 15' REAR YARD SETBACK

NOTE: ALL PROPOSED UNITS HAVE AN AREA OF AT LEAST 10,560 SQUARE FEET AND HAVE A WIDTH OF AT LEAST 100.00' MEASURED ALONG THE FRONT SETBACK LINE.

**SITE DATA:**  
TOTAL AREA = 8.87 ACRES  
AREA FOR EXISTING/PROPOSED PUBLIC R.O.W. = 2.34 ACRES (26.4%)  
AREA FOR PROPOSED STORM BASIN = 0.40 ACRES (4.5%)  
AREA FOR PROPOSED OPEN SPACE = 0.11 ACRES (1.2%)  
AREA FOR PROPOSED UNITS = 6.02 ACRES (67.9%)  
TOTAL # OF UNITS = 18

NET DENSITY = 6.02 ACRES / 18 UNITS = 0.334 ACRE / UNIT  
= 14,568 SQ.FT. / UNIT.

**PARCEL DESCRIPTION:** (PER CERTAIN COUNTY RECORDS)  
TOWNSHIP OF OSHTEMO, COUNTY OF KALAMAZOO AND STATE OF MICHIGAN:  
SEC 11-2-12 S 10 ACRES OF N 35 ACRES OF THE NW 1/4 OF THE SW 1/4 EXCEPTING THE SOUTH 250 FT OF E 200 FT THEREOF. 1989 SPLIT FROM 11-305-050

NOTE: PER OSHTEMO TOWNSHIP REQUIREMENTS, THE FOLLOWING SHALL BE COMPLIED WITH AS PART OF THE PROPOSED STORM WATER BASIN:

- 1) UNITS 5 AND 6 SHALL BE THE LAST UNITS CONSTRUCTED. CONSTRUCTION OF UNITS 5 AND 6 SHALL BE DEFERRED UNTIL THE REMAINING CONDO DEVELOPMENT IS SUBSTANTIALLY BUILT-OUT AND EARTH CHANGES STABILIZED WITH PERMANENT SOIL EROSION CONTROL TREATMENTS.
- 2) PRIOR TO PROCEEDING WITH UNITS 5 AND 6, THE STORM WATER BASIN AND OTHER SYSTEM ELEMENTS SHALL BE INSPECTED AND EVALUATED FOR FUNCTIONAL SERVICEABILITY AND MAINTENANCE NEEDS. MAINTENANCE NEEDS AND/OR OTHER DISCOVERED DEFICIENCIES SHALL BE CORRECTED IN ADVANCE OF PROCEEDING WITH UNITS 5 AND 6.

NOTE: AS CONSTRUCTION PROCEEDS, CONTRACTOR SHALL NOTIFY GOVERNING AGENCIES RESPONSIBLE FOR CONSTRUCTION INSPECTION:

PUBLIC ROADWAYS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARD SPECIFICATIONS OF THE ROAD COMMISSION OF KALAMAZOO COUNTY (TRCC).

PUBLIC WATER MAIN SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARD SPECIFICATIONS OF THE CITY OF KALAMAZOO.

PUBLIC SANITARY SEWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARD SPECIFICATIONS OF OSHTEMO TOWNSHIP / PREIN & NEUHOFF (KALAMAZOO OFFICE).

ALL SIDEWALKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARD SPECIFICATIONS OF OSHTEMO TOWNSHIP.

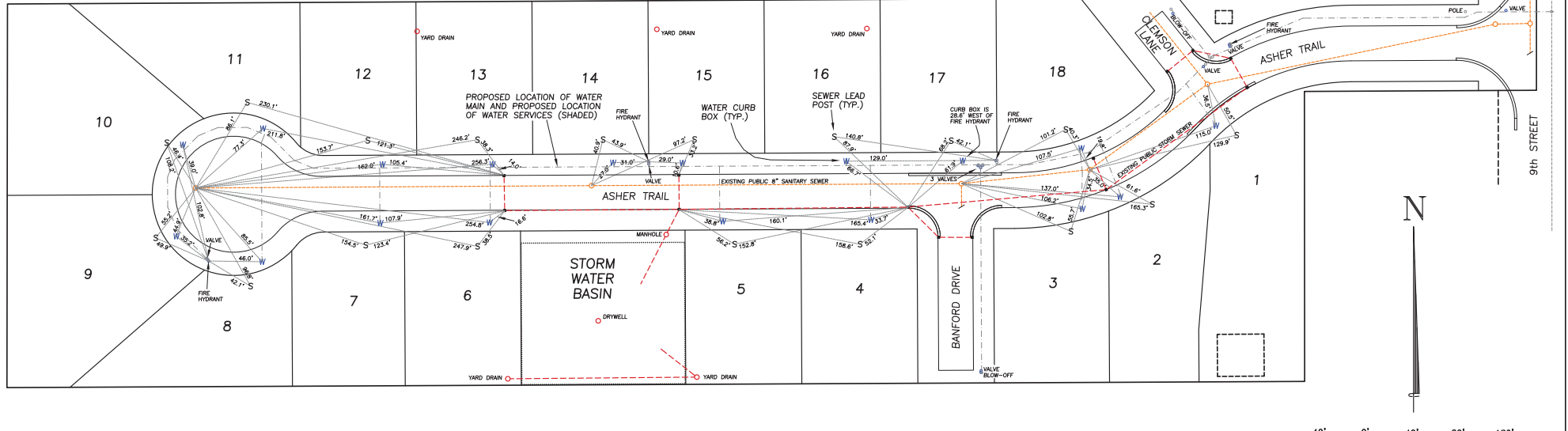
**OWNER & APPLICANT:**  
**WESTVIEW CAPITAL, LLC**  
2186 EAST CENTRE STREET  
PORTAGE, MI 49002  
(269) 321-2610

COVER SHEET "AUTUMN GROVE"		DATE:
PART OF THE SW 1/4 OF SECTION 11, T. 2 S., R. 12 W., OSHTEMO TWP., KALAMAZOO COUNTY, MI		04/09/2017
Ingersoll, Watson & McMachen, Inc.		SHEET: 1
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS		JOB NO.:
1209 East Milliken Road • Portage, Michigan 49002 • Phone 269 344-6165 • Fax 269 344-0555		36554



TIE DISTANCES (FROM FIELD SURVEY WORK BY THIS OFFICE)

NOTE: SHOWN TIE DISTANCES ARE FROM SEWER LEAD POST OR WATER CURB BOX TO CENTER OF FIRE HYDRANT, CENTER OF MANHOLE LID, OR CENTER OF CATCH BASIN GRATE.



SANITARY LATERAL INFORMATION (PROVIDED BY PREIN & NEWHOF of KALAMAZOO, MICHIGAN)

<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 11</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 230.1'                  Sanitary Run End: 211.8'                  Sanitary Run Length: 18.3'</p> <p>Manhole: 11                  Manhole: 12</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 12</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 211.8'                  Sanitary Run End: 191.3'                  Sanitary Run Length: 20.5'</p> <p>Manhole: 12                  Manhole: 13</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 13</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 191.3'                  Sanitary Run End: 154.4'                  Sanitary Run Length: 36.9'</p> <p>Manhole: 13                  Manhole: 14</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 14</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 154.4'                  Sanitary Run End: 129.0'                  Sanitary Run Length: 25.4'</p> <p>Manhole: 14                  Manhole: 15</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 15</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 129.0'                  Sanitary Run End: 107.9'                  Sanitary Run Length: 21.1'</p> <p>Manhole: 15                  Manhole: 16</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 16</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 107.9'                  Sanitary Run End: 85.5'                  Sanitary Run Length: 22.4'</p> <p>Manhole: 16                  Manhole: 17</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 17</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 85.5'                  Sanitary Run End: 61.6'                  Sanitary Run Length: 23.9'</p> <p>Manhole: 17                  Manhole: 18</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 18</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 61.6'                  Sanitary Run End: 38.8'                  Sanitary Run Length: 22.8'</p> <p>Manhole: 18                  Manhole: 19</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>
<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 7</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 230.1'                  Sanitary Run End: 211.8'                  Sanitary Run Length: 18.3'</p> <p>Manhole: 7                  Manhole: 8</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 8</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 211.8'                  Sanitary Run End: 191.3'                  Sanitary Run Length: 20.5'</p> <p>Manhole: 8                  Manhole: 9</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 9</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 191.3'                  Sanitary Run End: 154.4'                  Sanitary Run Length: 36.9'</p> <p>Manhole: 9                  Manhole: 10</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 10</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 154.4'                  Sanitary Run End: 129.0'                  Sanitary Run Length: 25.4'</p> <p>Manhole: 10                  Manhole: 11</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 11</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 129.0'                  Sanitary Run End: 107.9'                  Sanitary Run Length: 21.1'</p> <p>Manhole: 11                  Manhole: 12</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 12</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 107.9'                  Sanitary Run End: 85.5'                  Sanitary Run Length: 22.4'</p> <p>Manhole: 12                  Manhole: 13</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 13</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 85.5'                  Sanitary Run End: 61.6'                  Sanitary Run Length: 23.9'</p> <p>Manhole: 13                  Manhole: 14</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>	<p><b>Sanitary Lateral Record</b></p> <p>Project: 174808                  Block: 8                  Parcel: Asher Drive                  Survey: 12/19/18                  Sanitary: 12/19/18                  Lateral: 12/19/18                  Lot: 14</p> <p>Sanitary Run Description: 12" CPVC                  Sanitary Run Start: 61.6'                  Sanitary Run End: 38.8'                  Sanitary Run Length: 22.8'</p> <p>Manhole: 14                  Manhole: 15</p> <p>Notes: <b>Field only elevation of lateral prior to construction.</b></p> <p>Location Sketch: </p> <p>Prein&amp;Newhof</p>

TIE DISTANCES FOR SEWER LATERALS AND WATER SERVICES  
 "AUTUMN GROVE"  
 PART OF THE SW 1/4 OF SECTION 11, OSHTEMO TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN

DATE: 8/15/2019  
 SHEET: 1B  
 JOB NO: 36554

**Ingersoll, Watson & McMachen, Inc.**  
 CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS

1209 East Wilham Road - Portage, Michigan 49802 • Phone 269 344-6165 • Fax 269 344-0555

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**LEGEND**

- PROPOSED FIRE HYDRANT ASSEMBLY (8" x 8" TEE, 6" GATE VALVE, & HYD.)
- PROPOSED STOP SIGN/STREET SIGN
- SUGGESTED LOCATION OF PROPOSED STREET LIGHT
- PROPOSED 5.0' WIDE CONCRETE SIDEWALK

SCALES:  
 PLAN VIEW: 1" = 40'  
 PROFILE VIEW: 1" = 40' HORIZONTAL  
 1" = 4' VERTICAL

NOTE: ALL STREET LIGHTS SHALL BE AT LEAST 6.0' OFF BACK OF CURBING AND SHALL BE "BREAK-AWAY DESIGN".

NOTE: ALL STREET SIGNAGE SHALL BE PER R.C.K.C. REQUIREMENTS AND PER THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.

NOTE: R.C.K.C. PERMANENT ELEVATION BENCHMARK SHALL BE INSTALLED PRIOR TO FINAL APPROVAL.

**GENERAL NOTES:**  
 1) SOIL EROSION & SEDIMENTATION CONTROL PERMIT SHALL BE OBTAINED AS REQUIRED BY STATE LAW.  
 2) PERMIT(S) SHALL BE OBTAINED FROM THE ROAD COMMISSION OF KALAMAZOO COUNTY AS REQUIRED.  
 3) M.D.E.Q. CONSTRUCTION PERMITS REQUIRED (FOR BOTH PUBLIC WATER MAIN & PUBLIC SANITARY SEWER) PRIOR TO THE COMMENCEMENT OF UTILITY INSTALLATION.

NOTE: BETWEEN STA 0+50 AND STA 2+12, THE EASEMENT FOR PUBLIC UTILITIES ON THE NORTH SIDE AND THE SOUTH SIDE OF THE PUBLIC ROAD RIGHT OF WAY IS LESS THAN 10 FEET WIDE. IT IS INTENDED THAT GAS, ELECTRIC, TELEPHONE AND CABLE TV LINES WILL BE LOCATED WITHIN THE SPECIFIED EASEMENT AREA. THE EASEMENT WIDTH VARIES.

NOTE: SAWCUTTING OF 9th STREET WILL BE REQUIRED IF OPEN CUT.

CAUTION:  
 U/G UTILITIES

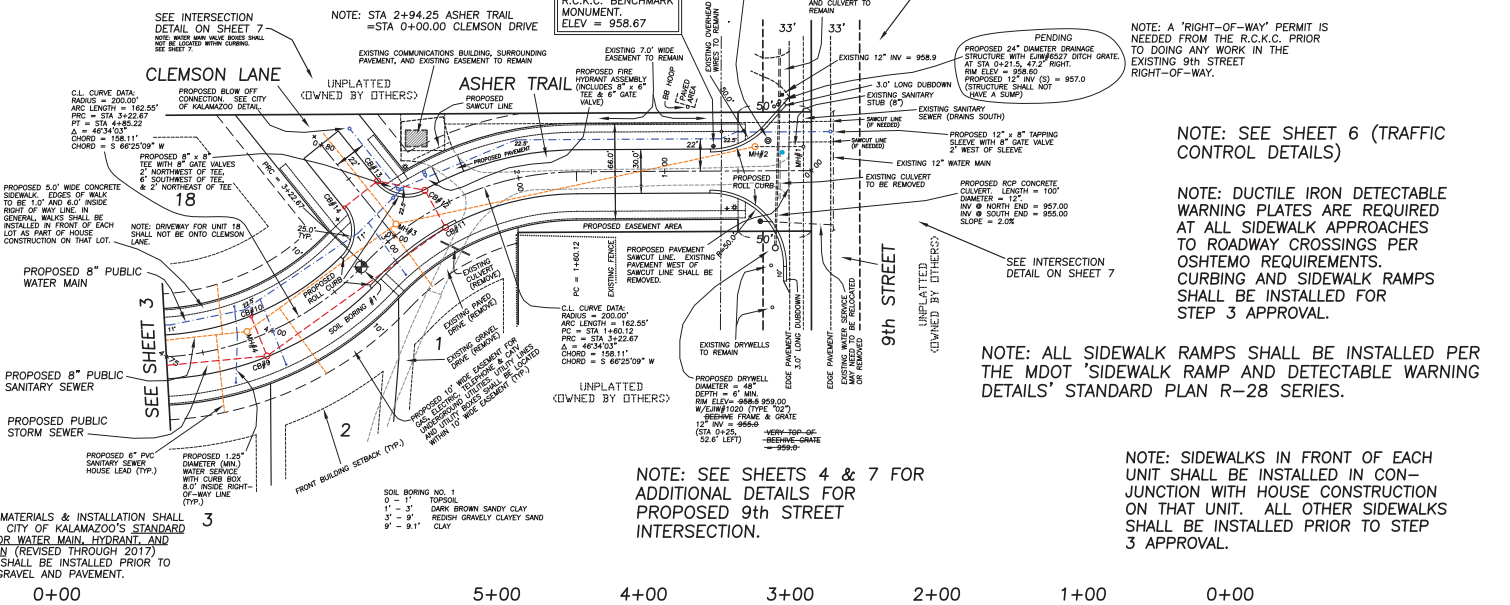
NOTE: A "RIGHT-OF-WAY" PERMIT IS NEEDED FROM THE R.C.K.C. PRIOR TO DOING ANY WORK IN THE EXISTING 9th STREET RIGHT-OF-WAY.

NOTE: SEE SHEET 6 (TRAFFIC CONTROL DETAILS)

NOTE: DUCTILE IRON DETECTABLE WARNING PLATES ARE REQUIRED AT ALL SIDEWALK APPROACHES TO ROADWAY CROSSINGS PER OSHTEMO REQUIREMENTS. CURBING AND SIDEWALK RAMPS SHALL BE INSTALLED FOR STEP 3 APPROVAL.

NOTE: ALL SIDEWALK RAMPS SHALL BE INSTALLED PER THE MDT 'SIDEWALK RAMP AND DETECTABLE WARNING DETAILS' STANDARD PLAN R-28 SERIES.

