

March 1, 2020

To: Don Mende

Planning Coordinator

dmende@oaklandtownship.org

248-651-4440, Extension 216

Charter Township of Oakland, Michigan

From: Bob Yager – Oakland Township Resident, 1146 Bear Creek Ct.

Cc: Adam Kline, Township Manager

Re: Stony Creek Crossing 3/3/2020 Planning Commission Agenda Item, Suggestion for Planning Commission Additional Review

Mr. Mende:

I suggest that Planning Commission consider commissioning a more detailed engineering, environmental and legal scrutiny of the NPDES wastewater permit issued for this project in 2016 and expiring 10/2/2020, in order to satisfy themselves that all is in order.

Discharging a sewage treatment plant effluent, even though “treated”, into the seasonally flowing and sometimes dry headwaters of West Stony Creek does not seem like a sound concept.

It may not be in compliance with the Zoning Ordinance Article III, 16-330 Section E-6 requirements ii and iv on page III-16 of the Charter Township of Oakland Zoning Ordinance, adopted January 23, 2018 <https://www.ecode360.com/documents/OA3183/public/431381679.pdf> cited by Mr. Lewan of Carlisle Wortman Associates on page 5-6 of his report.

6. Restrictions.

- i. Nothing in this section shall allow the construction of multi-family, two-family or attached residential units in a single-family residential district.
- ii. Nothing in this section shall allow a development to result in the creation of a nuisance or a danger or hazard to the health, safety and welfare of any person or property.
- iii. The development shall not result in an unreasonable burden upon public services and/or facilities, taking into consideration the capacity and availability, considering the existing and anticipated future use of such services and facilities.
- iv. The development shall be designed to avoid an unreasonable burden upon the subject and/or surrounding properties, taking into consideration economic, aesthetic, traffic, noise and other applicable and relevant planning and/or engineering considerations.
- v. Any development proposed utilizing the open space option provided in this section shall comply with all zoning regulations and design standards applicable to the property.

CWA Comment: Application is in compliance.

From Mr. Hocking's report (PEA Engineer).

Page 1, he reviewed this document -

- Copies of the Public Notice, dated April 6, 2016, and Responsiveness Summary, dated August 24, 2016, from the Michigan Department of Environmental Quality (MDEQ) regarding the proposed wastewater treatment plant.

On page 6, Mr. Hocking comments -

Wastewater Treatment:

1. The Applicant has submitted plans showing the proposed 143 unit development will utilize an on-site wastewater treatment plant (WWTP) system for the treatment of wastewater collection.
2. The applicant has obtained an extension of a Part 31 Water Resources Protection - National Pollutant Discharge Elimination System (NPDES) permit, No. MI0057878 (originally issued on February 17, 2012), expiration date of October 1, 2020, from the MDEQ for authorization of the discharge of wastewater to the West Branch Stoney Creek.

Some questions:

1. Did the Township participate in the public hearing for this permit?
2. If so what was the Township position?
3. Was it a technically and environmentally sound decision to grant this permit?
4. Was the process of granting the permit done with all legal steps of notification, etc. done properly?

These would seem important questions for Planning Commission to ask.

Thank you for your consideration of this matter.

Bob Yager