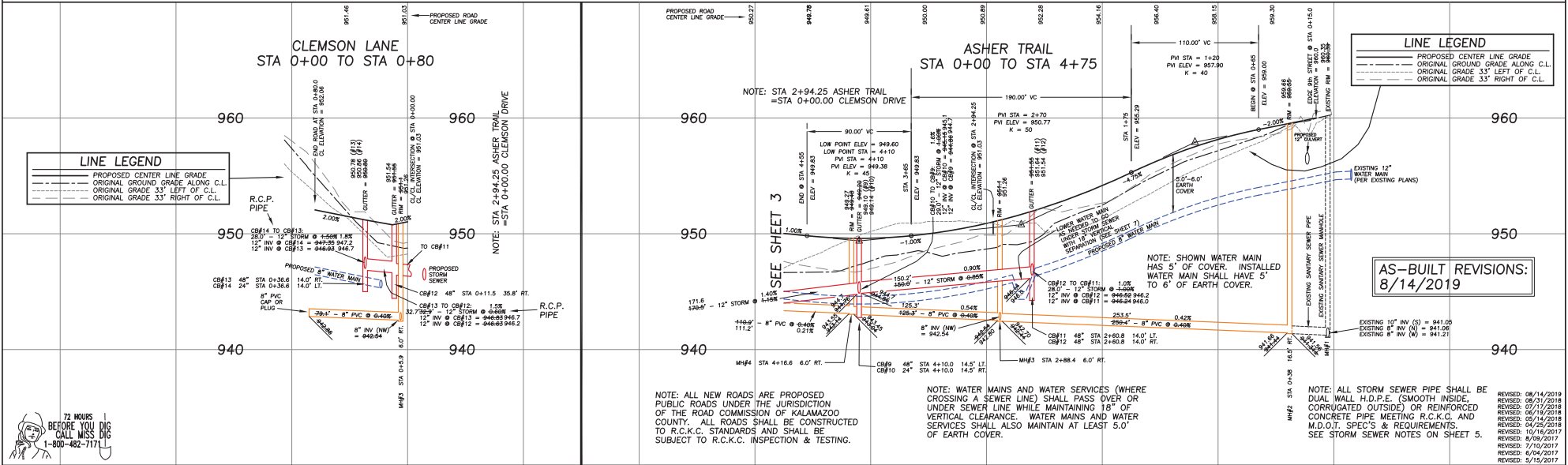
NOTE: SIDEWALKS IN FRONT OF EACH UNIT SHALL BE INSTALLED IN CON-JUNCTION WITH HOUSE CONSTRUCTION ON THAT UNIT. ALL OTHER SIDEWALKS SHALL BE INSTALLED PRIOR TO STEP 3 APPROVAL.



**WATER MAIN NOTES:**  
 1) ALL WATER MAIN MATERIALS & INSTALLATION SHALL COMPLY WITH THE CITY OF KALAMAZOO'S STANDARD SPECIFICATIONS FOR WATER MAIN, HYDRANT, AND VALVE INSTALLATION (REVISED THROUGH 2017)  
 2) WATER SERVICES SHALL BE INSTALLED PRIOR TO INSTALLATION OF GRAVEL AND PAVEMENT.

NOTE: SEE SHEETS 4 & 7 FOR ADDITIONAL DETAILS FOR PROPOSED 9th STREET INTERSECTION.

2+00 1+00 0+00 5+00 4+00 3+00 2+00 1+00 0+00



**LINE LEGEND**  
 — PROPOSED CENTER LINE GRADE  
 - - - ORIGINAL GROUND GRADE ALONG C.L.  
 - - - ORIGINAL GRADE 33' LEFT OF C.L.  
 - - - ORIGINAL GRADE 33' RIGHT OF C.L.

**LINE LEGEND**  
 — PROPOSED CENTER LINE GRADE  
 - - - ORIGINAL GROUND GRADE ALONG C.L.  
 - - - ORIGINAL GRADE 33' LEFT OF C.L.  
 - - - ORIGINAL GRADE 33' RIGHT OF C.L.

**AS-BUILT REVISIONS:**  
 8/14/2019

NOTE: ALL NEW ROADS ARE PROPOSED PUBLIC ROADS UNDER THE JURISDICTION OF THE ROAD COMMISSION OF KALAMAZOO COUNTY. ALL ROADS SHALL BE CONSTRUCTED TO R.C.K.C. STANDARDS AND SHALL BE SUBJECT TO R.C.K.C. INSPECTION & TESTING.

NOTE: WATER MAINS AND WATER SERVICES (WHERE CROSSING A SEWER LINE) SHALL PASS OVER OR UNDER SEWER LINE WHILE MAINTAINING 18" OF VERTICAL CLEARANCE. WATER MAINS AND WATER SERVICES SHALL ALSO MAINTAIN AT LEAST 5.0' OF EARTH COVER.

NOTE: ALL STORM SEWER PIPE SHALL BE DUAL WALL H.D.P.E. (SMOOTH INSIDE, CORRUGATED OUTSIDE) OR REINFORCED CONCRETE PIPE MEETING R.C.K.C. AND M.D.O.T. SPEC'S & REQUIREMENTS. SEE STORM SEWER NOTES ON SHEET 5.



REVISED: 08/14/2019  
 REVISED: 09/31/2018  
 REVISED: 07/17/2018  
 REVISED: 06/19/2018  
 REVISED: 04/25/2018  
 REVISED: 10/16/2017  
 REVISED: 8/09/2017  
 REVISED: 7/10/2017  
 REVISED: 6/04/2017  
 REVISED: 5/15/2017

NOTE: ALL SIDEWALK RAMPS SHALL BE INSTALLED PER THE MDT 'SIDEWALK RAMP AND DETECTABLE WARNING DETAILS' STANDARD PLAN R-28 SERIES.

- GENERAL NOTES:
- 1) SOIL EROSION & SEDIMENTATION CONTROL PERMIT SHALL BE OBTAINED AS REQUIRED BY STATE LAW.
  - 2) PERMIT(S) SHALL BE OBTAINED FROM THE ROAD COMMISSION OF KALAMAZOO COUNTY AS REQUIRED.
  - 3) M.D.E.C. CONSTRUCTION PERMITS REQUIRED (FOR BOTH PUBLIC WATER MAIN & PUBLIC SANITARY SEWER) PRIOR TO THE COMMENCEMENT OF UTILITY INSTALLATION.

- WATER MAIN NOTES:
- 1) ALL WATER MAIN MATERIALS & INSTALLATION SHALL COMPLY WITH THE CITY OF KALAMAZOO'S STANDARD SPECIFICATIONS FOR WATER MAIN, HYDRANT, AND VALVE INSTALLATION (REVISED THROUGH 2017).
  - 2) WATER SERVICES SHALL BE INSTALLED PRIOR TO INSTALLATION OF GRAVEL AND PAVEMENT.

LEGEND

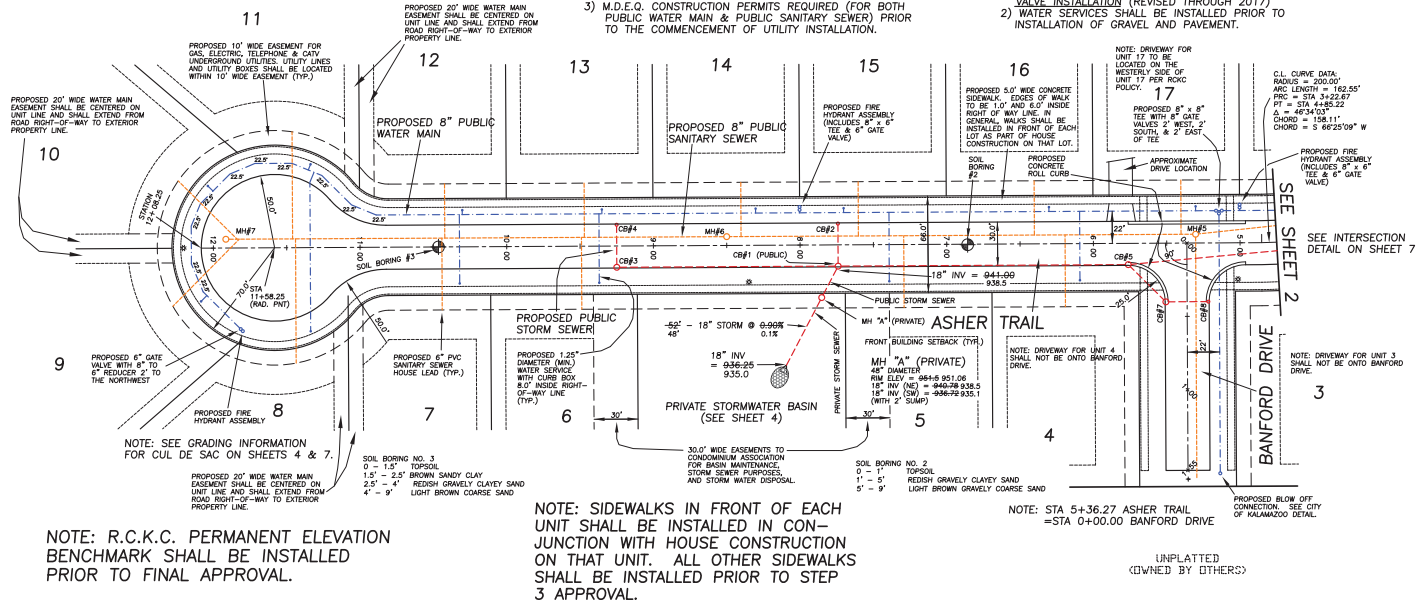
- PROPOSED FIRE HYDRANT ASSEMBLY (8" x 8" TEE, 6" GATE VALVE, & HYD.)
- PROPOSED STOP SIGN/STREET SIGN, OR STREET SIGN
- SUGGESTED LOCATION OF PROPOSED STREET LIGHT
- PROPOSED 5.0' WIDE CONCRETE SIDEWALK

NOTE: DUCTILE IRON DETECTABLE WARNING PLATES ARE REQUIRED AT ALL SIDEWALK APPROACHES TO ROADWAY CROSSINGS PER OSHTOMO REQUIREMENTS. CURBING AND SIDEWALK RAMPS SHALL BE INSTALLED FOR STEP 3 APPROVAL.

SCALES:  
 PLAN VIEW: 1" = 40'  
 PROFILE VIEW: 1" = 40' HORIZONTAL  
 1" = 4' VERTICAL

NOTE: ALL STREET LIGHTS SHALL BE AT LEAST 6.0' OFF BACK OF CURBING AND SHALL BE "BREAK-AWAY DESIGN".

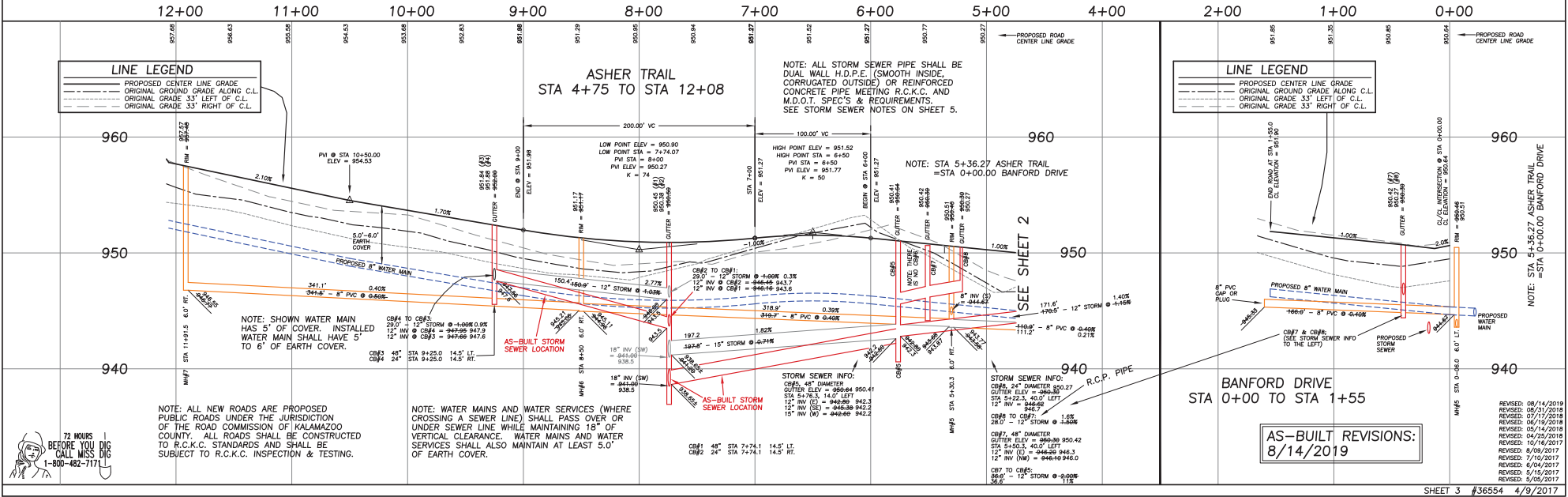
NOTE: ALL STREET SIGNAGE SHALL BE PER R.C.K.C. REQUIREMENTS AND PER THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.



NOTE: R.C.K.C. PERMANENT ELEVATION BENCHMARK SHALL BE INSTALLED PRIOR TO FINAL APPROVAL.

NOTE: SIDEWALKS IN FRONT OF EACH UNIT SHALL BE INSTALLED IN CONJUNCTION WITH HOUSE CONSTRUCTION ON THAT UNIT. ALL OTHER SIDEWALKS SHALL BE INSTALLED PRIOR TO STEP 3 APPROVAL.

NOTE: STA 5+36.27 ASHER TRAIL = STA 0+00.00 BANFORD DRIVE



NOTE: ALL NEW ROADS ARE PROPOSED PUBLIC ROADS UNDER THE JURISDICTION OF THE ROAD COMMISSION OF KALAMAZOO COUNTY. ALL ROADS SHALL BE CONSTRUCTED TO R.C.K.C. STANDARDS AND SHALL BE SUBJECT TO R.C.K.C. INSPECTION & TESTING.

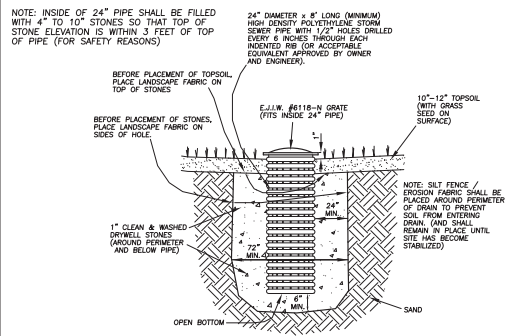
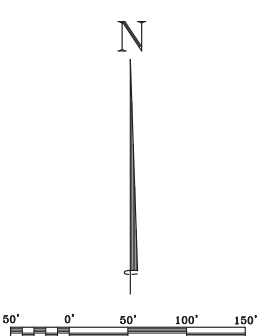
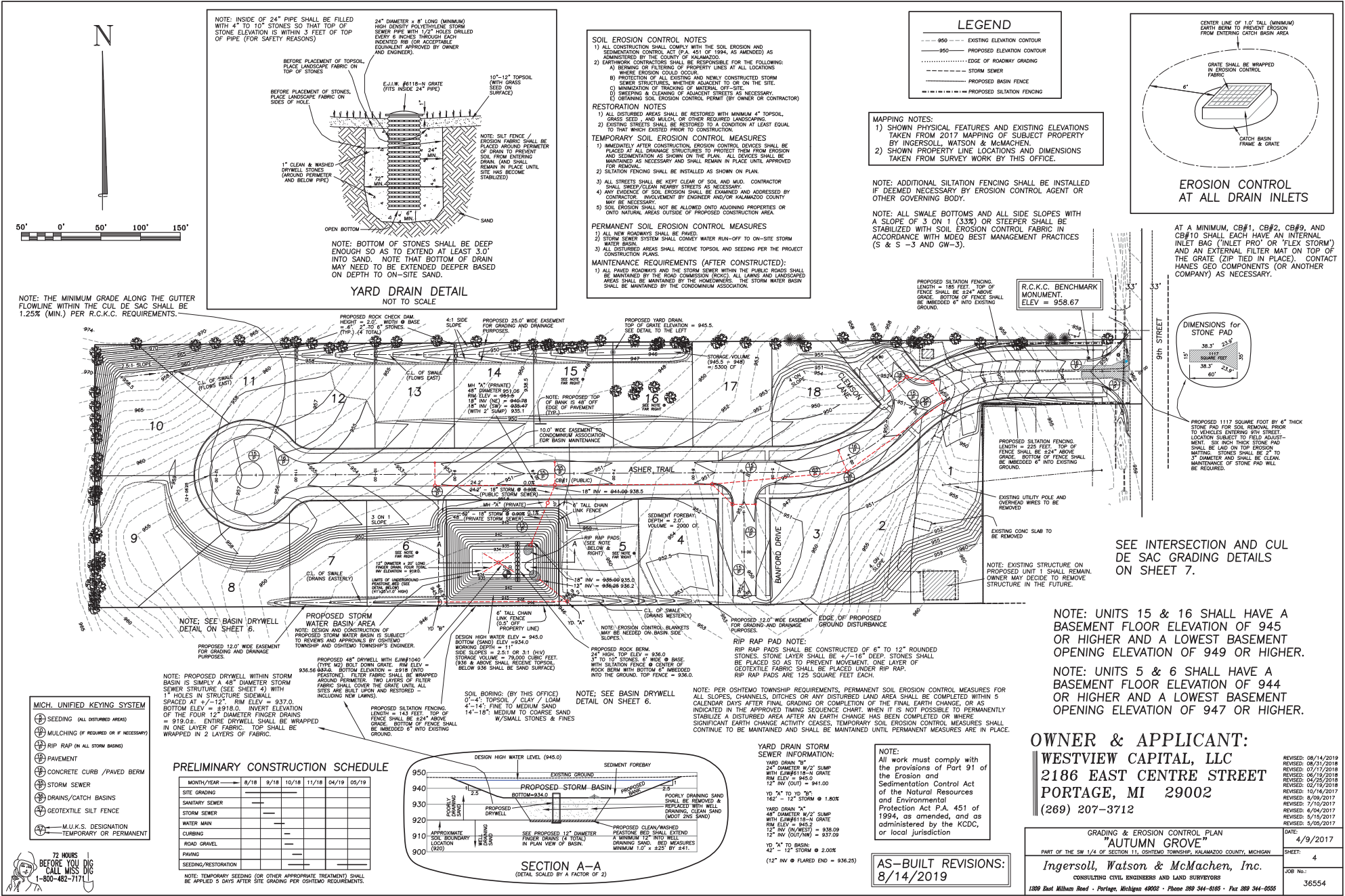
NOTE: WATER MAINS AND WATER SERVICES (WHERE CROSSING A SEWER LINE) SHALL PASS OVER OR UNDER SEWER LINE WHILE MAINTAINING 18" OF VERTICAL CLEARANCE. WATER MAINS AND WATER SERVICES SHALL ALSO MAINTAIN AT LEAST 5.0' OF EARTH COVER.

NOTE: ALL STORM SEWER PIPE SHALL BE DUAL WALL H.D.P.E. (SMOOTH INSIDE, CORRUGATED OUTSIDE) OR REINFORCED CONCRETE PIPE MEETING R.C.K.C. AND M.D.O.T. SPEC'S & REQUIREMENTS. SEE STORM SEWER NOTES ON SHEET 5.

NOTE: STA 5+36.27 ASHER TRAIL = STA 0+00.00 BANFORD DRIVE

AS-BUILT REVISIONS:  
 8/14/2019

- REVISED: 08/14/2019
- REVISED: 08/15/2018
- REVISED: 07/17/2018
- REVISED: 06/19/2018
- REVISED: 05/16/2018
- REVISED: 04/25/2018
- REVISED: 03/16/2017
- REVISED: 03/09/2017
- REVISED: 7/10/2017
- REVISED: 6/04/2017
- REVISED: 5/19/2017
- REVISED: 5/05/2017



**SOIL EROSION CONTROL NOTES**

- 1) ALL CONSTRUCTION SHALL COMPLY WITH THE SOIL EROSION AND SEDIMENTATION CONTROL ACT (P.A. 451 OF 1994, AS AMENDED) AS ADMINISTERED BY THE COUNTY OF KALAMAZOO.
- 2) EXISTING CONTRACTORS SHALL BE RESPONSIBLE FOR THE FOLLOWING:
  - A) BERMING OR FILTERING OF PROPERTY LINES AT ALL LOCATIONS WHERE EROSION COULD OCCUR.
  - B) PROTECTION OF ALL EXISTING AND NEWLY CONSTRUCTED STORM SEWER STRUCTURES, WHETHER ADJACENT TO OR ON THE SITE.
  - C) MINIMIZATION OF TRACKING OF MATERIAL OFF-SITE.
  - D) SWEEPING & CLEANING OF ADJACENT STREETS AS NECESSARY.
  - E) OBTAINING SOIL EROSION CONTROL PERMIT BY OWNER OR CONTRACTOR.

**RESTORATION NOTES**

- 1) ALL DISTURBED AREAS SHALL BE RESTORED WITH MINIMUM 4" TOPSOIL, GRASS SEED, AND MULCH OR OTHER REQUIRED LANDSCAPING.
- 2) EXISTING STREETS SHALL BE RESTORED TO A CONDITION AT LEAST EQUAL TO THAT WHICH EXISTED PRIOR TO CONSTRUCTION.

**TEMPORARY SOIL EROSION CONTROL MEASURES**

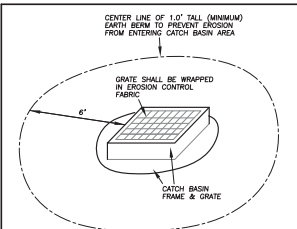
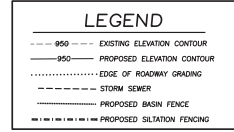
- 1) ALL NEW ROADWAYS SHALL BE PAVED.
- 2) STORM SEWER SYSTEM SHALL CONVEY WATER RUN-OFF TO ON-SITE STORM CONSTRUCTION.
- 3) ALL DISTURBED AREAS SHALL RECEIVE TOPSOIL AND SEEDING PER THE PROJECT CONSTRUCTION.

**PERMANENT SOIL EROSION CONTROL MEASURES**

- 1) ALL NEW ROADWAYS SHALL BE PAVED.
- 2) STORM SEWER SYSTEM SHALL CONVEY WATER RUN-OFF TO ON-SITE STORM CONSTRUCTION.
- 3) ALL DISTURBED AREAS SHALL RECEIVE TOPSOIL AND SEEDING PER THE PROJECT CONSTRUCTION.

**MAINTENANCE REQUIREMENTS (AFTER CONSTRUCTED):**

- 1) ALL PAVED ROADWAYS AND THE STORM SEWER WITHIN THE PUBLIC ROADS SHALL BE MAINTAINED BY THE ROAD USER. ALL UNPAVED AREAS SHALL BE MAINTAINED BY THE HOMEOWNER. THE STORM WATER BASIN SHALL BE MAINTAINED BY THE CONDOMINIUM ASSOCIATION.



**MAPPING NOTES:**

- 1) SHOWN PHYSICAL FEATURES AND EXISTING ELEVATIONS TAKEN FROM 2017 MAPPING OF SUBJECT PROPERTY BY INGERSOLL, WATSON & MCMACHERN.
- 2) SHOWN PROPERTY LINE LOCATIONS AND DIMENSIONS TAKEN FROM SURVEY WORK BY THIS OFFICE.

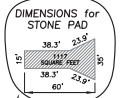
NOTE: ADDITIONAL SILTATION FENCING SHALL BE INSTALLED IF DEEMED NECESSARY BY EROSION CONTROL AGENT OR OTHER GOVERNING BODY.

NOTE: ALL SWALE BOTTOMS AND ALL SIDE SLOPES WITH A SLOPE OF 3 ON 1 (33%) OR STEEPER SHALL BE STABILIZED WITH SOIL EROSION CONTROL FABRIC IN ACCORDANCE WITH MDEQ BEST MANAGEMENT PRACTICES (S & S -3 AND GW-3).

R.C.C.C. BENCHMARK  
ELEV = 958.67

**EROSION CONTROL AT ALL DRAIN INLETS**

AT A MINIMUM, CB#1, CB#2, CB#9, AND CB#10 SHALL EACH HAVE AN INTERNAL INLET BAG ("INLET PRO" OR "FLEX STORM") AND AN EXTERNAL FILTER MAT ON TOP OF THE GRATE (ZIP TIED IN PLACE). CONTACT HANES GEO COMPONENTS (OR ANOTHER COMPANY) AS NECESSARY.



PROPOSED SILTATION FENCING: LENGTH = 185 FEET. TOP OF FENCE SHALL BE 224" ABOVE GRADE. BOTTOM OF FENCE SHALL BE 6" INTO EXISTING GROUND.

PROPOSED SILTATION FENCING: LENGTH = 225 FEET. TOP OF FENCE SHALL BE 224" ABOVE GRADE. BOTTOM OF FENCE SHALL BE 6" INTO EXISTING GROUND.

PROPOSED SILTATION FENCING: LENGTH = 225 FEET. TOP OF FENCE SHALL BE 224" ABOVE GRADE. BOTTOM OF FENCE SHALL BE 6" INTO EXISTING GROUND.

NOTE: EXISTING UTILITY POLE AND OVERHEAD WIRES TO BE REMOVED.

EXISTING CONC SLAB TO BE REMOVED.

NOTE: EXISTING STRUCTURE ON PROPOSED UNIT 1 SHALL REMAIN. OWNER MAY DECIDE TO REMOVE STRUCTURE IN THE FUTURE.

SEE INTERSECTION AND CUL DE SAC GRADING DETAILS ON SHEET 7.

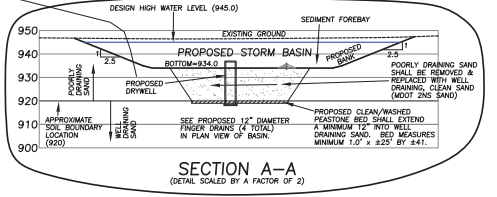
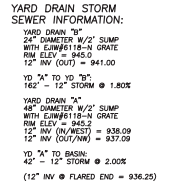
NOTE: UNITS 15 & 16 SHALL HAVE A BASEMENT FLOOR ELEVATION OF 945 OR HIGHER AND A LOWEST BASEMENT OPENING ELEVATION OF 949 OR HIGHER.

NOTE: UNITS 5 & 6 SHALL HAVE A BASEMENT FLOOR ELEVATION OF 944 OR HIGHER AND A LOWEST BASEMENT OPENING ELEVATION OF 947 OR HIGHER.

**OWNER & APPLICANT:**  
**WESTVIEW CAPITAL, LLC**  
 2186 EAST CENTRE STREET  
 PORTAGE, MI 29002  
 (269) 207-3712

REVISED: 08/14/2019
REVISED: 08/21/2018
REVISED: 07/17/2018
REVISED: 06/25/2018
REVISED: 05/19/2018
REVISED: 10/16/2017
REVISED: 8/10/2017
REVISED: 5/15/2017
REVISED: 5/05/2017

**NOTE:**  
 All work must comply with the provisions of Part 91 of the Erosion and Sedimentation Control Act of the Natural Resources and Environmental Protection Act P.A. 451 of 1994, as amended, and as administered by the KCDC, or local jurisdiction.



**PRELIMINARY CONSTRUCTION SCHEDULE**

MONTH/YEAR	8/18	9/18	10/18	11/18	04/19	05/19
SITE GRADING						
SANITARY SEWER						
STORM SEWER						
WATER MAIN						
CURBING						
ROAD GRAVEL						
PAVING						
SEEDING/RESTORATION						

NOTE: TEMPORARY SEEDING (OR OTHER APPROPRIATE TREATMENT) SHALL BE APPLIED 5 DAYS AFTER SITE GRADING PER OSHTIMO REQUIREMENTS.

- MICH. UNIFIED KEYING SYSTEM**
- (S) SEEDING (ALL DISTURBED AREAS)
  - (M) MULCHING (OF REQUIRED OR IF NECESSARY)
  - (R) RIP RAP (ON ALL STORM BASINS)
  - (P) PAVEMENT
  - (C) CONCRETE CURB / PAVED BERM
  - (S) STORM SEWER
  - (B) DRAINS/CATCH BASINS
  - (G) GEOTEXTILE SILT FENCE
  - (M) M.U.K.S. DESIGNATION - TEMPORARY OR PERMANENT

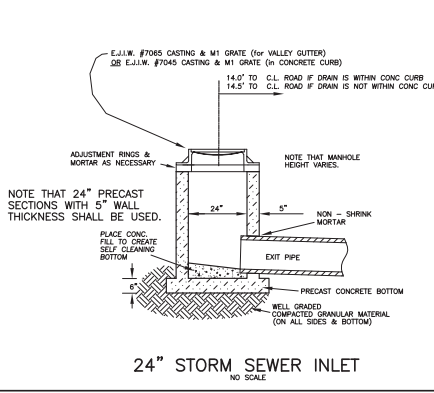
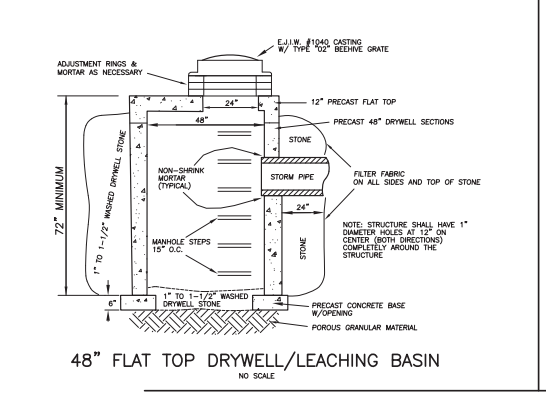
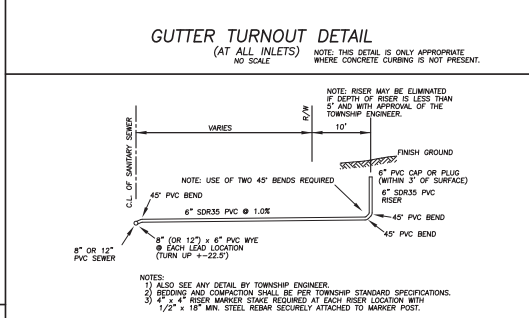
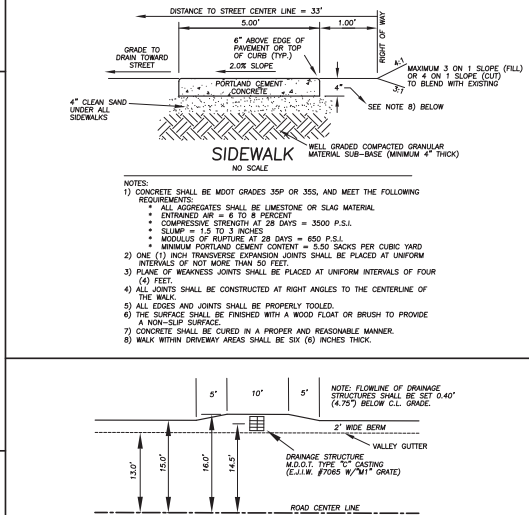
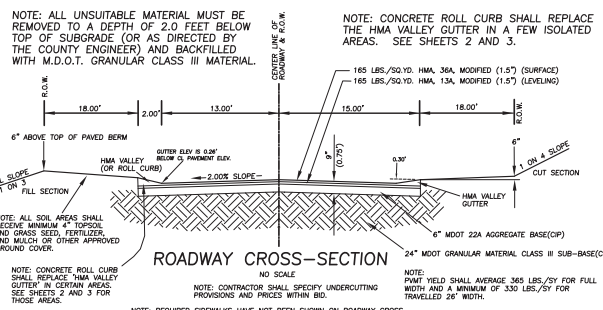
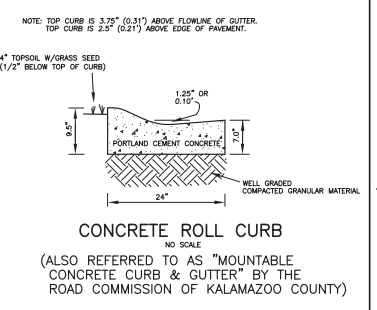
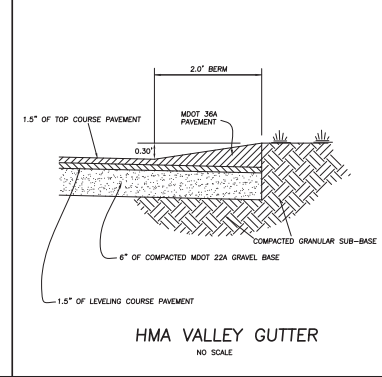
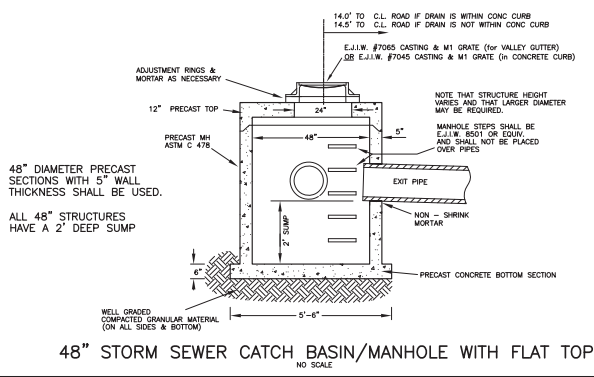
72 HOURS BEFORE YOU DIG  
 CALL MISS DIG  
 1-800-482-7171

**AS-BUILT REVISIONS:**  
 8/14/2019

GRADING & EROSION CONTROL PLAN  
**"AUTUMN GROVE"**  
 PART OF THE SW 1/4 OF SECTION 11, OSHTIMO TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN  
**Ingersoll, Watson & McMachen, Inc.**  
 CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS  
 1209 East Wilham Road - Portage, Michigan 49002 - Phone 269 344-6165 - Fax 269 344-0556

DATE: 4/9/2017  
 SHEET: 4  
 JOB NO.:  
 36554

## CONSTRUCTION DETAILS



## CONSTRUCTION NOTES

- GENERAL NOTES**
- CONTRACTOR SHALL NOTIFY MISS DIG AT 1-800-482-7171 72 HOURS PRIOR TO THE START OF CONSTRUCTION.
  - LOCATIONS OF UNDERGROUND UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. ADDITIONAL UNDERGROUND UTILITIES MAY EXIST ON THIS SITE WHICH ARE NOT SHOWN ON THESE PLANS. CONTRACTOR SHALL BE RESPONSIBLE TO LOCATE AND IDENTIFY ALL UTILITIES ON SITE, WHETHER SHOWN ON THESE PLANS OR NOT.
  - CONTRACTOR SHALL PROTECT ALL SIGNS, TRAFFIC LIGHTS, BARRICADES, ETC. NECESSARY TO PROVIDE FOR PUBLIC SAFETY DURING CONSTRUCTION.
  - ALL CONSTRUCTION SHALL BE SUBJECT TO CONSTRUCTION INSPECTION & APPROVAL BY THE ENGINEER A MINIMUM OF 48 HOURS PRIOR TO THEIR ACTUAL NEED.
  - IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH ALL UTILITY COMPANIES FOR THE PROTECTION AND/OR RELOCATION OF EXISTING UTILITIES.
  - ALL MATERIALS PLACED DURING CONSTRUCTION SHALL BE IN NEW CONDITION, SHALL BE FREE FROM DEFECTS AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE OWNER AND THE ROAD COMMISSION.
  - ALL CONSTRUCTION SHALL BE SUBJECT TO CONSTRUCTION INSPECTION & APPROVAL.
  - THE R.C.C.K. WILL REQUIRE A PRE-CONSTRUCTION MEETING PRIOR TO THE START OF CONSTRUCTION.

- CONSTRUCTION NOTES**
- ALL PIPE LENGTH DISTANCES ARE FROM CENTER TO CENTER OF STRUCTURE.
  - ALL PIPING AND BACKFILLING FOR UTILITIES SHALL COMPLY WITH APPLICABLE REQUIREMENTS.
  - ALL CONSTRUCTION SHALL COMPLY WITH ALL LOCAL, STATE, AND FEDERAL RULES, REGULATIONS, AND LAWS.

- SANITARY SEWER NOTES**
- ALL SANITARY SEWER PIPE SHALL BE 8" OR 6" SDR35 PVC AND SHALL COMPLY WITH ASTM D 3034. PIPE SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S RESTRICTIONS.
  - ALL 8" SANITARY SEWER INSTALLATION, ALL SANITARY SEWER MANHOLE CONSTRUCTION AND ALL OTHER SANITARY SEWER CONSTRUCTION WITHIN THE PROPOSED FUTURE PUBLIC ROAD SHALL CONFORM WITH OSHTM TOWNSHIP REQUIREMENTS AND SPECIFICATIONS AND SHALL BE SUBJECT TO THEIR INSPECTION AND APPROVAL.

- STORM SEWER NOTES**
- COMPACTED POLYETHYLENE PIPE (PE) SHALL BE A15-H-MANCO, OR EQUIV. (QUAL WILL SMOOTH INSIDE, COMPACTED OUTSIDE, NO PERFORATIONS, PREMIUM JOINTS) AND SHALL COMPLY WITH ASTM D 2665. 24" PE SHALL BE INSTALLED IN ACCORDANCE WITH ROAD COMMISSION/MSD REQUIREMENTS AND SPEC'S.
  - ALL STORM SEWER PIPE SHALL BE INSTALLED WITH A MINIMUM 3" OF COMPACTED EARTH COVER DURING CONSTRUCTION.
  - REINFORCED CONCRETE STORM SEWER PIPE SHALL BE C-75 CLASS IV (MDOT TYPE 3) AND SHALL COMPLY WITH ROAD COMMISSION OF KALAMAZOO COUNTY AND MDOT SPEC'S.
  - ALL 48" DIAMETER DRAINAGE STRUCTURES SHALL BE CONSTRUCTED WITH A 2" SLUMP.

- WATER MAIN NOTES**
- PROPOSED WATER MAIN SHALL BE A PUBLIC CITY OF KALAMAZOO WATER MAIN WITH A PROPOSED EASEMENT TO THE CITY OF KALAMAZOO IF REQUIRED. ALL FINAL WATER MAIN DESIGN SHALL BE BY THE CITY OF KALAMAZOO. HYDRANT LOCATIONS REQUIRE APPROVAL FROM OSHTM TOWNSHIP.

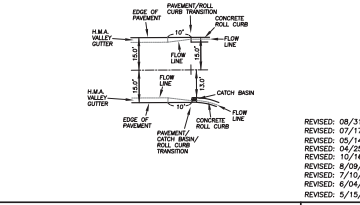
- SOIL EROSION CONTROL NOTES (ALSO SEE SHEET 4)**
- ALL CONSTRUCTION SHALL COMPLY WITH THE SOIL EROSION AND SEDIMENTATION CONTROL ACT (ACT 451, P.A. 1994, AS AMENDED) AS ADMINISTERED BY KALAMAZOO COUNTY.
  - EARTHWORK CONTRACTORS SHALL BE RESPONSIBLE FOR THE FOLLOWING:
    - BEYOND OR FILTERING OF PROPOSED LINES AT ALL LOCATIONS WHERE EROSION COULD OCCUR.
    - PROTECTION OF EXISTING AND NEWLY CONSTRUCTED STORM SEWER STRUCTURES, WHETHER ADJACENT TO OR ON THE SITE.
    - MINIMIZATION OF TRACKING OF MATERIAL OFF-SITE.
    - STORMING & CLEANING OF ADJACENT STREETS AS NECESSARY, OBTAINING SOIL EROSION CONTROL PERMIT.

- RESTORATION NOTES**
- ALL DISTURBED AREAS SHALL BE RESTORED WITH MINIMUM 4" TOPSOIL, GRASS SEED, AND MULCH.
  - ALL SEEDING AND RESTORATION SHALL COMPLY WITH M.D.O.T. AND R.C.C.K. SPECIFICATIONS AND REQUIREMENTS.
  - EXISTING STREETS SHALL BE RESTORED TO A CONDITION AT LEAST EQUAL TO THAT WHICH EXISTED PRIOR TO CONSTRUCTION.

- PRIVATE UTILITY NOTES**
- UNDERGROUND ELECTRIC, NATURAL GAS, TELEPHONE, AND CABLE TV PRIVATE UTILITIES SHALL BE SIZED & INSTALLED BY UTILITY OWNERS.

- TREE AND BRUSH REMOVAL NOTES**
- TREES, STUMPS, BRUSH AND OTHER VEGETATIVE MATERIAL SHALL BE REMOVED FROM CONSTRUCTION AREA AND DISPOSED OF BY CONTRACTOR. MATERIAL SHALL BE DISPOSED OF BY A METHOD WHICH MEETS OWNER'S APPROVAL AND COMPLIES WITH GOVERNING BODY REQUIREMENTS.

## PAVEMENT / ROLL CURB TRANSITION DETAILS

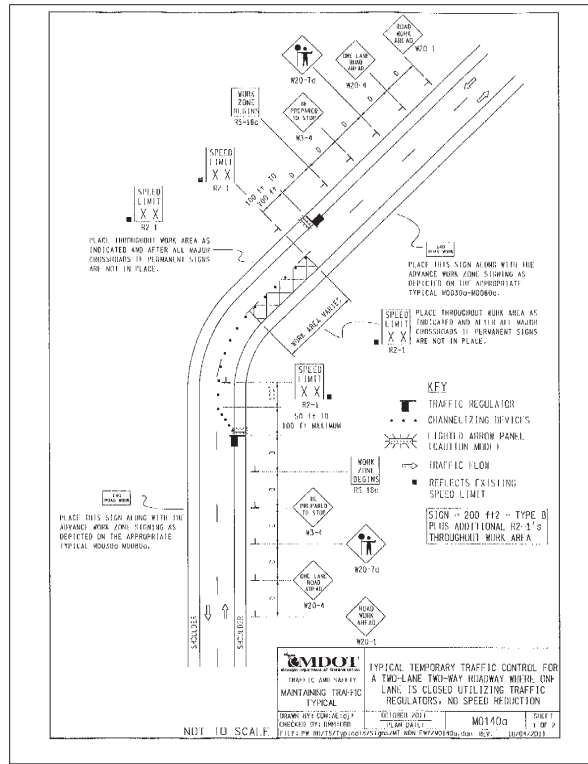
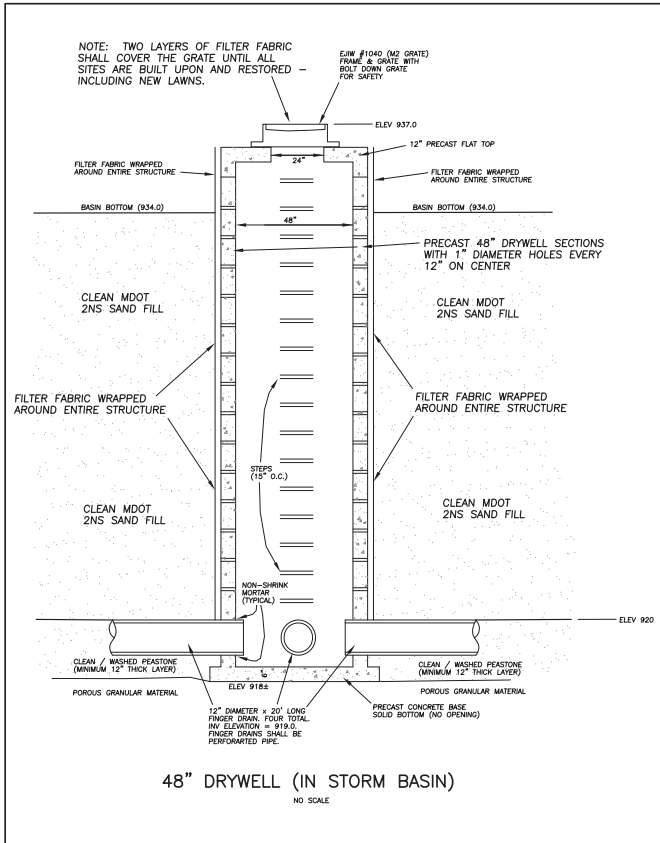


- REVISED: 08/31/2018
- REVISED: 07/17/2018
- REVISED: 02/14/2018
- REVISED: 02/20/2018
- REVISED: 10/16/2017
- REVISED: 8/09/2017
- REVISED: 7/10/2017
- REVISED: 6/04/2017
- REVISED: 5/15/2017

<b>CONSTRUCTION DETAILS &amp; NOTES</b> <b>AUTUMN GROVE</b> PART OF SECTION 11, OSHTM TOWNSHIP, T. 2 S., R. 12 W., KALAMAZOO COUNTY, MICHIGAN <b>Ingersoll, Watson &amp; McMachen, Inc.</b> CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS 1209 East Wilham Road - Portage, Michigan 49002 - Phone 269 344-6165 - Fax 269 344-6555	DATE: 4/9/2017 SHEET: 5 JOB NO: 16554
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NOTE: ALL SIDEWALK RAMPS SHALL BE INSTALLED PER THE MDOT 'SIDEWALK RAMP AND DETECTABLE WARNING DETAILS' STANDARD PLAN R-28 SERIES.



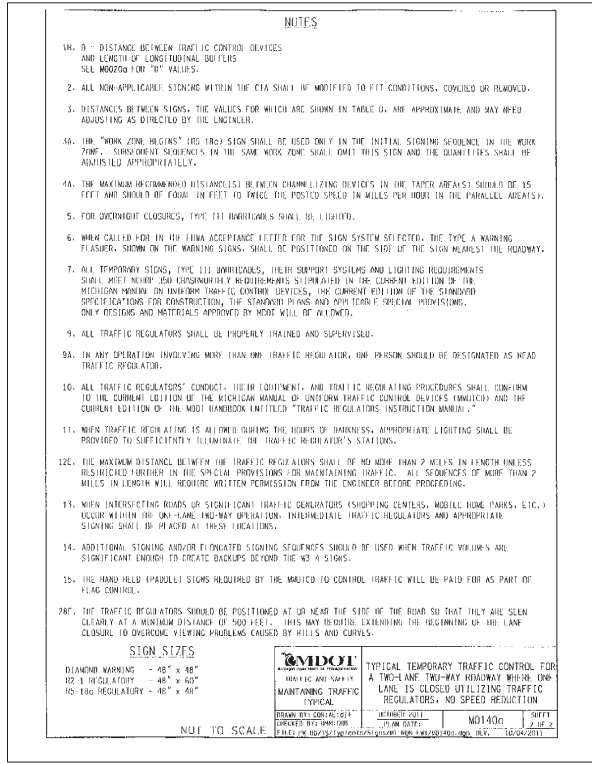
NOTE: IF 9th STREET IS NOT DISTURBED DURING CONSTRUCTION, THEN SHOWN TRAFFIC CONTROL PROVISIONS MAY NOT BE NEEDED.

NOTE: POSTED SPEED LIMIT ON 9th STREET IS 45 M.P.H.

NOTE: ONE LANE SHALL REMAIN OPEN FOR TRAFFIC AT ALL TIMES, AND TWO LANES SHALL BE OPEN OVERNIGHT.

NOTES:

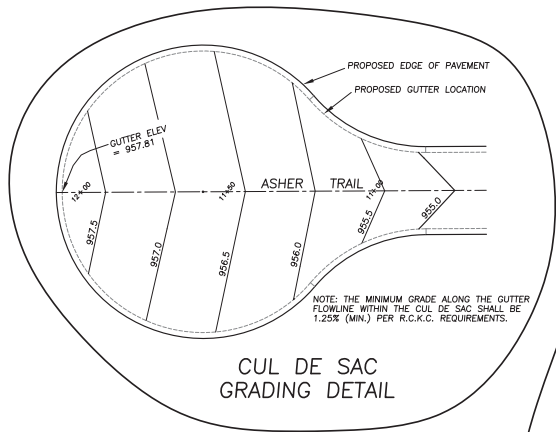
- 1) 9th STREET IS UNDER THE JURISDICTION OF THE ROAD COMMISSION OF KALAMAZOO COUNTY ("RCCK").
- 2) ALL WORK SHALL BE DONE IN ACCORDANCE WITH RCCK REQUIREMENTS.
- 3) PERMIT(S) SHALL BE OBTAINED FROM THE RCCK AS REQUIRED.
- 4) AT LEAST ONE TRAFFIC LANE FOR 9th STREET SHALL REMAIN OPEN AND USEABLE AT ALL TIMES.
- 5) TWO FLAGGERS SHALL BE PROVIDED WHEN 9th STREET HAS ONLY ONE LANE OPEN.
- 6) ALL SIGNAGE SHALL COMPLY WITH RCCK REQUIREMENTS AND APPLICABLE STANDARDS SET FORTH IN THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.



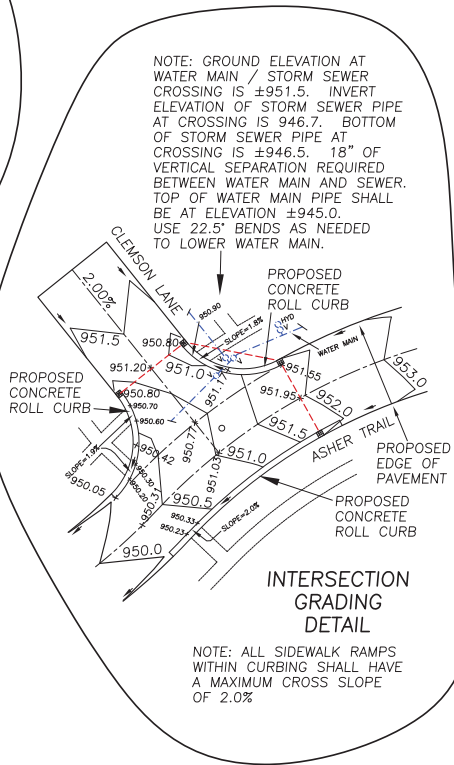
**OWNER & APPLICANT:**  
**WESTVIEW CAPITAL, LLC**  
**2186 EAST CENTRE STREET**  
**PORTAGE, MI 29002**  
**(269) 207-3712**

TRAFFIC CONTROL DETAILS & BASIN DRYWELL DETAIL "AUTUMN GROVE"	DATE: 4/9/2016
PARTY OF THE SW 1/4 OF SECTION 11, OSHTemo TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN	SHEET: 6
<b>Ingorsoll, Watson &amp; McMachen, Inc.</b> CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS	JOB NO.:
1209 East Wilham Road - Portage, Michigan 49002 - Phone 269 344-6165 - Fax 269 344-0555	36554

REVISED: 08/21/2016  
REVISED: 07/17/2016  
REVISED: 04/25/2016  
REVISED: 10/16/2017  
REVISED: 01/09/2017  
REVISED: 7/10/2017

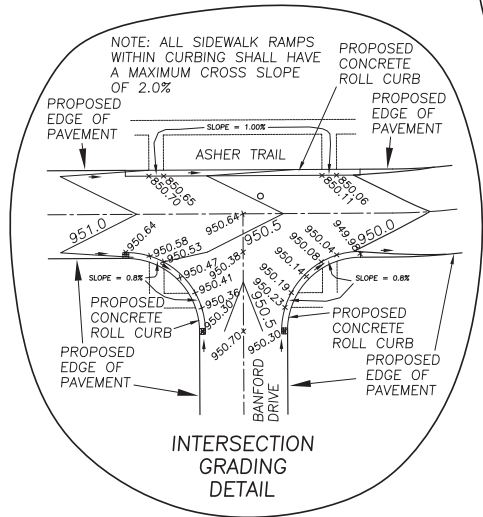


CUL DE SAC GRADING DETAIL

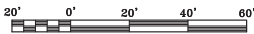
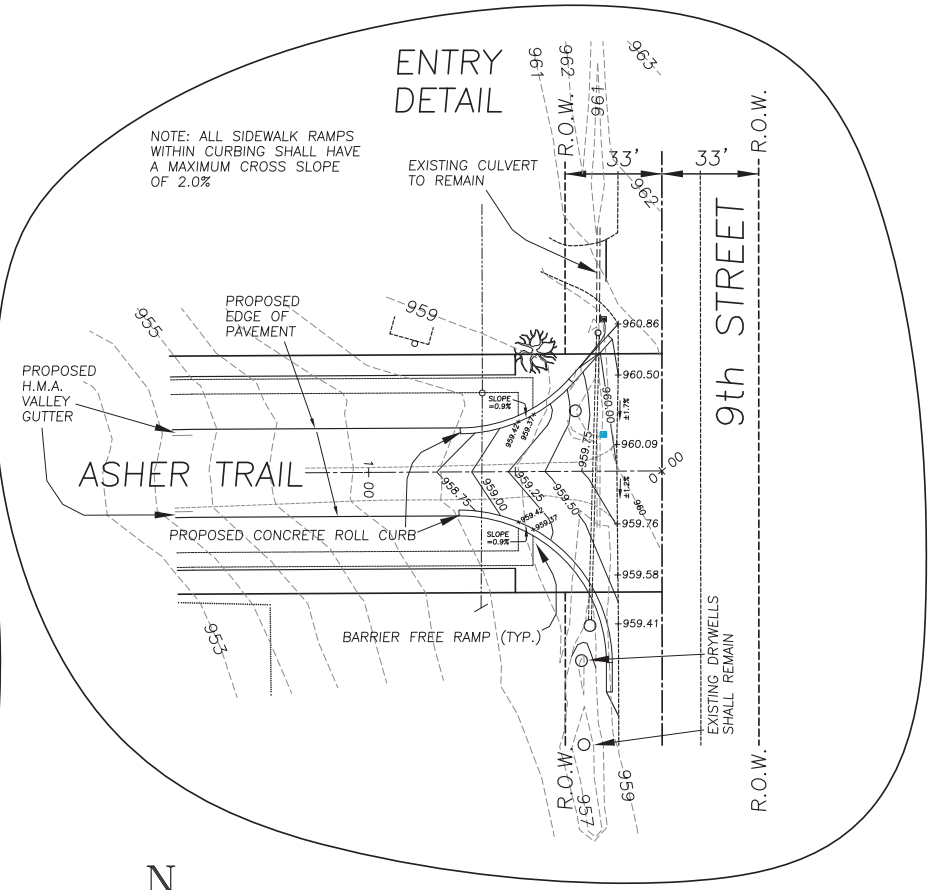


INTERSECTION GRADING DETAIL

NOTE: ALL SIDEWALK RAMPS WITHIN CURBING SHALL HAVE A MAXIMUM CROSS SLOPE OF 2.0%



INTERSECTION GRADING DETAIL



REVISED: 8/31/2018  
REVISED: 7/17/2018  
REVISED: 4/23/2018  
REVISED: 8/09/2017

GRADING DETAILS		DATE:	7/10/2017
"AUTUMN GROVE"		SHEET:	7
PART OF THE SW 1/4 OF SECTION 11, OSHTEMO TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN		JOB No.:	36554
Ingersoll, Watson & McMachen, Inc.		CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS	
1209 East Wilham Road • Portage, Michigan 49002 • Phone 269 344-6165 • Fax 269 344-6555			



**Department of Public Services**

**Stockbridge Facility**

Engineering Division  
415 Stockbridge Avenue  
Kalamazoo, MI 49001-2898  
Ph.269.337.8601  
Fx.269.337.8533

**To:** Jane McDonagh

**Subject:** Pressure test of water main

**From:** Tom Buszka Larry Aiello (circle one)

**Date:** 5/1/2019

**Start Time:** 2:04 PM

**End Time:** 4:04 PM

**Pressure:** 150 psi

**The following water main has passed the pressure test per the City of Kalamazoo water standards.**

**Location:** Autumn Grove Sub. South End of Banford Dr.

**Project code:** WAT 0500290

**Installing Contractor:** Wolf Exc

**Contractor Signature:** [Signature]

**Inspector Signature:** Lauren E Aiello



**Department of Public Services**

**Stockbridge Facility**

Engineering Division  
415 Stockbridge Avenue  
Kalamazoo, MI 49001-2898  
Ph.269.337.8601  
Fx.269.337.8533

To: Jane McDonagh

Subject: Pressure test of water main

From: Tom Buszka Larry Aiello (circle one)

Date: 4/29/19

Start Time: 1:35 PM

End Time: 3:35 PM

Pressure: 150 psi

The following water main has passed the pressure test per the City of Kalamazoo water standards.

Location: Autumn Grove Asher Trail At 9th St.

Project code: WAT 0500290

Installing Contractor: Wolf Exc.

Contractor Signature: [Signature]

Inspector Signature: [Signature]



THE CITY OF



**Department of Public Services**

***Stockbridge Facility***

Engineering Division  
415 Stockbridge Avenue  
Kalamazoo, MI 49001-2898  
Ph.269.337.8601  
Fx.269.337.8533

**To:** Jane McDonagh

**Subject:** Flushing of water main

**From:** Tom Buszka Larry Aiello (circle one)

**Date:** 4/26/19

**Time:** 3:00 PM - 4:00 PM

**The following water main has passed the required flushing of pipelines in accordance with the City of Kalamazoo and AWWA standards (table taken from ANSI / AWWA C651-14)**

**Location:** Autumn Grove Subdivision

**Project Code:** WAT 0500290

**Installing Contractor:** Woolf Exc

**Contractor Signature:** 

**Inspector Signature:** 



Department of Public Services

Stockbridge Facility

Engineering Division
415 Stockbridge Avenue
Kalamazoo, MI 49001-2898
Ph.269.337.8601
Fx.269.337.8533

To: Jane McDonagh

Subject: Project Completion Form

From: Tom Buszka (Larry Aiello) (circle one)

Date: 8/14/19

Time: 11:00 Am.

Location: Autumn Grove

Project Code: WAT 0500 290

Documentation: Installation of said project has been inspected & has passed both the City of Kalamazoo and ANSI/AWWA standards pertaining to water main installation. The water has been turned on and in service.

Scope of Project:

Water Main 1534' 8" Water Main Number of Hydrants 4

Number of street services installed 18

Fire Service: Domestic Service:

Irrigation / Seasonal Service:

Installing Contractor: Wolf Exc.

Installing Contractor Signature: [Signature]

City of Kalamazoo Inspector Signature: Lawrence E Aiello

Comments: 2" Irr. Not Installed

**From:** [Debbie Jung](#)  
**To:** [Pat F](#)  
**Cc:** [Julie Johnston](#); [Ryan Minkus](#); "Brian Wood"; [Ben Clark](#)  
**Subject:** RE: Autumn Grove site condo  
**Date:** Wednesday, August 21, 2019 4:07:57 PM

---

The Board of Road Commissioners of Kalamazoo County accepted the roadway network of Autumn Grove into the County Road network at the August 20<sup>th</sup> Board Meeting.

Thank you,

***Debbie Jung, Project Engineer***  
**Road Commission of Kalamazoo County**  
3801 E. Kilgore Road  
Kalamazoo, MI 49001  
(269)381-3170 Ext 224 (Direct)  
Fax: (269)381-1760  
[www.kalamazoocountyroads.com](http://www.kalamazoocountyroads.com)

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**From:** Pat F [mailto:pf@iwmeng.com]  
**Sent:** Wednesday, August 21, 2019 3:36 PM  
**To:** Debbie Jung <djung@kalamazoocountyroads.com>  
**Cc:** 'Julie Johnston' <JJohnston@oshtemo.org>; Ryan Minkus <rminkus@kalamazoocountyroads.com>; 'Brian Wood' <bwood@allenedwin.com>; 'Ben Clark' <BClark@oshtemo.org>  
**Subject:** Autumn Grove site condo

Debbie,

Could you please send an email to Julie Johnston, Oshtemo Township Planning Director, that informs her that "Autumn Grove" was granted RCKC step 3 approval at the August 20, 2019 RCKC Board Meeting.

Her email is in the "cc" above.

Thank you,  
Pat Flanagan, P.E.

***Ingersoll, Watson & McMachen, Inc.***

***Civil Engineering & Land Surveying***

**1209 East Milham Avenue, Suite "B"**

**Portage, MI 49002**

**Ph: (269) 344-6165**

**From:** [Wheat, Tom](#)  
**To:** [Julie Johnston](#)  
**Cc:** ["Brian Wood"](#); [Ben Clark](#); [Marc Elliott](#); ["Crandall, Anna"](#); [Pat F](#)  
**Subject:** RE: Autumn Grove - sanitary sewer  
**Date:** Wednesday, August 21, 2019 4:03:40 PM

---

Julie,

The sanitary sewer has been installed, passed all required testing and is available for connection. The as-builts submitted are acceptable to our office and we will incorporate them into the Township GIS.

Verification of the availability of public water main shall be confirmed by the City of Kalamazoo. I have cc'd Anna Crandall from the City for input.

**Thomas C. Wheat, P.E.**

**Prein&Newhof**

t. 269-372-1158

f. 616-364-6955

[Website](#) | [Blog](#) | [LinkedIn](#)

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**From:** Pat F [mailto:pf@iwmeng.com]  
**Sent:** Tuesday, August 20, 2019 12:37 PM  
**To:** Wheat, Tom  
**Cc:** 'Julie Johnston'; 'Brian Wood'; 'Ben Clark'; 'Marc Elliott'  
**Subject:** Autumn Grove - sanitary sewer

Tom,

See below email from Oshtemo Twp (item 3).

Has the sanitary sewer at Autumn Grove been approved?

Please let us know.

Thank you,

Pat Flanagan, P.E.

*Ingersoll, Watson & McMachen, Inc.*

*Civil Engineering & Land Surveying*

**1209 East Milham Avenue, Suite "B"**

**Portage, MI 49002**

**Ph: (269) 344-6165**

---

**From:** Julie Johnston [mailto:JJohnston@oshtemo.org]



A CMS Energy Company

**CEM Support Center**

Consumers Energy, CEM Support Center, Lansing Service Center, Rm. 122, 530 W. Willow St., P.O. Box 30162 Lansing, MI 48909-7662

June 14, 2019

NOTIFICATION #:  
1048207024

ALLEN EDWIN HOMES  
2186 E Centre Ave  
Portage, MI 49002-4497

REFERENCE: Autumn Grove Ph1 (Streetlights), KALAMAZOO

Dear Valued Customer,

Thank you for contacting Consumers Energy for your energy needs. Please note the Notification Number above and include it on any correspondence you send. Please note the Account Number, located above the Account Name on your invoice, when submitting payment.

Enclosed for approval and signature is the original Authorization for Change and Resolution covering the replacement and/or installation of streetlight(s). In conjunction with the work, a non-refundable payment of \$100.00 per luminaire is required.

A monthly energy charge associated with this lighting installation for 1 Luminaire(s) is approximately  
This charge is subject to change based on current rates. After the installation is complete, you will begin receiving a separate monthly bill for the above energy charge. You are responsible for the final restoration.

The estimated cost for your energy request is as follows:

Non Refundable Agreement for Installation of Electric Facilities:

Winter Construction Costs:	\$	-
Installation Charge (\$100.00 per Luminaire):	\$	300.00
Additional Costs		
<b>Total Estimated Cost:</b>	<b>\$</b>	<b>300.00</b>
Less Prepayment Received:	\$	-
<b>Total Estimated Cost Due:</b>	<b>\$</b>	<b>300.00</b>

Please sign and return the original Authorization for Change and Resolution in the enclosed self-addressed envelope or email to: POBoxCEServiceRequest@cmsenergy.com. Payment in full is required before the installation can be scheduled for construction.

Please review all attached materials carefully and direct inquiries for your request to:

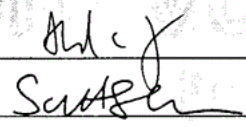

DERRICK A ROSENBERGER at 844-316-9537



THIS CHECK HAS VARIOUS SECURITY FEATURES INCLUDING COLORED BACKGROUND, MICROPRINTING & WATERMARK

<b>Westview Capital, LLC</b> 2186 East Centre Ave Portage, MI 49002 (269) 321-2610	<b>First National Bank of MI</b> 348 W Michigan Ave Kalamazoo, MI 49007 <small>74-1423724</small>	<b>8095</b> DATE 06/14/2019 SIBC LBX 309 \$ ****300.00
---	--	--

Pay: \*\*\*\*\*Three hundred dollars and no cents

TO THE ORDER OF <b>Consumers Energy Permits</b> CEM Support Ctr-Lansing Rm 122 530 W Willow St Lansing, MI 48906-4754	 <hr/> 
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⑈00008095⑈ ⑆0?2414239⑆011141561⑈



FEDERAL RESERVE BANK REGULATION CC  
 12 CFR 205.11  
 12 CFR 205.12  
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DO NOT SIGN / WRITE / STAMP BELOW THIS LINE FOR FINANCIAL INSTITUTION USE ONLY

ENDORSE HERE:



A CMS Energy Company

**CEM Support Center**

Consumers Energy, CEM Support Center, Lansing Service Center, Rm. 122, 530 W. Willow St., P.O. Box 30162 Lansing, MI 48909-7662

June 14, 2019

NOTIFICATION #s:

ALLEN EDWIN HOMES  
2186 E Centre Ave  
Portage, MI 49002-4497

ELECTRIC UG DISTRIBUTION:

1047105803

REFERENCE: Autumn Grove PH1 , KALAMAZOO

Dear Valued Customer,

Thank you for contacting Consumers Energy for your energy needs. Please note the Notification Number above and include it on any correspondence you send. Please note the Account Number, located above the Account Name on your invoice, when submitting payment.

A copy of our proposed design drawings are enclosed.

The estimated cost for your energy request is as follows:

Refundable Agreement for Installation of Electric Facilities:	\$	31,666.00
Non Refundable Agreement for Installation of Electric Facilities:	\$	6,827.50
Overhead Electric Service		
Underground Electric Service:		
Excess Footage Charge:		
Temporary Electric Service:		
Winter Construction Costs:	\$	-
Additional Costs (See Invoice):		
<b>Total Estimated Cost</b>	<b>\$</b>	<b>38,493.50</b>
Less Prepayment Received:	\$	-
<b>Total Estimated Cost Due:</b>	<b>\$</b>	<b>38,493.50</b>

Costs may also result from practical difficulties encountered during construction and additional payment may be required if:

- Work presently designed is done outside normal business hours.
- Change to the location of the service entrance.
- Changes to the design or route.
- Other construction delays.

Enclosed is a copy of the Agreement for Installation or Modification of Electric Facilities and invoice that is valid for 60 days from the date of this letter and is subject to change thereafter. This cost estimate includes only work required for Consumers Energy and does not reflect any work or costs that may be required by other parties, including other utilities. Please review and sign the Agreement for Installation of Electric Facilities and return in the envelope provided or email to: POBoxCEServiceRequest@cmsenergy.com. You will receive a copy of the agreement after it is signed and dated by a Consumers Energy company representative. Once we receive your payment and any required easements, contracts, permits or inspections we can proceed with your request. Payment in full is required before the installation will be scheduled for construction.

**CONTACT OUR SECURE CREDIT/DEBIT CARD PAYMENT CENTER @ 1-866-329-9593 TO PAY "FEE FREE" WITH YOUR VISA OR MASTERCARD OR MAKE A PAYMENT ONLINE AT: [www.consumersenergy.com](http://www.consumersenergy.com) AND CLICK "MAKE PAYMENT" TO USE THE GUEST PAY FEATURE.**

Please review all attached materials carefully and direct inquiries for your request to:

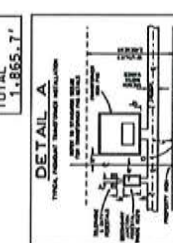
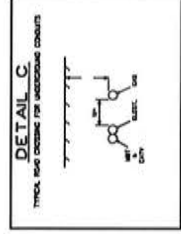
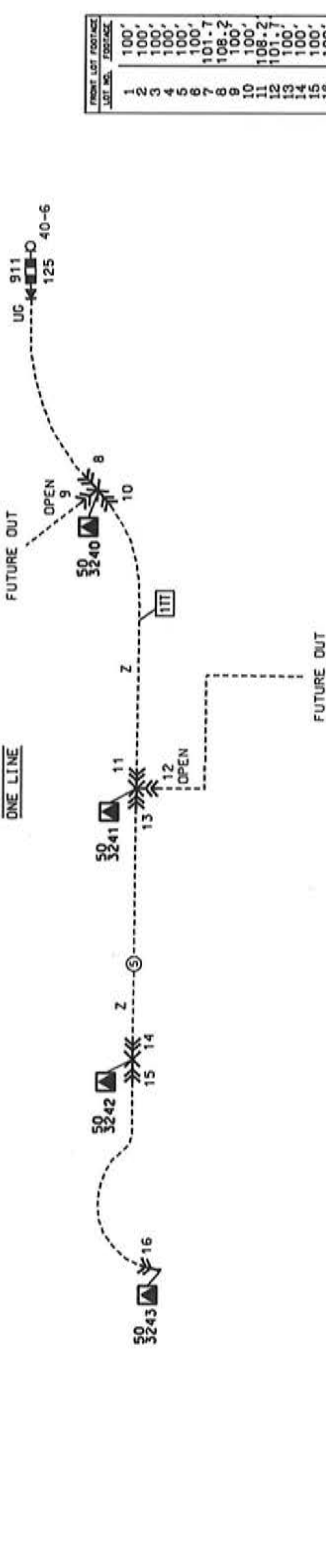
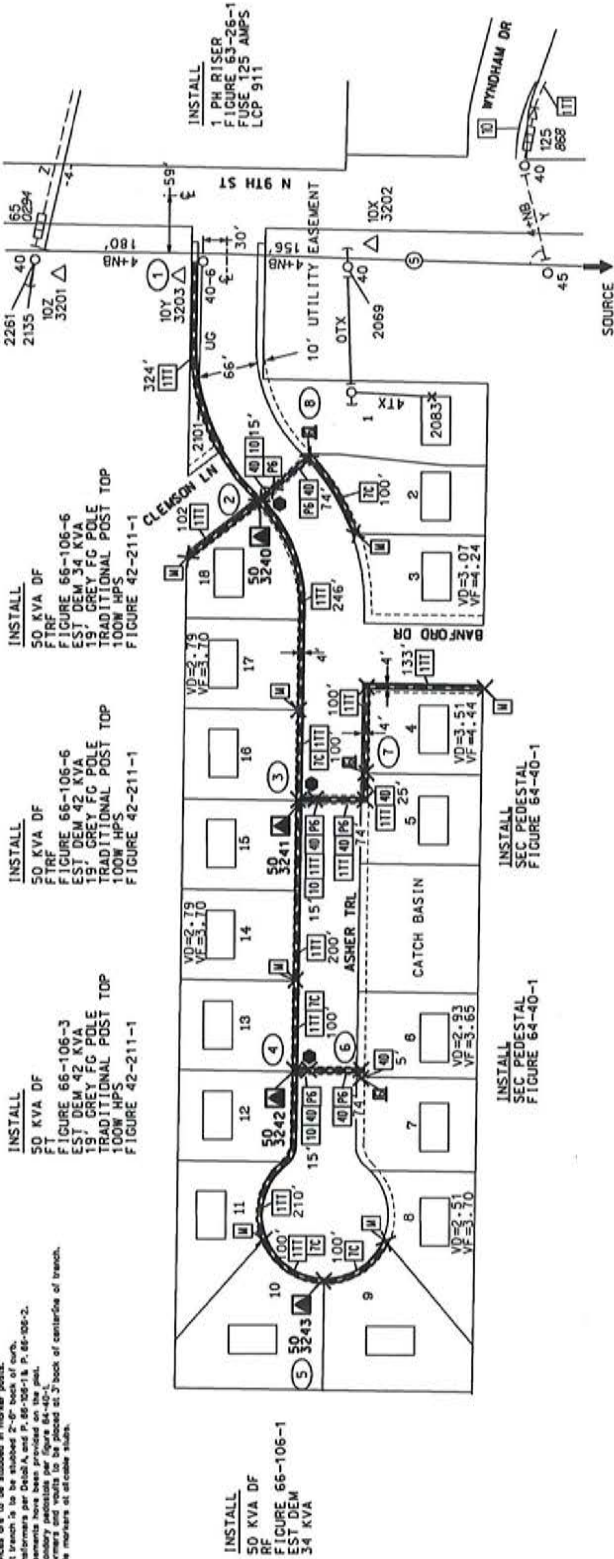
DERRICK A ROSENBERGER at 844-316-9537



NOTIFICATION #1047105803 JLN TAX CODE: 394809  
 NOTIFICATION #1048207027 STL

**GENERAL NOTES ELECTRIC**

- Main branch is to be installed 4 ft below property line.
- Services are to be installed at all times.
- Streetlight tranch's to be installed 2'-6" back of curb.
- Initial transformers per Detail A, and P. 66-305/1 & P. 68-905-2.
- Initial secondary conductors per Detail A, and P. 66-305/1 & P. 68-905-2.
- All transformers and vaults to be placed at 3' back of centerline of trench.
- Initial color markers at all corner vaults.



DESIGN BASIS:  
ESTIMATED DEMAND 11.2 KVA  
3 TON AC

DEPARTMENT	NAME	NUMBER	ALTERNATE
CONSUMERS ENERGY CONTACTS	WHITE OIL	311-48-1009	201-21-2899
CONSUMERS ENERGY CONTACTS	WHITE OIL	201-21-2899	201-21-2899
CONSUMERS ENERGY CONTACTS	WHITE OIL	201-21-2899	201-21-2899

STAKED	YES	NO
TREES	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DATE	NO	NO
5/15/2009	1	1
5/15/2009	2	2
5/15/2009	3	3
5/15/2009	4	4
5/15/2009	5	5
5/15/2009	6	6
5/15/2009	7	7
5/15/2009	8	8
5/15/2009	9	9
5/15/2009	10	10
5/15/2009	11	11
5/15/2009	12	12
5/15/2009	13	13
5/15/2009	14	14
5/15/2009	15	15
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5/15/2009	42	42
5/15/2009	43	43
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5/15/2009	45	45
5/15/2009	46	46
5/15/2009	47	47
5/15/2009	48	48
5/15/2009	49	49
5/15/2009	50	50

TLM NO.	NO. OF RODS INST.	OHMS TESTED
5212113241		
5212113242		
5212113243		

**UNDERGROUND LEGEND**

1. 100' VOLTAGE  
 2. 200' VOLTAGE  
 3. 300' VOLTAGE  
 4. 400' VOLTAGE  
 5. 500' VOLTAGE  
 6. 600' VOLTAGE  
 7. 700' VOLTAGE  
 8. 800' VOLTAGE  
 9. 900' VOLTAGE  
 10. 1000' VOLTAGE  
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 25. 2500' VOLTAGE  
 26. 2600' VOLTAGE  
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 97. 9700' VOLTAGE  
 98. 9800' VOLTAGE  
 99. 9900' VOLTAGE  
 100. 10000' VOLTAGE

**-CONSTRUCTION CERTIFICATION-**  
 Work was constructed as Engineered or changed as indicated.  
 All Subgrade Material was returned to Stores.  
 Signed: \_\_\_\_\_ in Direct Charge of Work  
 Dates: Started \_\_\_\_\_ Completed \_\_\_\_\_  
 MISS DIG NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

**CONSUMERS ENERGY CONTACTS**  
 DEPARTMENT: \_\_\_\_\_  
 NAME: \_\_\_\_\_  
 NUMBER: \_\_\_\_\_  
 ALTERNATE: \_\_\_\_\_  
 WHITE OIL: 311-48-1009 / 201-21-2899  
 WHITE OIL: 201-21-2899 / 201-21-2899  
 WHITE OIL: 201-21-2899 / 201-21-2899

**MISS DIG System, Inc.**  
 1-800-482-7171

**ORDER NUMBER**

**CM NO.** 100005247855  
**ORDER TYPE** SERVICE  
**NEW SUBDIVISION** AUTUMN GROVE K200 ECNC JLN  
**DESIGN NUMBER** 2071 N 9TH ST KALAMAZOO  
**DATE** 04/02/19  
**STATION** 112  
**ECNC** JLN 1027762  
**ECNC** STL 1043519  
**DESIGN FILE NAME** 1027762.001

THIS CHECK HAS VARIOUS SECURITY FEATURES INCLUDING COLORED BACKGROUND, MICROPRINTING & WATERMARK

Westview Capital, LLC  
2186 East Centre Ave  
Portage, MI 49002  
(269) 321-2610

First National Bank of MI  
348 W Michigan Ave  
Kalamazoo, MI 49007

74-1423/724 8096

DATE 06/14/2019

Pay: \*\*\*\*Thirty-eight thousand four hundred ninety-three dollars and 50 cents \$ \*\*\*\*38,493.50

TO THE ORDER OF Consumers Energy Permits  
CEM Support Ctr-Lansing Rm 122  
530 W Willow St  
Lansing, MI 48906-4754

SIBC  
LBX 309

*[Signature]*

*[Signature]*

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FOR FINANCIAL INSTITUTION USE ONLY

ENDORSE HERE:



We value what you value.

October 17, 2016

Charter Township of Oshtemo  
7275 West Main Street  
Kalamazoo, MI 49009

Re: Autumn Grove Preliminary Site Condominium Street Lights

To whom it may concern,

Allen Edwin Homes / Westview Capital is in agreement with incorporating the proposed streetlights for Autumn Grove into the Townships General Streetlight District. We will assist as needed in any procedures required in accordance with the provisions set forth in the Standard Lighting Contract between Consumers Energy and the Township of Oshtemo.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Wood".

Brian Wood  
Land Development  
Allen Edwin Homes

# Memo



To: Oshtemo Charter Township Board  
From: Julie Johnston, AICP  
Planning Director  
Date: August 21, 2019  
Mtg Date: August 27, 2019  
Subject: Lighting Ordinance – First Reading

---

## **OBJECTIVE**

Consideration of a new Lighting Ordinance for first reading.

## **BACKGROUND**

In July of 2018, staff began a Township-wide enforcement action to remove noncompliant string LED and/or other types of “string” lighting found on nonresidential properties within Oshtemo. Letters were sent to businesses that had this type of lighting located around windows, on building facades, on signs, etc. that were in violation of the Township’s Lighting Ordinance. Following these letters, some of the business owners attended a Township Board meeting requesting an ordinance change to allow string lighting within the commercial areas of Oshtemo. The Board held a work session in September of 2018, which resulted in a directive to the Planning Commission to review the business owner’s request.

While the request from the Township Board was specific to string lighting, staff took this opportunity to review the entirety of the Lighting Ordinance with the Planning Commission. The current Ordinance has not kept pace with today’s technologies and this review allowed for improvements to the overall code.

The Planning Commission drafted the Lighting Ordinance over a six-month period, utilizing the Dark Sky Society and Illuminating Engineer Society model ordinances, as well as other township and city lighting ordinances as examples. In addition, the draft Ordinance was reviewed by a lighting provider, Circuit Electric, who assisted with amendments to the ordinance language. The draft Ordinance, which would be a repeal and replace of the Section 54, now directly outlines applicability, includes definitions, gives general and specific provisions related to outdoor lighting, and provides clear direction between what is permitted and prohibited.

The Planning Commission held their required public hearing on August 8<sup>th</sup>. Prior to the public hearing, staff sent letters to those businesses and property owners that were contacted in 2018 regarding string LED

lighting, letting them know the public hearing on the draft Ordinance had been scheduled. One property owner was in attendance and asked questions about the new Ordinance. He did not speak for or against adoption. At the close of the public hearing, the Planning Commission recommended the draft Ordinance be forwarded to the Township Board for approval.

On August 13<sup>th</sup>, staff presented the draft Lighting Ordinance to the Township Board at a work session. Since that time, we received further feedback from a lighting professional at Landscape Forms who recommended a change to *Section 54.60.A.8: Color Temperature and Rendering*. The requested change is as follows:

8. *Color Temperature and Rendering. Lighting for all nonresidential developments shall have a minimum color rendering index (CRI) of ~~65~~ 80 and a Kelvin rating between ~~3,000 – 4,000~~ 5,000K.*

After considering the recommended changes and completing some additional research, staff would suggest the following:

8. *Color Temperature and Rendering. Lighting for all nonresidential developments shall have the following:*
  - a. *A minimum color rendering index (CRI) of 65.*
  - b. *A Kelvin rating between ~~3,000 4,000~~ – 5,000K.*

To begin, staff recommends separating the CRI and Kelvin requirements into two separate subsections. The current language suggests the Kelvin rating is a “minimum” when it should be read as an absolute range. Based on lighting research, we would not want outdoor lighting that exceeds 5,000K.

CRI is the ability of a light to reveal the colors of objects faithfully in comparison with an ideal or natural light source. Basically, the lights ability to show colors “realistically” or “naturally”. CRI is measured between 0 and 100. The higher the CRI the better the color rendering ability. At 0, all colors look the same while a CRI of 100 shows the true colors of an object. CRI is independent of color temperature, which is measured in Kelvins and will be discussed further below. But as an example, a 5,000 Kelvin (daylight) fluorescent light source could have a CRI of 75, but another 5,000 Kelvin fluorescent light could be 90 CRI. The below image shows the same Kelvins but different CRI’s and its effect on the true color of the apple:



The lighting applications that will be utilized by most of the nonresidential property owners will likely be within parking areas and pedestrian entrances. Color rendering is often not a priority. As an example, the below image shows the difference between a 92 CRI light (left) and a 70 CRI light (right).



Changing the minimum requirement to an 80 CRI may be too restrictive, particularly for our smaller businesses and industrial users.

Kelvin measures the color temperature of a light source on a scale of 1,000 to 10,000. The lower the number the warmer and more yellow/orange the light will be. The higher the number, the whiter/bluer the light will become. The range proposed includes 3,000 soft white, 3,500 neutral white, 4,100 cool white, and 5,000 bright white. A Kelvin range around 4,000 most closely mimics natural moonlight, which is often preferred for parking lot lighting. Reducing the range to 3,000 would allow for softer lighting in areas like pedestrian walkways and landscape features, while the 5,000 rating may be needed for security at building entrances.

The following table provides lighting sources and the Kelvin and CRI indices:

Type of Light	Color Temperature (Note: candlelight is ~ 1500K while sunlight is ~ 5000K at midday)	Color Rendering Index (CRI)
LED Light	2700K-6000K (Yellow-Light Blue)	65-95
Incandescent Light Bulb	2700K (Yellow)	95+
Halogen Light Bulb	3000K (Yellow-White)	90+
Mercury Vapor Light	5600K-6000K (White-Light Blue)	45
Fluorescent Light Bulb	4200K (White)	62-80
Metal Halide Bulbs	3200-5500K (Yellow-White-Light Blue)	60
High & Low Pressure Sodium Light	1800-2200K (Orange)	0-25
High Intensity Discharge (HID) Light	1800-6000K (Orange- Light Blue)	0-60

The ranges suggested in the staff recommendation would eliminate sodium and mercury vapor lights as they either could not reach the Kelvin or CRI requirements. It would also allow for some flexibility to property owners who may not need extensive outdoor lighting systems.

**INFORMATION PROVIDED**

- Revised Section 54.60: Outdoor Lighting Standards
- Planning Commission recommendation
- Lighting Ordinance
- Work Session Memo dated September 6, 2018

**Revised Outdoor Lighting Standards 08-21-2019**  
**First Reading**

**54.50 PROHIBITED LIGHTING**

- A. Lighting of a blinking, flashing, rotating, or fluttering nature, including changes in light intensity, brightness or color except for public safety purposes.
- B. Beacon and/or search lights except for public safety purposes.
- C. Fixtures that direct light upward unless permitted by this Article.
- D. Roof mounted lighting.
- E. Lighting of an intensity or brightness that interferes with enjoyment, health, safety, and welfare of surrounding properties.
- F. Unshielded luminous tube, LED, incandescent, or fluorescent lighting as an architectural detail on the exterior of any structure or the interior of any windows; including but not limited to rooflines, cornices, eaves, windows, and door openings.



(Examples of unshielded tube lighting)

**54.60 OUTDOOR LIGHTING STANDARDS**

- A. General Provisions
  - 1. Cut-Off Fixtures. All luminaires are required to be cut-off fixtures, unless otherwise permitted in this Article.
  - 2. Security Lighting. Security or flood lighting shall be attached to buildings and controlled by motion sensors, which extinguish within 10 minutes of activation.
  - 3. Direction of Lighting. Lighting plans shall be designed to direct light into the development and away from adjacent property.
  - 4. Light Levels at Property Line. Site and area lighting of nonresidential properties shall be designed such that light levels do not exceed 0.1 foot-candles at any point along the perimeter of the



property adjacent to residential zoning or uses and 0.5 foot-candles adjacent to all other zoning and uses.

5. Shared Parking Lots. Lighting designed to illuminate shared parking lots that span two or more parcels shall be exempt from the 0.5 foot-candle requirement at the shared property line only.
6. Parking Lot and Drive Aisle Lighting Ratio. To provide for uniformity of lighting, the ratio of maximum to minimum levels of light within the parking lot and drive aisle areas of a nonresidential property shall not exceed 20:1. Exception shall be made for those areas along the perimeter of the property where a significant reduction in lighting is expected in order to comply with the provisions of the subsection above.
7. Reduced Lighting. Lighting shall be significantly reduced during non-operational building hours, allowing only lighting necessary for security purposes. Lighting installations should include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unneeded lighting that affects urban sky glow. The lighting plan shall note when and how this reduction in lighting will occur.
8. Color Temperature and Rendering. Lighting for all nonresidential developments shall have the following:
  - a. A minimum color rendering index (CRI) of 65.
  - b. A Kelvin rating between ~~3,000~~ 4,000 – 5,000K.

#### B. Pole-Mounted Lighting

1. All pole-mounted luminaires shall be affixed horizontally and angled parallel to the ground.
2. No more than two luminaires shall be allowed per pole.
3. Luminaire height of 15 feet or less shall not exceed 12,000 lumens per luminaire and shall be spaced a minimum of 30 feet apart.
4. Luminaire height greater than 15 feet and not exceeding 25 feet shall not exceed 20,000 lumens per luminaire and shall be spaced a minimum of 40 feet apart.
5. Luminaire height exceeding 25 feet shall be subject to approval by the reviewing body. The applicant must prove, to the reviewing body's satisfaction, that pole heights exceeding 25 feet are needed to ensure public health, safety, and welfare. If permitted, such lighting shall not exceed 40,000 lumens per luminaire and shall be spaced a minimum of 50 feet apart.

#### C. Building-Mounted Lighting

1. Pedestrian walkways and doorways
  - a. Shall not exceed 14-feet in height.

OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION

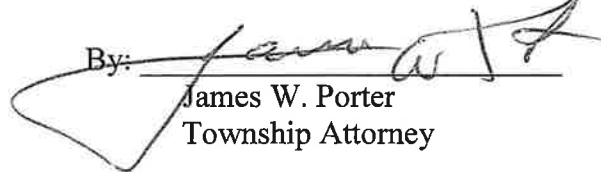
RECOMMENDATION OF THE OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION RESULTING FROM A PUBLIC HEARING  
CONDUCTED AUGUST 8, 2019.

The Oshtemo Charter Township Planning Commission hereby recommends APPROVAL  
of the amendment to the Township Zoning Ordinance, in summary, as follows:

PLEASE SEE ATTACHMENT

OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION

Date: August 8, 2019

By:   
James W. Porter  
Township Attorney

Final Action by Oshtemo Charter Township Board

\_\_\_\_\_ APPROVED \_\_\_\_\_

\_\_\_\_\_ DENIED \_\_\_\_\_

\_\_\_\_\_ REFERRED BACK TO PLANNING COMMISSION

## RECOMMENDATION ATTACHMENT

PLEASE TAKE NOTICE that the Planning Commission of the Charter Township of Oshtemo will conduct a public hearing on Thursday, August 8, 2019, commencing at 6:00 p.m. at the Oshtemo Charter Township Hall, 7275 West Main Street, within the Township, as required under the provisions of the Michigan Zoning Enabling Act.

PLEASE TAKE FURTHER NOTICE that the item to be considered at said public hearing includes, in brief, the following:

1. Consideration of an amendment and replacement of Township Zoning Ordinance Article 54 Lighting, which, in summary, reads as follow:

### ARTICLE 54: LIGHTING

#### Section 54.10 INTENT

- A. Purpose. Protect the public health, safety and general welfare by regulating lighting levels.
- B. Objectives. Outdoor lighting shall satisfy the following objectives.
  1. Avoid excessive light spillover
  2. Be shielded, and downward directed
  3. Control illumination of vertical architectural surfaces
  4. Provide for uniform lighting within sites
  5. Enable the fair and consistent enforcement

#### 54.20 APPLICABILITY

These lighting requirements shall apply to all lighting within the Township.

- A. Alterations to existing lighting.
  1. When poles and support structures are destroyed or removed, they must be replaced with poles and supports that comply with all of the provisions of this Article.
  2. When luminaries are destroyed or removed, they must be replaced with luminaries that comply with all provisions of this Article.
- B. When a new parking lot or addition to an existing parking lot is constructed, the new lot or lot addition must be provided with lighting in compliance with this Article.
- C. When a site is improved with new structures, or replacements of existing structures, the lighting must meet the requirements of this Article.

#### 54.30 DEFINITIONS – The following definitions are more fully set forth in the Ordinance

- A. Ambient lighting
- B. Baffle or light shield
- C. Building canopy
- D. Bulb or lamp
- E. Canopy structure
- F. Color rendering index (CRI)
- G. Encased
- H. Existing lighting

#### **54.40 EXEMPTIONS**

- A. Emergency lighting
- B. Lighting operated by a public utility
- C. Temporary construction lighting
- D. Temporary holiday decorative lighting
- E. Lights on communication towers
- F. Lighting used to illuminate a flag of the United States
- G. Lighting associated with recognized agricultural activities
- H. Typical residential light fixtures
- I. Light fixtures legally installed prior to the effective date of this Ordinance

#### **54.50 PROHIBITED LIGHTING**

- A. Lighting of a blinking, flashing, rotating, or fluttering nature
- B. Beacon and/or search lights
- C. Fixtures that direct light upward
- D. Roof mounted lighting
- E. Lighting of an intensity that interferes with health, safety, and welfare
- F. Unshielded luminous tube, LED, incandescent, or fluorescent lighting as an architectural detail

#### **54.60 OUTDOOR LIGHTING STANDARDS**

##### **A. General Provisions**

- 1. All luminaires are required to be cut-off fixtures
- 2. Security lighting shall be attached to buildings and controlled by motion sensors
- 3. Lighting plans shall be designed to direct light into the development
- 4. Nonresidential properties shall be designed so light levels do not exceed 0.1 foot-candles at the perimeter and 0.5 foot-candles adjacent to all other zoning and uses.
- 5. Lighting to illuminate shared parking lots shall be exempt from the 0.5 foot-candle requirement at the shared property line only.
- 6. The ratio of maximum to minimum levels of light within the parking lot and drive aisle areas of a nonresidential property shall not exceed 20:1.
- 7. Lighting shall be significantly reduced during non-operational building hours.
- 8. Color Temperature and Rendering. Lighting for all nonresidential developments shall have a minimum color rendering index (CRI) of 65 and a Kelvin rating between 4000-5000k.

##### **B. Pole-Mounted Lighting**

- 1. All pole-mounted luminaires shall be affixed horizontally and angled parallel to the ground.
- 2. No more than two luminaires shall be allowed per pole.
- 3. Luminaire 15 feet or less shall not exceed 12,000 lumens and spaced a minimum of 30 feet apart.
- 4. Luminaire greater than 15 feet and not exceeding 25 feet shall not exceed 20,000 lumens spaced a minimum of 40 feet apart.
- 5. Luminaire height exceeding 25 feet shall be subject to approval by the reviewing body.

##### **C. Building-Mounted Lighting**

- 1. Pedestrian walkways and doorways
  - a. Shall not exceed 14-feet in height
  - b. Each luminaire shall not exceed 8,000 lumens
- 2. Luminaires used for the sole purpose of illuminating a building façade:

- a. May be up to 1.5 foot-candles averaged over the building façade.
  - b. May be located on the building or be ground-mounted.
  - c. Lights shall be appropriately shielded.
3. The use of architectural features, such as a canopy, to prevent light beyond the architectural feature may satisfy the intent of this Section.

**D. Landscape Features and Green Belt Lighting**

1. Landscape luminaires may include uplighting directed at the landscape or plant feature.
2. Shall be equipped with shields to help direct light to the landscape or plant feature.
3. Shall not exceed 300 lumens per luminaire.
4. Shall not exceed a height of 18-inches above grade.

**E. Special Uses**

1. Service station/fuel sales canopy structure.
  - a. Luminaires shall be recessed so that light is directed downward.
  - b. Indirect lighting may be used where uplighting is reflected from the underside of the canopy.
  - c. Luminaires shall not be mounted on the top or sides (fascia) of a canopy.
  - d. Internally illuminated signs in compliance with the Sign Ordinance.
  - e. The total light output directly below the canopy shall not exceed 30 foot-candles.
2. Outdoor dining areas
  - a. Decorative unshielded lighting may be used in outdoor dining areas as long as the lighting does not exceed 1.5 foot-candles.
  - b. Lighting in outdoor dining areas must be extinguished by 11:00 p.m.

**54.70 INTERIOR LIGHTING**

Where interior lighting and/or lighting displays are located within 10 feet of a bay of windows, lighting shall be shielded or screened to reduce visibility and glare.

**54.80 EXISTING LIGHTING**

All lighting established prior to this Ordinance shall be so arranged as to avoid glare or direct illumination onto any portion of any adjacent rights-of-way or onto any adjacent premises.

**54.90 ADMINISTRATION**

A site lighting plan for Site Plan review shall be submitted and shall provide the following information:

- A. Proposed location on premises of all outdoor light fixture(s).
- B. Manufacturer specification sheets, cut-sheets, for all proposed luminaires.
- C. The height of all luminaires and poles.
- D. A photometric plan showing foot-candle readings every ten feet.
- E. If building elevations are proposed for illumination, drawings shall be provided for all relevant building elevations.

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. \_\_\_\_

Adopted: \_\_\_\_\_, 2019

Effective: \_\_\_\_\_, 2019

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend and replace Oshtemo Charter Township Zoning Ordinance Article 54 Lighting. This Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO  
KALAMAZOO COUNTY, MICHIGAN  
ORDAINS:

SECTION I. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 54: LIGHTING. Article 54:

Lighting is hereby amended and replaced to read as follows:

ARTICLE 54: LIGHTING

**Section 54.10 INTENT**

- A. Statement of purpose. The purpose of this Article is to regulate the placement and arrangement of lighting within the Township. These regulations are intended to:
1. Protect the public health, safety and general welfare by regulating lighting levels;
  2. Control light spillover and glare;
  3. Minimize the detrimental effect of urban sky glow;
  4. Encourage lighting systems which conserve energy and costs;
  5. Preserve community character and enhance the appearance of the Township;
  6. Provide for nighttime safety, and security.
- B. Objectives. Outdoor lighting shall satisfy the following objectives.
1. Avoid excessive light spillover onto any adjacent premises;
  2. Be shielded, and downward directed so that the light intensity or brightness will not interfere with the enjoyment, health, safety, and welfare of surrounding properties;
  3. Control illumination of vertical architectural surfaces.
  4. Provide for uniform lighting within sites.

5. Enable the fair and consistent enforcement of these regulations.

#### **54.20 APPLICABILITY**

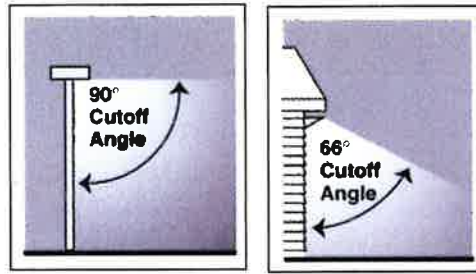
Except as is otherwise provided below, these lighting requirements shall apply to all lighting installed on any property within the Township. Any lighting legally in existence before the effective date of this Ordinance that does not comply with these requirements shall be considered legal nonconforming and may remain, except as detailed in Section 54.80 and subject to the following provisions:

- A. Alterations to existing lighting.
  1. When poles and support structures are destroyed or removed, they must be replaced with poles and supports that comply with all of the provisions of this Article.
  2. When luminaries are destroyed or removed, they must be replaced with luminaries that comply with all provisions of this Article.
- B. New parking lots or parking lot additions. When a new parking lot or addition to an existing parking lot is constructed, the new lot or lot addition must be provided with lighting in compliance with this Article.
- C. New structures, additions, or replacements. When a site is improved with new structures, or additions to, or replacements of existing structures, the lighting for the new structure, addition, or replacement on the site must meet the requirements of this Article.

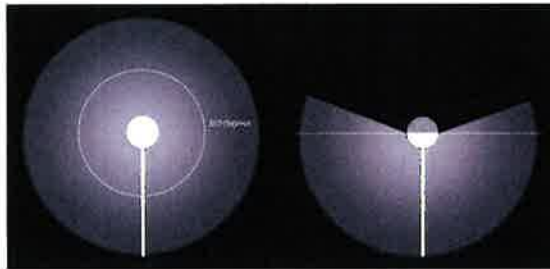
#### **54.30 DEFINITIONS**

- A. Ambient lighting - The general overall level of lighting in an area.
- B. Baffle or light shield - An opaque or translucent element to screen a light source from direct view.
- C. Building canopy - A portion of the building, whether structural or architectural in character, that projects outward.
- D. Bulb or lamp - The source of electric light. The term "bulb or lamp" is to be distinguished from the whole assembly (see Luminaire).
- E. Canopy structure - An overhead structure which is designed to allow vehicles or pedestrians to pass under it.
- F. Color rendering index (CRI) - a scale from 0 to 100 percent measuring a light source's ability to show object colors "realistically" or "naturally" compared to a familiar reference source, either incandescent light or daylight.
- G. Encased - a lamp obscured by translucent sheathing.
- H. Existing lighting - Any and all lighting installed prior to the effective date of this Ordinance.
- I. Exterior lighting - Temporary or permanent lighting that is installed, located, or used in such a manner to emit light outside. Fixtures that are installed indoors that are intended to draw attention to the exterior of the building from the outside are considered exterior lighting for the purposes of this Article.
- J. Fixture - The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens.

- K. Fixture, cutoff – A fixture that allows no emissions above the horizontal plane passing through the lowest point on the fixture from where light is emitted.



- L. Fixture, non-cutoff – A fixture that allows light to emit beyond the horizontal plane of the lowest point of the fixture and/or allows light emissions in all directions.



- M. Foot-candle - A unit of measurement for quantifying the brightness of illumination produced on a surface. One foot-candle is equal to one lumen per square foot.
- N. Glare - Harsh, uncomfortably brilliant light caused by the ability to see an unshielded light source.
- O. Kelvin rating – A unit to measure the color temperature of a light source, the higher the Kelvin rating (expressed in K), the whiter the light source.
- P. Lamp - The component of a luminaire that produces the light.
- Q. Light pole - The structure to support and elevate a luminaire.
- R. Light trespass - Light that is unnecessarily emitted beyond the boundaries of the property on which the luminaire is located.
- S. Lighting ratio - The ratio of foot-candles from the minimum to the maximum point calculations or readings for a given area. This ratio is an indicator of lighting uniformity. The lower the ratio the better the uniformity.
- T. Luminaire – The complete lighting system, including the lamp and light fixture.
- U. Lumen - A unit of measurement for quantifying the amount of light energy emitted by a light source (power of the light radiated by the light source).
- V. Photometric plan - A diagram prepared by a lighting professional that is certified by the National Council on Qualifications for the Lighting Professions (NCQLP), or a state licensed professional engineer, architect, or landscape architect showing predicted maintained lighting levels produced by the proposed lighting fixtures, including any freestanding and building mounted lighting.
- W. Recessed - When a light is built into a structure or portion of a structure such that the light is fully cut off by the structure to which it is attached.
- X. Shielded - A bulb or lamp concealed by a baffle or light shield.
- Y. Spotlight - A luminaire designed to light only a small, well defined area or object.



Z. Urban sky glow - The brightening of the night sky due to manmade lighting.

AA. Visibility - Being perceived by the human eye.

#### 54.40 EXEMPTIONS

- A. Emergency lighting necessary to conduct rescue operations, support public safety, provide emergency medical treatment, to illuminate emergency means of egress, or address any other emergency situation.
- B. Lighting operated by a public utility or agency during the course of constructing, repairing, or replacing public utilities and infrastructure.
- C. Temporary construction lighting, provided it is discontinued daily immediately upon completion of the work.
- D. Temporary holiday decorative lighting, from November 15th through January 5th.
- E. Lights on communication towers and other hazards to aerial navigation as may be required by the Federal Aviation Administration.
- F. Lighting used to illuminate a flag of the United States, subject to Section 54.60.D.
- G. Lighting associated with Department of Agriculture recognized agricultural activities.
- H. Typical residential light fixtures on residential buildings and associated accessory buildings, which do not violate Section 54.50, are exempt from the cut-off requirement when mounted at a height of eight feet or less.
- I. All outdoor light fixtures existing and legally installed prior to the effective date of this Ordinance.

#### 54.50 PROHIBITED LIGHTING

- A. Lighting of a blinking, flashing, rotating, or fluttering nature, including changes in light intensity, brightness or color except for public safety purposes.
- B. Beacon and/or search lights except for public safety purposes.
- C. Fixtures that direct light upward unless permitted by this Article.
- D. Roof mounted lighting.
- E. Lighting of an intensity or brightness that interferes with enjoyment, health, safety, and welfare of surrounding properties.
- F. Unshielded luminous tube, LED, incandescent, or fluorescent lighting as an architectural detail on the exterior of any structure or the interior of any windows; including but not limited to rooflines, cornices, eaves, windows, and door openings.



(Examples of unshielded tube lighting)

## **54.60 OUTDOOR LIGHTING STANDARDS**

### **A. General Provisions**

1. **Cut-Off Fixtures.** All luminaires are required to be cut-off fixtures, unless otherwise permitted in this Article.
2. **Security Lighting.** Security or flood lighting shall be attached to buildings and controlled by motion sensors, which extinguish within 10 minutes of activation.
3. **Direction of Lighting.** Lighting plans shall be designed to direct light into the development and away from adjacent property.
4. **Light Levels at Property Line.** Site and area lighting of nonresidential properties shall be designed such that light levels do not exceed 0.1 foot-candles at any point along the perimeter of the property adjacent to residential zoning or uses and 0.5 foot-candles adjacent to all other zoning and uses.
5. **Shared Parking Lots.** Lighting designed to illuminate shared parking lots that span two or more parcels shall be exempt from the 0.5 foot-candle requirement at the shared property line only.
6. **Parking Lot and Drive Aisle Lighting Ratio.** To provide for uniformity of lighting, the ratio of maximum to minimum levels of light within the parking lot and drive aisle areas of a nonresidential property shall not exceed 20:1. Exception shall be made for those areas along the perimeter of the property where a significant reduction in lighting is expected in order to comply with the provisions of the subsection above.
7. **Reduced Lighting.** Lighting shall be significantly reduced during non-operational building hours, allowing only lighting necessary for security purposes. Lighting installations should include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unneeded lighting that affects urban sky glow. The lighting plan shall note when and how this reduction in lighting will occur.
8. **Color Temperature and Rendering.** Lighting for all nonresidential developments shall have a minimum color rendering index (CRI) of 65 and a Kelvin rating between 4000-5000k.

### **B. Pole-Mounted Lighting**

1. All pole-mounted luminaires shall be affixed horizontally and angled parallel to the ground.
2. No more than two luminaires shall be allowed per pole.
3. Luminaire height of 15 feet or less shall not exceed 12,000 lumens per luminaire and shall be spaced a minimum of 30 feet apart.
4. Luminaire height greater than 15 feet and not exceeding 25 feet shall not exceed 20,000 lumens per luminaire and shall be spaced a minimum of 40 feet apart.
5. Luminaire height exceeding 25 feet shall be subject to approval by the reviewing body. The applicant must prove, to the reviewing body's satisfaction, that pole heights exceeding 25 feet are needed to ensure public health, safety, and welfare. If permitted, such lighting shall not exceed 40,000 lumens per luminaire and shall be spaced a minimum of 50 feet apart.

### **C. Building-Mounted Lighting**

1. **Pedestrian walkways and doorways**
  - a. Shall not exceed 14-feet in height.
  - b. Each luminaire shall not exceed 8,000 lumens and shall be spaced so the lighting for pedestrian walkways does not exceed 2.0 foot-candles and entryways do not exceed 6.0 foot-candles.
2. **Luminaires used for the sole purpose of illuminating a building façade:**

- a. May be up to 1.5 foot-candles averaged over the building façade.
  - b. May be located on the building or be ground-mounted.
  - c. Light generated from said fixtures shall be appropriately shielded so that no light is emitted beyond the building facade.
3. Architectural features. The use of architectural features on the building, such as a canopy, which prevent the projection of light beyond the architectural feature may satisfy the intent of this Section and allow the use of noncut-off fixtures, subject to the approval of the reviewing body.

**D. Landscape Features and Green Belt Lighting**

- 1. Landscape luminaires may include uplighting, which is specifically directed at the landscape or plant feature.
- 2. Shall be equipped with shields to help direct light to the landscape or plant feature and to help eliminate light spillover and glare.
- 3. Shall not exceed 300 lumens per luminaire.
- 4. Shall not exceed a height of 18-inches above grade.

**E. Special Uses**

**1. Service station/fuel sales canopy structure**

- a. Luminaires shall be recessed so that the lens cover is flush with the lower surface of the canopy and shielded by a fixture or the edge of the canopy so that light is directed downward.
- b. As an alternative, indirect lighting may be used where uplighting is reflected from the underside of the canopy. When this method is used, luminaires must be shielded so that direct light is focused exclusively on the underside of the canopy.
- c. Luminaires shall not be mounted on the top or sides (fascia) of a canopy.
- d. Internally illuminated signs in compliance with the Sign Ordinance may be placed on the fascia of the canopy.
- e. The total light output directly below the canopy shall not exceed 30 foot-candles.

**2. Outdoor dining areas**

- a. Decorative unshielded lighting may be used in outdoor dining areas as long as the lighting does not exceed 1.5 foot-candles and is designed to control light spillover and reduce glare to adjacent properties.
- b. Lighting in outdoor dining areas adjacent to residentially zoned or used land must be extinguished by 11:00 pm or when the business closes, whichever is first.

**54.70 INTERIOR LIGHTING**

Where interior lighting and/or lighting displays are located within 10 feet of a bay of windows, glass doors, or other transparent areas of a building facade, walls, or roof (e.g., skylights), the lighting shall be shielded or screened to reduce visibility and prevent glare to patrons, individuals on adjacent and nearby properties, and/or motorists on adjacent streets.

**54.80 EXISTING LIGHTING**

All lighting established prior to this Ordinance shall be so arranged as to avoid glare or direct illumination onto any portion of any adjacent rights-of-way or onto any adjacent premises.

**54.90 ADMINISTRATION**

A site lighting plan for uses requiring Site Plan review shall be submitted, in compliance with this Article, and shall provide the following information:

- A. Proposed location on premises of all outdoor light fixture(s), including all building-mounted lighting, architectural lighting, and landscape lighting.
- B. Manufacturer specification sheets, cut-sheets, or other manufacturer provided information for all proposed luminaires that provides a description of the illumination devices, fixtures, lamps, supports, reflectors, and other devices, including lumens produced.
- C. The height of all luminaires and poles.
- D. A photometric plan showing foot-candle readings every ten feet within the subject site and ten feet beyond the property lines, including lighting ratios.
- E. If building elevations are proposed for illumination, drawings shall be provided for all relevant building elevations showing the fixtures, the portions of the elevations to be illuminated, the illuminance levels of the elevations, and the aiming point for any remote light fixture.

SECTION II. EFFECTIVE DATE AND REPEAL. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed. This Ordinance shall take effect upon publication after adoption in accordance with State law.

DUSTY FARMER, CLERK  
OSHTEMO CHARTER TOWNSHIP

September 6, 2018



**Mtg Date:** September 11, 2018  
**To:** Township Board  
**From:** Julie Johnston, AICP  
**Subject:** Lighting Ordinance – Enforcement Actions

On July 30, 2018, Staff began a Township-wide enforcement action to try and eliminate string LED and/or other types of “string” lighting found on nonresidential properties within the Township. Letters were sent to businesses that had noncompliant lighting found around windows, on building facades, on signs, etc. that were in violation of the Township’s Lighting Ordinance. Section 78.720: Outdoor Lighting Standards states the following:

- D. Except as provided in subsection E. below, building-mounted lighting shall be full cut-off fixtures and shall not exceed 175 watts per lamp regardless of lamp type and shall not exceed a 20-foot mounting height. The use of architectural features on the building, such as a canopy, which prevent the projection of light beyond the architectural feature may satisfy the intent of this section and allow the use of non-full cut-off fixtures, subject to the approval of the Planning Director or designee. Typical residential light fixtures on residential buildings and associated accessory buildings, not to include flood lights or security lights, are exempt from the full cut-off requirement when mounted at a height of eight feet or less.*
  
- E. Fixtures used for the sole purpose of illuminating a building facade may be up to 400 watts per lamp and may be building- or ground-mounted. Light generated from said fixtures shall be appropriately shielded with louvers so that no light is emitted beyond the building facade. Building-mounted fixtures, in this instance, shall be full cut-off and mounted so as to direct light down; fixtures that direct light upward is not permitted. The illumination of building exteriors shall not exceed the recommended footcandle levels set forth by the IES, not to exceed 20 footcandles. No more than 25% of a building wall may be illuminated.*

Staff investigated the Lighting Ordinance to determine when these regulations were required by the Zoning Code. The most recent Zoning Ordinance was codified in 1984, so staff reviewed ordinance amendments from that date forward. Based on this investigation, building mounted full cut-off fixtures were required as part of an ordinance amendment in 2004 (Ord. No. 452, eff. Aug. 12, 2004). Four additional ordinance amendments were completed since 2004 that increased the regulatory control of building mounted lighting to the ordinance we have today.

This increase in regulatory control was in an effort to manage indirect lighting, light pollution, and an effort to preserve dark skies. Dark skies were specifically mentioned in the Planning Commission minutes

during the ordinance changes which occurred in 2004 and 2006. In fact, the Planning Commission considered changing the lighting ordinance to allow the use of LED and neon lighting as an architectural feature, exempt from the full cut-off requirement. The staff report provided for the November 16, 2006 Planning Commission meeting provided the following language for consideration:

*Building mounted lighting fixtures shall be full cut-off fixtures and shall not exceed 175 watts per lamp regardless of lamp type and shall not exceed a **25 ±5** foot mounting height. **Typical residential light fixtures on residential buildings and associated accessory buildings, not to include flood lights or security lights, are exempt from the full cut-off requirement when mounted at a height of 8 feet or less.***

***The use of neon or LED lighting, as an architectural feature, is exempt from the full cut-off requirement when mounted at a height of not more than 15 feet.***

The language related to neon or LED lighting did not make it into the final ordinance. At some point during the Planning Commission review this language was removed and it was not included in the ordinance amendment presented to the Township Board for first and second reading.

Interior lighting was also considered as part of the 2007 amendments approved by the Township Board. The language is as follows:

*Where interior lighting and/or lighting displays are located adjacent to a bay of windows, glass doors or other transparent areas of a building facade, walls or roof (e.g., skylights), the lighting shall be shielded or screened such that glare and intensity are not reasonably objectionable to patrons, individuals on adjacent and nearby properties, and/or motorists on adjacent streets.*

The intent of the ordinance is to ensure that interior lighting is not of an intensity that it is objectionable, creates light pollution, or impedes dark skies. The important component of this ordinance is the term “adjacent” as opposed to “attached to” the window. For example, the lighting fixture display near the window inside Menards is what this ordinance is intended to regulate. The ordinance enforcement steps taken by staff has been directed at businesses that have physically attached lighting to the interior of their windows, which purposefully shines outward in an effort to attract attention to the business.

Staff has spoken with a number of the business owners who received letters regarding their noncompliant lighting. Some are working to remove the lighting, while others have requested the Township Board consider changes to the lighting ordinance to allow this type of fixture. Based on past efforts of the Planning Commission, staff would not recommend any changes at this time.

Thank you.